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Th16a-f

ADDENDUM

DATE: May 12, 2015

TO: Commissioners and Interested Parties

FROM: South Central Coast District Staff

SUBJECT: Agenda Items 16a-f, Thursday, May 14, 2015, Coastal Development Permit Application Numbers 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, 4-14-1094

The purpose of this addendum is: A) to make revisions to special conditions and findings of the May 1, 2015 staff report; B) to attach ex parte communications; C) to attach Exhibit 24, 25, 26, and 27; and D) to attach correspondence and provide responses to comments. Findings have been modified and inadvertent errors have been corrected. An Ex Parte Communication from Commissioner Cox is attached. Commission Staff received 43 letters received by the date of this addendum, including those received from Los Angeles County Supervisor Sheila Kuehl and Los Angeles County Regional Planning Director Richard Bruckner, are attached.

A. Revisions to Special Conditions and Findings.

Note: ~~Strikethrough~~ indicates text deleted from the May 1, 2015 staff report pursuant to this addendum and <u>underline</u> indicates text added to the May 1, 2015 staff report pursuant to this addendum.

1) In order to ensure that the Motions and Resolutions in Section I of the staff report are ordered correctly, Part F (Approval of CDP Number 4-14-1094) on page 12 of the staff report shall be moved to page 10, and renamed as Part A, as the first of the six motions and resolutions. All subsequent motions and resolutions shall be renumbered accordingly.

2) In order to clarify its intent, Special Condition Two (2) of Coastal Development Permit 4-14-1094 shall be replaced by the following:

<u>2. Lot Combination of APNs 4453-005-013 and 4453-005-038</u>

<u>A.</u> <u>PRIOR TO RECORDATION OF THE DEED RESTRICTION PURSUANT TO PART C BELOW, which will effectuate the combination of the two lots between which the applicants proposed a lot tie, the applicants shall complete the proposed lot line adjustment, but excluding APN 4453-005-013, thereby expanding the lot currently designated as APN 4453-005-038, and provide evidence satisfactory to the Executive Director that the resulting, expanded version of what is currently</u>

APN 4453-005-038 and what is currently APN 4453-005-013 meet all legal requirements for recombination, including proof of common ownership.

B. The applicants who are also the landowners of the properties currently identified as Assessor Parcel Numbers (APNs) 4453-005-013 and 4453-005-038 acknowledge and agree, on behalf of themselves and all successors and assigns with respect to the aforementioned properties, that: (1) All portions of the parcel known as APNs 4453-005-013 and the revised/expanded form of APN 4453-005-038 that will result from the lot line adjustment conducted pursuant to paragraph A shall be recombined and unified for all purposes (including the Subdivision Map Act, as well as the Coastal Act), and shall henceforth be considered and treated as a single parcel of land for all purposes, including but not limited to sale, conveyance, lease, development, taxation or encumbrance; and (2) the single parcel created thereby shall not be divided, and neither of the two parcels that are to be combined pursuant to this condition shall be alienated from each other or from any portion of the combined and unified parcel hereby created.

C. The applicant who is the record owner of both APNs 4453-005-013 and the revised/expanded version of what is currently APN 4453-005-038 resulting from the lot line adjustment conducted pursuant to paragraph A shall effectuate the proposed combination of those two lots by executing and recording a deed restriction against those two properties, in a form acceptable to the Executive Director, reflecting the restrictions set forth above. The deed restriction shall include a legal description and graphic depiction of the two parcels being recombined and unified. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens, including tax liens, and encumbrances that the Executive Director determines may affect the enforceability of the restriction.

3) In order to clarify its intent, Special Condition Twenty-four (24) of Coastal Development Permit 4-10-041 shall be replaced by the following:

24. Offer-to-Dedicate Public Hiking and Equestrian Trail Easement

A. In order to implement the applicant's proposal of an offer to dedicate a public access hiking and equestrian trail easement as part of this project, PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant as landowner shall execute and record a document, in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an easement for public access and passive recreational use in the general location and configuration depicted in **Exhibit 14** of the Staff Report consisting of a minimum 25' wide portion of the property**.** Passive recreational use includes, but is not limited to, picnicking, viewing, sitting and hiking. The easements shall include the right of the accepting agency to enter the easement areas and repair the trails or amenities associated therewith in the event the applicant/landowner fails to maintain or repair those facilities as determined by the

Executive Director and/or the accepting agency subject to the limitation set forth in below.

B. The recorded document(s) shall include legal descriptions and graphic depictions of both the applicant/landowner's entire parcel and a formal metes and bounds legal description and corresponding graphic depiction of the trail easement areas.

C. The recorded document(s) shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use that may exist on the property. The document shall also provide that there shall be no gate(s) at the entrance to or exit from the easement.

D. The offer shall be recorded free of prior liens and encumbrances, except for tax liens, that the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recordation of the offer. The recorded document(s) shall include legal descriptions and graphic depictions of the applicant's entire parcel and a formal metes and bounds legal description of the trail easement area with a corresponding graphic representation prepared by a licensed surveyor showing the area identified in the legal description of the easement area.

4) In order to clarify Special Condition Sixteen (16) Open Space Conservation Easement, the following shall be added to Part A(2) on page 26 of the staff report:

(2) Fuel modification required by the Los Angeles County Fire Department undertaken in accordance with the final approved fuel modification plan approved pursuant to **Special Condition 5, Landscaping and Fuel Modification Plans**, or other fuel modification plans required and approved by the Commission or the County of Los Angeles pursuant to a different CDP(s) issued by the Commission or the County of Los Angeles;

5) In order to clarify Part D of Special Condition Four (4) Interim Erosion Control Plans and Construction Responsibilities, the following shall be modified on page 16 of the staff report:

(d) The plan shall specify that grading shall take place only during the dry season (April 15 – October ~~31~~15).

6) In order to clarify Part A(1) and (5) of Special Condition Five (5) Landscaping and Fuel Modification Plans, the following shall be modified on page 18 of the staff report:

(1) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes ~~within thirty (30) days of receipt of the certificate of occupancy for the residence~~ prior to the subsequent rainy season.

(5) Rainwater catchment systems shall be installed to supplement landscape irrigation systems, and only drip or micro spray systems shall be used for irrigation. If approved by the County of Los Angeles, Onsite Wastewater Treatment System tertiary treated effluent shall also be used for irrigation.

7) In order to correct an inadvertent error, the third sentence in the last paragraph on page 6 of Dr. Engel's Memorandum dated April 30, 2015 shall be modified as follows:

> Envicom also mapped H1 rock outcrops along Sections 1, 2, 3, and 4 of the waterline. The waterline development footprint along Section 1 and 2 avoids direct impacts to H1 rock outcrops, however, in many areas, the development occurs directly adjacent to H1 rock outcrops. Section 3 of the proposed waterline, as proposed, would intersect H1 rock outcrops at five locations impacting 0.03 acres of H1 rock outcrops over a linear distance of 148 feet.

8) In order to correct an inadvertent error, the following shall be deleted from the first sentence of the project description for the Morleigh Residence on pages 3 and 37 of the staff report:

> The applicant is proposing to construct a 18-ft. high (as measured from existing grade), two-level, 9,170 sq. ft. single-family residence on a 20.1-acre lot, with an attached 989 sq. ft. garage ~~and 1,231 sq. ft. non-habitable space~~, swimming pool, onsite septic system, 105 li. ft. water line extension and 450 li. ft. shared access road extension, and a Fire Department hammerhead turnaround.

9) In order to correct an inadvertent error and in order to clarify the proposed project, the following shall be added to the table on page 5 of the staff report:

APN	Owner[1]	Application Number	Reconfiguration Proposed?	Residential Development?	Easement(s)
4453-005-037	Lunch	4-10-040	No	Yes	Open Space/ Conservation
4453-005-018	Vera	4-10-041 and 4-14-1094	Yes- Lot Line Adjustment		Open Space/ Conservation and Trail
4453-005-091	Morleigh	4-14-0598 and 4-14-1094			Open Space/ Conservation
4453-005-092	Mulryan	4-10-042 and 4-14-1094			
4453-005-038	Ronan	4-10-044 and 4-14-1094	Yes- Lot Tie and Lot Line Adjustment		
4453-005-013	E.D. West	4-14-1094		No	

[1] All names below are shorthand. The formal names are followed by "Properties, LLLP" in each case.

10) In order to correct an inadvertent error, the following shall be deleted from page 52 of the staff report:

> The Commission concurs with the findings of the CSA final report, as well as the findings contained in the memoranda prepared by Dr. Lesley Ewing dated January 24, 2011 and April 27, 2015 (Exhibit 16), and the memorandum prepared by Dr. Mark Johnsson dated January 25, 2011 and April 28, 2015 (Exhibit 15), which are hereby incorporated herein by reference. ~~Although the currently proposed development configuration has been modified since the subject memoranda were written, the applicant's agents have indicated that the applicants would construct the currently proposed development utilizing the previously analyzed methods.~~ Furthermore, as described below the applicants' engineers have indicated that the proposed development, located in its revised configuration, will be stable.

11) In order to include the total fee required by the LVMWD, the following shall be added to the third paragraph on page 95 of the staff report:

> As mentioned above, the policies of the LUP require that potable water consumption is reduced. As a requirement for a new water connection, the LVMWD has required the applicants pay an approximately $10,167.00 dollar fee towards a conservation fund that it utilized to develop projects to offset new water demands. To further reduce the use of potable water at the project site, **Special Condition Five (5)** requires that rainwater catchment systems be installed and only drip or micro spray systems shall be used for irrigation.

12) In order to clarify the findings relating to grading in Section C (Hazards and Geologic Stability) of the staff report, the following shall be added before the last paragraph on page 51:

> In total, the proposed project would require 31,730 cubic yards of cut and 22,350 cubic yards of fill. The difference between the volumes of cut and fill is 9,380 cubic yards. However, given the types of soils present at the project site, the applicant's engineer has estimated a 10% shrinkage and loss factor. The assumed a 10% shrinkage factor for the soil means that 100 cubic yards of fill will require 110 cubic yards of cut, resulting in a roughly 10% reduction in the cut quantity and a 10% increase in the fill quantity. Applying these factors for export calculations modify the cut value to approximately 28,400 cubic yards and the fill value to approximately 24,700 cubic yards. The remaining 3,700 cubic yards is absorbed by the removal, recompaction, and mitigation recommended by the project geologist. This work will consist of approximately 17,650 cubic yards of cut and fill (over-excavation within the limits of the grading footprint identified on the plans). When applying the same shrinkage and loss factors there is a difference of approximately negative 3,700 cubic yards, thus resulting in a net project balance. As such, all grading will be balanced on the project site, and there will be no export of materials from the project site during construction. (Exhibit 27)

13) In order to clarify the findings relating to the length of the proposed access road in Section C (Hazards and Geologic Stability) of the staff report, the following shall be added before the last paragraph on page 52:

Policy CO-79 of the LCP requires that access roads do not exceed a maximum length of 300 feet, unless, based on substantial evidence, a variance standard is warranted. As mentioned above, the proposed project includes the construction of a 1,980 linear foot access road. Specifically, Section 22.44.1920(C)(1)(c) states in relevant part:

> *In no case shall new on-site or off-site access roads or driveways exceed a maximum of 300 feet or one-third the parcel depth, whichever is less, unless the County finds, based on substantial evidence, that a variance of this standard is warranted, in accordance with the requirements of subsection D of Section 22.44.1150. In addition to the required findings set forth in subsection H of Section 22.44.1150, findings shall be made that alternative building sites/access road or driveway locations within the property or project have been considered and eliminated from consideration because each alternative was found to be physically infeasible, less protective of scenic resources, H1 and/or H2 habitat, areas or other coastal resources, or has the potential for substantial habitat destruction if any such alternative site or driveway location is used;*

The requirements of Section 22.44.1150 (H) state in relevant part:

> *H. Application–Grant or denial–Findings required.*
>
> *1. The Hearing Officer or Commission shall approve an application for a variance where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:*
>
> *a. That because of special circumstances or exceptional characteristics applicable to the property, the strict application of the Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification; and*
>
> *b. That the adjustment authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated; and*
>
> *c. That strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards; and*
>
> *d. That such adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity; and*
>
> *e. That the granting of the variance will not be materially detrimental to coastal resources;*

The project site is extremely constrained by topographic, geologic, and biological factors, all of which create special or exceptional circumstances where strict application of provision 22.44.1920(C)(1)(c) would deprive the properties of privileges enjoyed by other property owners in the vicinity. As depicted on Exhibit 22, the project site contains landslides, extremely steep slopes that are greater than 50%, as well as H1 and H2 habitat (ESHA). All proposed residences are located in a clustered configuration and is the minimum length necessary to reach the proposed residences. Compared to the previously proposed development configuration (2011) the currently proposed access road is 67% shorter in length.

The subject variance would not grant special privilege inconsistent with the limitations upon other properties in the vicinity because the applicants have proposed five residences on six lots, and the five proposed residences are proposed in a clustered configuration, which minimizes impacts to coastal resources. Additionally, the development areas of all proposed residences conform to the maximum of 10,000 square feet, consistent with the maximum size requirements of the LCP.

Furthermore, strict application of the zoning regulations will result in practical difficulties or unnecessary hardships inconsistent with the purpose of such regulations because requiring that the subject residences strictly conform to the access road length policies and provisions of the LCP would result in relocation of the access road and residences to areas with unstable geology, where actual construction would not minimize risk to life and property from geologic hazard and may not be feasible from a geologic and engineering standpoint. Furthermore, as mentioned above, relocation of the subject access road and residences could increase SERA impacts, including those to H1 habitat, inconsistent with policies and provisions of the LCP.

Allowing for an increased access road length will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity as their location clusters all residences and therefore minimizes impacts to coastal resources, including scenic and visual resources.

The length of the proposed access road and location of all proposed residences, minimizes impacts to coastal resources, and therefore will not be materially detrimental to those resources. As mentioned above, in comparison to the previously proposed development configuration (2011), the currently proposed project reduces the length of the proposed access road by 67% and access road grading by 70%. Additionally, overall project impacts to biological resources are reduced by 51%, and the proposed open space easement area is increased by 40 acres.

Lastly, pursuant to Section 22.44.1920(C)(1)(c) alternative access road configurations have been considered and eliminated from consideration because each alternative was found to be physically infeasible, less protective of scenic resources, H1 and/or H2 habitat areas or other coastal resources, and had the potential for substantial habitat destruction if any such alternative access road configuration is used.

B. Ex Parte Communications.

Attached to this addendum is an Ex Parte communication received from Commissioner Cox.

C. Exhibits 24, 25, 26, and 27.

Attached to this addendum are Exhibit 24, Visual Analysis, Exhibit 25, H1 Habitat, and Exhibit 26, Elevations, and Exhibit 27, Impact Comparison Tables.

D. Correspondence Received.

1) Attached to this addendum is correspondence received from Los Angeles County Supervisor Sheila Kuehl in opposition of the subject project. A summary of the comments received are described and addressed below:

> Supervisor Kuehl asserts that the subject project is inconsistent with several principles and policies of the Santa Monica Mountains LCP. Specifically, she states that because the project is located on a significant ridgeline more thoughtful siting and design alternatives, including a reduced size development area, should be considered.
>
> As described within Section G of the Staff Report, all proposed residences are a maximum of 18 feet in height from finished grade (consistent with LUP Policy- CO-147), and are located in a clustered configuration near the southernmost extent of the project area. Additionally, Policy CO-51 requires that the maximum allowable building site area on parcels shall be no more than 10,000 square feet. All proposed residences conform to this requirement.
>
> Supervisor Kuehl also asserts that the proposed development is located in a Very High Fire Hazard Severity Zone, and that the proposed project is detrimental to public health and safety, as well as to the safety of our first responders.
>
> In order to minimize risks from fire hazard consistent with the certified LCP, the applicants have submitted a detailed fire protection plan which includes measures to protect the subject development from wildfire. Additionally, in order to ensure that the Fire Department reviews the subject plan, Special Condition Twenty (20) requires that the applicants submit a final fire protection plan that has been reviewed by the Fire Department. Furthermore, the structures have been sited and designed to minimize risks from fire and the applicants have submitted detailed fuel modification plans that comply with LA County Fire Department requirements. Moreover, the proposed access road and driveways have been designed to comply with all Fire Department road standards. Lastly, Supervisor Kuehl states that because the ingress and egress to the projects requires the use of portions of Sweetwater Mesa Road that are located in the City of Malibu, the Commission must examine those impacts as well, and that by not doing so the project is segmented, in violation of the California Environmental Quality Act (CEQA).

The portion of the proposed project that is located within the City of Malibu (City) is subject to the coastal development permit jurisdiction of the City. The applicants have been working with the City to obtain a CDP for road construction. The City will apply all applicable policies and provisions of the certified City of Malibu Local Coastal Program, including those that require the: 1) minimization of grading and landform alteration; 2) protection of life and property from geologic and other hazards; 3) protection of coastal resources (including, but not limited to, ESHA and visual resources); 4) consideration of project alternatives; and 5) requirement of mitigation measures.

2) Attached to this addendum is correspondence received from Los Angeles County Regional Planning Department Director Richard Bruckner in opposition of the subject project. A summary of the comments received are described and addressed below:

Development in H1 Habitat

Mr. Bruckner states that the Santa Monica Mountains LCP only allows resource dependent uses and certain access roads within H1 and H1 habitat buffer, and that because the subject applications include development within these areas that is not resource dependent, the proposed project should be revised or denied.

Portions of the proposed project are located in H1 buffer areas, which is inconsistent with H1 *buffer* protections *unless* (1) allowing such impacts is necessary to avoid a taking, (2) there is no feasible alternative, and (3) the impacts are avoided to the maximum extent feasible (LUP Policy CO-56 / LIP § 22.44.1890.D). Furthermore, the LCP prohibits development within H1 habitat, however, when a proposed project's inherent inconsistencies with the applicable standard of review would otherwise require the Commission to deny the project, the Commission must first consider Section 30010 of the Coastal Act, which prohibits the Commission from exercising its power to grant or deny a permit in a manner that will take or damage private property for public use without just compensation. Thus, the permissibility of both types of impacts requires a takings analysis. This detailed analysis is described in detail in Section E of the staff report.

Waterline Installation

Mr. Bruckner states that the LCP requires that the proposed waterline be located within existing roadways and road rights-of-way.

Portions of the proposed waterline are located within existing roadways, however other portions are not. The configuration of the proposed waterline is the only feasible alternative for the subject development. The applicants have analyzed alternatives to the proposed waterline, such as wells and water tanks. However, as described within the staff report, the applicants' agents have indicated that an alternative water source such as wells and water tanks, would be unlikely to obtain County of Los Angeles Fire Department approval, as it would not provide sufficient volume to satisfy the fire flow requirement of 2,500 gpm for two hours.

Significant Ridgeline Development

Mr. Bruckner asserts that the size of the proposed residences should be reduced to further minimize impacts to visual resources. Mr. Bruckner also states that the conditions do not require the use of locally-indigenous vegetation for screening.

The LCP allows for development to be located on significant ridgelines where there is no feasible alternative building site, when the structures have a maximum height of 18 feet from existing or finished grade, whichever is lower. All proposed residences have a maximum height of 18 feet from finished grade. Furthermore, all proposed residences are consistent with the 10,000 square foot development area standard of the LCP. As conditioned, all proposed structures must utilize exterior colors consistent with the surrounding natural landscape; that windows on the development be made of non-glare glass; implement appropriate, adequate, and timely planting of landscaping to soften the visual impact of the development from public view areas; and incorporate a limit on night lighting of the site to protect the nighttime rural character of this portion of the Santa Monica Mountains. In addition, it is important to note that at least half of the square footage or more of the proposed structures are either partially or fully subterranean and the residences have been carefully designed to blend and integrate into the landscape. With regard to vegetation screening, the applicants propose as part of the residential projects to utilize oak trees to screen the proposed development. Special Condition Five (5) on each CDP requires the use of all native plant/drought resistant plant species of local genetic stock.

Grading During Rainy Season

A modification to Special Condition 4 is recommended in order to address Mr. Bruckner's comment that the LCP requires that the rainy season grading prohibition begins on October 15 of each year. This comment has been addressed in Section A5 of this Addendum.

Installation of Landscaping

A modification to Special Condition 5 is recommended in order to address Mr. Bruckner's comment that the LCP requires that all graded & disturbed areas on the subject site be planted prior to the subsequent rainy season. This comment has been addressed in Section A6 of this Addendum.

Oak Tree Encroachments

Mr. Bruckner asserts that mitigation should be required for impacts to eight oak trees located within the fuel modification zone of the proposed residences.

However, oak trees located within the fuel modification areas will not be substantially impacted, as fuel modification activates do not require removal, trimming, or thinning of the trees. Oak tree understory vegetation typically has a low fuel load that does not require removal to reduce fuel load. Additionally, Special condition Twenty-three (23) requires monitoring both during construction and for ten years following the completion of construction, and if impacts to the oak trees occur, replacement tree planting at a ratio of 10:1 is required as mitigation.

Grading

Mr. Bruckner states that there is a difference in grading quantities from the October 2014 staff report and the current 2015 staff report with regards to the access road. He also raises questions regarding overall grading quantities.

The increase in grading for the proposed access road is due to the reconfigured location of the proposed residences and access road alignment. Mr. Bruckner's comments regarding overall grading have been addressed in Section A12 of this Addendum.

Haul Route

Mr. Bruckner asserts that the LCP requires the approval of a haul route for the offsite transport of cut and fill material.

As described in Section A12 of this addendum, all grading will be balanced onsite, and therefore material will not be taken away from, or brought to the project site. As such, approval of a haul route is not required.

Visual Resources

Mr. Bruckner states that the staff report does not analyze the projects' impacts on views from public parklands and trails.

However, Section G of the staff report, specifically on page 100, discusses public views from parklands and trail and specifically states that the subject ridge is highly visible from Malibu Creek State Park and the Saddle Peak Trail about a quarter mile to the west. As further described in Section G, Commission staff visited the publicly accessible locations from which the proposed development would be visible after the applicants' staked the location of the proposed residences. Additionally, Commission staff visited the project site and examined the building sites, the size of the proposed structures, and alternatives to the size, bulk and scale of the structures.

Waterline Maintenance Path

Mr. Bruckner states that impacts to H2 habitat resulting from the proposed maintenance pathway have not been addressed in the staff report.

However, Special Condition Ten (10) requires mitigation for all impacts to H2 habitat, which will include those associated with the proposed waterline maintenance pathway.

3) Attached to this addendum is additional correspondence received. Staff received 2 letters in support, and 41 letters in opposition of the subject project. A summary of the comments received are described below:

A. Hazards and Geologic Stability:

Many of the letters received indicate that the subject project site is unstable, subject to landslides and fire hazard and that it is therefore not suitable for residential development. The letters also assert that the applicants have not submitted revised geological and geotechnical engineering analyses. As described within Section C of the staff report,

there has been significant geologic review of development proposed on the subject site, including an independent third party review of the geology and civil engineering on this project. Furthermore, as specifically indicated on pages 51-52 of the staff report, as well as in Exhibits 15 and 16, both the Commission geologist and engineer have provided staff with assistance in analyzing the proposed projects consistency with the applicable Santa Monica Mountains LCP policies and provisions. As listed within Appendix 1 (Substantive File Documents), the applicants have submitted updated geologic and geotechnical reports that evaluate the currently proposed development, and conclude that the project site is suitable for the proposed development.

B. Water Quality

Several of the letters received assert that the proposed development will have adverse impacts on surrounding water quality, including within Malibu Creek and Malibu Lagoon. Section D of the staff report discusses the measures that are required to be implemented by the applicants in order to minimize adverse impacts to water quality that could result both during construction and in the post-development stage, including implementation of best management practices (BMPs) that are designed to control volume, velocity, and pollutant load of stormwater.

C. Environmentally Sensitive Resource Area (ESHA/SERA)

Several comments have been received with regard to the protection of sensitive environmental resource areas/environmentally sensitive habitat areas (SERA/ESHA) as required by the Santa Monica Mountains LCP. Specifically, several letters have questioned whether the projects, as conditioned, will minimize the area of impact to SERA, the fragmentation of habitat areas, whether impacts will be adequately mitigated, and if the properties should be acquired as park land rather than being developed with residential uses.

As described in the staff report, the project sites contain pristine native chaparral, sage scrub, purple needlegrass grassland, and oak habitat areas that are part of a large, contiguous block of pristine native chaparral, sage scrub, and oak woodland habitat. As such, with the exception of lawfully disturbed areas, the project sites contain habitat considered to be H1, H2, and H2-High Scrutiny ESHA. Section 22.44.1810 of the approved IP states that H1 habitat includes native grasses and rocky outcrops. Both of these habitat types occur on the project sites, and are specifically located in proximity to the subject proposed development sites. Additionally, the above referenced Section states that H2 habitat includes large, contiguous areas of coastal sage scrub and chaparral-dominated habitats. These habitat types are also present on the project sites.

The proposed residential development is not a use that is dependent upon the resource, which makes most of it inconsistent with the policies and provisions of the LCP unless specific criteria are satisfied, and a small portion inconsistent with the policies and provisions of the LCP regardless. As discussed in great detail in Section E of the staff report, for the first category, the specific criteria have been satisfied, and for the second category, the Commission cannot apply all of the LCP provisions, as they would result in an action that would not be consistent with Section 30010 of the Coastal Act.

In order to ensure that the proposed projects are consistent with the LCP to the maximum extent feasible, each of the projects, as proposed, will be limited to a development area that is no more than 10,000 sq. ft. in size. The development has been sited to avoid all rock outcrop areas. Additionally, the proposed lot line adjustment will allow for the development site on each resultant parcel to be sited such that development will be clustered to the maximum extent feasible. This clustered development pattern will result in a significant reduction in the overall footprint of the development along with the access road, driveways, and required fuel modification. In order to ensure that all other areas of SERA on the project sites are preserved in perpetuity, the applicants propose (and the permits are conditioned to implement their proposals) to record open space easements over approximately 129 acres, including all areas outside the irrigated fuel modification zones of each approved development, and the entirety of an approximately 9-acre contiguous property. Siting the proposed development in this clustered configuration on the lower portion of the sites and preserving the remaining habitat areas will minimize the amount of SERA that will be impacted and will avoid the fragmentation of habitat in this area of the Santa Monica Mountains.

In addition to the siting and design of the proposed development and the preservation of habitat through open space easements, other mitigation measures will be incorporated to minimize impacts to SERA. Pursuant to the proposed Habitat Mitigation and Monitoring Plan (Dudek 2014), the H1 habitat (purple needlegrass) will be preserved and protected and all impacts to the purple needlegrass, are being mitigated onsite at a 3:1 mitigation ratio. There are no direct impacts to rock outcroppings on the site. Impacts to the chaparral and coastal sage scrub habitat (H-2 habitat) are mitigated through the habitat impact mitigation condition, consistent with the LCP.

D. Visual Resources

Several of the letters received assert that the proposed development will have adverse visual impacts, that the proposed development should be located off the ridgeline located on the project site. As described above, as well as within Section G of the staff report, the LCP allows for development to be located on significant ridgelines where there is no feasible alternative building site, or where the only alternative building sites below the ridgeline would result in unavoidable impacts to H1 or H2 habitat areas, when the structures have a maximum height of 18 feet from existing or finished grade, whichever is lower. All subject residences are located in a clustered configuration near the southernmost extent of the project area, and relocation of the subject residences off the ridgeline would result in a less clustered configuration, and increased impacts to habitat areas. As proposed, all subject residences have a maximum height of 18 feet from proposed grade, and all proposed residences are consistent with the 10,000 square foot development area standard of the LCP. Furthermore, as conditioned all proposed structures must utilize exterior colors consistent with the surrounding natural landscape; that windows on the development be made of non-glare glass; implement appropriate, adequate, and timely planting of landscaping to soften the visual impact of the development from public view areas; and incorporate a limit on night lighting of the site to protect the nighttime rural character of this portion of the Santa Monica Mountains.

E. Cumulative Impacts

Several of the letters received assert that approval of the subject development, including the proposed waterline, will result in potential increased development in the vicinity of the project site. The proposed waterline would cross eight parcels, only four of which are still vacant parcels. Although the proposed waterline has the potential to be utilized for new development on these four parcels, significant new improvements would be required in order to use the waterline. In addition, any new development on these subject properties would require issuance of a coastal development permit. Moreover, extension of the waterline to other vacant surrounding parcels within the general vicinity would also require substantial improvements, including installation of significant lengths of new pipeline. Thus, in this case, the project is not expected to result in significant cumulative growth inducing impacts. Additionally, as described on page 47 of the staff report, the applicants have indicated that an alternative water source, such as water tanks, would be unlikely to obtain county of Los Angeles Fire Department approval, as it would not provide sufficient volume to satisfy the fire flow requirements.

F. Archaeological Resources

Several of the letters received assert that detailed archaeological surveys of the project site are necessary. As described within Section I of the staff report, detailed surveys have been completed, and some archaeological resources have been identified. As such, Special Condition Nineteen (19) requires that all grading, excavation, and site preparation that involves earth-moving operations be monitored by a qualified archaeologist and appropriate Native American consultants, and that if cultural resources are identified on the project site, the development must protect or avoid such resources, consistent with the recommendations of the archaeologist and Native American consultant.

MAY 07 2015

Item Th16a-f

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Greg Cox

1) Name or description of project:

Application No. 4-10-040 (Lunch Properties LLLP, Los Angeles Co.)
Application No. 4-10-041 (Vera Properties LLLP, Los Angeles Co.)
Application No. 4-10-042 (Mulryan Properties LLLP, Los Angeles Co.)
Application No. 4-14-0598 (Morleigh Properties LLLP, Los Angeles Co.)
Application No. 4-10-044 (Ronan Properties LLLP, Los Angeles Co.)
Application No. 4-14-1094 (Mulryan Properties LLLP, Morleigh Properties LLLP, Vera Properties LLLP, Ronan Properties LLLP, and ED West Properties LLLP, Los Angeles Co.)

2) Date and time of receipt of communication: May 5, 2015 at 3:30pm
3) Location of communication: Telephone
(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)
4) Identity of person(s) initiating communication:
Anne Blemker
5) Identity of person(s) on whose behalf communication was made:
Sweetwater Mesa property owners/applicants
6) Identity of persons(s) receiving communication:
Greg Cox
7) Identity of all person(s) present during the communication:
Greg Murphy, April Winecki, Susan McCabe, Anne Blemker

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

I received a briefing from the applicants' representatives in which they discussed the site history, project background and the prior residential development proposal for the subject site that was considered by the Coastal Commission in 2011. They also addressed the October 2014 postponement and their efforts to work with staff and interested parties in the interim. As stated by the representatives, the current proposal is the result of years of coordination with staff, is responsive to staff's suggested project alternative provided in 2011, and is consistent with the terms of the 2013 Settlement Agreement. The proposal would cluster residential development at a lower, less visible elevation on the subject properties and is considered to be the "environmentally superior alternative," as stated in the staff report. As addressed in the staff report, the proposal addresses potential visual and ESHA impacts as required by the LCP and a significant portion of the properties (137 acres) would be put into a conservation easement. At the time of the briefing, the applicants' representatives stated that they are in agreement with the staff recommendation and were finalizing a briefing booklet that would be distributed to staff. The applicants request approval by the Commission.

5/8/15
Date

Greg Cox
Signature of Commissioner

PROPERTY NAME AND APN

Ronan Properties, LLP
APN: TBD

Lunch Properties, LLP
APN: 4453-005-037

Morleigh Properties, LLP
APN: TBD

Mulryan Properties, LLP
APN: TBD

Vera Properties, LLP
APN: TBD



SWEETWATER MESA

SHEET LIST

L0.0 Cover

L1.0 Site Plan - Overall
L1.1 Site Plan at Installation
L1.2 Site Plan at Maturity

L2.0 Perspective A - Access Road
L2.1 Perspective B - Fire Truck Turnaround
L2.2 Perspective C - Rock Fall Berm

L3.0 Perspective - Mulryan
L3.1 Perspective - Morleigh
L3.2 Perspective - Vera
L3.3 Perspective - Lunch
L3.4 Perspective - Ronan

L4.0 Proposed Trees at maturity
L4.1 Proposed Shrubs

L5.0 Overall Perspective
L5.1 Birds' Eye Perspective

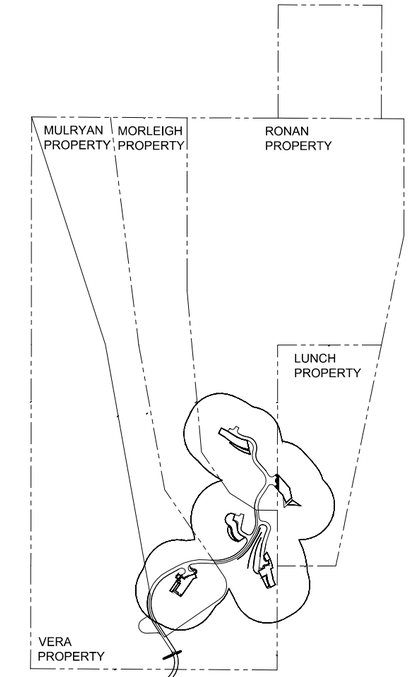




Exhibit 24
CDP 4-10-040, 4-10-041,
4-10-042, 4-10-044, 4-14-0598,
4-14-1094
Visual Analysis

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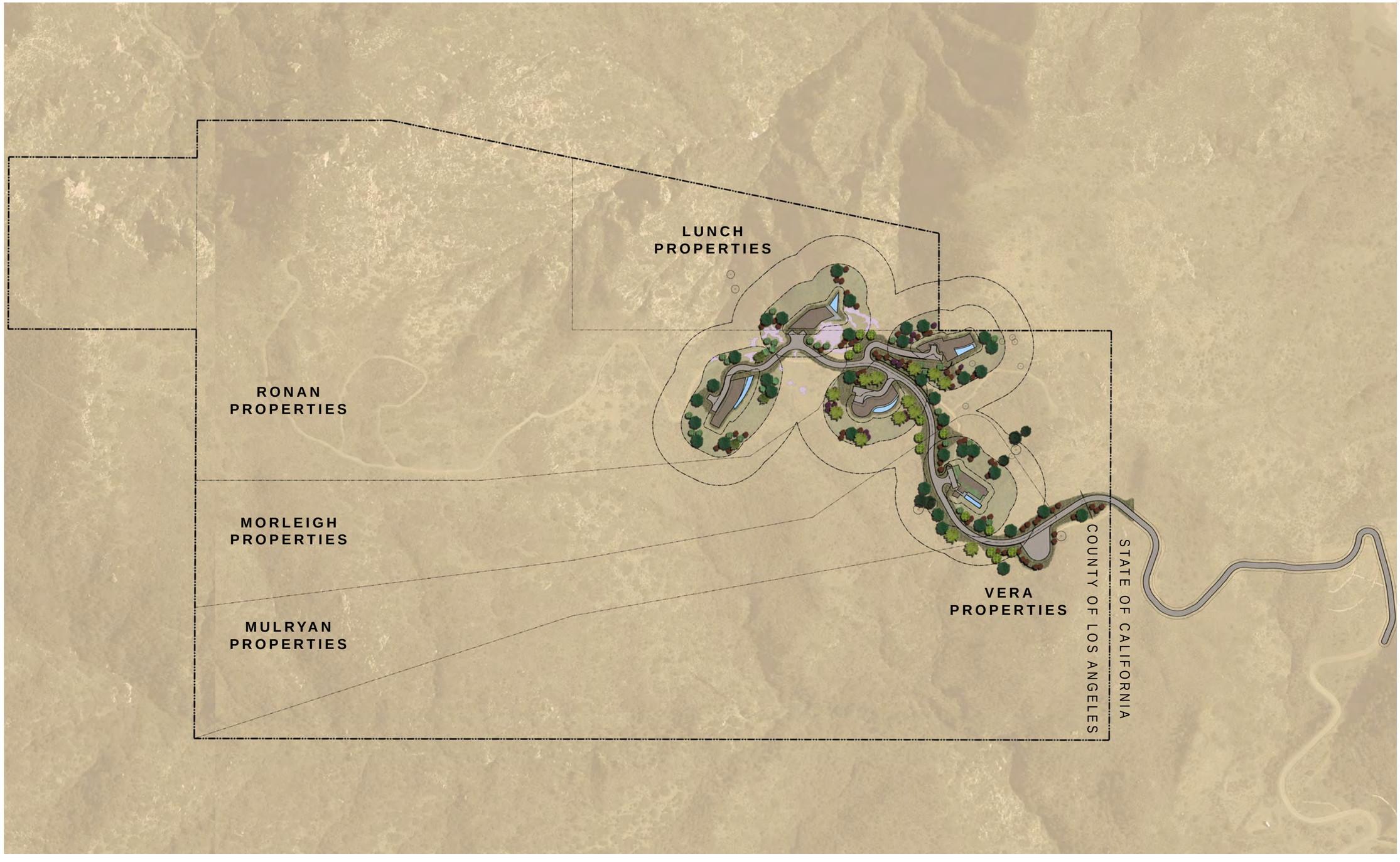
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Cover

SWEETWATER MESA
2930 SWEETWATER MESA ROAD
MALIBU, CA 90265

L0.0

DATE: 04.21.2015
SCALE: AS NOTED
DRWN BY: RC
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LEGEND

- Fuel Modification Zones
- Property Line
- Lot Lines
- Existing Oak
- Purple Needlegrass area

0' 50' 300' 600'

N

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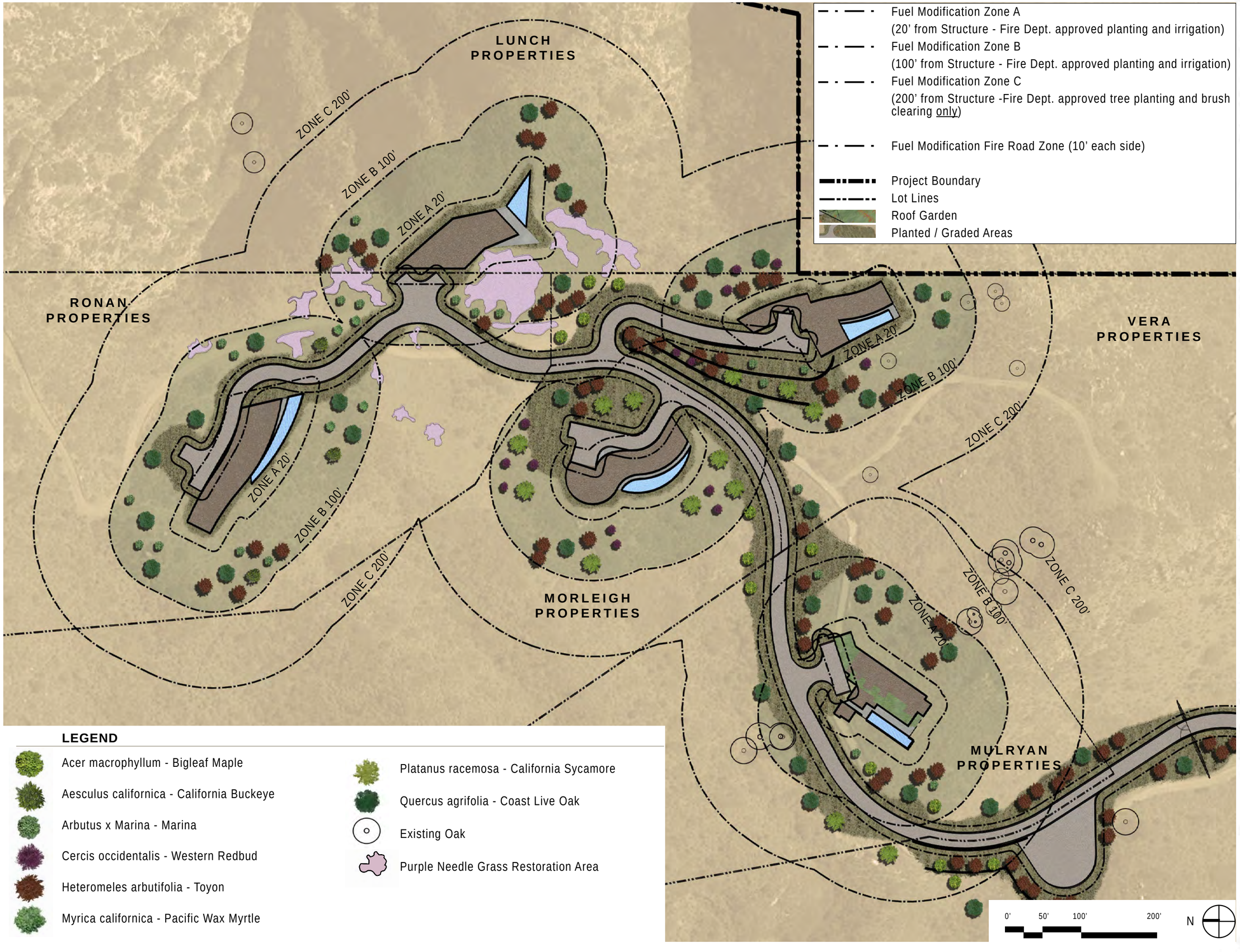
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Site Plan - Overall

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MESA
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MALIBU, CA 90265

L1.0

DATE: 04.21.2015
SCALE: AS NOTED
DRWN BY: RC
CHKD BY: MSM



LEGEND

- Acer macrophyllum - Bigleaf Maple
- Aesculus californica - California Buckeye
- Arbutus x Marina - Marina
- Cercis occidentalis - Western Redbud
- Heteromeles arbutifolia - Toyon
- Myrica californica - Pacific Wax Myrtle
- Platanus racemosa - California Sycamore
- Quercus agrifolia - Coast Live Oak
- Existing Oak
- Purple Needle Grass Restoration Area

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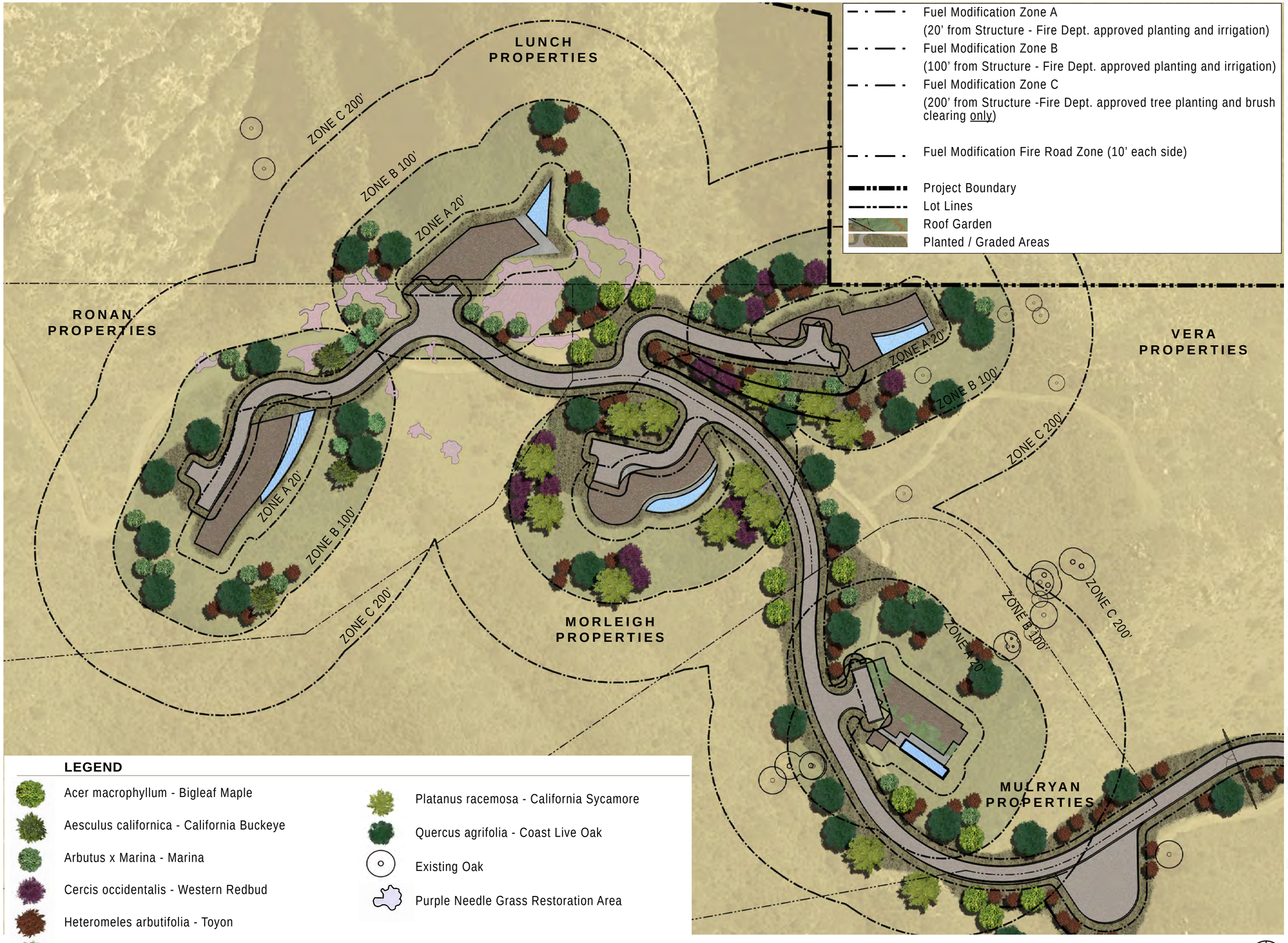
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Site Plan at Installation

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MALIBU, CA 90265

L1.1

DATE: 04.21.2015
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LEGEND

- Acer macrophyllum - Bigleaf Maple
- Aesculus californica - California Buckeye
- Arbutus x Marina - Marina
- Cercis occidentalis - Western Redbud
- Heteromeles arbutifolia - Toyon
- Myrica californica - Pacific Wax Myrtle
- Platanus racemosa - California Sycamore
- Quercus agrifolia - Coast Live Oak
- Existing Oak
- Purple Needle Grass Restoration Area

0' 50' 100' 200'

N

DATE: 04.21.2015
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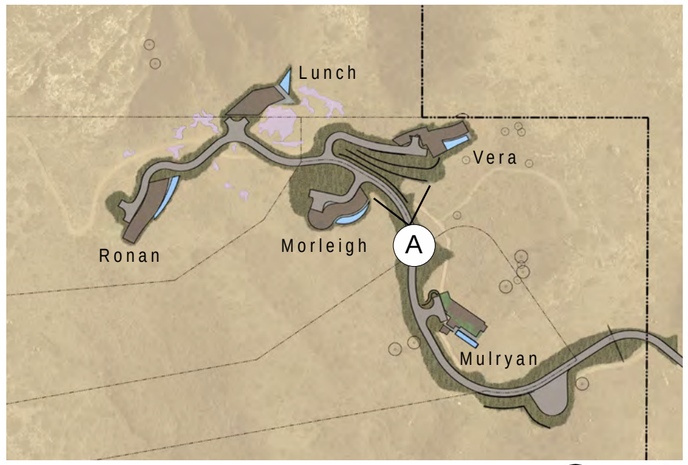
Site Plan at Maturity

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2930 SWEETWATER MESA ROAD
MALIBU, CA 90265

L1.2



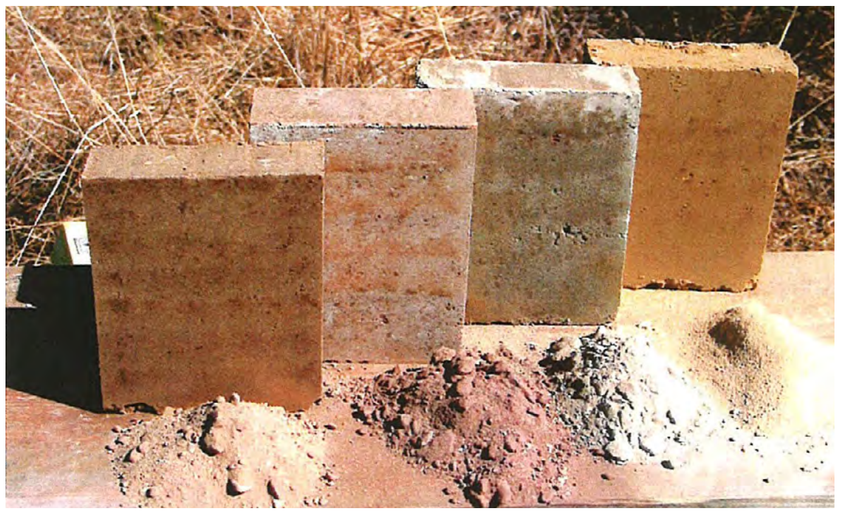
Perspective A - Site Access Road with Retaining Walls N.T.S.



Key Plan N N.T.S.



Stone Clad Retaining Walls



Compacted soil cement samples from different mineral samples encountered at Sweetwater Mesa

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View A - Site Access Road with Retaining Walls

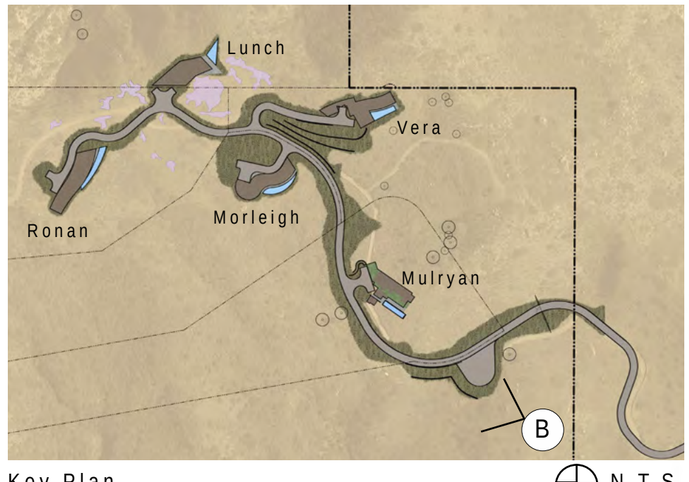
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L2.0

DATE: 04.21.2015
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Perspective B - Site Access Road with Retaining Walls Adjacent to Fire Truck Turnaround N.T.S.



Key Plan N N.T.S.

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View B - Fire Truck Turnaround

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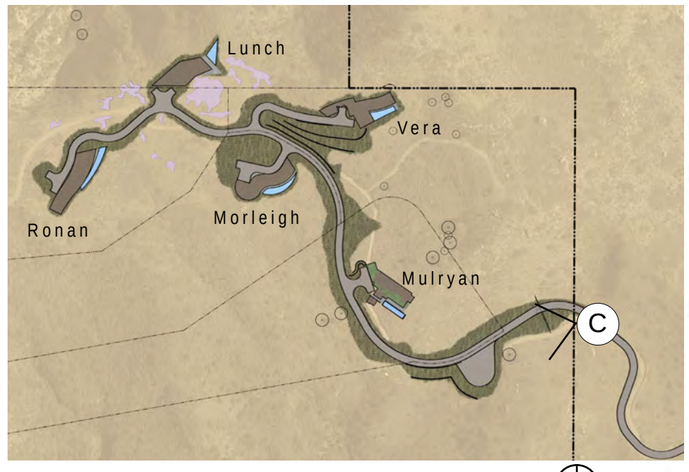
L2.1

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Perspective C - Site Access Road with Rock Fall Berm

N.T.S.



Key Plan

N

N.T.S.

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View C - Rock Fall Berm

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MALIBU, CA 90265

L2.2

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Perspective - Mulryan
Looking East

SWEETWATER
MESA

2930 SWEETWATER MESA ROAD
MALIBU, CA 90265

L3.0

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Perspective - Morleigh
Looking North

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MESA
2930 SWEETWATER MESA ROAD
MALIBU, CA 90265

L3.1

DATE: 04.21.2015
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Perspective - Vera
Looking North

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MESA
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L3.2

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Perspective - Lunch
Looking North

SWEETWATER
MESA
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L3.3

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Perspective - Ronan
Looking North

SWEETWATER
MESA
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L3.4

DATE: 04.21.2015
SCALE: AS NOTED
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Arbutus Marina
Arbutus x 'Marina'



Coast Live Oak
Quercus agrifolia



California Buckeye
Aesculus californica



Pacific Wax Myrtle
Myrica californica



Western Redbud
Cercis occidentalis





Toyon
Heteromeles arbutifolia



California Sycamore
Platanus racemosa



Bigleaf Maple
Acer macrophyllum

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Proposed Trees

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MALIBU, CA 90265

L4.0

DATE: 04.21.2015
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Western Mountain Mahogany
Cercocarpus betuloides var. Betuloides



Greenbark Ceanothus
Ceanothus spinosus



Foothill Penstemon
Penstemon heterophyllus



Ceanothus
Ceanothus maritimus



Purple Needlegrass
Stipa pulchra



Sugar Bush
Rhus ovata



Laurel Sumac
Malosma laurina



Manzanita
Arctostaphylos ‘Carmel Sur’



Dwarf Coyote Brush
Baccharis pilularis

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Proposed Shrubs

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MALIBU, CA 90265

L4.1

DATE: 04.21.2015
SCALE: AS NOTED
DRWN BY: RC
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Overall Site - Looking South N.T.S.

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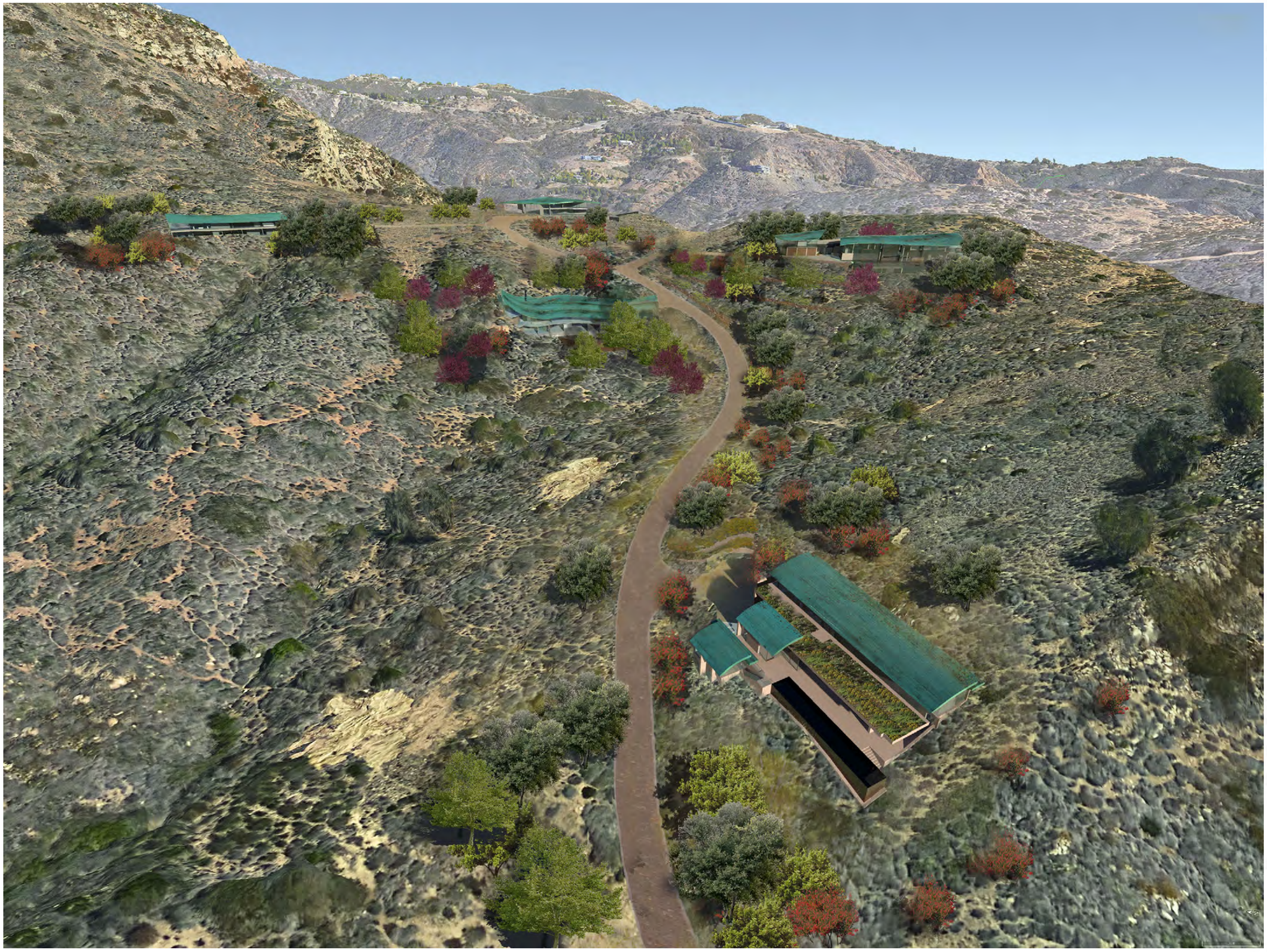
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Overall Perspective

SWEETWATER
MESA
2930 SWEETWATER MESA ROAD
MALIBU, CA 90265

L5.0

DATE: 04.21.2015
SCALE: AS NOTED
DRWN BY: RC
CHKD BY: MSM



Overall Site - Looking Northeast

N.T.S.

BURTON & COMPANY

Pamela Burton & Company
Landscape Architecture
1430 Olympic Boulevard
Santa Monica, California 90404
310 828 6373 T
310 828 8054 F
www.pamelaburtonco.com

Owner's Representative
JV Consulting
T: (770) 725-8107
jvandenberg@thegeorgiaclub.com

Architect
Wallace Cunningham, Inc.
1111 West Arbor Drive
San Diego, CA 92103
T: (619) 293-7640

Civil Engineer
Whitson Engineers
5933 West Century Boulevard Suite 1018
Los Angeles, CA 90045
T: (310) 645-3205

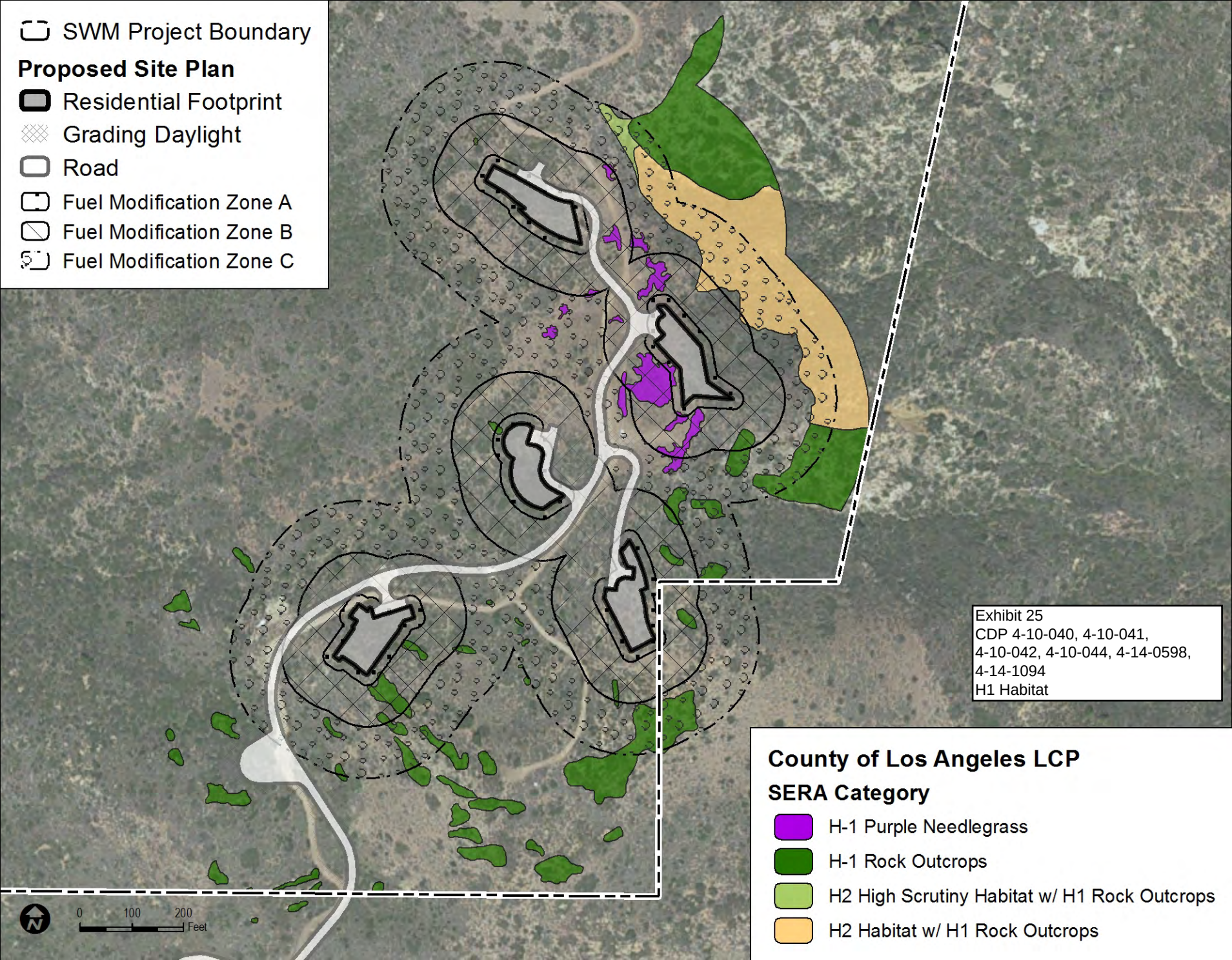
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Birds Eye Perspective

SWEETWATER
MESA
2930 SWEETWATER MESA ROAD
MALIBU, CA 90265

L5.1

DATE: 04.21.2015
SCALE: AS NOTED
DRWN BY: RC
CHKD BY: MSM


SWM Project Boundary
Proposed Site Plan
Residential Footprint
Grading Daylight
Road
Fuel Modification Zone A
Fuel Modification Zone B
Fuel Modification Zone C
Exhibit 25
CDP 4-10-040, 4-10-041,
4-10-042, 4-10-044, 4-14-0598,
4-14-1094
H1 Habitat
County of Los Angeles LCP
SERA Category
H-1 Purple Needlegrass
H-1 Rock Outcrops
H2 High Scrutiny Habitat w/ H1 Rock Outcrops
H2 Habitat w/ H1 Rock Outcrops
0
100
200
Feet





A2.1

WALLACE E. CUNNINGHAM, INC.

P.O. BOX 371493
SAN DIEGO, CA 92137-1453
619 857 0307

SHEET TITLE UPPER LEVEL PLAN

SCALE: As Indicated DATE: 03.27.2015

REVISION

CLIENT: RONAN PROPERTIES LLLC

ADDRESS: Enter address here

Exhibit 26
CDP 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, 4-14-1094
Elevations



CLIENT: *RONAN PROPERTIES LLLC*

ADDRESS: *Enter address here*

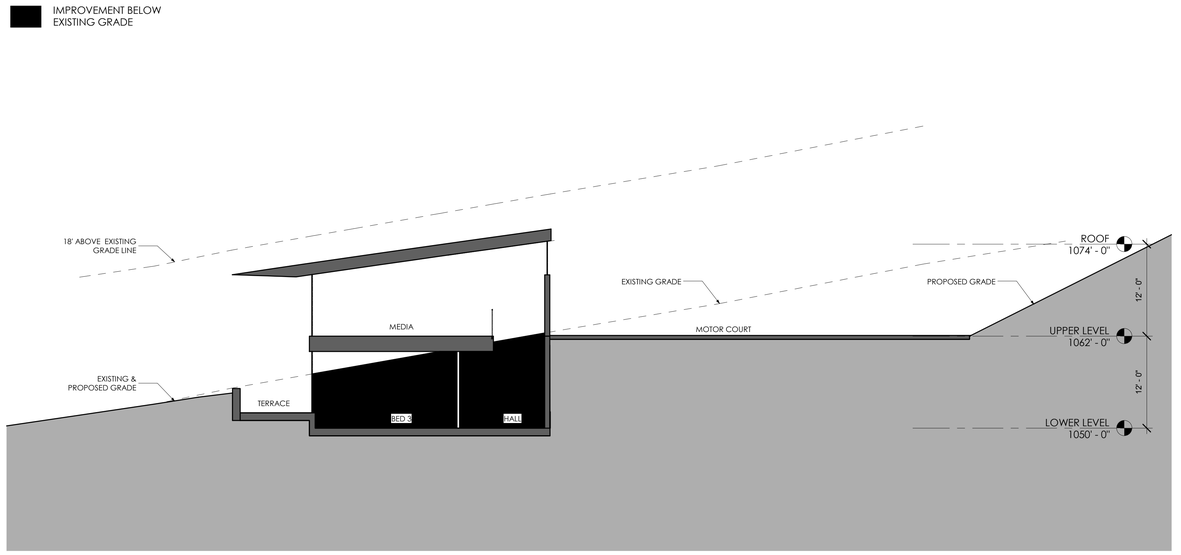
SHEET TITLE: SECTION

SCALE: As indicated DATE: 03.27.2015

REVISION:

WALLACE E. CUNNINGHAM, I N C.
SAN DIEGO, CA 92137 4453
619 . 857 . 1307

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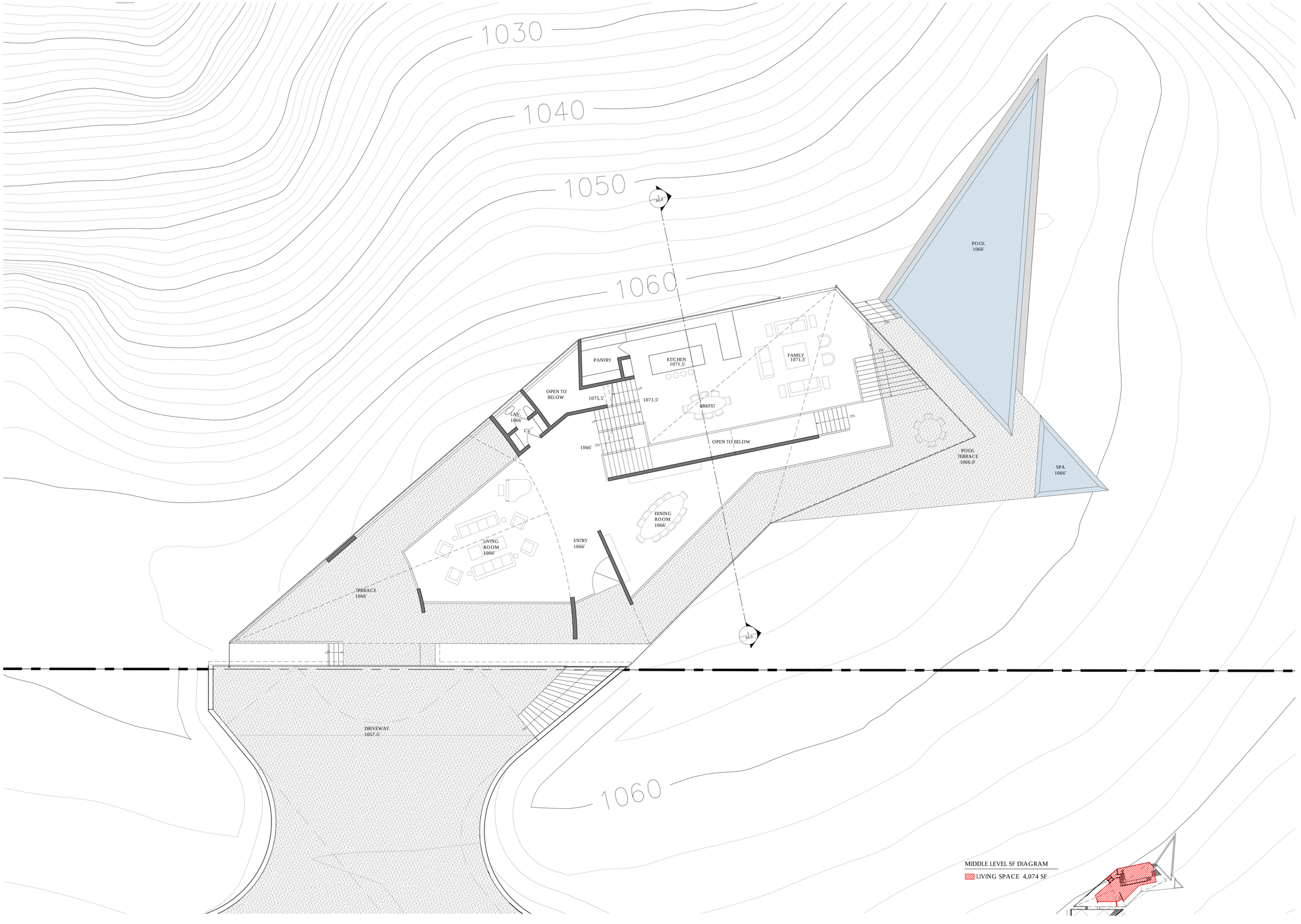


SECTION - RONAN

scale: 1/8" = 1'-0"

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MIDDLE LEVEL FLOOR PLAN - LUNCH

scale: 1/8"=1'-0"

LICENSED ARCHITECT
GUY EVERETT WEST
No. C21429
REN: 4-30-15
STATE OF CALIFORNIA

CLIENT: LUNCH PROPERTIES LLLC

ADDRESS:
SAN DIEGO, CA 92137 - 1493
6119 - 29 - 93 - 76 - 140

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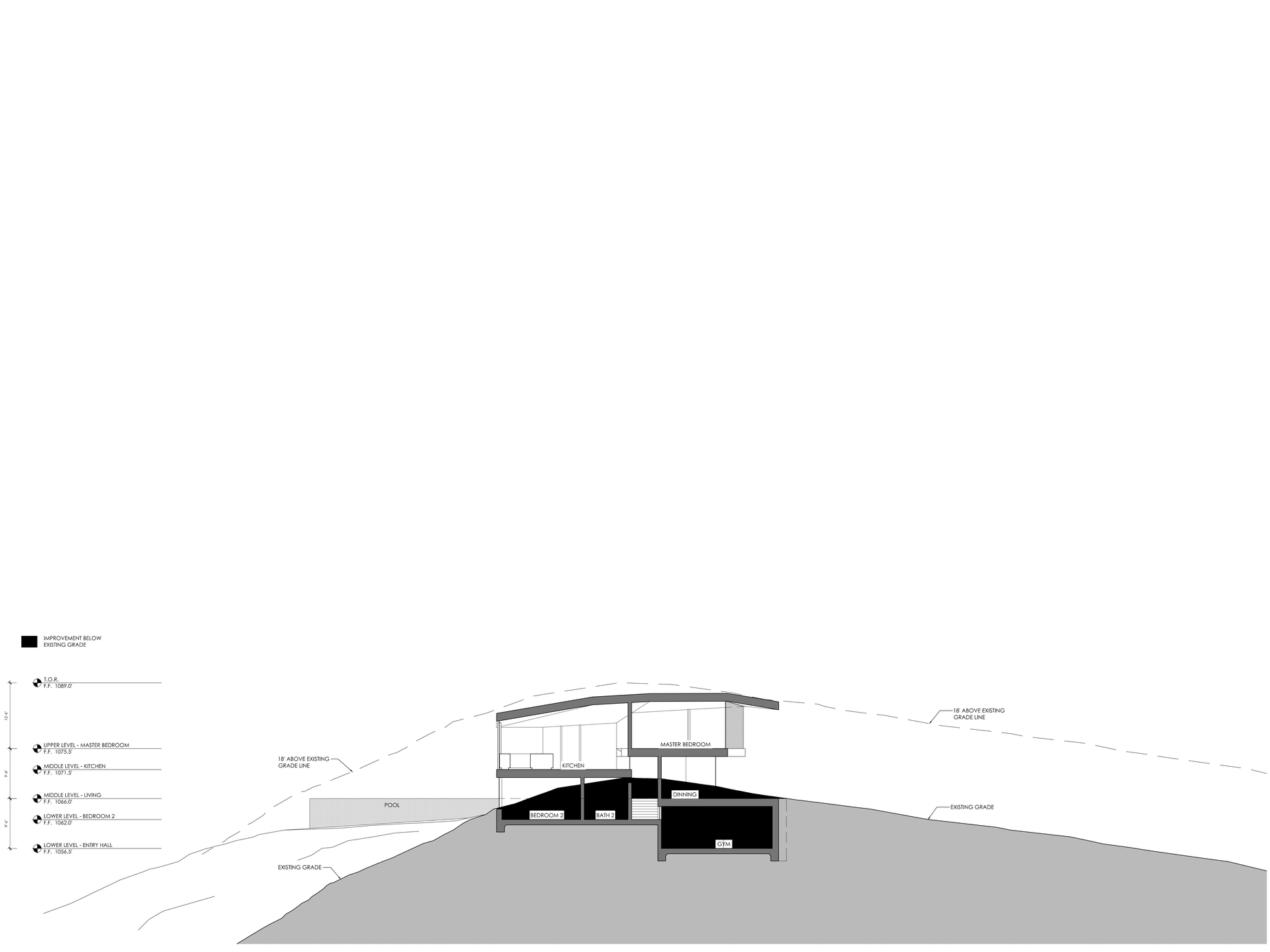
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SCALE: 1/8" = 1'-0"

DATE: 03.27.2015

REVISION:

A2.1



SECTION - LUNCH

scale: 1/8"=1'-0"

LICENSED ARCHITECT
GUY EVERETT WEST
No. C21423
REN. 4-30-15
STATE OF CALIFORNIA

CLIENT LUNCH PROPERTIES LLC

ADDRESS

SHEET TITLE: SECTIONS

SCALE: 1/8"=1'-0"

DATE: 03.27.2015

REVISION:

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SAN DIEGO, CA 92137-1493
619.295.7640

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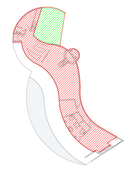
MEZZANINE LEVEL
scale: 1/8" = 1'-0"

UPPER LEVEL - MORLEIGH
scale: 1/8" = 1'-0"



MEZZANINE SF DIAGRAM

LIVING SPACE	521 SF



UPPER SF DIAGRAM

LIVING SPACE	4,415 SF
GARAGE	989 SF

LICENSED ARCHITECT
GUY EVERETT WEST
No. C21422
REN/ 4-30-15
STATE OF CALIFORNIA

CLIENT: MORLEIGH PROPERTIES LLLC
ADDRESS: Enter address here

SHEET TITLE: UPPER LEVEL PLAN
SCALE: As indicated
DATE: 03.27.2015
REVISION:

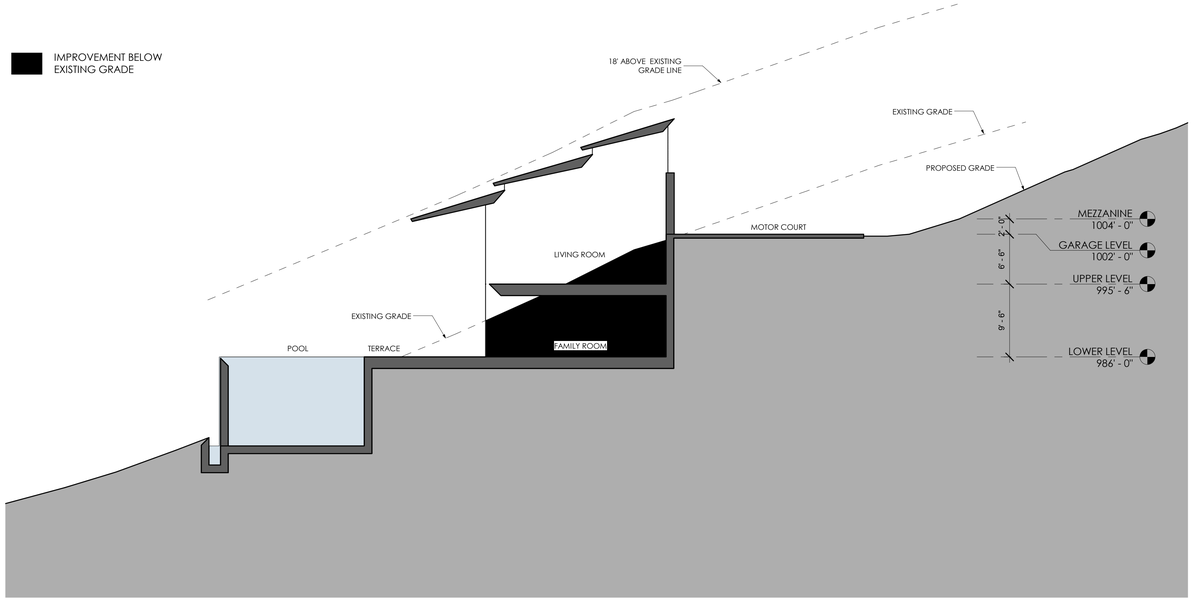
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SAN DIEGO, CA 92130-1453
619.857.1037

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SECTION - MORLEIGH

scale: 1/8" = 1'-0"

LICENSED ARCHITECT
GUY EVERETT WEST
No. C21422
REN. 4-30-15
STATE OF CALIFORNIA

CLIENT: MORLEIGH PROPERTIES LLLC
ADDRESS: Enter address here

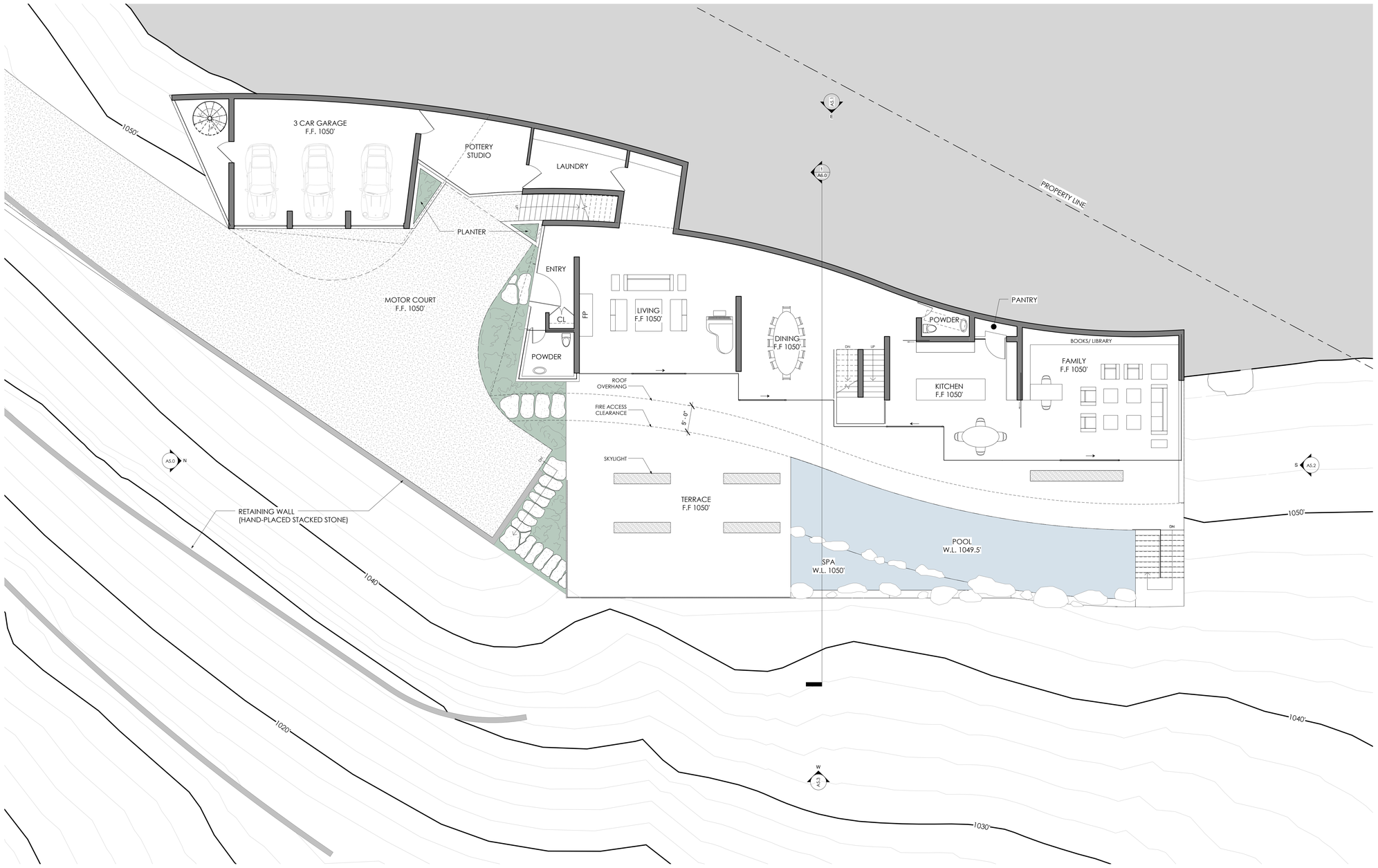
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SCALE: As indicated
DATE: 03.27.2015
REVISION:

WALLACE E. CUNNINGHAM, I N C.
SAN DIEGO, CA 92137 4453
619.857.1307

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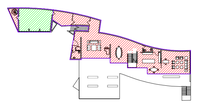
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MAIN SF DIAGRAM

LIVING SPACE	4,132 SF
GARAGE	882 SF



MAIN LEVEL FLOOR PLAN - VERA

scale: 1/8" = 1'-0"

N

LICENSED ARCHITECT
GUY EVERETT WEST
No. C21420
REN. 4-30-15
STATE OF CALIFORNIA

CLIENT: VERA PROPERTIES LLLC
ADDRESS: SWEETWATER MESA ROAD, MALBU, CA 90265

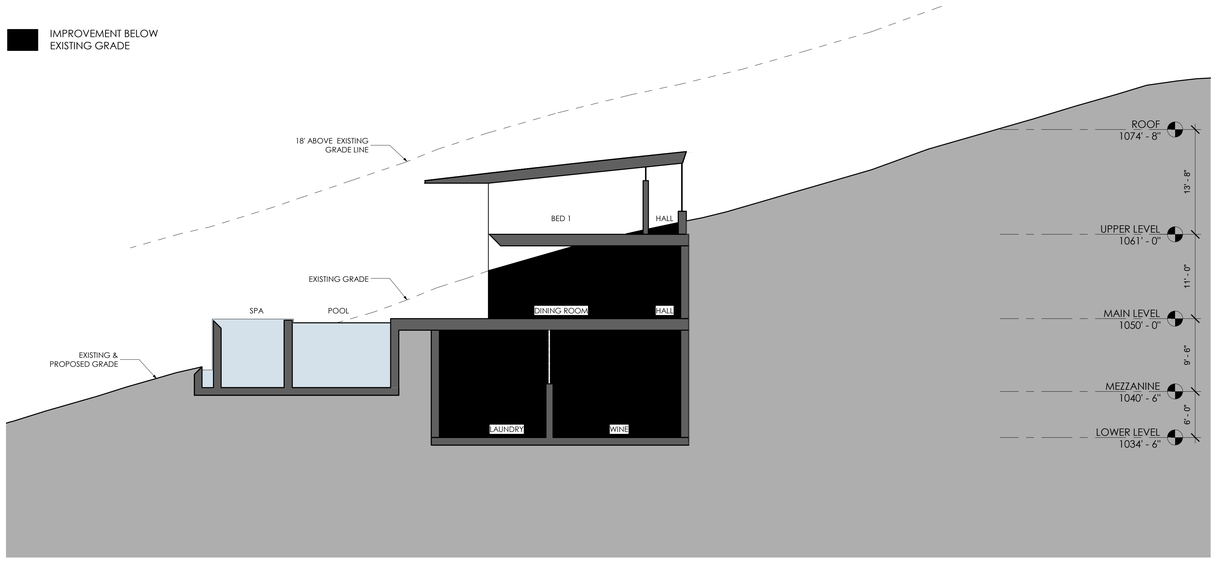
SHEET TITLE: MAIN LEVEL PLAN
SCALE: As indicated
DATE: 03.27.2015
REVISION:

WALLACE E. CUNNINGHAM, INC.
SAN DIEGO, CA 92130 (619) 857-1453

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SECTION - VERA

scale: 1/8" = 1'-0"

LICENSED ARCHITECT
GUY
EVERETT
WEST
NO. C21420
REN. 4-30-15
STATE OF CALIFORNIA

CLIENT: VERA PROPERTIES LLLC

ADDRESS: SWEETWATER MESA ROAD, MALIBU, CA 90265

SHEET TITLE: SECTIONS

SCALE: As indicated

DATE: 03.27.2015

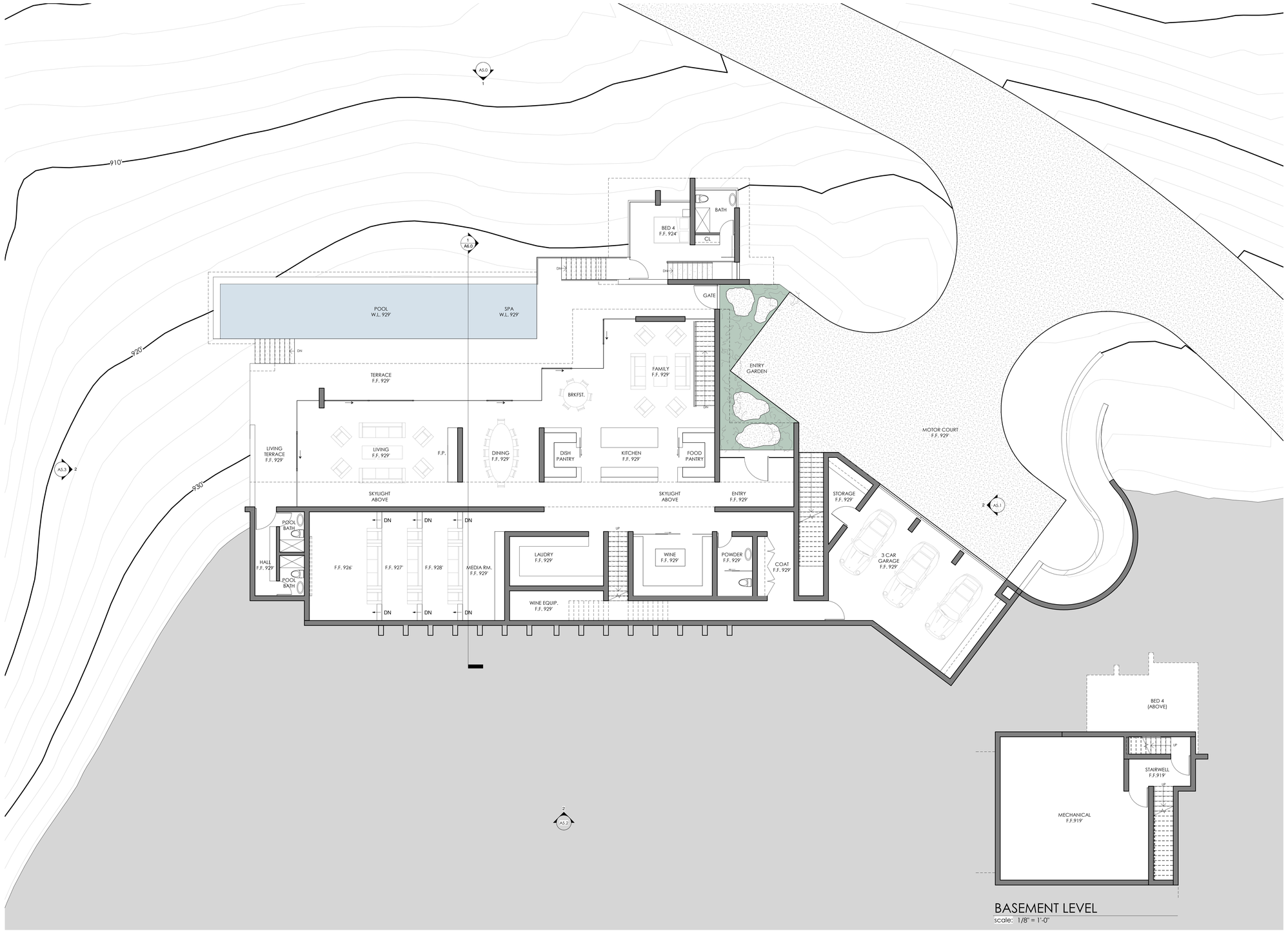
REVISION:

WALLACE E. CUNNINGHAM, I N C.
SAN DIEGO, CA 92137 (858) 457-3071

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BASEMENT LEVEL
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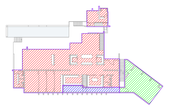
BASEMENT SF DIAGRAM

CIRCULATION	286 SF
MECHANICAL	903 SF



LOWER SF DIAGRAM

LIVING SPACE	5,111 SF
GARAGE	1,052 SF
MECHANICAL	387 SF



LOWER LEVEL FLOOR PLAN - MULRYAN
scale: 1/8" = 1'-0"

LICENSED ARCHITECT
GUY EVERETT WEST
NO. C21429
REN. 4-30-15
STATE OF CALIFORNIA

CLIENT: MULRYAN PROPERTIES LLC.
ADDRESS: SWEETWATER MESA ROAD, MALIBU, CA 90265

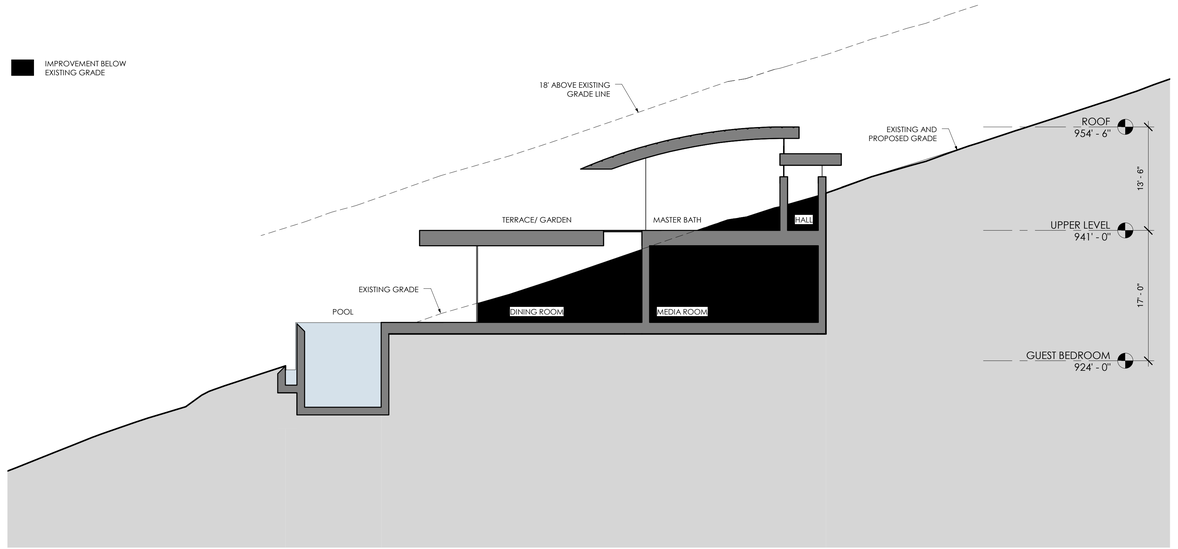
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SCALE: As indicated
DATE: 03.27.2015
REVISION:

WALLACE E. CUNNINGHAM, INC.
SAN DIEGO, CA 92137 (619) 857-1453

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4/9/2015 5:44:57 PM



SECTION - MULRYAN

scale: 1/8" = 1'-0"

LICENSED ARCHITECT
GUY EVERETT WEST
NO. C21429
REN. 4-30-15
STATE OF CALIFORNIA

CLIENT: MULRYAN PROPERTIES LLC.
ADDRESS: SWEETWATER MESA ROAD, MALIBU, CA 90265

SHEET TITLE: SECTIONS
SCALE: 1/8" = 1'-0"
DATE: 03.27.2015
REVISION:

WALLACE E. CUNNINGHAM, I N C.
SAN DIEGO, CA 92130
619.857.1453

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3/20/2015 3:53:36 PM

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	Modified Proposals (2015)	Previous Proposals (2011)
Total Grading *(see also chart below for detailed estimated earthwork quantities calcs. by lot)*	54,080 cu yds.* (43% reduction) *(includes excavation for structural piles)*	95,050 cu yds. +
Grading for Private Driveways	12,940 cu. yds.	10,900 cu. yds.
Grading for Fire Department Turnouts Along Shared Access Road	4,650 cu. yds. grading (4,650 cu. yds. fill)	10,100 cu. yds. +
Grading for Shared Access Road	14,620 cu yd.* (70% reduction)	49,100 cu yd.* +
Excavation for Structural Piles	7,270 cu. yds. excavation	Not available
Residential Development Area Grading		
4-10-040 (Lunch) (Lot 4)	2,310 cu. yds.	4,800 cu. yds. +
4-10-041 (Vera) (Lot 3)	4,890 cu. yds.	5,400 cu. yds. +
4-10-042 (Mulryan) (Lot 1)	2,580 cu. yds.	2,000 cu. yds. +
4-10-044 (Ronan) (Lot 5)	2,300 cu. yds.	3,650 cu. yds. +
4-14-0598 (Morleigh) (Lot 2)	2,520 cu. yds.	1,300 cu. yds. +
	Total= 14,600 cu. yds.	Total= 17,150 cu. yds.

Exhibit 27

CDP 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, 4-14-1094

Impact Comparison Tables

Grading Calculations By Lot*

Estimated Earthwork Quantities Comparison						
	2011			2015 (Plans dated 3/12/15)		
Lot	Cut	Fill	**Total**	Cut	Fill	**Total**
1[a]	12450	4350	**16800**	3130	13260	**16390**
2[b]	7060	2410	**9470**	7070	3290	**10360**
3[c]	14350	3700	**18050**	7990	4130	**12120**
4[d]	3800	2150	**5950**	3110	400	**3510**
5[e]	3850	12150	**16000**	3160	1270	**4430**
TOTAL	41510	24760	66270	24460	22350	46810

* Does not include 2011 grading for fire department staging area and mesa restoration or excavation quantities for structural piles.

[a]Includes the shared access from the County line to the intersection of the shared access and the first private driveway, the first private driveway, and the first development area.

[b]Includes the shared access from the intersection of the shared access and the first private driveway to the intersection of the shared access and the second private driveway, the second private driveway, and the second development area.

[c]Includes the shared access from the intersection of the shared access and the second private driveway to the intersection of the shared access and the third private driveway, the third private driveway, and the third development area.

[d]Includes the shared access from the intersection of the shared access and the third private driveway to the intersection of the shared access and the fourth private driveway, the fourth private driveway, and the fourth development area.

[e]Includes the shared access from the intersection of the shared access and the fourth private driveway to the fifth development area and the fifth development area.

From:	healypatt@aol.com
To:	Ccc@daynabochco.com; zimmerccc@gmail.com; mmcclureccc@co.del-norte.ca.us; wendy@katzmitchell.com; erik@erikhowell.com; Cox, Greg; mvargas@miconstruct.com; cgroom@smcgov.org; effietlaw@yahoo.com; mkshallenberger@gmail.com; lcrosse@marincounty.org; Blaugrund, Jacqueline@Coastal
Subject:	5-14-15-agenda item 16 a-f
Date:	Sunday, May 10, 2015 5:28:22 PM
Attachments:	CCC 5-14-15 The EDGE.docx

Attached are the joint comments of the Malibu Coalition for Slow Growth and the Malibu Township Council on the above referenced matter.

To: Members of the Coastal Commission
From: Malibu Coalition for Slow Growth and Malibu Township Council
Re: 5-14-15- Item 16 a-f Edge Properties

Honorable Commissioners:

While Commission Staff has worked with the Applicant in an attempt to mitigate some impacts there is still more that can be done to improve the negative impacts of this project's inconsistencies with the certified SMMLCP, the current standard of review. Please deny approval of these CDP's and require changes that are feasible and required under the SMMLCP. Also, require additional information and analysis so that the issues that have not been analyzed for their compliance with the SMMLCP and CEQA can be appropriately dealt with. The Commission needs to make a decision that is consistent with the law and is the least environmentally damaging alternative.

While there are numerous policies of the LCP, Coastal Act and CEQA that the current project is in violation of, as well as many details and analysis of the project omitted from the staff report, we will focus on just a few.

CUMULATIVE MPACTS AND PIECEMEALING

The Commission's staff report serves as an equivalent of an EIR and as such it must fulfill the same informational requirements as CEQA. At the end of every staff report there is a statement that the Commissions' approval of a CDP must be supported by "a finding showing the application, as conditioned by any conditions of approval to be consistent with any applicable requirement of the California Environmental Act". In order to comply with CEQA the Commission must review the entire project, not just one piece of it and must properly define what the project is.

Because ingress and egress to the proposed project requires the use of Sweetwater Mesa Road in the City of Malibu, the Commission must examine and account for the adverse impacts of the "entire project", not just the portion of the road in the County. Failure to do so results in segmentation of the project in violation of CEQA.

While the Commission does not have permitting authority over the City portion of the project it cannot use this as a pretext to fail to evaluate the impacts of the road segment within the City, including traffic, grading impacts, harm to ESHA and other elements of the project such as public access.

The existing portion of Sweetwater Mesa Rd. is very narrow (in reality nothing more than a driveway) that winds its way up to the proposed new road within the city limits. We believe the Malibu section of the proposed road has been designed so the plans are there to be examined. Regardless, it cannot be ignored.

The City is not the lead agency for the project and it therefore cannot evaluate the entire project. The only agency that can is the Coastal Commission. Failure to evaluate and disclose these impacts will mean that these impacts will never be evaluated by any agency violating the very principle of CEQA and transparency in government. On this basis alone, since this project is not consistent with the law, it cannot move forward without such an analysis.

Policy CO-74 and LU Policy 1- *require that new development be sited near existing development and infrastructure*. This development is precisely what these policies were put in place to prevent.

The staff analysis states that the water line crosses 4 undeveloped parcels but then goes on to dismiss the impact of providing the main line to these parcels as not having any ability to increase the density of these parcels and therefore not creating any cumulative impacts. While it may not change the density, given the expense and difficulty of bringing in the water line will clearly make it far easier for these parcels to be developed and therefore does have an impact on future development in the area. The growth inducing aspect of the waterline are obvious. Not only will it make water available to the 4 parcels north of this project but it lays out the northern road route for future development into what is now pristine habitat. This water line will be providing the needed infrastructure to facilitate new development into this area. Yet none of this was mentioned or analyzed by staff.

In addition, there is a clear omission of any analysis of the cumulative impact of the access road, both in the County and in the City of Malibu on numerous undeveloped parcels adjacent to the road located in an area of high biological and visual significance. This project, if approved as proposed, is a classic case of development that should be prohibited. It is located within a totally undeveloped area without any existing infrastructure. The SMMLCP policies were put in place to prevent this very type of development. The cumulative impacts of this proposed development have not been analyzed as required.

This project is intruding into a pristine area where they are no public services. There is no existing road, no water and no other utilities. There is no information as to where the electric and cable lines will be located. Will they be underground beside the proposed water line or located elsewhere? If next to the waterline will this delay or disturb the habitat restoration plan? If elsewhere, will this increase ESHA destruction? If next to the waterline will it further facilitate development into pristine ESHA by putting all the needed infrastructure in place? All these issues have to be determined prior to the Commission approving these CDPs.

Equally important, the existence of the new, 3,674 foot access road (City and County) will enable all of the parcels along that road to be developed , yet the staff report does not even mention how many parcels are involved.

WATERLINE

SMMLUP LIP 22.44.1340D requires that the proposed *waterline and utilities infrastructure to serve new development be located within legally existing roadways and rights of way in a manner that avoids adverse impacts to coastal resources. Where adverse impacts cannot be avoided alternatives shall be analyzed to ensure the method of providing water, sewer or utility services to a development avoids or minimizes adverse impacts to the maximum extent feasible. Such infrastructure shall be sized and otherwise designed to provide only for the approved development to avoid growth inducing impacts.*

Since 3 of the 5 sections of the proposed line transverse an unpermitted road then go into and through pristine ESHA, this policy is being violated. Constructing the water line as proposed is not allowed under the SMMLCP. Additionally, the impacts of the 2ft. wide maintenance area next to the water line has not been analyzed. This area will never be able to contain native plants or be fully restored and will serve as a source of invasive plants.

The only comment regarding a possible reason for ignoring the LCP is the statement that the "applicants' agents" have indicated that an alternative water source such as wells and water tanks, would be unlikely to obtain Fire Department approval. However, there is no evidence that the applicants provided a study of the pressure that could be obtained if wells and/or tanks were used on the newly revised pads. A study provided of the original configuration indicated that adequate pressure could be obtained. While wells are not what the applicants might desire, numerous projects in the Santa Monica Mountains have fire department and Coastal Commission approval of tanks and wells. One was approved by this Commission as recently as January 2014, on consent in adjacent Las Flores canyon, and 3 recently in Malibu in the same watershed between Sweetwater Mesa and Carbon Canyon.

The use of water wells and/or water tanks are only one possible alternative to the inconsistent LCP water line which, as proposed, brings its own additional impacts on H1 and H2 habitat.

Another alternative would be to have the water line constructed along the proposed entry road from Sweetwater Mesa. The LCP requires utilities to be constructed along permitted existing roads, yet this alternative has not been mentioned. Having water come from the proposed Sweetwater Mesa extension road needs to be fully explored along with other alternatives such as the wells and water tanks.

Since there may be other feasible alternatives to the current waterline that would be consistent with the Policies of the LCP and have significantly fewer impacts than the one proposed, the project must be denied.

RIDGELINE DEVELOPMENT/PUBLIC VIEWS

This development is located on a significant ridgeline. The SMMLCP requires , under 22.44.2040B, that development be sited to maintain the maximum view of the ridgeline. In

this case the project is not only located on a significant ridgeline but is highly visible from numerous public places including PCH ,a scenic highway, Bluffs Park, world famous Surfrider Beach , Malibu Lagoon State Park, Malibu Creek State Park and many other pubic scenic areas. Staff concludes the visual impacts are significant and not mitigatable.

The SMMLCP specifically requires that the impacts to these visual resources be reduced by a variety of means, none of which have been required of the applicant nor even discussed by staff. CEQA requires the project be the least environmentally damaging alternative but there is no analysis of whether or not reduction from the maximum allowable development pad size and structure size would reduce these impacts. Most likely it would. While the LCP allows a maximum pad size of 10,000 sq. ft., it does not require pads be that large. Reduction in the size of the residences, which now range between 10,159 and 14,366 square feet would not only most likely reduce the visual impacts but also reduce the impacts to H1 and H2 habitat.

Additionally, a requirement that mature landscaping to screen the structures from public views be installed and maintained could be imposed. This condition should be in a recorded covenant that runs with the land so owners will not later remove the landscaping to enhance their views. There are other conditions that would reduce the visual impacts that staff has not included, such as conditioning the glass be tinted so the interior lighting from the structures will be muted and less visible.

In summary, there are major visual impacts from this project that could be reduced by a variety of means, making this project as currently proposed, more consistent with the LCP and CEQA.

FIRE

Policy SN-1 of the LCP requires *that new development shall minimize risks to life and property in areas of fire hazard.* Staff states that due to the steepness and length of the proposed access route, the properties would be difficult for emergency vehicles to traverse and reach.
Fire is a regular and serious safety issue in the Santa Monica Mountains. The area is classified a Very High Fire Hazard Severity Zone. (staff report page 54).

The incorporation of an emergency vehicle access and staging area is not sufficient to remove the very real threat to public safety for both the firefighters and residents. Wildfires are very fast moving and extremely hot, sometimes reaching 2000 degrees. Having to defend these isolated structures, will require that firefighters be asked to risk their lives due to the possibility of being cut off by the flames.

In the case of a wildfire, anyone familiar with Sweetwater Mesa Rd. knows that fire trucks are not likely to attempt to go up the existing portion of the road to access the site, let alone the new part, despite the staging area/turnaround and a wider new road segment. Existing Sweetwater Mesa which leads into the newly proposed access road is essentially a substandard one lane road (driveway) that can't be expanded in width. It does not meet current fire department standards. In a wildfire, the fire department would risk being trapped in the path of

the oncoming flames if it attempted to access the property and fire trucks entering Sweetwater Mesa Rd. would prevent existing residents, their guest and employees from safely evacuating. To expect firefighters to travel the new 3,674 ft. long road (2005 ft. in the County and 1669 ft. in the City) through an undeveloped high fire area, is totally unrealistic and extremely dangerous. In almost all cases where firefighters have lost their lives in wildfires it is because the flames un-expectedly cut off their path of retreat. In the 1993 fire, 2 people in neighboring Corral Canyon were burned in their car as they tried to escape the flames for precisely this reason. Firefighters, who were stationed at the end of Carbon Canyon road were unable to warn the couple or provide help to them. Not only would it be unlikely for the fire department to send their trucks up to the structures but the ability of residents, their guests and employees to safely evacuate is questionable. As such the project presents a threat to public safety and must be denied.

HAUL ROUTE

LIP Section 22.44.1260 E requires that an "approved haul route shall be required for the off-site transport of 1,000 cubic yards or more of cut or fill material or any combination thereof" . It appears there is between 8000-9000 cu. yds. of excess material. This excess must be removed, which will require in the neighborhood of 1000 truckloads. Failure to analyze the impacts of these 1000 trucks coming and going on PCH (which does not include any export of material for the 1,669 ft. long road in the City) and mitigate for their impacts or even specify where that haul road will be is a serious omission and analysis is required by the LCP.

PCH is a major public access artery providing the only access to all of the beaches in Malibu. The LCP requirement does not state or imply that the approved haul route to be analyzed and approved must be within the County, so the fact that part of it must occur across the unanalyzed section of the project in the City and along a sub-standard Sweetwater Mesa, does not allow staff to ignore this LCP provision. There is no question that 1000 + trucks entering from and leaving on PCH will have major impacts to public access, particularly during peak beach season, yet there is no mention of this in the staff report. The Commission needs to, at a minimum, require staff to look at this and determine appropriate mitigations to reduce the impacts to the public.

CONCLUSION

It appears Staff's recommendation for approval is settlement driven to avoid a "taking". However, even if a project of some sort must be approved, that project must comply, wherever feasible to do so, with the provisions of the LCP and must be the least environmentally feasible alternative. Additionally, it does not eliminate the requirement to fully analyze the project and its alternatives. However, this project, as currently proposed has not had adequate analysis in numerous areas of concern and is clearly not the least environmentally feasible alternative. As such, it needs to be denied.

Thank you for considering these comments.

From:	Mary Wiesbrock
To:	zimmerccc@gmail.com; Blaugrund, Jacqueline@Coastal
Subject:	Agenda Item #16 Thursday
Date:	Thursday, May 07, 2015 6:56:23 AM
Attachments:	Coastal Commissioners thursday agenda item #160001.pdf Edge new mansion comples major landslide, historic Mesa0001.pdf Sweetwater Mesa LA Cty AIC missing0001.pdf

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Dear Jana Zimmer, Vice-Chair:

Can you see that all the other Coastal Commissioners receive this letter and attachments? Their emails are not listed on the roster which is available to the public on the web. Thanks! This letter and attachments is also being sent to Coastal Commission planner Jackie Blaugrund.

Mary Wiesbrock, Chair Save Open Space/Santa Monica Mountains



Save Open Space ✧ P. O. Box 1284 ✧ Agoura, CA 91376

RE: Thursday Item 16 Mulryan, Morleigh, Vera, Lunch, and Ronan

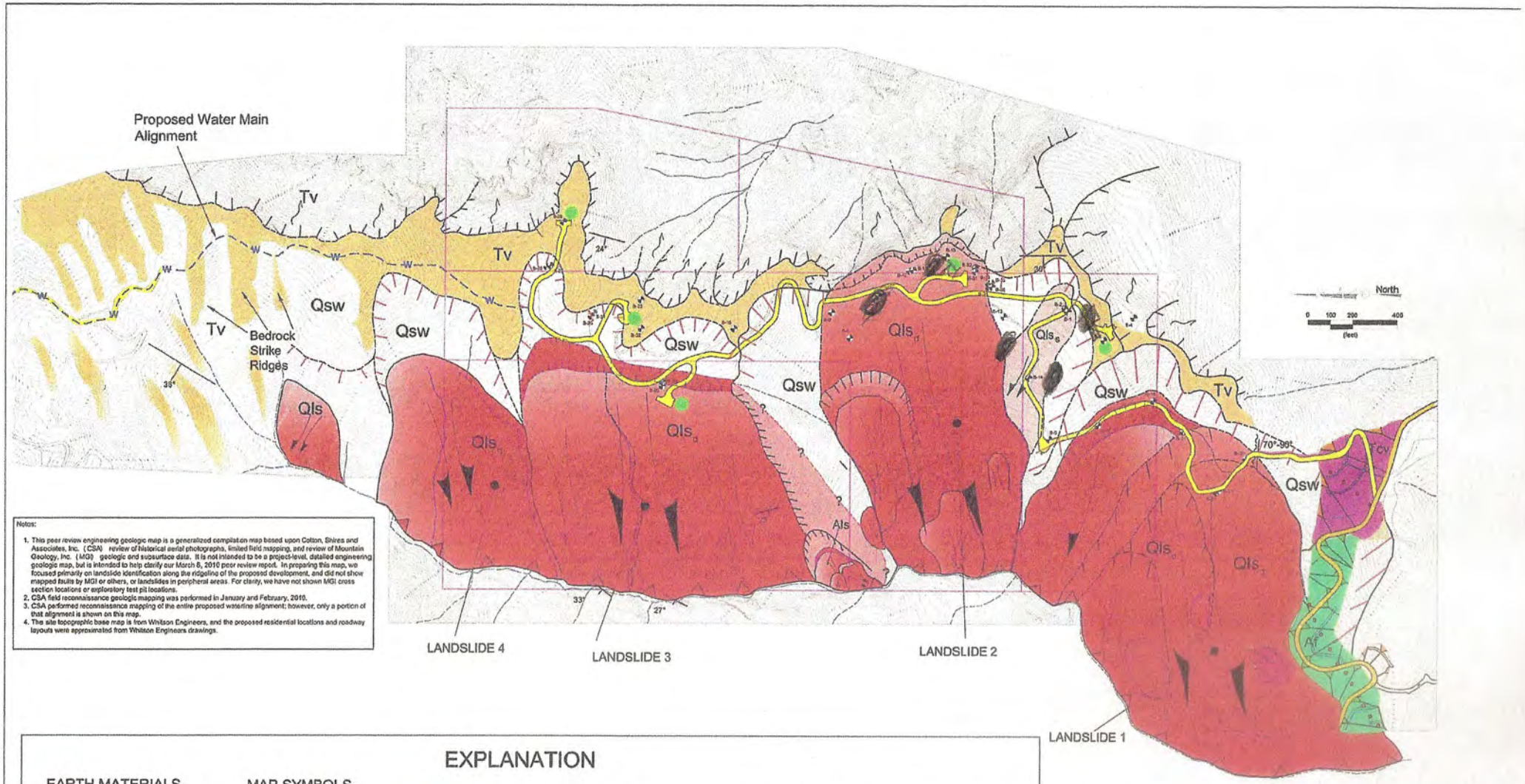
Dear Coastal Commissioners:
This new project has no required valid local approvals -AICs. These are a requirement of Section B, Coastal Commission application. Los Angeles County's out of date AIC was issued in 2007 for the old project. (Site Plan Reviews 2007-00727, 20070073, 200700726, 200700726, and 200700725). Current site plan review by Los Angeles County is required for this significantly changed project.

The project has changed significantly because there are now 3 luxury homes located on one of the major landslides. See penciled in ovals on the one landslide on the right on attached map of the huge landslides in red. These three luxury home complexes and their septic systems cumulatively have a much greater potential to destabilize this landslide. Los Angeles County must first look at slope stability before this project can be voted on by your Commission. As determined on page 41 of the old staff report, The Commission has made the finding: "that the County-approved Geologic Review Sheet is information necessary for the Commission's consideration of the subject applications and their consistency with the Chapter 3 policies of the Coastal Act."

In addition, Los Angeles County has adopted new septic regulations in 2013. Los Angeles County needs to determine if this huge landslide can handle 3 septic systems. How many bedrooms and rooms will there be to determine the number of daily gallons into the septic systems? In addition, there will now be triple the loss of pervious surface from the cumulative impact of three new roof luxury home roof systems, cemented pool areas, cemented patios, and the smaller building's roofs. Los Angeles County needs to do their site plan review first because if this landslide fails from the cumulative impact of not one but three new luxury homes, it will result in a huge catastrophe causing the burying of PCH and buildings in its path to the ocean.

Mary Wiesbrock

Mary Wiesbrock, Chair Save Open Space/Santa Monica Mountains



Notes:

1. This peer review engineering geologic map is a generalized compilation map based upon Cotton, Shires and Associates, Inc. (CSA) review of historical aerial photographs, limited field mapping, and review of Mountain Geology, Inc. (MGI) geologic and subsurface data. It is not intended to be a project-level, detailed engineering geologic map, but is intended to help clarify our March 8, 2010 peer review report. In preparing this map, we focused primarily on landslide identification along the ridgeline of the proposed development, and did not show mapped faults by MGI or others, or landslides in peripheral areas. For clarity, we have not shown MGI cross section locations or exploratory test pit locations.
2. CSA field reconnaissance geologic mapping was performed in January and February, 2010.
3. CSA performed reconnaissance mapping of the entire proposed waterline alignment; however, only a portion of that alignment is shown on this map.
4. The site topographic base map is from Whitson Engineers, and the proposed residential locations and roadway layouts were approximated from Whitson Engineers drawings.

EXPLANATION

EARTH MATERIALS

- Af — Artificial Fill
- Qsw — Slopewash
- Landslide Debris
  - Als: Active Landslide
  - Qls$_s$: ShallowLandslide
  - Qls$_d$: Deep Landslide
- Tcv — Conejo Volcanics
- Tv — Vaqueros Formation

MAP SYMBOLS

- Existing Paved Road
- Existing Dirt Trail
- Proposed Road
- Property Boundary
- Drainage
- Fill Slope
- Cut Slope
- Headscarp
- Landslide Debris
- Landslide Toe
- Escarpment, Sharp Break in Slope
- Graben
- Proposed Water Main Alignment
- Proposed Home Site
- 25° — Strike And Dip of Sedimentary Bedrock
- Fault/Shear Orientation
- B-13 — Exploratory Borings By Mountain Geology, Inc., 2006 and 2007

COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

PEER REVIEW ENGINEERING GEOLOGIC MAP

Sweetwater Mesa Development Project
Malibu, California

GEO/ENG BY	SCALE	PROJECT NO.
JW/POS	1"=200'	E5050
APPROVED BY	DATE	PLATE NO.
JW/POS	March 2010	1

APPENDIX B

LOCAL AGENCY REVIEW FORM

SECTION A (TO BE COMPLETED BY APPLICANT)

Applicant _____

Project Description _____

_____

Location _____

_____

Assessor's Parcel Number _____

SECTION B (TO BE COMPLETED BY LOCAL PLANNING OR BUILDING INSPECTION DEPARTMENT)

Zoning Designation _____ _____ du/ac

General or Community Plan Designation _____ _____ du/ac

Local Discretionary Approvals

☐ Proposed development meets all zoning requirements and needs no local permits other than building permits.

☐ Proposed development needs local discretionary approvals noted below.

Needed	*Received*	
☐	☐	Design/Architectural review
☐	☐	Variance for _____
☐	☐	Rezone from _____
☐	☐	Tentative Subdivision/Parcel Map No. _____
☐	☐	Grading/Land Development Permit No. _____
☐	☐	Planned Residential/Commercial Development Approval
☐	☐	Site Plan Review
☐	☐	Condominium Conversion Permit
☐	☐	Conditional, Special, or Major Use Permit No. _____
☐	☐	Other _____

CEQA Status

☐ Categorically Exempt *Class* _____ *Item* _____

☐ Negative Declaration Granted (Date) _____

☐ Environmental Impact Report Required, Final Report Certified (Date) _____

☐ Other _____

Prepared for the City/County of _____ by _____

Date _____ Title _____

b. Park, beach, or recreation area ..... ☐ Yes ☐ No

c. Harbor area ..... ☐ Yes ☐ No

11. Does the site contain any: (If yes to any of the following, please explain on an attached sheet.)

a. Historic resources ..... ☐ Yes ☐ No

b. Archaeological resources ..... ☐ Yes ☐ No

c. Paleontological resources ..... ☐ Yes ☐ No

12. Where a stream or spring is to be diverted, provide the following information:

Estimated streamflow or spring yield (gpm) _____

If well is to be used, existing yield (gpm) _____

If water source is on adjacent property, attach Division of Water Rights approval and property owner's approval.

SECTION IV. REQUIRED ATTACHMENTS

The following items must be submitted with this form as part of the application.

1. **Proof of the applicant's legal interest in the property.** A copy of any of the following will be acceptable: current tax bill, recorded deed, lease, easement, or current policy of title insurance. Preliminary title reports will not be accepted for this purpose. Documentation reflecting intent to purchase such as a signed Offer to Purchase along with a receipt of deposit or signed final escrow document is also acceptable, but in such a case, issuance of the permit may be contingent on submission of evidence satisfactory to the Executive Director that the sale has been completed.

   The identity of all persons or entities which have an ownership interest in the property superior to that of the applicant must be provided.

2. **Assessor's parcel map(s)** showing the page number, the applicant's property, and all other properties within 100 feet (excluding roads) of the property lines of the project site. (Available from the County Assessor.)

3. Copies of required **local approvals** for the proposed project, including zoning variances, use permits, etc., as noted on Local Agency Review Form, Appendix B. Appendix B must be completed and signed by the local government in whose jurisdiction the project site is located.

4. **Stamped envelopes addressed to each property owner and occupant of property situated within 100 feet of the property lines of the project site (excluding roads), along with a list containing the names, addresses and assessor's parcel numbers of same.** The envelopes must be plain (i.e., no return address), and regular business size (9 1/2" x 4 1/8"). Include first class postage on each one. **Metered postage is not acceptable.** Use Appendix C, attached, for the listing of names and addresses. (Alternate notice provisions may be employed at the discretion of the District Director under extraordinary circumstances.)

Commission staff decided to forego, as an application filing requirement, an analysis of alternative water sources prepared by the applicants. Staff concluded and the Commission found that the issue could be further analyzed by staff and considered by the Commission in its review of the applications.

2. *A County-approved Geologic Review Sheet for all proposed development.*

In an effort to address the applicants' concerns regarding the expense of preparing full working drawings for each residence to proceed with County geologic review, Commission staff had spoken with the County District Engineer, Soheila Kahlor, specifically regarding this issue and the subject projects. She indicated that the County can proceed with geologic review of grading plans without more information (i.e., not require full working drawings for the residences), given the concern of the geologic and grading issues in this case. In fact, she noted that the applicants were already in process with the County for obtaining this review. Staff conveyed this to the applicants' agent. However, the applicants' agent still opposed the filing requirement. The Commission reviewed this disputed issue and upheld the Executive Director's determination, finding that the County-approved Geologic Review Sheet is information necessary for the Commission's consideration of the subject applications and their consistency with the Chapter 3 policies of the Coastal Act.

3. *Evidence of the City of Malibu's approval of the proposed access road segment within the City's jurisdiction.*

Upon further consideration, staff concluded that while it would be better to know the final configuration of the road that will be approved within the City of Malibu, the Commission could require evidence of the City of Malibu's approval of the proposed road segment within the City boundaries as a special condition of approval for the subject permit applications (should the applications be approved) thus alleviating the need to treat that information as a necessary filing requirement. If the City did require that the road be relocated, the corresponding relocation of the portion of the road in the Commission's jurisdiction could then be required to come back before the Commission for further review. Therefore, Commission staff concluded this information was no longer required for filing the applications, and the Commission concurred.

4. *Analysis of alternative parcel configurations that would minimize grading, fuel modification, landform alteration, and serve to cluster all development to the maximum extent feasible, in order to minimize impacts to coastal resources.*

Commission staff decided to forego, as an application filing requirement, an analysis of alternative lot configurations prepared by the applicants. Staff concluded and the Commission found that the issue could be further explored by staff (including the Commission's legal staff) and considered by the Commission in its review of the applications.

5. *Los Angeles County approval-in-concept for the proposed water main line and maintenance road portion of the proposed development.*

Commission staff concluded that County approval-in-concept was required for the grading work associated with installation of the proposed water line and maintenance road development. However, in the face of continued disagreement from the applicants' agent and allegations that the County had told him otherwise, staff also decided that, if the applicants could provide evidence from the County indicating that

From: Ncharnofsky
To: Blaugrund, Jacqueline@Coastal
Subject: Agenda Items 16 a-f, May 14, 2015 Hearing in Santa Barbara
Date: Friday, May 08, 2015 8:19:28 AM

To Whom It May Concern at the California Coastal Commission:

As a frequent hiker in the Malibu hills, I want to go on record as strongly opposing the Project to build mansions by The Edge. This land, in the Lower Malibu Canyon Watershed, is unsuitable for a mega-mansion project. It would require huge amounts of grading, which could result in damage to the Malibu Creek Lagoon. The mansions would be built in an area easily susceptible to fire. Wildlife habitat would be tremendously impaired.

Please do not permit this project to go forward.

Sincerely,

Norene Charnofsky
10180 Norwalk St.
Ventura, CA 93004

From: Chris Nitz
To: Blaugrund, Jacqueline@Coastal
Subject: agenda items 16a-f
Date: Friday, May 01, 2015 9:18:17 AM

Please do not allow The Edge project to take place. We do not have enough water to support such growth. This area is a high fire danger. And the runoff will pollute the land and ocean below. Thank you for your time and consideration.
Please stop this project.

Chris Nitz
direct phone 818-251-3506
direct fax 818-716-9899

From:	Chester King
To:	Blaugrund, Jacqueline@Coastal
Cc:	MaryAnn Webster
Subject:	Application Numbers: 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, 4-14-1094
Date:	Friday, May 08, 2015 7:22:13 AM
Attachments:	Edge development CC letter.pdf

Dear Ms. Blaugrund,

I sent the attached letter on January 11. The mail to you failed but copies did get to Jack Amsworth and Jeff Staben. In reviewing the staff report- Thursday a-f. I realized that my letter was not included. I have attached my letter.

Chester



Topanga Anthropological Consultants
P.O. Box 826
Topanga, California 90290
(310) 455-2981

Jeff Steben, Jacqueline Blalugrund and J. Ainsworth
California Coastal Commission, South Central Coast District Office
89 So. California St., Suite 200
Ventura, CA 93001

Sweetwater Mesa Projects - Applications Nos. 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598 and 4-14-1094.
January 19, 2015

I have specialized in study of the archaeology and history of Native Americans in Southern California. I have studied the archaeology of the Santa Monica Mountains for 54 years. I have recorded many of the archaeological sites recorded in the Santa Monica Mountains. I have prepared an overview of the Native American history and archaeology of the Santa Monica Mountains that is available at Academia.edu.

In November 2014, Mary Ann Webster of the Sierra Club contacted me concerning the proposed project. She wanted to know if I could review an archaeological report that had been prepared for the project. Dave Stone of the DUDEK consulting firm had prepared the report in March 2014. The report concluded that results of an intensive surface survey revealed no evidence of archaeological sites. After reading the report and realizing that I was not familiar with Stones' fieldwork, I felt that he might have missed features such as ovens for baking yucca that are often found on ridge crests in the Santa Monica Mountains where yucca was a staple food. These sites are possibly less commonly found in Santa Barbara where Stone has done most work. I concluded that a field visit was necessary to determine if the report's negative conclusions were accurate.

On December 8, 2014, Chester King, Mary Ann Webster, and Ron Webster visited the site of the proposed Sweetwater Mesa Residential Properties north of Malibu. We left the paved road at 10:00 am and walked up the graded dirt road to the project sites. At one of the building sites, we discovered stone artifacts and fire altered rock that indicate presence of a prehistoric archaeological site. A mano fragment indicates it is probably an Early period site. Most artifacts and features at the site are expected to be buried as a result of soil development. We returned to the paved road at 12:00. We did not conduct a thorough survey of the entire project. I organized photographs of artifacts and the sites. On December 10, 2014, I sent my notes on the site to Dave Stone by email. The following is the wording of the text of the email:

Hi David,
I was asked to review a project north of Malibu that is being reviewed by the Coastal Commission. The project is called the Sweetwater Mesa Residential Project. You prepared a report of a survey of the project. I thought it possible that features such as earth ovens on the ridge line might have been missed. I went on a field visit with members of the Sierra Club on Monday and found a site as indicated by stone tools and fire altered rocks on the [redacted] house pad areas. I have not completed the site record. Perhaps we could visit the site and you can revise your report to include at least the site we discovered in our incomplete survey. I have attached notes from the survey.
Chester

location deleted

I received no response from David Stone or anyone from DUDEK. I filed a site record with the South Central Coastal Information Center. On December 19, 2014, the site was assigned number 19-004468, CA-LAN-4468.

It appears that the DUDEK archaeologists do not want to cooperate with further study of the site. It is necessary to conduct an archaeological testing program to determine significance of the site or sites and to determine site boundaries before the Coastal Commission hearing concerning the proposed project. The Commission can't make an informed decision concerning disposition of the site without knowing the extent of impacts. The staff

report needs to include description and discussion of the cultural resources. The staff should recommend denial until the site has been evaluated and mitigation measures are developed for approval. It is important to learn when the site or sites in the project were used and whether they are the remains of a permanent settlement. Destruction of the site without understanding what and when activities were conducted at it will leave a hole in our understanding of the history of the Malibu area. I volunteer to assist with development of the testing program.

I would appreciate the opportunity to review archaeological studies prepared prior to the hearing on the project. This letter should be included in the official minutes of the Edge Development report and be forwarded to all members of the California Coastal Commission.



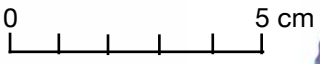
Andesite flake scraper



Quartzite scraper

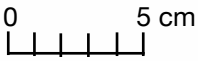












Quartzite chopper/hammer



Rhyolite uniface mano fragment with battered end





Select artifacts observed on the surface of site CA-LAN-4468

Sincerely,

Chester King

Chester King

From:	Errol Ginsberg
To:	Blaugrund, Jacqueline@Coastal
Subject:	California Coastal Commision meeting May 14 re Sweetwater Mesa Project Agenda Items 16a - 16f
Date:	Friday, May 08, 2015 2:09:31 PM
Attachments:	20150508 Letter to Commissioners-EG.pdf

Dear Ms Blaugrund,

Please place a copy of this letter in each of the commissioner's packets for the May 14 Sweetwater Mesa Project, Agenda items 16a-16f

Thank you.

Errol Ginsberg

Errol and Annette Ginsberg
3311 Sweetwater Mesa Road
Malibu, CA 90265
Tel: 310-456-7552
Email: errolsweetwater@gmail.com

jblaugrund@coastal.ca.gov

Fax: (805) 64l-1732

May 8, 2015

California Coastal Commission Commissioners
C/O Board of Supervisors Chamber
105 E. Anapamu Street
Santa Barbara, CA 93101

Re: Sweetwater Mesa Development – May 14 Agenda items 16a through 16f

Application numbers 4-10-040, 4-10-041, 4-10-044, 4-14-0598, 4-14-1094

Dear Commissioners,

My family has lived in Serra Canyon since 1990 and on Sweetwater Mesa Road for the last five and half years. We are extremely concerned about the David Evans (Edge) Sweetwater development because of the all negative impacts that will result from this massive development.

Please ask yourselves why do we have a Local Coastal Plan and then have California Coastal Commission Staff propose the approval of a massive development that violates many of the key principles and policies of the LCP? Some of the excessive construction that will result if this development moves forward that are in direct conflict with the LCP are:

- A water line nearly one and half miles long in an area where there is mostly no existing road
- Significant grading with no explanation as to where the excess dirt will be located on the sites. If the excess is to be removed this will result in thousands of truck trips up and down Sweetwater Mesa Road
- No consideration whatsoever has been given by staff to the section of road that will need to be constructed that is outside of LA County. This section of road in the City of Malibu is about 1700 feet long and is extremely steep in parts and will almost certainly require significant grading and caissons.
- Over 500 feet of retaining walls in a landslide area
- Road construction on a slide area that will require 152 caissons (some of them are 79 feet deep and 5 feet in diameter)
- Rockfall containment barrier up to 14 feet tall and 315 feet long
- Significant ridgeline development

Errol and Annette Ginsberg
3311 Sweetwater Mesa Road
Malibu, CA 90265
Tel: 310-456-7552
Email: errolsweetwater@gmail.com

This development must be treated as one development and not piecemealed ie the overall project, the section of road that has to be constructed that is in the City of Malibu, the section of road that has to be constructed that is in LA County as well as the impact on Sweetwater Mesa, Serra Road and PCH and should be treated as one project and not as two unrelated projects just because one part of the development is in LA County and one part of the development is in the City of Malibu.

As commissioners representing the people of California for the management and protection of our coastal land you should be concerned about leapfrog development in virgin mountain areas. If this development is allowed to proceed it will likely open up that virgin mountain to massive future development because the applicant will have built a road and brought in a waterline thereby simplifying and reducing the cost for future applicants who will inevitably sue for access to the road easements and to the waterline. This will have lasting impacts on this mountain as well as on other virgin regions up and down the California coast.

There will be massive destruction of virgin habitat in order to construct roads, waterlines, large houses and swimming pools. The local area residents will be subjected to at least 5-6 years of extreme danger from very real fire hazards and limited access for emergency vehicles up and down Sweetwater Mesa Road due to all the construction vehicles. Sweetwater Mesa is not a road - it is primarily a common driveway that currently serves 17 houses and it is only about 16 feet wide in several sections. This narrow road is barely wide enough for two normal sized cars to pass each other but it will not be able handle large amounts construction traffic. There is no way a large truck can travel up Sweetwater Mesa Road while a car or another truck is coming down Sweetwater Mesa Road. This development will turn Sweetwater Mesa Road into an alternating one way road causing real delays and hazards for emergency first responder access.

In conclusion we respectfully ask you, Commissioners, to deny this project in its current form and require complete conformance with the SMMLCP for any resubmittal to ensure that **all** the factors regarding this massive development have been fully considered. This development in its current form is totally inconsistent with the SMMLCP.

Sincerely,



Errol Ginsberg

Resident on Sweetwater Mesa Road, Malibu, CA

From:	James Hines
To:	Blaugrund, Jacqueline@Coastal
Subject:	CCC Meeting May 14th Agenda items 16 a-g
Date:	Friday, May 01, 2015 8:21:09 AM

Dear Coastal Commissioners:

RE: Meeting of May 14th 2015
Agenda items 16 a-f Sweetwater Mesa Development Malibu

I am greatly concerrned about the proposal to development large homes on the Sweetwater Mesa area above Pacific Coast highway in Malibu.

The grading required will have a negative impact on the Lower Malibu Creek Watershed. and the recently restored Malibu Lagoon.

This development proposed is also in a high fire danger area.

The extension of services (i.e. water lines and expanding roads) will be growth inducing to the surrounding area as well as set a precident for other similar developments proposed in the coastal Santa Monica Mountains area.

I urge you to preserve the natural resource and scenic resources of this area as well as protect the wildlife corridor which goes through this property and reject the development proposed for Sweetwater Mesa.

Thank you,

Jim Hines, member
Sierra Club Coastal Committee

From:	George H. Denny
To:	Blaugrund, Jacqueline@Coastal
Cc:	James Hines
Subject:	Coastal Commission Public Hearing May 14, Agenda Items 16a-f
Date:	Friday, May 08, 2015 11:48:18 AM

Re: Coastal Commission Public Hearing May 14, Agenda Items 16a-f

Please be advised that I am strongly opposed to the David Evans EDGE project. I believe it would be a major degradation to this Environmentally sensitive area and wildlife corridor.

Respectfully yours,

George H. Denny
Concerned citizen of California

From:	William Murphy
To:	Blaugrund, Jacqueline@Coastal
Subject:	Concerned Citizen
Date:	Saturday, May 02, 2015 8:46:33 PM

To whom it may concern

My name is William Murphy and I grew up in the Santa Monica Mountains, worked as a trail worker for National Park Service and am a proud of the work the Coastal Commission does to preserve the natural beauty of the Santa Monica Mountains. By allowing David Evans to destroy a patch wilderness is not in this communities best interest. There is no valid argument to build on this land, and allowing this person to set such a precedent is under mining the original reason for coastal commissions in the first place, to act as stewards of the coast. I urge you as a fellow steward of the coast to help protect these lands from further development and deny the request for the development for agenda 16a-f. Thank for your time.

From: JOANNE VAN TILBURG
To: Blaugrund, Jacqueline@Coastal
Subject: David Evans Development
Date: Friday, May 08, 2015 2:24:05 PM

California Coastal Commission
RE: AGENDA 16a-16f
Hearing: May 14, 2015

"Sweetwater Mesa Projects" (developer David Evans, AKA "The Edge")

I am a concerned Malibu resident professionally qualified to support archaeologist Chester King in his recent letter to the California Coastal Commission regarding the so-called "Sweetwater Mesa Projects." My family and I have lived for nearly 45 years on Sweetwater Mesa Road. I am a professional archaeologist with 35 years of field experience in California and the Pacific. I have also served two terms on the National Park System Advisory Board Landmarks Committee, and I have received a California Governor's Award for Historic Preservation for field work in the Owens Valley.

Chester King has decades of archaeological experience in Malibu. He objectively evaluated the archaeological report prepared for Mr. Evans by consultant David Stone and deemed it uninformed and inadequate. I strongly agree with Chester King: archaeological survey and testing is required to determine the parameters of Native American sites within Mr Evan's proposed development area.

I also raise the following points:

1. The proposed "projects" are, in fact, a major development of five estates and one of the largest private developments proposed in Malibu since this community became a city.

2. The proposed development is not on Sweetwater Mesa. It is on the ridge high above Sweetwater Mesa and within a highly sensitive environmental area and view shed. As such, established "ridge line provisions" apply.

3. The only way to reach Mr Evans' proposed development is via Sweetwater Mesa Road, a narrow, winding, limited access residential street only 300' long. Sweetwater Mesa Road was never built to provide access

to the ridge. The present pavement was installed more than a decade ago at the expense of property owners living on Sweetwater Mesa at that time. The pavement was laid down over a pre-existing tarmac road. The tarmac was laid down on a dirt road which, so far as I know, was cut to provide access to grazing land and the DWP water tanks.

4. Sweetwater Mesa Road was extended in the 1980s without any consideration of the development by the existing residents. Four home sites were illegally graded, The Coastal Commission fined the developer somewhere in the neighborhood of 1 million dollars.

5. Sweetwater Mesa Road, like many roads of the same era in Malibu, is sub-standard. Two cars approaching one another must slow, often stop, and always proceed with caution. Over the years, we have survived fires and other environmental challenges, and emergency vehicles have reached us only because our neighbors cooperate and do not park on the street or otherwise hinder access.

6. Vehicles such as the massive trucks needed to haul the tons of dirt Mr Evans proposes to remove from a nearly pristine environment will endanger every single person who lives or works on Sweetwater Mesa. A cursory check of the "Los Angeles Times" on-line archive reveals that injuries, deaths, and major lawsuits have been caused by recent heavy construction vehicles that have careened down narrow residential streets. Most of these accidents took place within the limits of the City of Los Angeles, and the streets involved are wider than the 16' width of Sweetwater Mesa.

I urge the California Coastal Commission to reject this development. Vote, instead, in favor of Native Americans and their right to protect their patrimony. Vote for the safety and well-being of the resident Sweetwater Mesa community. Vote in accordance with existing laws designed to protect the ridge line and the environmental heritage of all Californians.

Please place this letter in the California Coastal Commission packet for the scheduled hearing on May 14 of the development referenced above.

Thank you,

Jo Anne Van Tilburg, Ph.D.
Archaeologist

www.eisp.org
3330 Sweetwater Mesa Road
Malibu, CA 90265
jvantil@g.ucla.edu

From:	Barron Paul
To:	Blaugrund, Jacqueline@Coastal
Cc:	Paul Barron
Subject:	David Evans Proposed Development
Date:	Friday, May 08, 2015 4:56:52 PM
Attachments:	5-8-15 letter to coastal commission.pdf

Coastal Commission,

See attached letter regarding the David Evans Proposed Development. Agenda Items 16a - 16f ; 5-14-15 Costal Commission hearing.

Please enter into the record.

Thank you,

Paul Barron

5-8-15

Re: David Evans Proposed Development

Sweetwater Mesa, Malibu, CA

Agenda Items: 16a – 16f; for 5-14-15 Coastal Commission hearing

Dear Coastal Commission,

I am deeply concerned and opposed to the David Evans proposed development coming before the Coastal Commission on May 14, 2015.

The proposed David Evans development will cause irreparable damage to very special land that we should preserve and protect.

1) It is sacred land in the center of Malibu.
    a. The land sits on the prominent ridge descending from Saddle Peak, the third tallest peak in the Santa Monica Mountains (2,805 ft. elevation). This ridge is the prominent backdrop for Malibu city center.
        i. Homes and roads on this ridge forever damage the view from PCH and central Malibu.
        ii. The views from this land of Malibu Lagoon and coastline should be preserved for all to enjoy.
    b. This ridge and mountain were close to the largest Chumash village, the capital of the **Chumash** nation, Humaliwo, located at the mouth of Malibu Creek. To walk this land today invokes the remembrance and reverence of our Chumash elders who lived here for about 9,000 years. Chumash artifacts are observed on this land. One can feel, when walking this land, the spirituality that has nourished men for thousands of years. We should not disturb this tranquility. It is vitally important to our society that we respect and preserve this site of our heritage, our Chumash elders and the undisturbed natural beauty of this land. The Chumash, who lived in the area of this land, lived here for about 9,000 years. The Chumash sites are important for providing an identity for City of Malibu. Malibu is derived from Hamaliwu.
    c. The **steep cliffs on the east** side of this ridge are spectacular and are the home to red-tailed hawks who glide and soar to the updrafts created by these cliffs and the ocean breezes. In respect to the hawks, and to preserve their habitat, we should not build mega homes near these cliffs and ridges.
    d. The land is **bordered by parkland** and is an important continuum of this parkland for both the fauna and flora. Unique and precious animals and plants have lived here for thousands of years.
2) The proposed **water supply line** would come from the north, and transverse approximately 3,860 linear feet of undisturbed ESHA habitat. If you were fortunate enough to get to know the land north of the proposed development, you would appreciate how vital it is to preserve it and

to not allow the construction of the proposed water supply line and maintenance path. A two-foot wide maintenance path would be constructed and maintained along this water line. This land will lose forever its wild, undisturbed beauty and essence. If the project is approved in some form, the supply water should be placed in the existing roadway to the south, and not come from the north.

3) I have lived on Serra Road for 30 years. I have hiked this land extensively, hiking about two times a week for years. I have experienced the uniqueness of this land and hope that it is preserved and enjoyed as one of Malibu's treasures. There is a mountain ridge assent from the proposed property which is spectacular, wild, and provides an experience for the hiker close to that of walking in the large natural beauty of the Sierras. This should be preserved and enjoyed by future generations. I have walked most of the trails in the Santa Monica Mountains, and I consider this area to be one of the most beautiful and undisturbed. We should do all in our power to preserve this, and not destroy it with the construction of millionaires' mega mansions.
4) Location
    a. The land looks over the mouth of Malibu Creek and is in a prominent view of central Malibu.
    b. One of Malibu's most important qualities is that undisturbed mountain areas, close to developed areas, are respected and preserved. Tourism and health spas have become a calling card of Malibu, and take advantage of this unique experience.
    c. It is primarily ESHA, an undisturbed native chaparral habitat.
    d. Wildlife is abundant, including **mountain lion**. I have seen a number of a) deer recently killed by mountain lion, and b) mountain lion scat. This is one of the unique spots in the Santa Monica Mountains where wildlife, including mountain lions, feel at home.
5) Since this land is so special, we should be extra cautious of any proposed development on this land. We should enforce the Santa Monica Mountains Local Coastal Program (SMMLCP) to the fullest extent with respect to this land. This natural and cultural treasure should be protected to the maximal extent of the law.
6) In his chosen profession as a prominent member of the band, U2, David Evans professes the principals expressed in this letter. The community, that has supported David Evans and U2, hopes that he walks the walk, lives as he professes, and does not destroy this unique and precious land for his personal gain and enjoyment. He has become rich singing about sensitive living. We pray that David Evans does not defame the ideal he sings about. We pray that he demonstrates respect and allows this precious land to be preserved for generations to come. This land is the heart and soul of Malibu.

Thank you,



Paul Barron

3737 Serra Road, Malibu, CA 90265

From: BILL CRANE
To: Blaugrund, Jacqueline@Coastal
Subject: EDGE DEVELOPMENT: NO, NO, NO!
Date: Saturday, May 09, 2015 2:09:48 PM

Dear Ms. Balugrund:

Los Angeles and California are in a severe drought. Please do not ask anyone else to conserve a drop of water to go to developers. The developers can supply their own water, in this case from Ireland and from the lawyers, lobbyists and "environmental" consultants (none of which are environmentalists). Please suck them dry.

This development will cause instability to the mountains. It will require tremendous bulldozing. It will destroy habitat of plants and animals, which is impossible to mitigate. It will cause runoff. It will reduce the air shed, thus increasing pollution. None of this is cannot be mitigated.

The development by the Edge must be stopped, for the third time.

Sincerely,

Rev. William C. Crane, Jr.
22351 Mission Circle
Chatsworth, CA 91311-1257
818-773-4601

This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: Jennifer Waterhouse Pietro
To: Blaugrund, Jacqueline@Coastal
Subject: EDGE HEARING, Agenda No. 16a-f
Date: Sunday, May 10, 2015 9:49:29 PM

TO: jblaugrund@coastal.ca.gov

SUBJECT: Edge Hearing, Agenda No. 16a-f

Dear Commissioners:

Enough is enough. We aredeeply concerned about the Edge project and the attendant environmental destruction, negative scenic impacts, fire hazards, destruction of ESHA, and the massive grading that this project entails. Please consider all of these factors, both individually and cumulatively, and deny the Malibu Local Coastal Program Amendment for the Edge Project. If this LCPA is approved, protected public views will be forever destroyed, and this is a completely unnecessary and devastating environmental impact that is emblematic of this project's excesses. We urge you to consider the following:

In terms of environmental destruction, the Edge project violates the letter and the spirit of several sections of the California Coastal Act and the Los Angeles County Local Coastal Plan in terms of visual impacts, grading, significant hazards, ESHA and cumulative impacts.

The project has devastating impacts on public views from many of our most pristine and precious our coastal areas. Please consider the meaning of the Coastal Act as it states: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance." Do we protect or do we exploit these public invaluable and limited resources? Does the private gain of these developers trump the protection of our precious environmental resources? Does it trump what is in the best interest of the public as well?

The Edge project proposes the construction of a 7,800 foot water line, clearly violating various provisions of the Coastal Act, including those that deal with issues of proximity to other developed areas, and those related to the importance of the availability of adequate public services to prevent adverse effects on our coastal resources. The proposed water line would be built through undeveloped properties not owned by the applicants, resulting in the "leapfrog" development of an area comprising 2,900 acres of adjacent land. The proposed water line is not located within legally existing roadways, and long-term impacts on public services will be potentially devastating. Why have these impacts not been carefully analyzed with respect to the effect this water line will have not only on the subject property, but on the adjacent properties as well?

In terms of basic public safety, this proposed project is to be located in an undeveloped area of the Santa Monica Mountains with a history of fire and landslides. The CCC requires that development minimize risks to life and

property in areas of high geologic, flood and fire hazard, and the Edge proposal submits that all five mansions are to be built on landslide-vulnerable building sites. Given the current plans, a steep road requiring major grading and caissons will need to be constructed to facilitate the project, and this increased grading and landform alteration is entirely inconsistent with the Coastal Act.

In terms of ESHA, the project allows for the Destruction of Environmentally Sensitive Habitat Area: is this destruction of ESHA somehow not subject to the provisions of the Coastal Act? Why?

Finally, the Edge project allows for massive grading across unstable land, with a total grading of some 41,210 cubic yards, or an average 8,242 cubic yards per residence. Also, huge structural enhancements will be needed to ensure stability and safety, while the grading required will increase pressure on landslide areas. What justifies this massive grading on a pristine mountain ridgeline?

For all of the reasons noted above, this development should be denied by the California Coastal Commission. If allowed to go forward, the Edge project will build five large mansions at a horrible price to the public, forever negatively impacting the surrounding rural landscape and causing unacceptable and irreversible environmental damage.

Thank you for your consideration.

Sincerely,

Jennifer Waterhouse Pietro

Jennifer Waterhouse Pietro, M.S.M. Brian Pietro
Development Consultant and Philanthropic Advisor 5763 Busch Drive
Certified Mediator, Malibu Mediation Center Malibu, CA 90265
www.malibumediationcenter.com
jenniferpietro@mac.com
310 924-0591 cellular

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Please consider the environment and whether you need to print this email.

From: B. Wadkins
To: Blaugrund, Jacqueline@Coastal
Subject: Edge Hearing, Agenda No. 16a-f.
Date: Monday, May 11, 2015 1:52:25 PM

Dear Commissioners:

Please deny the Malibu Local Coastal Program Amendment for the Edge Project. If this LCPA is approved, protected public views will be destroyed by the construction of the five mansions and the extensive road that will be required to access these mansions. My specific concerns are as follows.

ENVIRONMENTAL DESTRUCTION: The Edge project is inconsistent with sections of the California Coastal Act (CA) and the Los Angeles County Local Coastal Plan (LCP) in regards to visual impacts, grading, significant hazards, ESHA and cumulative impacts.

SCENIC IMPACTS: The project has devastating impacts on public views form our coastal areas. The Coastal Act states: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance."

CUMULATIVE IMPACTS: A 7,800 water line will be dug, which violates numerous policies of the Coastal Act. Developments should be within, or in close proximity to, existing developed areas able to accommodate it or with adequate public service to prevent adverse effects on our coastal resources. The water line will be built through un-developed properties not owned by the applicants. The result will be leapfrog development in the 2900 acres of land. The long-term impact on public services is potentially devastating, as the water line is not located within legally existing roadways. These impacts have not been analyzed adequately.

FIRE HAZARD: The project is to be located in an undeveloped area of the Santa Monica Mountains with a history of fire and landslides. The CCC requires that development minimize risks to life and property in areas of high geologic, flood and fire hazard. All five mansions are to be built on clearly unmarked hillside landslides. A steep road requiring major grading and caissons will need to be constructed. This increased grading and landform alteration is inconsistent with the Coastal Act.

ESHA: The project allows for the Destruction of Environmentally Sensitive Habitat Area. Destruction of ESHA is not minimized as required by the Coastal Act. In violating the policies connected with providing water, the project also destroys ESHA.

GRADING: The project allows for massive grading across unstable land. Grading of some 41,210 cu yds. = 8,242 cu yds. per residence. Massive grading is needed to make the mansions stable. The development will be in areas historically prone to landslides. Huge structural enhancements are needed to ensure stability. And the grading required will increase pressure on landslide areas.

This development, in its present form, will forever impact the rural landscape surrounding Malibu and cause unacceptable environmental damage. We ask that the permit for this project be denied by the Coastal Commission.

Regards,

Barbara Wadkins, Wink Roberts-

22848 PCH, Malibu 90265

From: Magnus Toren
To: Blaugrund, Jacqueline@Coastal
Subject: Edge Hearing, Agenda No. 16a-f.
Date: Sunday, May 10, 2015 12:38:31 PM

Att: Jacqueline Blaugrund

Dear Commissioners:

Please deny the Malibu Local Coastal Program Amendment for the Edge Project. If this LCPA is approved, protected public views will be destroyed by the construction of the five mansions and the extensive road that will be required to access these mansions. My specific concerns are as follows.

ENVIRONMENTAL DESTRUCTION: The Edge project is inconsistent with sections of the California Coastal Act (CA) and the Los Angeles County Local Coastal Plan (LCP) in regards to visual impacts, grading, significant hazards, ESHA and cumulative impacts.

SCENIC IMPACTS: The project has devastating impacts on public views form our coastal areas. The Coastal Act states: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance."

CUMULATIVE IMPACTS: A 7,800 water line will be dug, which violates numerous policies of the Coastal Act. Developments should be within, or in close proximity to, existing developed areas able to accommodate it or with adequate public service to prevent adverse effects on our coastal resources. The water line will be built through un-developed properties not owned by the applicants. The result will be leapfrog development in the 2900 acres of land. The long-term impact on public services is potentially devastating, as the water line is not located within legally existing roadways. These impacts have not been analyzed adequately.

FIRE HAZARD: The project is to be located in an undeveloped area of the Santa Monica Mountains with a history of fire and landslides. The CCC requires that development minimize risks to life and property in areas of high geologic, flood and fire hazard. All five mansions are to be built on clearly unmarked hillside landslides. A steep road requiring major grading and caissons will need to be constructed. This increased grading and landform alteration is inconsistent with the Coastal Act.

ESHA: The project allows for the Destruction of Environmentally Sensitive Habitat Area. Destruction of ESHA is not minimized as required by the Coastal Act. In violating the policies connected with providing water, the project also destroys ESHA.

GRADING: The project allows for massive grading across unstable land. Grading of some 41,210 cu yds. = 8,242 cu yds. per residence. Massive grading is needed to make the mansions stable. The development will be in areas historically prone to landslides. Huge structural enhancements are needed to ensure stability. And the grading required will increase pressure on landslide areas.

This development, in its present form, will forever impact the rural landscape surrounding Malibu and cause unacceptable environmental damage. We ask that the permit for this

project be denied by the Coastal Commission.

Regards,
Mary Lu and Magnus Toren
PO Box 25
Big Sur CA 93920

From:	Diane Moss
To:	Blaugrund, Jacqueline@Coastal
Subject:	Edge Hearing, Agenda No. 16a-f.
Date:	Sunday, May 10, 2015 8:24:27 PM

Dear Commissioners:

Please deny the Malibu Local Coastal Program Amendment for the Edge Project. If this LCPA is approved, protected public views will be destroyed by the construction of the five mansions and the extensive road that will be required to access these mansions. Specific concerns are as follows:

ENVIRONMENTAL DESTRUCTION: The Edge project is inconsistent with sections of the California Coastal Act (CA) and the Los Angeles County Local Coastal Plan (LCP) in regards to visual impacts, grading, significant hazards, ESHA and cumulative impacts.

SCENIC IMPACTS: The project has devastating impacts on public views form our coastal areas. The Coastal Act states: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance."

CUMULATIVE IMPACTS: A 7,800 water line will be dug, which violates numerous policies of the Coastal Act. Developments should be within, or in close proximity to, existing developed areas able to accommodate it or with adequate public service to prevent adverse effects on our coastal resources. The water line will be built through un-developed properties not owned by the applicants. The result will be leapfrog development in the 2900 acres of land. The long-term impact on public services is potentially devastating, as the water line is not located within legally existing roadways. These impacts have not been analyzed adequately.

FIRE HAZARD: The project is to be located in an undeveloped area of the Santa Monica Mountains with a history of fire and landslides. The CCC requires that development minimize risks to life and property in areas of high geologic, flood and fire hazard. All five mansions are to be built on clearly unmarked hillside landslides. A steep road requiring major grading and caissons will need to be constructed. This increased grading and landform alteration is inconsistent with the Coastal Act.

ESHA: The project allows for the Destruction of Environmentally Sensitive Habitat Area. Destruction of ESHA is not minimized as required by the Coastal Act. In violating the policies connected with providing water, the project also destroys ESHA.

GRADING: The project allows for massive grading across unstable land. Grading of some 41,210 cu yds. = 8,242 cu yds. per residence. Massive grading is needed to make the mansions stable. The development will be in areas historically prone to landslides. Huge structural enhancements are needed to ensure stability. And the grading required will increase pressure on landslide areas.

This development, in its present form, will forever impact the rural landscape surrounding Malibu and cause unacceptable environmental damage. We ask that the permit for this project be denied by the Coastal Commission.

Regards,

Diane Moss
Malibu, CA 90265

From:	J Menzies
To:	Blaugrund, Jacqueline@Coastal
Subject:	Edge project Objection Letter
Date:	Friday, May 08, 2015 3:02:17 PM
Attachments:	D BAR RANCH.docx

Please place this letter in the CCC Commissioners packets re: the Edge hearings Agenda No. 16a-f

Thank you,

Dee and Jim Menzies

D BAR RANCH

3700 Serra Road, Malibu, CA 90265

jblaurund@coastal.ca.gov

May 8, 2015

California Coastal Commission Commissioners
C/O Board of Supervisors Chamber
105 E. Anapamu Street
Santa Barbara, CA 93101

RE: Agenda Item No. 16a-f

Dear Commissioners,

We wish to convey our opposition to the proposed development of the property, as submitted, by David Evans. There are a host of issues and violations which will severely convey a negative impact. These include a lack of conformity with copious requirements and provisions relative to access roads, water lines, ridgeline limitations and height requirements.

Having experienced the impact of fires and other natural disasters in the canyon it is obvious that fire and safety are of grave concerns. Sweetwater Mesa Road is particularly narrow and will only afford limited ingress and egress to emergency vehicles. The plans as presented will take years to complete and will require the excessive traffic of large construction vehicles over this very limited road.

Often there are children, equestrians and persons who traverse the road regularly who would be placed in peril if confronted by heavy equipment traversing the several blind curves and steep descents and ascents.

In the interests of safety and adherence to established provisions and requirements we urge you to reject the above referenced proposals.

Thank you in advance for your consideration.

Dee and Jim Menzies



Save Open Space ✧ P. O. Box 1284 ✧ Agoura, CA 91376

May 8, 2015

Re: Comments on the staff report (5/1/15), Thurs Agenda #16 Lunch, Vera, Morleigh, Mulryan, Ronan, Lunch (It appears that these are all associates per 1)Malibu Times headline, May 26, 2011 headline: " Owners of "the Edge" development are all associates, family" and 2)Nameawinelake Irish Blog)

MOTIONS AND RESOLUTIONS

This development with its conditions is not in conformity with the policies and provisions of the Santa Monica Mountains Local Coastal Program (LUP and LIP). There are feasible alternatives that would lessen any significant adverse impact of the development on the environment. Environmental law requires discussion of these alternatives. Alternative analysis is required by state law. There is a unity of ownership here. Running the APNs in 2011, there was one property holding company listed, EQ Property Holdings, at one Georgia address. with the one agent Jim Vandenberg.

Alternative analysis is required by state and federal law This property is on a national park's federal land protection plan and is within the boundaries of a national park. This information is not disclosed in this new staff report. **Alternative 1: This (unity of purpose) development project can be reduced to one luxury residential compound** sited not on this huge impacted landslide, and built in an area with minimal environmental constraints. We have confirmation by a landscape specialist, James Hines (Sierra Club Los Padres chair) that such an area exists on this property. The staff report is incorrect is stating the only alternative areas as deep in the canyon areas. **Alternative 2:** The other environmentally superior alternative, **the property in its entirety can be purchased as parkland** either obtaining funds from the Land and Water Conservation Fund (federal oil company mitigation fund) and or one of the state bond acts passed to preserve coastal resources. Our Governor Jerry Brown can facilitate the state bond funds for this coastal mountain national park (SMMNRA) boosts 35 million annually visitors from greater Los Angeles county and recreational tourists. This coastal property is listed as High Priority Fee Acquisition in the SMMNRA Land

Protection Plan. Bob Hope's Jordan Ranch (now Palo Comado National Park Unit), also High Priority Fee Acquisition, was purchased with the federal LWCF. Washington Mutual's Ahmanson Ranch was purchased with state water bond funds. Instead of destroying this sensitive High Priority property within our national park boundaries, for Alternative 2 to occur is for the property ownership to tell Governor Brown that the ownership is a willing sellers. Governor Brown, from northern California, needs to realize the significance of this property for the millions of Los Angeles residents who visit our coast, use our coastal resources and for our tourism industry which benefits the various SMMNRA mountain cities (Agoura Hills, Calabasas, Malibu, Camarillo, Westlake Village, Thousand Oaks, and Los Angeles) by filling up their hotels and restaurants.

SPECIAL CONDITIONS

Geology –Significant Effect: project has the potential to destabilize a huge landslide Geotechnical Recommendations will not prevent the potential of destabilization of the landslide from the cumulative effect of clustering 3 of the luxury home complexes with their septic systems on landslide number two and another of the complexes with its septic system in an unstable headscarp area of landslide number two. There should be no buildings on this landslide. This staff report is inadequate in that there is no updated geological map showing the Coastal Commissioners this landslide and geologically unstable areas where these 4 complexes are being clustered. If the Coastal Commission approves this 3 luxury home complex development with 3 to 4 septic systems impacting landslide 2, then they will be liable. No special condition can release them. The only way to prevent destabilization of this geologic unstable landslide area from the cumulative impact of 3-4 new luxury home complexes with the 3-4 new septic systems is to remove all storm water run-off and other excess water by requiring it to be trucked off. Require removal by trucks of all run off (including storm water) to prevent destabilization of this landslide.

Visual –project has a substantial, demonstrable negative aesthetic effect Change Special Condition #6 on Structural appearance to require berming of all non-natural buildings and features. This condition needs to be changed to require berming to be put in front of all this development's structures. In the LCP, this is a designated significant scenic ridgeline area so that the scenic views are not marred by views of structures for 35 million annually national park (SMMNRA) and coastal visitors. The new residents' views in these proposed luxury compounds can not be allowed to be more important than our coastal and national park public's views.

LCP-Project conflicts with this adopted plan to fully protect all H1 habitat (ESHA) Special Condition Habitat Impact Mitigation. A map, delineating all areas of H1 and H2 SERAs (ESHAs) that will be disturbed by the proposed development, needs to be part of this staff report. These permits are not consistent with the LCP because H1 and H2 (ESHA) habitat is being impacted. This environmental report is inadequate in that there is no real map showing all of the project's impacts to H1 and H2 habitats for full public disclosure.

New water line is growth inducing One of the significant effects, of this water line and its dirt access road, extending all the way to Costa del Sol Way is that it will be growth inducing. This staff report is inadequate in its failure to identify that this water line will induce substantial growth in our sensitive Santa Monica Mountain national park area. There has been no required notification to landowners in the Costa del Sol and Monte Nido area of this proposed water line extending from Malibu to their community. Instead of this water line, the Coastal Commission should require the project to put in a well/s as is the case in several other landowners in this rugged undeveloped Malibu coastline.

Archaeological Significant Effect There is the potential to disrupt or adversely affect a prehistoric or historic archaeological site of cultural significance. A full site survey is now required because of the Chester King findings of several artifacts. Simply having a qualified archaeologist at the earth moving is unacceptable because the site could represent a Native American historic village and/or Stone Age permanent settlement.

Total Grading incompatible with LCP The grading amounts (structures, driveways, access road with caissons, fire turn outs, and pile excavation) totals 51,082 cubic yds. The LIP part of the LCP requires minimizing landform alteration and disturbances to natural landforms. (22.44.1260)

Lot Line Adjustment and Lot Tie This represents improper lot design and a violation of the Subdivision Map Act. These ridiculous gerrymandered new lots allow the clustering of 3 luxury home complexes and their septic systems to impact one huge landslide area (landslide #2) which has the potential to lead to substantial environmental damage.

C. HAZARDS and GEOLOGICAL STABILITY

Geological: All the proposed residences in the new revised, clustered project, except for the Vera residence, are sited atop a mapped landslide area. (p.51, staff report). Allowing this clustering of 3 residences development impacting on one mapped landslide area #2 and another on its headscarf cumulatively impacts this single landslide area. This cumulative insult to this one huge landslide hazard is inconsistent with LUP

Policies SN-1, 2, 3, 4, 5, 6, 9,10,11, and 23. Staff admits that "the currently proposed development configuration has been modified since the subject memoranda were written" (page 52) Hydrology and geological studies showing the **cumulative impact** of clustering these luxury complexes atop one huge landslide ("2) and their septic systems should be required.

FIRE HAZARD: New ridgeline development (on a Significant Ridgeline) is in severe fire hazard areas. This is inconsistent with many of the LCP policies on Fire hazards as ridgelines are typically burned by our Santa Ana fires which are blown by winds to Malibu coast. Attempting to protecting this ridgeline development could result in the loss not only property but loss of life.

Page 54: Simply requiring a fire turn out on the steep access road, will not "minimize risks to life and property as required ("shall") in the Policy SN-1 of the LCP. This significant ridgeline area represents the worst part of this Very High Fire Hazard Severity Zone. These Santa Ana fires roar up to the ridgelines on their path to the Malibu Ocean. The development footprint should not be allowed on this significant ridgeline area at all to comply with this LCP policy to "minimize risks to life and property." Fuel modification on this significant ridgeline causes significant visual impacts destroying the natural vegetation and this unmarred (to date) coastal view-shed which stretches all the way to the Ventura County line. Fuel mod here will cause violations of the Visual policies and requirements of the LCP (LUP and LIP).

STORM WATER: Page 50: LCP policies Sn-16 and 17 require that new development "shall not" increase peak storm water flows. There is no condition which requires the storm water flows to be captured and trucked off the property. There is no hydrology report which would reveal the added cf per second of new storm water generated by the loss of pervious surface caused by the 3-4 residential complexes impacting on landslide #2.

Page 51 and 52: No cumulative study has been done on the new clustered development and its impact on landslide #2. By not requiring this, the Coastal Commission is also liable. By not allowing LA County to do an AIC (waver in closed session) on this new clustered development on landslide #2, the Coastal Commission as the only permitting agency will bear the blunt of the liability for ignoring evidence in the record of the potential of landslide failture from clustering this development to cause unanalyzed cumulating impacts on landslide #2. When the property owner is long gone, the ultimate responsibility/liability rests with the

Coastal Commission. No condition will let the Coastal Commission out of this since there is evidence in the record that the staff has failed to require cumulative analysis of the new clustered development on landslide #2 stability.

WATER LINE geological hazard unanalyzed: Page 53-4: There is no geological map to show what type of geology that this 7800 linear foot water line is going through. That can not all be hard bedrock granite. This conclusion is inadequate until the geology study is done and the geology where the water line is being constructed is revealed. In addition as proposed, this 7800 foot water line is growth inducing. Was a notice sent to the residents of the Costa del Sol and Piuma Roads to inform them of this growth inducing water line?

RUN OFF: The cumulative run off from the 3 residential complexes will increase peak storm water flow impacting a huge landslide area. The LUP requires that peak storm water flow SHALL not be increased by new development. This project violates LUP Policies SN 16 and 17.

CONCLUSION: Page 55-56. Evidence in the record does not support the conclusions that the geologic studies show that this development now clustered on landslide #2 will not cumulatively impact the stability of landslide #2. Those studies do not exist. Studies were done only on the stability of the individual residences. The Coastal Commission will be liable because these cumulative studies necessary to protect property and life from allowing this new clustered development on this unstable landslide #2 do not exist to date.

Evidence does not exist in the record that Los Angeles County Fire will allow this ridgeline development which endangers their fire fighters when alternative area exists. Is having a ridgeline coastal view for the property owner/s here more important than human lives?

D. Water Quality

Policy CO-19 is missing. This requires avoidance of land disturbances in erosive areas that are steep and unstable to avoid detrimental impacts. Clustering the 3 residential complexes on a huge landslide is inconsistent with this policy. Also, ridiculous gerrymandering the lots to allow this to happen is inconsistent with the Subdivision Map Act. Policies CO 11 and CO24 have already been ignored on this sensitive project site. In 2004, the Coastal Commission allowed a 10 ft. wide jeep road for geologic testing and required re-vegetation of the road. This was not done as required per Page 40 of this staff report. This demonstrates

that the CCC does not have the enforcement staff to enforce their conditions to protect this area within our national park boundaries.

Page 59: This clustered development on landslide #2 violates LUP Policy CO 2 since it is not sited to minimize run off and it will not minimize increase in storm water. It will result in an increase in impervious surfaces, which causes an increase in volume and velocity of storm water runoff that potentially could destabilize this overburdened landslide #2. These conditions and magical BMP (which will somehow reduce this storm water impact on the landslide) should be reviewed by Local agencies first like Los Angeles Regional Water Quality Agency. Where is the review of Los Angeles County on the impacts on water quality from clustering the 3 resident complexes atop an unstable landslide? There is no cumulative septic systems hydrology study done for 50 -100 year storms analyzing the impact of 3 septic systems on the run off volume and velocity on this huge landslide #2. So where will the pool drainage be discharged if there is ever water supply available to fill these 3 pools on the one landslide? There is no condition requiring the pool drainage to be contained and trucked off.

In summary, all these LCP/LUP policies are being violated with this new current clustered development proposal cumulatively impacting one huge landslide: SN-16 (Potentially the landslide could fail and bury the blue line stream below it), CO-2 (Increases run off rate and volume), CO-3 (clustering three residential complexes is not low impact development), CO-4 (not minimizing-instead of the impacts of one residence –it has increased to three and their respective septic systems), CO-5 (not minimizing), CO-6 (not revealing where the drainage will be conveyed on this landslide area), CO-10 (Grading is not being limited, CCC did not monitor the grading done for the road for geologic testing in 2004) CO-10 (erosion control measures during grading are not clearly identified), CO-29 (gerrymandered lot lines allow a cumulative effect from 3 OWTS which has not been analyzed by a professional engineer), CO-30 (3 OWTS on one unstable landslide does not minimize the amount of water), CO-54 (fuel modification zone will increase more runoff times 3 now) and CO-76 (alteration of natural terrain is not being minimized). This development proposal is also incompatible with many of the LIP requirements which protect water quality.

E. ESHA

Under the new LA County LCP, Both H1 and H2 habitats are ESHA. No development is permitted when these

habitats are present. There is also H2 High Scrutiny habitat. "This project as proposed will result in: Direct impacts to H1 PNG from fuel modification, indirect impacts to Hi PNG and Hi rock outcrops from the reduction of 100 foot buffers, direct and indirect impacts to H2 and H2 High Scrutiny habitat buffer reduction." H3 habitat analysis is incomplete. (J. Engel Memo 2015)

Policy CO-33 H1 habitat is areas of the highest biological significant. H2 Habitat consists of areas of high biological significance, rarity, and sensitivity that are important for the ecological vitality and diversity of the SMMNRA Mediterranean Ecosystem. Policy CO-36-states The biological resources map is included, but this is inadequate because the footprints and locations of the 5 compounds are not depicted. There is a procedure to confirm the habitat types on this map done by independent resource people not the developer's consultants. This has not been done. ***CO-40 Any area mapped as, or meeting the definition of H1, H2, and H2 High Scrutiny or H3 SHALL not be deprived of protection if the habitat has been damaged by natural disaster. CO-41 New non-resource dependent development SHALL be prohibited in H1 habitat areas to protect these most sensitive environmental resource areas of habitat values. The exceptions do not apply here. CO-42 These residential compounds are not resource dependent uses. CO-43 New development SHALL avoid H2 Habitat (including H2 High Scrutiny Habitat. H2 High Scrutiny Habitat destruction should be avoided to the maximum extent possible. CO-44 New development is prohibited in H1 habitat unless exemptions apply and they do not apply to these residential compounds. CO-45 Preserve and protect all large unbroken blocks of undisturbed natural open space and wildlife habitat areas. This whole property is considered High Priority in our national park's Land Protection Plan. Feasible strategies include purchasing the open space lands. (Environmental Alternative #2) CO-46 ENCOURAGE THE PERMANENT PRESEVATION OF STEEP LANDS CO-49 Require development to be sited and designated to protect and preserve important habitat areas and habitat linkages in their natural condition. Alternative 1- one well for the one private residential compound instead of a 7800 linear foot growth inducing water line which impacts H1. CO- 55, New development adjacent to H1 shall provide native vegetation buffer areas. Buffers shall be of sufficient size to ensure biological integrity, CO-56 New development SHALL NOT be permitted within H1 habitat buffer. (Exceptions do not apply here), CO-86a RCP program shall consist of expenditure of funds for permanent preservation of coastal zone properties containing H1 and H2, and ***CO 121-ASSIGN HIGH

PRIORITY TO ACQUIRING PROPERTIES DESIGNATED ON THE NATIONAL PARK SERVICE'S LAND PROTECTION PLAN.

H1 and H2 habitat is considered ESHA. The County shall determine the extent of the habitats based on a biological survey base on review by a county biologist and ERB. (Section 22.44.1830) This is required as is not being done for this project.

PAGE 75: in summary, (except for 10 wide jeep trail) **THE ENTIRE 151 ACRES THAT MAKE UP THE SUBJECT PROPERTIES IS COMPRISED OF RELATIVELY PRISTINE NATIVE CHAPARRAL, SAGE SCHRUB, GRASSLAND, HATITAT AREAS WHICH CONSITITUE H1, H2, H2- HIGH Scrutiny (ESHA) Part of the 7800 linear foot water line will impact native mixed chaparral habitat.**

Page 76- Project Impacts- Alternative 1, limiting the number of residential compounds to one will properly minimize impacts and or Alternative 2-direct property acquisition will save the 151 acres of protected save 100% ESHA habitat on this property.

Taking Analysis:

Failure to include these alternatives makes this staff report inadequate and violates state environmental laws. Environmental Alternative 1- Allowing one luxury compound on this property meets the legal requirements of Lucas. The property history demonstrates that there is a unity of purpose. The ridiculous gerrymandering of the lots confirms this. Also, environmental Alternative #2 clearly would be the most environmentally superior alternative since this property is chalk full of landslides and is 100% ESHA. The California Coastal Commission is not responsible for helping a property group, EQ Property Holdings (listed in a 2011 APN owner search) with their investment backed expectations! It appears that this property group was unaware of this property's constraints when the property was purchased in 2005. In 2011, my verification of this property's APNS showed EQ Property Holdings at the mailing address of 1050 Chancellors Dr., Statham Georgia 30666 Jim Vandenberg.

Page 83 The Commission can not conclude that there is no viable alternative for this property which is 100% ESHA. (H1, H2) The Commission has not even done an alternative analysis as required by California

environmental law. This staff report is inadequate because there is no total acreage (including fuel mod area) of how much ESHA will be destroyed.

Page 85 Habitat Impact Mitigation According to the LCP H1 and H2 habitats (ESHA) are to be preserved in place. There will be fewer impacts to these protected habitats if the development alternative of one dwelling compound is allowed on this property held in unity of purpose. This alternative and the environmentally superior alternative of no project will be consistent with LA County's LCP which now governs the costal resources in this Santa Monica Mountains national park coastal area. This hosts a Mediterranean ecosystem of which only 5 remain world wide. The loss of ESHA is avoidable with either of these two environmentally superior alternatives.

Page 87 It is wrong to wait until Special Condition Ten to require the applicant to delineate the total acreage of ESHA on site that will be impacted. This information is required now in this staff report so that it is disclosed to the public and decision makers. Why the applicant gets to delineate this? It should be Costal Commission staff biologists. The biological map provided in this staff report of H1 and H2 habitat is lacking in public disclosure because the project and its 5 luxury compounds and the 200 foot fuel mod area is not delineated on any map in this staff report. It's ridiculous to keep this information hidden until Condition Ten and let the applicant determine this!

Page 90 It is not necessary to allow portions of this development to extend into H1 habitat. There are feasible alternatives which need analysis which will reduce impacts to ESHA. (H1 and H2) This proposed project is not consistent with the LCP. Allowing one house per this unity of purpose project is not a taking. No project alternative is also a feasible alternative if the owner becomes a willing seller.

F. Cumulative Impacts

CO-70 This new development is not close to services with a 7800 linear foot water line required to get to a water main. . CO-75a Lot line adjustment allows 3 to 4 of the residences to impact cumulatively on one huge landslide (#2) hazard. Land division, this crazy lot line gerrymandering, would not be required if the two alternatives were considered. CO 154 Lot line adjustment does impact scenic resources in a designated significant resource area. PF 2 and 3. There is no water to serve this development as this water district now

is under mandatory restriction to reduce water use by 36%. This LUP condition requiring that this new development have adequate long term water supply can not be followed due to new changed circumstances: water restrictions of 36% reduction of use in this water district.

Lot Line Adjustment results in 3 to 4 of the building sites now impact one unstable landslide (#2) area. This gerrymandered lot line adjustment by allowing the clustering of 3 to 4 of the residential compounds on the one landslide impacted area potentially could cause catastrophic failure of this landslide from the cumulative weight of the structures and pools, storm water run-off, and added landscaping watering. If the landslide fails, it potentially could bury a blue line stream, buildings and crowded Pacific Coast Highway resulting in loss of property and life for which not only the applicant but the coastal commission will be liable.

Cumulative impacts of the water line is that it is growth inducing. It will go through several undeveloped sensitive properties within the boundaries of our national park spawning their development. The one residential compound alternative would eliminate this growth inducing impact by having a well as do other Malibu residential compounds in this rugged coast line area.

G. VISUAL RESOURCES

This staff report keeps the public in the dark. There should be simulation pictures of the various views from the various national park view sites and scenic highway PCH and the relationship of these 5 compounds on park visitor views. The proposed 5 compound residential project will as proposed on a designated LCP significant ridgeline area will violate Policy CO 124, 125, 126,127.128,129, 130, 131 (Alternative of one compound and/ or no project alternative would preserve this significant ridgeline for the millions of annual coastal and national park visitors),132, 133.134 (natural terrain is so unstable that expensive caissons are needed to hold up road), 135, and 136 (one compound on ridgeline's top and others only 50 feet below so significant scenic viewing impacts remain) This proposed project is preserving the scenic views for the few residents in these luxury compounds at the detriment of the scenic views of millions of annual coastal and national park visitors.

Page 100. This development project is located on a designated Significant Ridgeline and it will not preserve unobstructed views of a natural view shed. There are feasible alternatives. This subject Significant Ridgeline is a prominent landscape feature along a significant stretch of the Malibu coast within the boundaries of a

national park with annual visitor figures around 35 million a year. Zuma Beach along had 6 million visitors this past summer alone. Why is the existence of our national park not mentioned at all in this staff report? This needs to be disclosed as well as the Federal legislation creating this park and the State legislation protecting it. This staff report is deficient in that this state and federal legislation is not mentioned at all.

Exhibit 13 does not depict the impacts on park visitors views would be compromised by the building of these residential compounds in this Significant Ridgeline area. This staff report is deficient in that this information is missing.

A variance is not necessary if the one resident compound alternative is considered. A variance should not be given because a significant national park view shed (Significant Ridgeline) is being significantly impacted. Three to four of the residences are already cumulatively impacting the geologically unstable landslide #2 so that is not an excuse for nor pursuing a one residence alternative which could be located much lower off this Significant Ridgeline area.

"As described, the proposed development will be unavoidably visible from public viewing areas." Staff report should add in a national park area here. There are feasible alternatives. The project alternative of one ocean view compound is feasible here and must be analyzed per the requirements of California environmental law.

Page 104. The proposed project is NOT consistent with the visual resource policies of the Santa Monica Mountains LCP

I. ARCHAEOLOGICAL

Because of the Chester Kind findings, the property is required to be systematically surveyed to compile an inventory to determine if a Native American village and/or Stone Age settlement is there. If this is not required now, then this development project is inconsistent with CO 204, 205, and 209. Full assessment of the project site is required now. If this full survey is not done (and hopefully done by our local archeologist Chester King) then the proposed project as conditioned is inconsistent with several of the archaeological resource policies of the LCP.

Mary Wiesbrock

Mary Wiesbrock, Chair Save Open Space/Santa Monica Mountains

From:	William Feldhorn
To:	Blaugrund, Jacqueline@Coastal
Subject:	Evans Developmenr 16a-16f for May 14
Date:	Friday, May 08, 2015 5:29:17 PM

As a resident of Sweetwater Mesa, Malibu I find that the excessive negative impact to this narrow, winding street and the balance of Serra Canyon is without presidence and comprehensive forethought. Serra Canyon and the ridge of Sweetwater is a severe fire zone.
Sweetwater Mesa Rd is a narrow winding alley way barely 16 ft wide in some areas. The road clearly will not physically support heavy construction equipment nor the traffic imposed by the project. Further consider the access to and from Pacific Coast Hwy.
The project will impair emergency vehicles on the narrow road and may open to through traffic from Piuma Rd.
What environmental impact study was done concerning the impact to Serra Canyon?
I feel the pending project is a danger to the residences: adults and children alike.
Respectfully submitted,
William Feldhorn
3416 Sweetwater Mesa
Malibu, 90265

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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SHEILA KUEHL
SUPERVISOR, THIRD DISTRICT

May 7, 2015

Steve Kinsey, Chair
California Coastal Commission
45 Fremont Street 2000
San Francisco, California 94105

Re: Sweetwater Mesa

Dear Chair Kinsey,

I am writing to express my deep concern and opposition to the Sweetwater Mesa projects coming before the Commission on May 14, 2015. As you are no doubt aware, the County of Los Angeles spent several years soliciting community input and developing the recently certified Santa Monica Mountains Local Coastal Program (SMMLCP). The Sweetwater Mesa projects are the first major development to be considered since the certification of the SMMLCP and it is critically important for that regulatory document to be used as the standard of evaluation for the proposed projects.

The Sweetwater Mesa projects are inconsistent with the following principles and policies of the SMMLCP: H1 and H2 habitat protection, Significant Ridgeline protection, utility infrastructure, grading, landscaping installation, and scenic resource protection. For your reference, I have attached a letter from the County's Director of Planning detailing the projects' numerous inconsistencies with the SMMLCP. Unfortunately, the Staff Report lacks sufficient detail in a number of additional areas, including access, safety, potential public access to Pacific Coast Highway during the summer months while construction is underway, and oak tree protection, to allow it to adequately determine the level of compliance with several other significant SMMLCP policies.

The Sweetwater Mesa projects are located within the protected zone of a prominent Significant Ridgeline and would be visible from Pacific Coast Highway, a designated Scenic Route. The Staff Report makes what can only be termed a half-hearted attempt to evaluate the visual impacts of the projects. It is important to reduce the projects' impacts by requiring better siting and more thoughtful design alternatives, including a reduction in the size of the development area. May I respectfully suggest that the Commission has a duty to protect the scenic views from public parklands, trails, and the coast and not simply to approve the applicant's most desirable design.

The proposed projects will be accessed via Sweetwater Mesa Road, a narrow winding road, through Serra Canyon in the City of Malibu. Fire is a regular and serious safety issue in the Santa Monica Mountains. The area in question is classified as a Very High Fire Hazard Severity Zone. It is not a question of *if* this area will burn, but rather *when*. Any new development must minimize risks to life and property with regard to fire safety. The Staff Report declares that "due to the steepness and length of the proposed access route, the properties would be difficult to reach and traverse for emergency vehicles." It is apparent that these projects are detrimental to public health and safety as well as to the safety of our first responders.

Furthermore, because ingress and egress to the projects require the use of, and improvements to, Sweetwater Mesa Road in the City of Malibu, the Commission must detail and examine impacts from the entire road, not just the piece located in the unincorporated County. Failure to analyze the projects in their entirety results in segmentation of the project in violation of the California Environmental Quality Act.

In summary, the proposed Sweetwater Mesa projects are inconsistent with many policies of the SMMLCP. It is very disappointing that the first significant action by a regulatory body since the certification of the LCP may very well be approval of projects so very inconsistent with the principles and policies of the new LCP. Failure by the Coastal Commission to require full compliance with the provisions of the SMMLCP will create such a negative precedent it could potentially impact the County's ability to implement the provisions of the SMMLCP in the future. I respectfully submit that the Coastal Commission has no choice but to deny the Sweetwater Mesa projects as proposed and require conformance with the SMMLCP.

Sincerely,

Sheila Kuehl
Supervisor, Third District

NE/am

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

May 7, 2015

Dr. Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, 2000
San Francisco, CA 94105

SWEETWATER MESA PROJECTS, APPLICATIONS NUMBER 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, 4-14-1094

Dear Dr. Lester:

The Sweetwater Mesa projects (projects) are scheduled for coastal development permit (CDP) hearings before the California Coastal Commission (CCC) on May 14, 2015. The CCC Staff Report dated May 1, 2015 recommends approval of all requested CDPs. The sites contain such constraints and hazards, however — extreme fire danger, significant geologic and soils issues, valuable environmentally sensitive habitat – and requires such extraordinary infrastructure improvements – including a water line nearly a mile and a half long, over 500 feet of retaining walls along an access road traversing landslides so unstable that 152 concrete caissons must be installed to stabilize the road to ensure safe passage, and a rockfall containment barrier 315 feet long and up to 14 feet high – that the wisdom of approving these applications must be called into question.

The projects are located within the unincorporated Santa Monica Mountains, which received a certified local coastal program on October 10, 2014. The Staff Report acknowledges that the standard of review for these projects is the Santa Monica Mountains Local Coastal Program (LCP). However, the projects have many components that are either inconsistent with the certified LCP or are inadequately analyzed in the Staff Report. Because of the many inconsistencies and inadequate analyses, some of which are discussed below, the projects should be revised to comply with the LCP or the CDPs should be denied.

Project Components Inconsistent With the Local Coastal Program

Development in H1 Habitat

The Staff Report states that the "project area is undeveloped and comprised of ... primarily undisturbed native chaparral habitat that is part of a large contiguous area of undisturbed native vegetation that is designated as H1 . . . which equates to ESHA in Coastal Act parlance." The Staff Report states that development would result in impacts to H1 habitat (Purple needlegrass and rock outcrop). Mitigation is required for the impacts to H1, including payment of a habitat mitigation fee and the "planting of only native/drought tolerant species...", and with such mitigation staff recommends approval of the permit applications.

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The LCP allows only resource-dependent uses and certain access roads in H1 and H1 Buffer (22.44.1890 C and D). Resource-dependent uses are defined by the LCP as "uses that are dependent on sensitive environmental resource areas (SERAs) to function. Resource-dependent uses include nature observation, research/education and passive recreation, including horseback riding, low-impact campgrounds, and hiking trails, but excluding trails for motor vehicles. Residential or commercial uses are not resource-dependent uses." (22.44.630) Approval of the permit applications in a manner that allows impacts to H1 is inconsistent with the LCP, and therefore the projects should be revised or denied.

Water Line Installation

The applicant proposes to provide potable water for the projects via an eight-inch, 7,800-linear-foot water line coming down from developed parcels to the north. The water line will traverse 2,900 linear feet of two existing roads (1,200 feet within a paved road to the north and 1,700 feet within a dirt road at the southern end), and approximately 3,860 linear feet would traverse undisturbed habitat, including 1,700 linear feet that would be installed utilizing a trenchless method. The parcels between the paved road and the project parcels are vacant. The remaining approximately 1,065 linear feet would consist of extensions from the main line to four of the proposed single-family residences.

The LCP requires "[t]he proposed extension of water, sewer, or utility infrastructure to serve new development shall be located within legally existing roadways and road rights-of-way...." (22.44.1340 D) Only two segments of the proposed water line – the 2,900 linear feet in existing roads – meet this requirement of the LCP, while the remaining segments are inconsistent. An alternative source of potable water consistent with the LCP should be identified and evaluated, or the projects should be denied.

Significant Ridgeline Development

The LCP requires that development allowed within the protected zone of Significant Ridgelines due to site constraints must, among other things, maintain "the maximum view of the related Significant Ridgeline through the use of design features that include, but are not limited to reduced building footprint area, clustered structures, shape, materials, and color which allow the structure to blend with the natural setting, minimized grading, and locally-indigenous vegetation to soften the view of development from the identified public viewing areas... Avoidance of impacts to scenic resources through site selection and design alternatives is the preferred method over landscape or building material screening. Landscape or building material screening shall not substitute for project alternatives including re-siting or reducing the height or bulk of structures." (22.44.2040 B.4)

The LCP also requires that, "Where new development is approved in H2 habitat, the maximum allowable building site area (as defined in Section 22.44.630) shall be 10,000 square feet, or 25 percent of the parcel size, whichever is less." The 10,000-square-foot building site is a maximum, and a smaller building site can be required to further minimize impacts to resources. (22.44.1910 I and 22.44.2040 B.4)

In the Santa Monica Mountains North Area, where the County implements Significant Ridgeline provisions very similar to the ones in our LCP, the County requires applicants to reduce the bulk and footprint of their structures to minimize visual impacts. In one instance the County required the applicant to reduce the footprint by over one-third to minimize visual impacts.

The Staff Report states that all five proposed building sites exceed 9,700 square feet in size, while remaining under the 10,000-square-foot maximum. It does not appear that the proposed developments have been minimized as much as feasible to protect coastal resources. One building site is listed at 9,883 square feet and another at 9,992 square feet. The single-family residences, garages and non-habitable storage space for the projects range in size from 10,159 square feet to 14,366 square feet. Utilizing very near the maximum building site area for each project is not consistent with maintaining "the maximum view of the related Significant Ridgeline" or with minimizing impacts to H2 habitat as required under the LCP. It is possible reducing the size of the proposed development would further minimize impacts to H1 habitat and H1 Buffer. There is certainly opportunity to reduce the size of the structures and building sites for the projects and the resulting fuel modification, and this should be done to comply with the LCP.

In addition, the Special Conditions for the projects do not require the use of locally-indigenous vegetation to screen the visual impacts of the projects, a measure that is required by the LCP.

Grading During the Rainy Season

The LCP does not allow grading during the rainy season, which is October 15 of any year to April 15 of the subsequent year (22.44.1260 F, 22.44.1310 R). If grading operations are not completed by the start of the rainy season, then all grading activity must be halted and temporary erosion control measures installed until grading can resume the following April 16. This restriction serves to prevent erosion from causing sediment loading of biological resources and streams, and preserves the biological integrity of soil organisms which are more readily damaged by grading activity undertaken when these organisms are wet.

The Staff Report allows grading during the rainy season. Item (d) of the Erosion Control Plan specifies "that grading shall take place only during the dry season (April 1 – October 31)." This requirement should be changed to comply with the LCP.

Installation of Landscaping

The LCP requires that landscape planting on all areas disturbed by construction activities or by fuel modification or brush clearance activities be installed prior to the subsequent rainy season, and that revegetation or restoration of habitat areas shall be installed just prior to the rainy season (22.44.1240 C.15 and C.16). This requirement minimizes the need for supplemental watering and allows the vegetation to acclimate to natural conditions.

The Staff Report requires installation of landscaping within 30 days of receipt of occupancy for the residence (page 18), ostensibly for erosion control. This would likely result in an increased need for supplemental irrigation, particularly if the landscaping is installed at the height of summer, could result in the establishment of invasive species such as the Argentine ant and mustard plants, and may result in increased plant mortality since locally-indigenous plants are typically dormant during the summer. The provision is inconsistent with the LCP and should be changed.

Oak Tree Encroachments

The LCP requires mitigation for unavoidable adverse impacts to native trees caused by development. Mitigation ratios in the LCP for encroaching into the protected zone of native trees, which includes oaks, range from monitoring for less than a 10 percent encroachment to a 10:1 ratio of replacement trees to impacted trees for encroachments over 30 percent or within three feet of the tree trunk (22.44.1920 K.1).

The Staff Report states that "eight oaks will be located in the fuel modification zones of the proposed residences, and eight percent of one oak protected zone will be encroached upon" by proposed grading activities (page 89). However, the protection measures set forth in the Staff Report only occur during construction, when temporary protective barrier fencing must be installed around the protected zones of the oak trees. No mitigation is proposed for the development resulting from fuel modification activities, which may encroach completely into the protected zones of the oaks. This is an oversight which must be corrected to ensure consistency with the LCP.

Project Components Inadequately Analyzed

Grading

There is a major unexplained difference between the levels of grading for the access road between the October 2014 and May 2015 staff reports. In the October staff report the level of grading is listed as 7,050 cubic yards (cu. yds.) (3,100 cu. yds. cut and 3,950 cu. yds. fill) for the 2,005-foot-long, 20-foot-wide shared access road. In the May staff report the level of grading is listed as 14,620 cu. yds. (3,030 cu. yds. cut and 11,590 cu. yds. fill) for the 1,980-foot-long, 20-foot-wide shared access road. While the road has increased in length 25 feet, the amount of fill has increased by 10,670 cu. yds. There is no explanation as to why. Where does the additional fill come from? If it is from the grading for the pads, where and how will this fill be placed on the access road? Will it be placed on top of the road, causing an increase in height or will it be placed in a manner that allows the fill to spill over the sides of the road creating additional impacts to habitat? The analysis and explanation are absent, resulting in an inability to determine if this component is consistent with the grading and habitat policies of the LCP. Clear and complete information on grading amounts and disposition of material must be provided in the Staff Report.

Haul Route

The LCP requires that an "approved haul route shall be required for the off-site transport of 1,000 cubic yards or more of cut or fill material, or any combination thereof," and that "All hauling as approved under this section shall be restricted to a route approved by the Public Works Director" (LIP Section 22.44.1260 E). It appears from the numbers listed in the Staff Report that grading for the project generates somewhere between 7,000 cu. yds. and 9,400 cu.yds. of excess material. This issue is not adequately explained in the Staff Report. There is no discussion regarding whether the grading can be balanced on site or whether export is necessary and in either case no discussion of the disposition of the excess material. This results in an inability to determine if a haul route is required and to undertake the necessary analysis of its potential impacts. Pertinent information related to the need or lack of a need for a haul route must be included in the Staff Report, and if a haul route is necessary then an analysis of all potential impacts, including adverse impacts to public access, must be addressed.

Visual Resources

The project sites are located on a designated Significant Ridgeline, are visible from a designated Scenic Route (Pacific Coast Highway), and are visible from public trails. The LCP requires the protection of public "views of scenic resources from scenic highways and public areas, including public parkland and trails" (22.44.1440). The Staff Report does not include an evaluation of the projects' impacts on views from public parkland and trails and potential mitigation for any impacts. This results in an inability to determine if there are impacts to public views of scenic resources and if those impacts can be avoided or mitigated, as required by the LCP. A complete visual analysis must be included in the Staff Report.

Water Line Maintenance Path

The Staff Report states that a 3,240-foot-long, two-foot-wide maintenance path will be constructed and maintained alongside the proposed cross-country water line. This will result in a permanently disturbed area which provides a pathway into undisturbed H2 habitat for potentially invasive species such as mustard, and which also may be used as a trail. The Staff Report fails to analyze the impacts of this permanent disturbance to H2 habitat, as required by the LCP. An evaluation of the potential impacts must be included in the Staff Report.

Staff Report as Environmental Analysis under CEQA

The County received a letter from April Winecki, Project Manager for the projects' applicants, dated April 13, 2015. Ms. Winecki states that, pursuant to CEQA Guidelines § 15253, the letter serves as the County's notice of opportunity to consult with the Coastal Commission regarding the environmental information contained in the Staff Report and connected to the proposed projects. The County disputes the assertion that the letter meets the requirements of § 15253. As a result, in any discretionary approvals by the County related to the projects, the County will act as lead agency and will prepare the appropriate CEQA document(s). The letter from Ms. Winecki is attached.

Conclusion

The Staff Report concludes that "[t]he LCP provisions for the protection of SERA require denial of at least some aspects of the permit applications" (page 76, 5.a). The County has identified several other aspects of the projects that are inconsistent with the LCP and would also require denial of the permit applications, and other aspects which have not been adequately evaluated in the Staff Report. The projects as proposed are so problematic that approval of the CDPs with their multitude of inconsistencies and issues will inhibit the County's ability to implement the LCP in the future. The County recommends that, for the many reasons discussed in this letter, all permit applications for the Sweetwater Mesa projects be significantly revised to conform to the LCP.

Please feel free to contact me at (213) 974-6405 if you would like to discuss the projects or any aspect of this letter.

Sincerely,

Richard J. Bruckner
Director

for RJB

RJB:DLS:GMN:gmn

Attachment

c: Supervisor Sheila Kuehl
County Counsel

s:\gina\sweetwater mesa final letter on letterhead.docx

From:	Mayra Garcia
To:	Blaugrund, Jacqueline@Coastal
Subject:	Letter of Support for Edge (Property Development)
Date:	Friday, May 08, 2015 10:56:40 AM
Attachments:	SCC_KMBT_C215050810430.pdf

Hello Jacqueline,

The attached letter is in support of Edge¹s property development in Malibu, CA.
Mr. DeJoria is in favor and has requested this letter be sent to you.
Thank you.

All my best, Mayra

Mayra-Alejandra Garcia
Office of John Paul DeJoria | John Paul Mitchell Systems | 1888 Century Park East, Suite 1600 Los Angeles, CA 90067 | O: 310.248.3888 ext 402 | F: 310.772.0284

__Scanned for viruses by MessageLabs__

PAUL MITCHELL

May 8, 2015

Subject: Property Development for Edge, David Howell Evans
Sweetwater Mesa, Santa Monica Mountains

To Whom It May Concern:

This opportunity is taken to support the fabulous and much needed environmentally friendly home that should be built at the top of the Santa Monica Mountains in Malibu, CA by my neighbor, David Howell Evans (Edge's development).

I wholly support this project as a neighbor and environmentalist. It is of best interest to support these efforts for the betterment of the Malibu community.

Peace, love & happiness,

John Paul DeJoria
Co-Founder, Paul Mitchell Hair Care
Co-Founder, Patron Tequila & Spirits
Board of Advisors, Waterkeeper Alliance

PAUL MITCHELL, Global Headquarters // 1888 Century Park East // Suite 1600 // Century City // CA 90067 // 310.248.3888

From:	Thomas Lindberg
To:	Blaugrund, Jacqueline@Coastal
Subject:	March 14th Hearing, Agenda Items 16a-f
Date:	Friday, May 01, 2015 1:08:03 PM

Good afternoon:

I am writing to express my dismay after reading about the proposed "Leaves in the Wind" development. While I'm in favor of appropriate technology, the location is anything but appropriate. The site is in an area designated as an Environmentally Sensitive Habitat Area and represents a vital wildlife corridor. Further, construction of the project jeopardizes aquatic, wetland and riparian habitats of lower Malibu Creek.

I can't make it to the hearing, but strongly oppose the proposed development.
Thanks,

Thomas Lindberg
3148 Messinger Drive
Marina, CA 93933

From: Joan Weaver
To: Blaugrund, Jacqueline@Coastal
Subject: NO to Edge Development
Date: Saturday, May 09, 2015 2:31:48 PM

Dear Ms. Balugrund:

This development must not be allowed! It will destroy plant-life, and the habitat of animals, which is impossible to mitigate. It will cause runoff. It will cause instability to the mountains. It will require tremendous bulldozing up the unstable side of this mountain. None of this can be mitigated.

PLEASE stop this development by the Edge - for the third time.

Sincerely,
Joan Weaver
22351 Mission Circle
Chatsworth, CA 91311-1257
(818) 717-1946

From:	Szymanski, David
To:	Blaugrund, Jacqueline@Coastal
Cc:	Melanie Beck; Christy Brigham
Subject:	NPS comments on Sweetwater Mesa Projects
Date:	Monday, May 11, 2015 10:36:26 AM
Attachments:	1_NPS_Cmts_Figures1-2.pdf NPS Sweetwater Mesa PPT FINAL_Jun16_2011.pdf NPS Sweetwater Mesa Comments 05 11 15.pdf

---

Hi Jacqueline - Please NPS comments and supporting documents attached. Please contact Melanie Beck at 805-370-2346 if you have any questions. Thank you.

David

--
David Szymanski
Superintendent
Santa Monica Mountains
National Recreation Area
Phone: 805-370-2344

The Next 100: The goal of the National Park Service Centennial is to connect with and create the **next generation of park visitors, supporters and advocates.**.

United States Department of the Interior

NATIONAL PARK SERVICE
Santa Monica Mountains National Recreation Area
401 West Hillcrest Drive
Thousand Oaks, California 91360-4207

In reply refer to:
L76/ 134-03, -20, -83

May 8, 2015

California Coastal Commission
South Central Coast District Office
89 South California Street, Suite 200
Ventura, CA 93001

RE: Sweetwater Mesa Projects - Application Nos. 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, 4-14-1094

Dear Chairperson Kinsey and Commissioners:

The National Park Service has reviewed the staff report for the revised five project proposals for residences on Sweetwater Mesa compared to the original five projects brought before Coastal Commission on June 16, 2011. The revised projects propose:

- five new single family residences ranging from 10,159 to 14,366 square feet (sf) in size (including garages and non-habitable storage space) on five adjoining lots;
- residential development areas ranging from 9,719 to 9,992 sf;
- 27,540 cubic yards (cy) of grading (21,430 cy cut; 6,110 cy fill) for the five residence development areas and private driveways;
- 14,620 cy of grading (3,030 cy cut; 11,590 cy fill) for the 1,980 linear-foot (lf)-long, 20-ft-wide shared access road extending across the project sites
- 4,650 cy of grading (4,650 cy fill) for one fire department turnout along the shared access road;
- 7,270 cy of excavation required for structural piles for the five residences' foundations;
- 315 lf rock fall stabilization device (4-ft high berm, 10-ft high barrier fence);
- 7,800 lf- long waterline extension to the sites from Costa Del Sol Road with 3,240 lf of a 2 ft-wide water line maintenance pathway;
- recordation of an open space conservation easement granted to MRCA over 138 acres, including portions of the five project sites and the entirety of a sixth contiguous parcel;
- offer-to-dedicate a trail easement for the Coastal Slope Trail;
- lot line adjustment and lot tie resulting in a decrease in the number of parcels from 5 to 4;
- implementation of a Habitat Mitigation and Monitoring Plan for project impacts to 0.35 acres of purple needlegrass, revegetation of areas temporarily impacted (0.2 acres) by installation of the proposed water line extension, and restoration/revegetation of the existing dirt access road; and

- implementation of construction traffic mitigation measures.

Changes in the new projects compared to the 2011 proposed projects include, but are not limited to:

- total square footage of residential structures reduced by approximately 12,751 sf, or 18% less than previous projects;
- heights of homes reduced from 22-28 feet to 18 feet at current grade and proposed grade;
- effort to cluster homes at the middle-to-southern end of the 5 parcels;
- driveway shortened from 6,010 feet to 1,980 linear feet;
- Grading reduced from 95,050 cy to 54,080 cy, an approximately 43% reduction; and
- 7,800-foot waterline extension remains unchanged.

The project site falls within the boundary of the Santa Monica Mountains National Recreation Area (SMMNRA), a unit of the National Park System. The project parcels are bordered on two sides by public parkland. Malibu Creek State Park is located west of the project parcels, and Mountains Recreation and Conservation Authority parkland is adjacent to the south.

The National Park Service (NPS) appreciates the opportunity to participate in the public review process for the proposed project. NPS assumes a neutral position and does not oppose or support development projects. We provide comments on the effects of private and public land development in the Santa Monica Mountains at the invitation of state and local units of government with authority to prevent or minimize adverse uses. We offer the following comments.

Overall, NPS finds the project continues to present significant negative biological and visual impacts. NPS encourages the Commission to take the steps necessary to mitigate some or all of these negative impacts. These could include 1) clustering the two northern residences with the other three at the southern end of the project and 2) additional mitigation for biological and visual impacts.

Issues and impacts of concern to NPS were described in a letter dated January 26, 2011, and presented in testimony at the June 16, 2011, Coastal Commission hearing (See attachment). Though impacts have been reduced through the re-design of the project, some of the impacts remain significant:

Habitat fragmentation by introducing development into a large undeveloped area

The staff report states that clustering of the homes would avoid bifurcation of the large, undisturbed ESHA/SERA to the north. NPS finds the moderate clustering of the homes still places new development into the 2,800-acre undeveloped open space. The home placement, combined with the new waterline and its permanent maintenance access trail cutting through area north of the development, and the access road through the south, bifurcation of this undeveloped habitat remains nearly as significant as originally proposed.

The proposed mitigation measure, Special Condition 16, requiring a conservation easement of 138 acres be conveyed to the Mountains Recreation and Conservation Authority (MRCA), is welcomed, but the habitat fragmentation remains present. If these homes were further clustered, the impacts of fragmentation would be reduced.

Edge effects of residential development against open space

The proposed project already illustrates a significant "edge effect" impact by constructing the "Lunch" and "Ronan" homes in an area that places H1 Buffer habitat within the fuel modification zone. The habitat affected is native needlegrass grassland of at least 10% cover, as well as rocky outcrop habitat.

A Habitat Mitigation and Monitoring Program (HMMP) is proposed to mitigate the loss of 0.35 acres of needlegrass, and the applicants have opted to perform restoration revegetation on-site. NPS finds a HMMP for grassland restoration is not feasible. Native grassland restoration is notoriously difficult, which has been NPS's experience with native grassland restoration on federal lands within SMMNRA. Should the applicants decide to contribute mitigation funds of $15,500/acre, NPS finds that amount very inadequate. The University of California at Davis, funded by Caltrans, attempted to restore two acres of native needlegrass. In spite of extensive efforts over more than a decade, the results were less than 70% cover at a cost of $245,000/acre (http://www.ecoseeds.com/road.test.html). NPS recommends complete avoidance.

Visual degradation of a currently uninterrupted ridgeline

Exhibit 22 illustrates the 50-foot vertical and horizontal setbacks from the Significant Ridgeline. "Ronan", "Lunch", and "Vera" residences are well within both the vertical and horizontal setbacks, with "Lunch" situated directly on the ridgeline. These homes, along with the other two and the access road with the fire department hammerhead turnaround, will be highly visible from several public roads and trails. The staff report states the site would be visible from Saddle Peak Trail. The site is extremely visible from Mesa Peak Motorway, as well. Both Saddle Peak Trail and the motorway are part of the 65-mile Backbone Trail, an extremely popular SMMNRA trail traversed by thousands of visitors annually. The ridgeline would also be visible from trails at Malibu Lagoon State Beach and MRCA-owned Tuna Canyon. Unobstructed sweeping views across this ridgeline would be degraded.

The staff report notes that the 138-acre conservation easement over the parcels' undeveloped open space (Special Condition 16) would mitigate the visual impacts. NPS welcomes protection of chaparral-blanketed slopes below developed ridgelines, but homes on a ridgeline take the viewer's attention away from the greater horizon, regardless of native habitat off the ridgeline. There is no replacement for the visual appeal of a clean, sharp-edged ridgeline with a sky or ocean backdrop. NPS suggests adequate mitigation would be the protection of an equally undeveloped ridgeline with a similar backdrop of sky and ocean or re-design of the

project to avoid ridgeline setbacks. The remaining unobstructed ridgelines within SMMNRA are a scenic resource of highest value.

Placement of large homes in a wildland area that burns frequently.

The placement of homes on a ridgeline documented to have burned at least six times between 1942 and 2010 makes it highly probably that these homes will be exposed to wildland fire in the near future. Firefighters would be placed at risk. The clustering of homes does not change the risk posed to life and property in this location, and it does not change the risk to firefighters who may attempt to defend the homes.

Conclusions

NPS finds the homes could be more closely clustered. Notwithstanding the settlement agreement between the applicants and Coastal Commission, more clustering should be considered before approving the projects. NPS also finds the project would be more protective of natural resources and scenic values if all of the buildings were placed outside of ridgeline setbacks.

NPS finds that "Lunch" and "Ronan" are the two proposed residences that would cause the most damage to natural and scenic resources of SMMNRA. The overall development would be less impacting if these two residences were reconfigured to the south or eliminated. These two residences are directly on or closest to the ridgeline out of the five proposed and are farthest into the undevelopment open space. "Lunch" poses the most impact to H1 needlegrass habitat and is located at the edge of a steep slope subject to severe fire hazard above the extreme hazard already facing all five residences.

NPS asks the Commission to take additional steps to prevent or minimize the adverse effects posed by the current reconfigured five projects before approving the projects. Adequate impact mitigation for biological and visual resources is critical and still needed.

Thank you for the opportunity to comment. If you have questions, please call Melanie Beck, Outdoor Recreation Planner, at (805) 370-2346.

Sincerely,

David M. Szymanski

David Szymanski
Superintendent

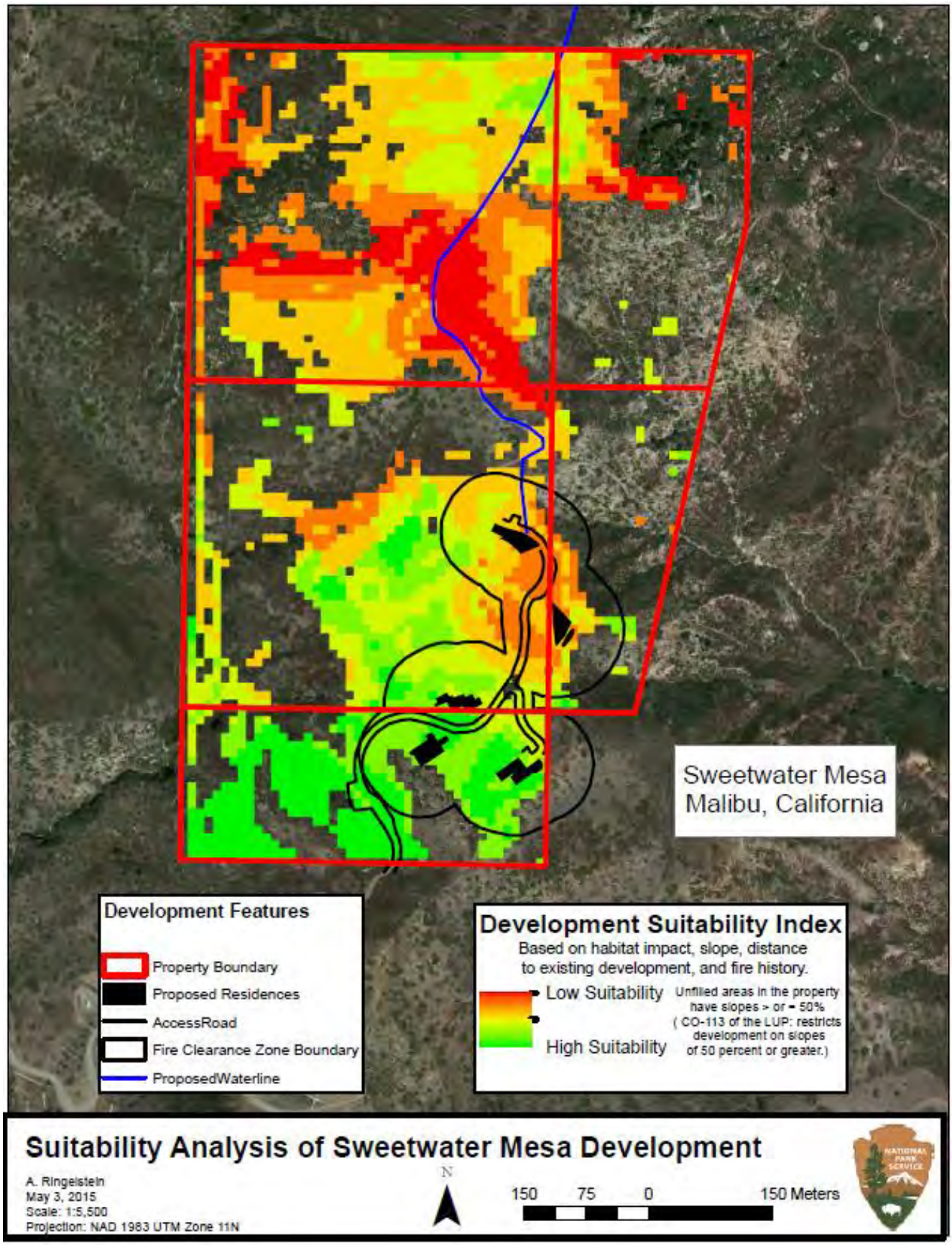
Enclosures:

Joint Testimony Presentation by NPS, State Parks, and the Resource Conservation District of the Santa Monica Mountains at the June 16, 2011, Coastal Commission Hearing

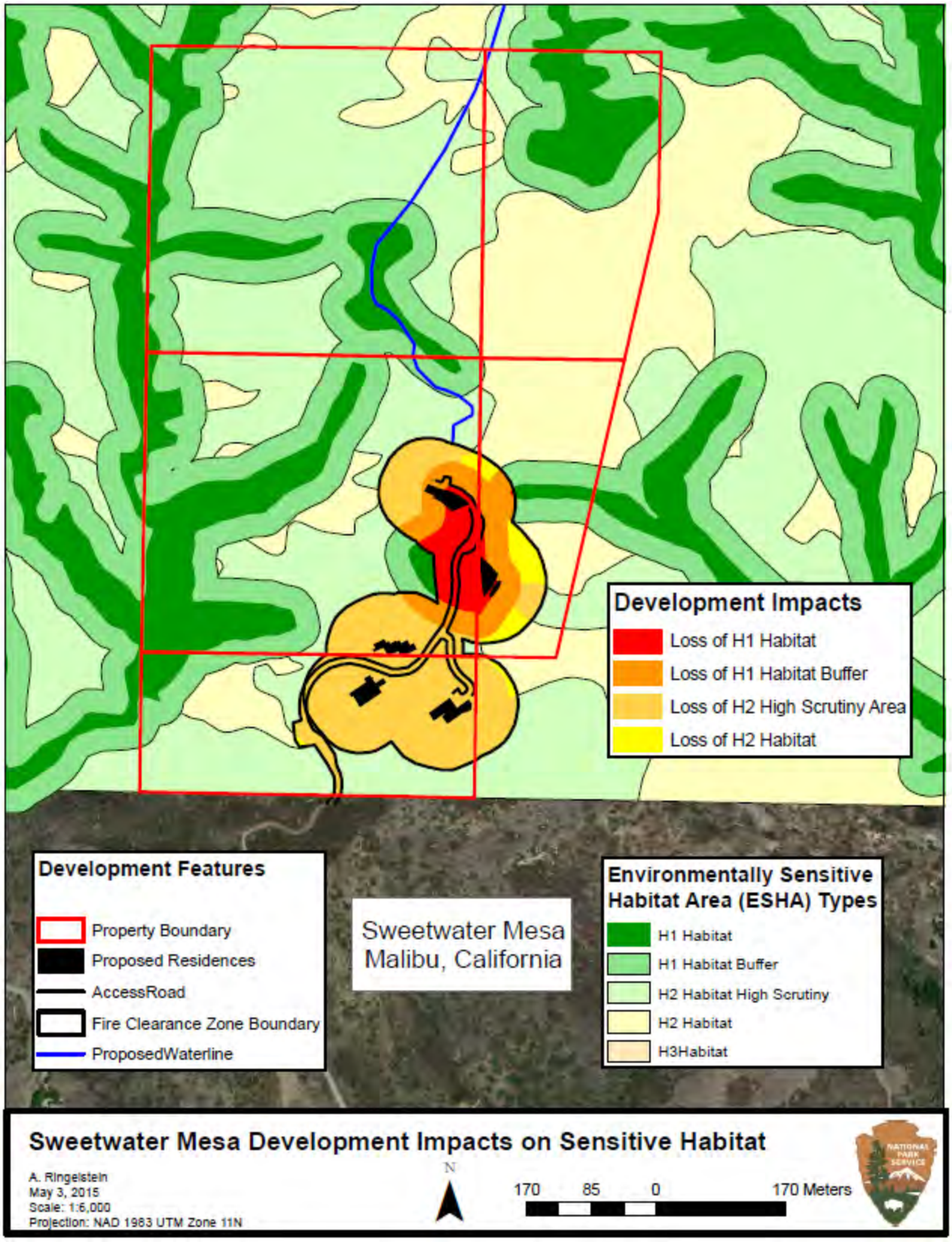
NPS Figure 1: Suitability Analysis of Sweetwater Mesa Development

NPS Figure 2: Sweetwater Mesa Development Impacts on Sensitive Habitat

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy
Craig Sap, Superintendent, Angeles District, State Department of Parks and Recreation
Clark Stevens, Executive Officer, Resource Conservation District of the Santa Monica Mountains


Sweetwater Mesa
Malibu, California
Development Features
Property Boundary
Proposed Residences
AccessRoad
Fire Clearance Zone Boundary
ProposedWaterline
Development Suitability Index
Based on habitat impact, slope, distance to existing development, and fire history.
Low Suitability
High Suitability
Unfilled areas in the property have slopes > or = 50% (CO-113 of the LUP: restricts development on slopes of 50 percent or greater.)
Suitability Analysis of Sweetwater Mesa Development
A. Ringelstein
May 3, 2015
Scale: 1:5,500
Projection: NAD 1983 UTM Zone 11N
N
150 75 0 150 Meters

NPS Figure 1


Development Impacts
Loss of H1 Habitat
Loss of H1 Habitat Buffer
Loss of H2 High Scrutiny Area
Loss of H2 Habitat
Development Features
Property Boundary
Proposed Residences
AccessRoad
Fire Clearance Zone Boundary
ProposedWaterline
Sweetwater Mesa
Malibu, California
Environmentally Sensitive Habitat Area (ESHA) Types
H1 Habitat
H1 Habitat Buffer
H2 Habitat High Scrutiny
H2 Habitat
H3Habitat
Sweetwater Mesa Development Impacts on Sensitive Habitat
A. Ringelstein
May 3, 2015
Scale: 1:6,000
Projection: NAD 1983 UTM Zone 11N
N
170 85 0 170 Meters

NPS Figure 2

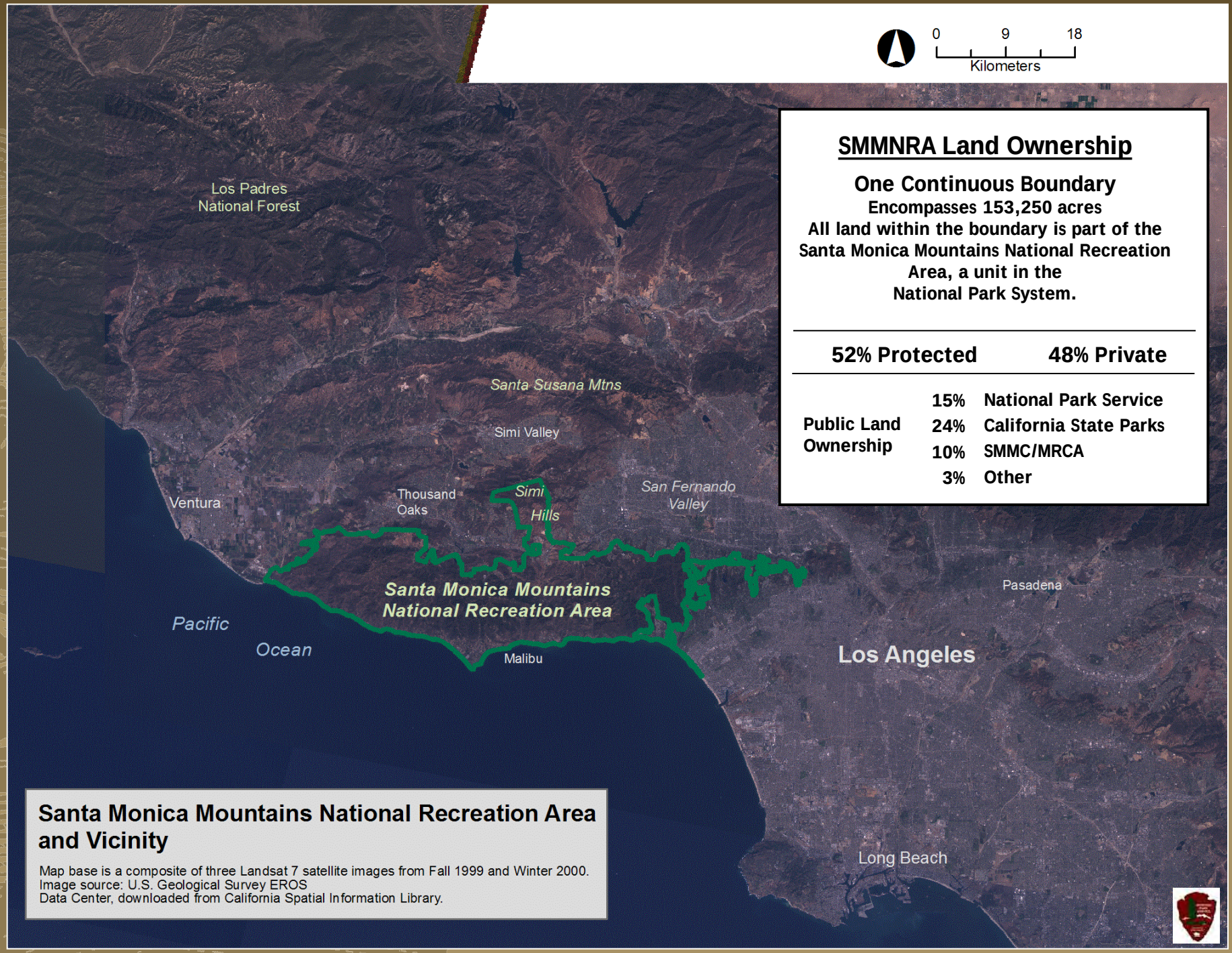
Sweetwater Mesa Projects

Joint Testimony to the California Coastal Commission

National Park Service
California Department of Parks and Recreation
Resource Conservation District of the Santa Monica Mountains

June 16, 2011
Agenda Items 13c – 13h

EXPERIENCE YOUR AMERICA



SMMNRA Land Ownership

One Continuous Boundary

Encompasses 153,250 acres

All land within the boundary is part of the Santa Monica Mountains National Recreation Area, a unit in the National Park System.

52% Protected		48% Private
Public Land Ownership	15%	National Park Service
	24%	California State Parks
	10%	SMMC/MRCA
	3%	Other

Santa Monica Mountains National Recreation Area and Vicinity

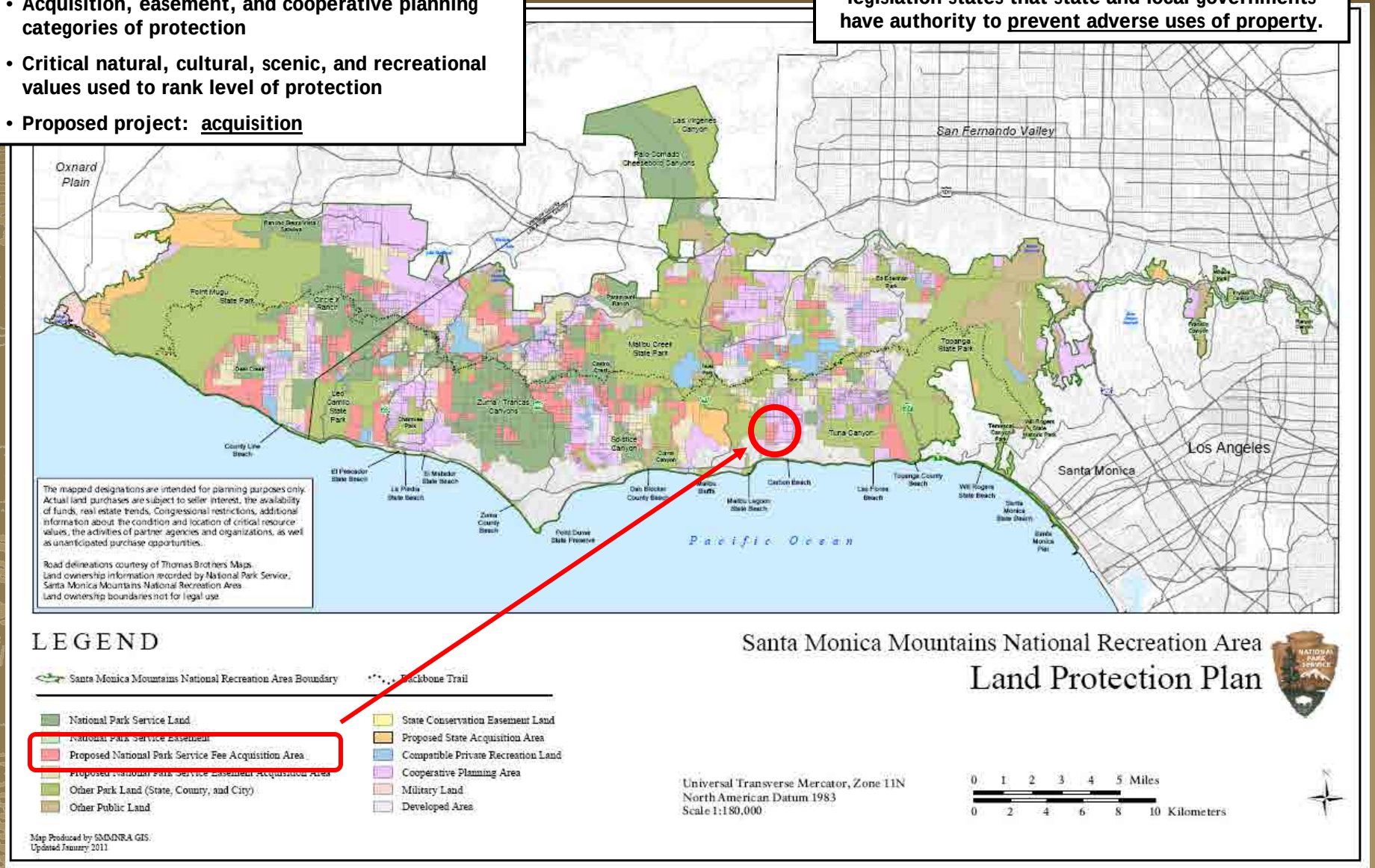
Map base is a composite of three Landsat 7 satellite images from Fall 1999 and Winter 2000.
Image source: U.S. Geological Survey EROS
Data Center, downloaded from California Spatial Information Library.

1984 SMMNRA Land Protection Plan

- **Publicly reviewed document**
- **Acquisition, easement, and cooperative planning categories of protection**
- **Critical natural, cultural, scenic, and recreational values used to rank level of protection**
- **Proposed project: acquisition**

Acquisition: Funds Available and Willing Seller

If both are not in place, SMMNRA establishing legislation states that state and local governments have authority to prevent adverse uses of property.



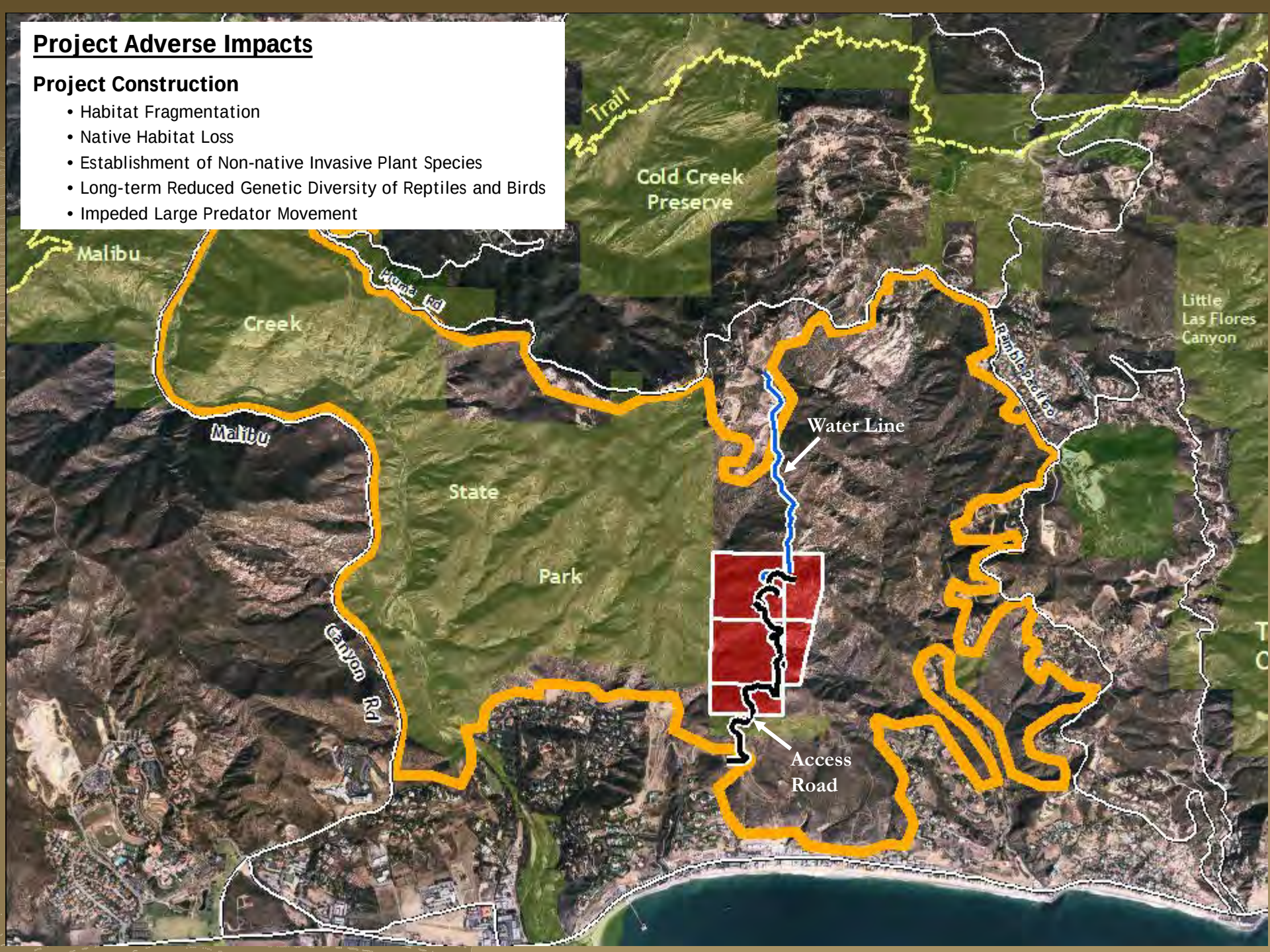
2,800-Acre Core Open Space Contiguous with Malibu Creek State Park

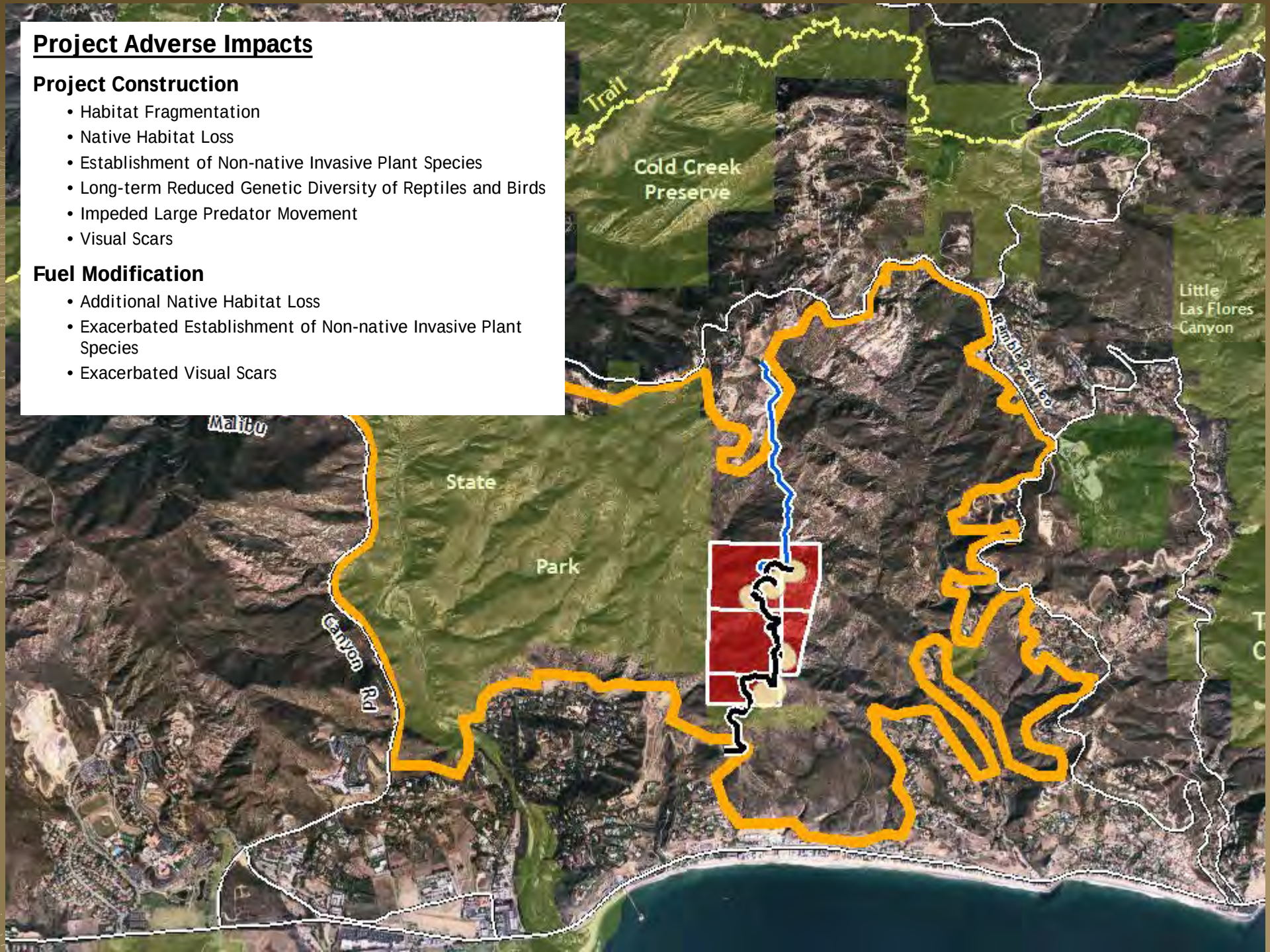


Project Adverse Impacts

Project Construction

- Habitat Fragmentation
- Native Habitat Loss
- Establishment of Non-native Invasive Plant Species
- Long-term Reduced Genetic Diversity of Reptiles and Birds
- Impeded Large Predator Movement





Project Adverse Impacts

Project Construction

- Habitat Fragmentation
- Native Habitat Loss
- Establishment of Non-native Invasive Plant Species
- Long-term Reduced Genetic Diversity of Reptiles and Birds
- Impeded Large Predator Movement
- Visual Scars

Fuel Modification

- Additional Native Habitat Loss
- Exacerbated Establishment of Non-native Invasive Plant Species
- Exacerbated Visual Scars

Project Adverse Impacts

Project Construction

- Habitat Fragmentation
- Native Habitat Loss
- Establishment of Non-native Invasive Plant Species
- Long-term Reduced Genetic Diversity of Reptiles and Birds
- Impeded Large Predator Movement
- Visual Scars

Fuel Modification

- Additional Native Habitat Loss
- Exacerbated Establishment of Non-native Invasive Plant Species
- Exacerbated Visual Scars

Residential Use

- Landscape Irrigation (Includes Fuel Mod'n Requirements)
- Introduction of Non-native Argentine Ant – 650-ft Radius from Outer Edge of Irrigated Fuel Mod'n Zone
- Elimination of Native Ants – Food Source for Native Wildlife
- Other Edge Effects: Ambient Light, Human Noise, Smells, Pets, Rodent Control Measures
- Conflicts with Native Wildlife: Mountain Lions, Coyote Predation of Household Pets, Killing of Rattlesnakes and Other Reptiles



Project Adverse Impacts

Project Construction

- Habitat Fragmentation
- Native Habitat Loss
- Establishment of Non-native Invasive Plant Species
- Long-term Reduced Genetic Diversity of Reptiles and Birds
- Impeded Large Predator Movement
- Visual Scars

Fuel Modification

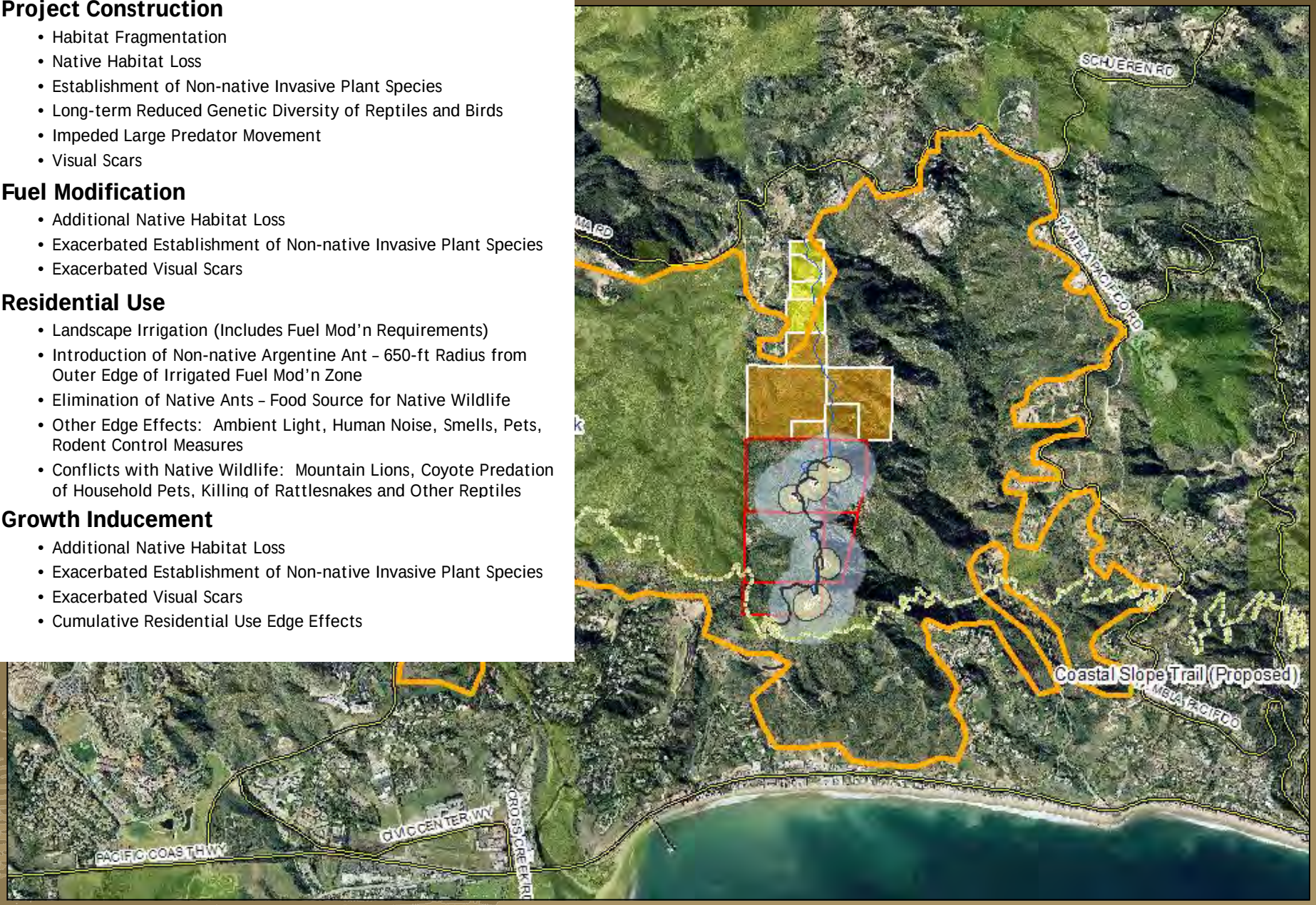
- Additional Native Habitat Loss
- Exacerbated Establishment of Non-native Invasive Plant Species
- Exacerbated Visual Scars

Residential Use

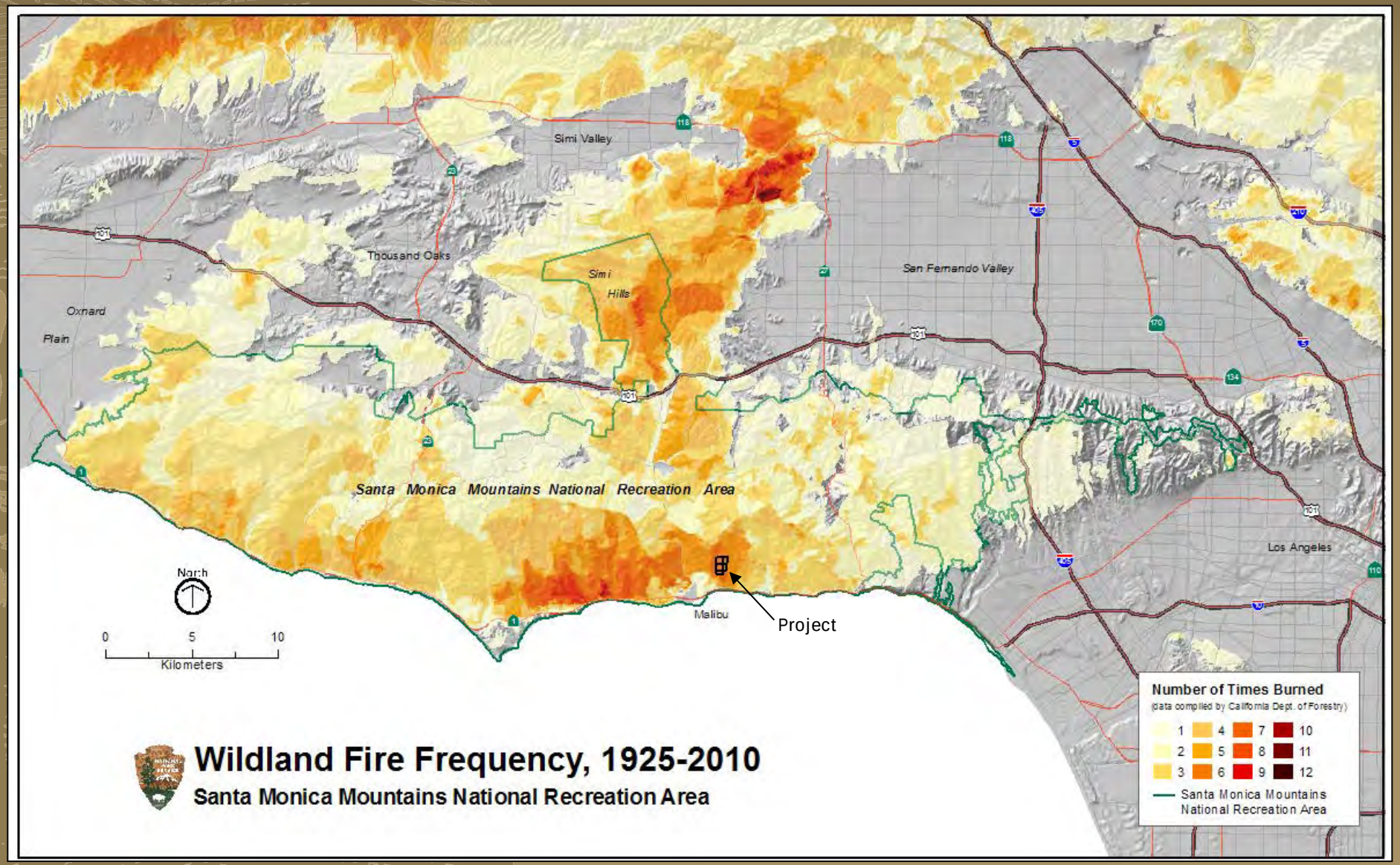
- Landscape Irrigation (Includes Fuel Mod'n Requirements)
- Introduction of Non-native Argentine Ant – 650-ft Radius from Outer Edge of Irrigated Fuel Mod'n Zone
- Elimination of Native Ants – Food Source for Native Wildlife
- Other Edge Effects: Ambient Light, Human Noise, Smells, Pets, Rodent Control Measures
- Conflicts with Native Wildlife: Mountain Lions, Coyote Predation of Household Pets, Killing of Rattlesnakes and Other Reptiles

Growth Inducement

- Additional Native Habitat Loss
- Exacerbated Establishment of Non-native Invasive Plant Species
- Exacerbated Visual Scars
- Cumulative Residential Use Edge Effects



Impact: High Wildland Fire Risk -- Setting



Project Adverse Impacts

Project Construction

- Habitat Fragmentation
- Native Habitat Loss
- Establishment of Non-native Invasive Plant Species
- Long-term Reduced Genetic Diversity of Reptiles and Birds
- Impeded Large Predator Movement
- Visual Scars

Fuel Modification

- Additional Native Habitat Loss
- Exacerbated Establishment of Non-native Invasive Plant Species
- Exacerbated Visual Scars

Residential Use

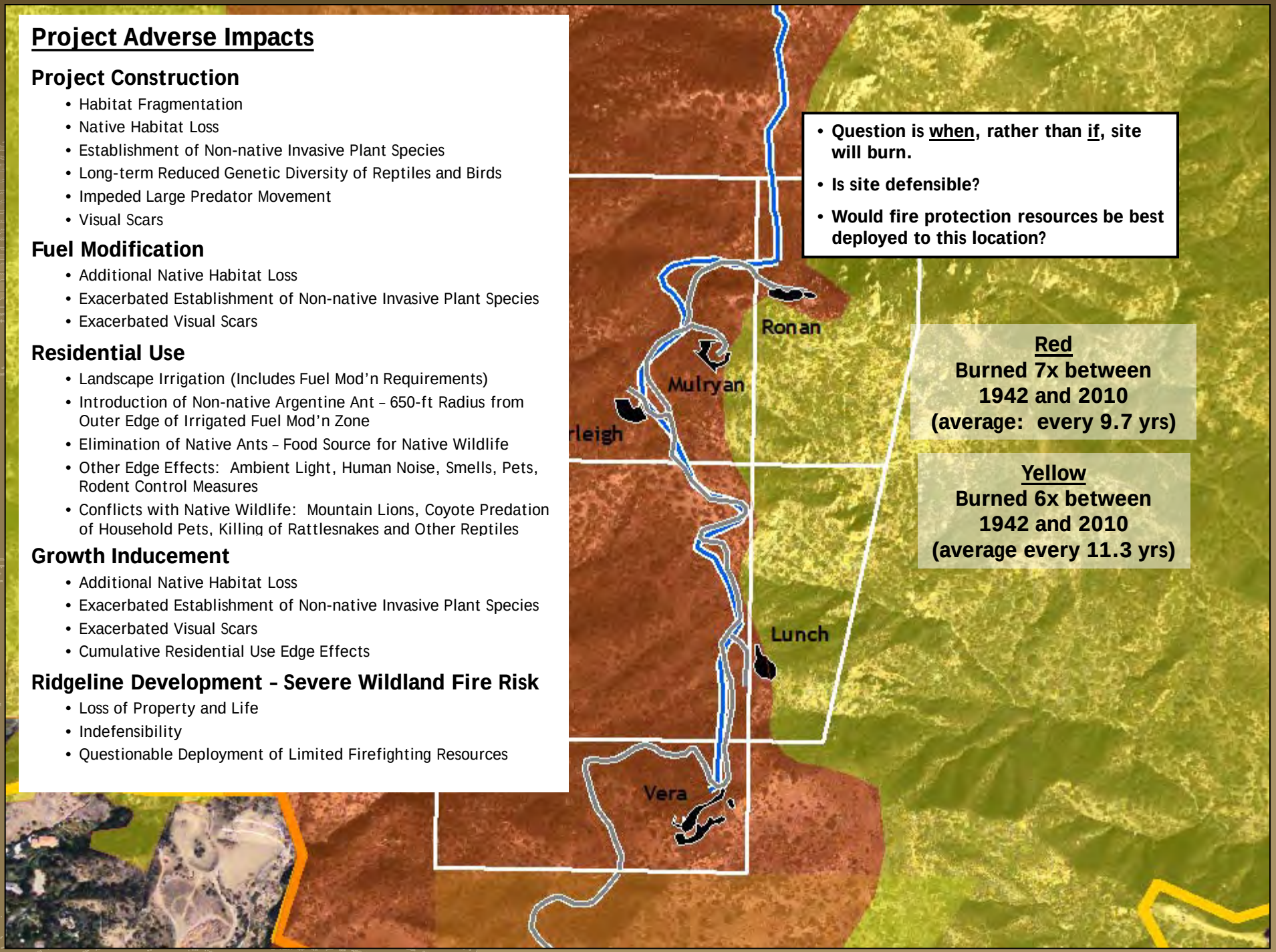
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Growth Inducement

- Additional Native Habitat Loss
- Exacerbated Establishment of Non-native Invasive Plant Species
- Exacerbated Visual Scars
- Cumulative Residential Use Edge Effects

Ridgeline Development – Severe Wildland Fire Risk

- Loss of Property and Life
- Indefensibility
- Questionable Deployment of Limited Firefighting Resources



- **Question is <u>when</u>, rather than <u>if</u>, site will burn.**
- **Is site defensible?**
- **Would fire protection resources be best deployed to this location?**

<u>Red</u>
Burned 7x between 1942 and 2010 (average: every 9.7 yrs)

<u>Yellow</u>
Burned 6x between 1942 and 2010 (average every 11.3 yrs)

Project Adverse Impacts

Project Construction

- Habitat Fragmentation
- Native Habitat Loss
- Establishment of Non-native Invasive Plant Species
- Long-term Reduced Genetic Diversity of Reptiles and Birds
- Impeded Large Predator Movement
- Visual Scars

Fuel Modification

- Additional Native Habitat Loss
- Exacerbated Establishment of Non-native Invasive Plant Species
- Exacerbated Visual Scars

Residential Use

- Landscape Irrigation (Includes Fuel Mod'n Requirements)
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- Exacerbated Visual Scars
- Cumulative Residential Use Edge Effects

Ridgeline Development – Severe Wildland Fire Risk

- Loss of Property and Life
- Indefensibility
- Questionable Deployment of Limited Firefighting Resources

Ridgeline Development – Visual Obstruction

- Adverse Effect on Views in Area of National, State, and Local Significance
- Diminishment of Recreational Visitor Experience Aesthetics
- Reduced Value of Taxpayer Investment in Public Lands

Public View Site:

Backbone Trail – Mesa Peak Motorway (in Malibu Creek State Park)





NOTE: Road Grading and Fill Relocation Not Simulated

Conclusion

- Concur with Staff Report Denial Recommendation
- Need to Explore Clustering Alternatives

Sustainability

- Project is in no way sustainable
  - Remote location in sensitive core habitat
  - Remote location from existing road and water service
  - Growth Inducing Potential
- Green building features do not minimize or mitigate the potential significant negative impacts to the sensitive local environment.

LEED

- LEED: *Small Picture*
  - "Site Selection" - only 2 of 136 pts.
  - LEED not a good measure of project "greenness"
  - LEED does not reflect the *big picture* environmental impacts of project.

- Carbon Footprint
  - Large size of houses (average = 10,500 sf)
  - Large use of concrete and steel: pile foundations, access road, viaduct and bridges over landslides, retaining walls

From:	Beronica Martin
To:	Blaugrund, Jacqueline@Coastal
Subject:	Reference: Agenda Item 16a-16f - David Evans Development
Date:	Friday, May 08, 2015 4:58:04 PM
Attachments:	California Coast Comission - Agenda Item 1a-16f.pdf
Importance:	High

To: Coastal Commission

references Agenda Item 16a-16f - David Evans Development

Please place this letter in the CA Coastal Commission packet.

VAN TILBURG, BANVARD & SODERBERGH, AIA
ARCHITECTURE · PLANNING · INTERIORS · URBAN DESIGN
SANTA MONICA · DENVER · SAN JOSE

May 8, 2015

California Coastal Commission
C/O Board of Supervisors Chamber
105 E. Anapumu Street
Santa Barbara, CA 93101

RE: Agenda Items 1a-16f

Dear Commissioners,

This letter concerns the David Evans ("The Edge") development of five large estates as proposed for the ridge line above Sweetwater Mesa. As an architect, I am familiar with hillside conditions and the rules regulating construction on them. As a resident of Sweetwater Mesa Road with my family for nearly 45 years, I designed and built the home we live in. Like our neighbors, we complied with all rules and regulations then in place. One of the most important of these concern the concept of a balanced site where the cut and fill are equal dirt is distributed on your own site. Our home, and that off all of the others on Sweetwater Mesa, including many that are much larger than our own residence, complied with this concept. Not a single project on Sweetwater Mesa removed tons of dirt. Nor did they drill and sink massive pilings.

My understanding of the proposed development is that David Evans's plans for construction call for massive removal of dirt. This is not acceptable to us. We live on 3330 Sweetwater Mesa Road, where the enhanced paved motor court exists.

Please do not approve this project.

Very truly yours,

Johannes Van Tilburg, FAIA
Property Owner

Cc: Sheila Kuehl, Supervisor

PRINCIPALS
Johannes Van Tilburg, FAIA
Navy Γ. Banvard, AIA
L. Gustaf Soderbergh, AIA, LEED AP
Lucia H. Chang, AIA, LEED AP
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1738 BERKELEY STREET, SANTA MONICA, CA 90404
T: 310.394.0273 F: 310.394.2424 www.vtbs.com

VTBS ARCHITECTS
committed to
SUSTAINABLE DESIGN

SIERRA CLUB Angleles Chapter (213) 387-4287
3435 Wilshire Bl., Los Angeles, CA 90010 May 8, 2015

To: **California Coastal Commissioners and Staff**
Re: Sweetwater Mesa (Edge) Development. Applications: l6a-l6f. Hearing: 5/14/15

Dear Commissioners:

This project is improved over former plans, but the Sierra Club finds that it continues to violate policies of the CA Coastal Act((CA and Los Angeles County Local Coastal plan (LCP) and should be denied.

Grading for the project is massive, nearly 42,000 cubic yards is a major disruption to the landscape. The structures, including the entrance road, will be built in areas of mapped landslides. Grading of driveways and entrance road is required to access the properties, and compounds the already huge footprint, along with accessory uses, lighting and required brush clearance of large land areas. The overall size and grading is not consistent with the requirements of the LCP to minimize grading and avoid locating structures on known geologic hazards.

There is a major unexplained difference between the levels of grading for the access road between the Oct. 2014 and May 2015 staff reports. The Oct. report states the level of grading is 7,050 cu. yds. of grading (3,100 cu yds cut and 3,950 cu. yds. fill) for the the 2,005 ft. long, 20 ft. wide shared access road. In the current report the level of grading changes to: 14,620 cu. yds. of grading (3,030 cu. yds. cut and 11, 590 cu. yds fill) for li ft. long 20 ft. wide. For a change of 25 ft. increase in length there is an increase of 10,670 cu yds of fill. Where does this extra fill come from? Will it be placed in a manner that allows the fill to spill over the road sides, creating additional impacts to habitat? The analysis and explanation is lacking, resulting in an inability to know if this is consistent with grading and habitat policies of the LCP.

Haul route: Section 22.44.1260 requires that an "approved haul route shall be required for off-site transport of 1,000 cu. yards or more of cut or fill material or any combination thereof" and E(4) "All hauling as approved under this section shall be restricted to a route approved by the Public Works Director". Yet there is no discussion about the issue of how much excess material will be required to be or removed handled. If this excess will be deposited on the site, there is no discussion regarding where and how it will be deposited or what visual or habitat impacts it might have. Failure to analyze the impacts of roughly l000 truck loads coming and going on PCH and mitigate for their impacts is a serious omission. The trucks will enter and leave on PCH, unregulated. Where will the trucks exit? At Cross Creek where is a light, or Sweetwater where there is none? How frequently will trucks be coming and going and at what time of year? Impacts need to be considered, particularly during season season between Memorial Day and Labor Day. The impacts on public access have not been considered and are not consistent with the LCP or the Coastal Act.

The CCC staff admits that the project will have un-mitigated impacts on the public view. Visual views are critical scenic resources. Placement of these homes and driveways, with cuts, fills and retaining walls on rugged unspoiled mountainsides will be visible from public beaches, parks, piers and the scenic highway and create a visual blight. Policies 22.44.2040 B 4, 22.44.630, 22.33.1910 and several others require that the project minimize its impacts to public

views and habitat. Reducing the size of these mansions would minimize these impacts. Both the LCP and CEQA require that the development approved be the least environmentally damaging alternative.

The terrain the land to be developed is comprised of pristine native chaparral, coastal sage and oak habitat, designated ESHA. The development will be surrounded by 2800 acres of native habitat, which sustains large animals, such as bobcats, mountain lions and coyotes, which can only survive on large undisturbed land. Essential core habitat will be lost.

The 7800 foot waterline violates numerous policies as to cumulative impacts policies of the LUP and CA, which require development to be located within contiguous or close proximity to existing developed areas. This remote location in sensitive core habitat is away from exiting road and water service. Contrary to staff's comments, the waterline has great potential for increased development.

LIP policy 22.44.1340 D states that the extension of a water line to serve new developments "shall be located within legally exiting roadways and road rights-of-way. Of the 5 segments of the line, only the first segment (1200 ft.) meets the requirements of the LCP that the water line be within legally existing roadways. The balance is inconsistent with the LCP. On pg. 53 the "applicants" agents have indicated that an alternative water source such as wells and water water tanks, would be unlikely to obtain County of Los Angeles Fire Department approval, as it would not provide sufficient volume to satisfy the fire flow requirement of 2, 500 gpm for two hours." But wells have been approved for use through the Santa Monica Mountains, one by this Commission as recently as Jan. 2014, for a home in Las Flores Canyon. In addition, the City of Malibu recently approved 2 homes at 5046 & 5068 Carbon Beach Terrace and has an additional pending at 5024 Carbon Beach Terrace...that are all on wells. These homes are between Sweetwater Mesa and Carbon Canyon, on what is probably the same water source. So it does not appear that compliance with the provisions of Policy 22.44.1340 is infeasible. The 7800 ft. water line, with impacts on habitat and future development, should be removed from this project.

The development area is in a Very High Fire Hazard Severity Zone, with a history of serious fires. The configuration of the access road and steepness, will prove difficult for emergency vehicles. To expect firefighters to travel a 3, 674 ft. long road (2005 ft. in the County and l669 in the city) is unrealistic and dangerous. Policy SN-1 of the LCP requires that new development shall minimize risks to life and property in areas of fire hazard. "Due to the steepness and length of the proposed access route, the properties would be difficult to reach and traverse for emergency vehicles" (staff report, p. 54). This presents unacceptable risks to firefighters and residents.

Cumulative impacts have not been fully analyzed. Policy CO-74 and LU Policy l-New residential, commercial, or industrial development, shall be located within contiguous with, or in close proximity to existing developed areas to accommodate it, or where such area...or in other areas with adequate public services and where it will not have significant adverse effects on coastal resources.

This development is a classic example of "leapfrog development". Staff analysis states the water line crosses four undeveloped parcels but dismisses the impact of providing the main line to these parcels as having any ability to increase density. Bringing in the water line will

clearly make it 3easier for the parcels to be developed. New infrastructure to accommodate new developments is the basis for the LCPs and Coastal Act policies that prohibit placing development where none exits. The cumulative impact was not explained. Nor is the clear omission of analysis of the impact of the creation of a new 3674 ft. paved road, both in the County and City of Malibu through numerous undeveloped parcels. Creation of infrastructure to serve new development not adjacent to existing development will have significant impact on coastal resources...and is prohibited in policies of the LCP.

Commission's staff report serves as an equivalent of an EIR and must fulfill the same informational requirements as CEQA. Every staff report concludes with a statement that the Commission's approval of a CDP must be supported by "a finding showing the application, as conditioned by any conditions of approval to be consistent with any applicable requirement of the California Environmental Act." Staff has failed to analyze the entire project or even properly define the full project. The project consists of the homes, water line, plus the access road both in the City and County. There is no way this can be built without the entire access road. Failure to analyze the entire project is segmentation of the project and prohibited by CEQA.

This development conflicts with the goals of the CA Coastal Act and is incompatible with numerous policies of the County's Local Coastal Plan. We request that the project, in its present form, be denied a permit.

Cordially,
Mary Ann Webster, Chair
Santa Monica Mountains Task Force, Sierra Club

From:	Seward, Kara
To:	Blaugrund, Jacqueline@Coastal
Subject:	Submission of Written Comments
Date:	Monday, May 11, 2015 12:36:20 PM
Attachments:	Coastal Commission RE Sweetwater Mesa 05.11.15.pdf

Ms. Blaugrund,
Attached is a letter of comment from Senator Pavley RE: Agenda Item 16a – f (Sweetwater Mesa Project) on the Thursday, May 14 agenda. Please distribute to the Commissioners. Thank you for your consideration.
Kara

Kara Seward
District Director | Office of Senator Fran Pavley, SD 27 | 5016 N Parkway Calabasas, Suite 222 | Calabasas, CA 91302 | (818) 876-3352 | kara.seward@sen.ca.gov

Sign-up for Senator Pavley's monthly e-newsletter at http://sen.ca.gov/pavley.

CAPITOL OFFICE
STATE CAPITOL, ROOM 5108
SACRAMENTO, CA 95814
TEL (916) 651-4027
FAX (916) 651-4927

DISTRICT OFFICE
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CALABASAS, CA 91302
TEL (818) 876-3352
FAX (818) 876-0802

California State Senate

SENATOR
FRAN PAVLEY
TWENTY-SEVENTH SENATE DISTRICT

COMMITTEES
NATURAL RESOURCES & WATER
CHAIR
BUDGET & FISCAL REVIEW
ENERGY, UTILITIES & COMMUNICATIONS
ENVIRONMENTAL QUALITY
GOVERNANCE & FINANCE

May 11, 2015

Hon. Chair Steve Kinsey and Commissioners
California Coastal Commission
South Central Coast District Office
89 South California Street
Suite 200
Ventura, CA 93001

RE: Agenda Items 16a – f

Hon. Chair Kinsey and Commissioners:

As the State Senator who represents almost the entirety of the Santa Monica Mountains National Recreation Area and the subject project area located north of Sweetwater Mesa Rd. in the Santa Monica Mountains, Los Angeles County. I write to express continued concerns over ridgeline protections and stabilization, water line placement and potential growth inducement, and impacts of this project to the proposed wildlife corridor.

This site is one of the most beautiful ridgelines along the Malibu coast, remote within a vast environmentally-sensitive area. The placement of these homes on the ridgeline will be a jarring visual impact from numerous public lands, almost without precedent and certainly inconsistent with their presence within the Santa Monica Mountains National Recreation Area.

I am also deeply concerned that the 7,800 linear ft. water line required to bring new water service up to this ridge will be growth inducing, potentially encouraging further development in this area. This is compounded by the large footprints, accessory uses, lighting, pets, required brush clearance of large swaths of land, and grading of a 2,000 foot driveway just to access the property. The probable construction of additional homes and roads adjacent to Malibu Creek State Park will further fragment and degrade this fragile natural habitat impacting recreational activities and habitat connectivity.

Habitat connectivity is particularly important as state and federal agencies plan to protect vital wildlife corridors stretching from the Sierra Madre Range to the Santa Monica Mountains through the construction of a wildlife crossing over U.S. 101. The largest mammals—mountain lions and bobcats—will need to rely on this core habitat area. Creating an island of incompatible

land use within the National Recreation Area with its attendant urban infrastructure will have potentially disastrous consequences on wildlife habitat connectivity.

I respectfully request that you consider further amendments to the proposals before you that align more closely with the land use in the Santa Monica Mountains National Recreation Area.

Sincerely,

Fran Pavley

Fran Pavley
California State Senator
District 27

From:	Suzelle Smith
To:	Blaugrund, Jacqueline@Coastal
Cc:	Don Howarth
Subject:	Sweet Water Mesa Project. Applications Numbers- 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, 4-14-1094
Date:	Friday, May 08, 2015 7:27:29 AM

Dear Ms. Blaugrund:

I have owed a house in Serra Retreat very close to Sweet Water Mesa for over 20 years. For the last several years, Edge has been in touch with me concerning his proposed building project in the neighborhood. He has always listened to my issues and has been receptive to changes in his project based on them. He also made himself available to discuss any issues with other neighbors to my knowledge. I support his building project and believe he will be a sensitive, good neighbor and a valuable asset to the neighborhood.

Very truly yours,

Suzelle Smith

Suzelle M. Smith
Howarth & Smith
523 W. 6th Street, Suite 728
Los Angeles, Ca. 90014
Phone (213) 955-9400
Fax (213) 622-0791
ssmith@howarth-smith.com
www.howarth-smith.com

CONFIDENTIALITY NOTICE: This email is for the sole use of intended recipients and may contain confidential, privileged information. If you are not an intended recipient, please contact sender by telephone or reply email and destroy this email and all copies of it. Thank you.

From:	Audrey Kopp
To:	Blaugrund, Jacqueline@Coastal
Subject:	Sweetwater Mesa Projects
Date:	Friday, May 08, 2015 7:50:29 PM

May 9, 2015
California Coastal Commission Commissioners
C/O Board of Supervisors Chamber
105 E. Anapamu Street
Santa Barbara, CA 93101
Re: Sweetwater Mesa Development – May 14 Agenda items 16a through 16f
Application numbers 4-10-040, 4-10-041, 4-10-044, 4-14-0598, 4-14-1094

Dear Commissioners,

I have been a member of the Angeles Chapter of the Sierra Club for more than 40 years which is how I came to know and love hiking in the Santa Monica Mountains.

When I heard about the upcoming plans for the degradation of the area above Sweetwater Mesa for the purpose of the construction of five estates, I was not only appalled at the thought of destroying virgin areas so needed for the preservation of native floral and faunal habitat, but also cringed at the prospect of the overuse and possible destruction of the current road system (Sweetwater Mesa Road) which is in reality a common driveway and not built to handle much two-way traffic. After all, considering the always present possibility of fire in the area, quick exits must be a priority.

Therefore i ask that you reject this development.

Please add this letter to the California Coastal Commission packet for the scheduled hearing on May 14 of the development referenced above.

Audrey Kopp
4780 La Villa Marina Unit D
Marina del Rey, CA 90292-7053
310.823.7482
audreystory@verizon.net

From:	Karen Dienes
To:	Blaugrund, Jacqueline@Coastal
Subject:	the Edge project
Date:	Friday, May 01, 2015 10:44:02 AM

Please stop this nonsense about items 16 a-f.
Wrong place to build just so some rock star can get even richer. Shame on you, David Evans!!!

STAFF

CAL. COASTAL COMMISSION

89 S. CALIFORNIA ST.

SUITE 200

VENTURA CA

93001

IN FAVOR

AGENDA # Th l6 a-Th 16f

MAY 08 2015

APPLICATION #

4-14-1094

CARL F. ERMERT

OWNER APN #4453-005-054

MAY 08 2015

My wife Gwen and I are owners of APN No.-054, five acres which adjoin the Sweetwater Mesa/Evans Project to the north. We have owned this property since 1986 and, since then, have accessed our property over a jeep trail which was bladed up to and on to our land from Sweetwater-Mesa Road to the south.

For years Evans' project has claimed that we had an easement over properties toward Piuma to the north of our five acres, and that we were not land-locked. Unfortunately, the Coastal Commission, the City of Malibu, and the Superior Court all have relied on the Evans misrepresentation of the facts. My wife and I were at the Coastal Commission meeting in Marina Del Rey on June 16, 2011, to witness the Schmitz/Evans presentation with "proof" that our APN-054 did not have a legal access over the Sweetwater Mesa/Evans project. Their "proof" stated that "...it is not possible for parcel APN-054 to have an easement by necessity over the subject (Evans) parcels."

The document presented to prove our easement from the north was altered from the original document (see attachment B) The original non-altered document shows that portion of the claimed northern easement is indicated in yellow. It passes over roadways and parcels which were created without the approval of the Los Angeles Department of Regional Planning's oversight or approval.

These parcels and roadways have Certificates of Compliances which have not been completed or perfected to date. No buildings, roads or easements are possible over them. The original document (attachment B) indicates Document No. 87-1764795 very clearly which is highlighted in yellow and green. This recorded four page document is attached. (See attachment C)

The power point document. (See attachment A) is marked "Altered" and is high-lighted in yellow. An enlargement of this area (See attachment D) clearly indicates the altered #4793 with the three being a different style of print than those in the upper area of the original.

The power point document presented to Coastal as "evidence" leads one to believe that the Evans project was purposefully deceptive and that they were aware that APN-054 had no easement to the north. After a very thorough investigation by the Los Angeles Department of Regional Planning and Enforcement, our Certificate of Compliance (See attachment E) has determined that a "Legal" Access from the subject property to the nearest public street has not been established." The nearest public street would be Costa Del Sol/ Piuma Road to the north.

The Evans project has determined that we do not have an access easement over their project (See attachment F)

We do not have easements to APN#-054. We are definitely landlocked and an easement across the Evans property will be sought by us.

Thank you for your consideration.

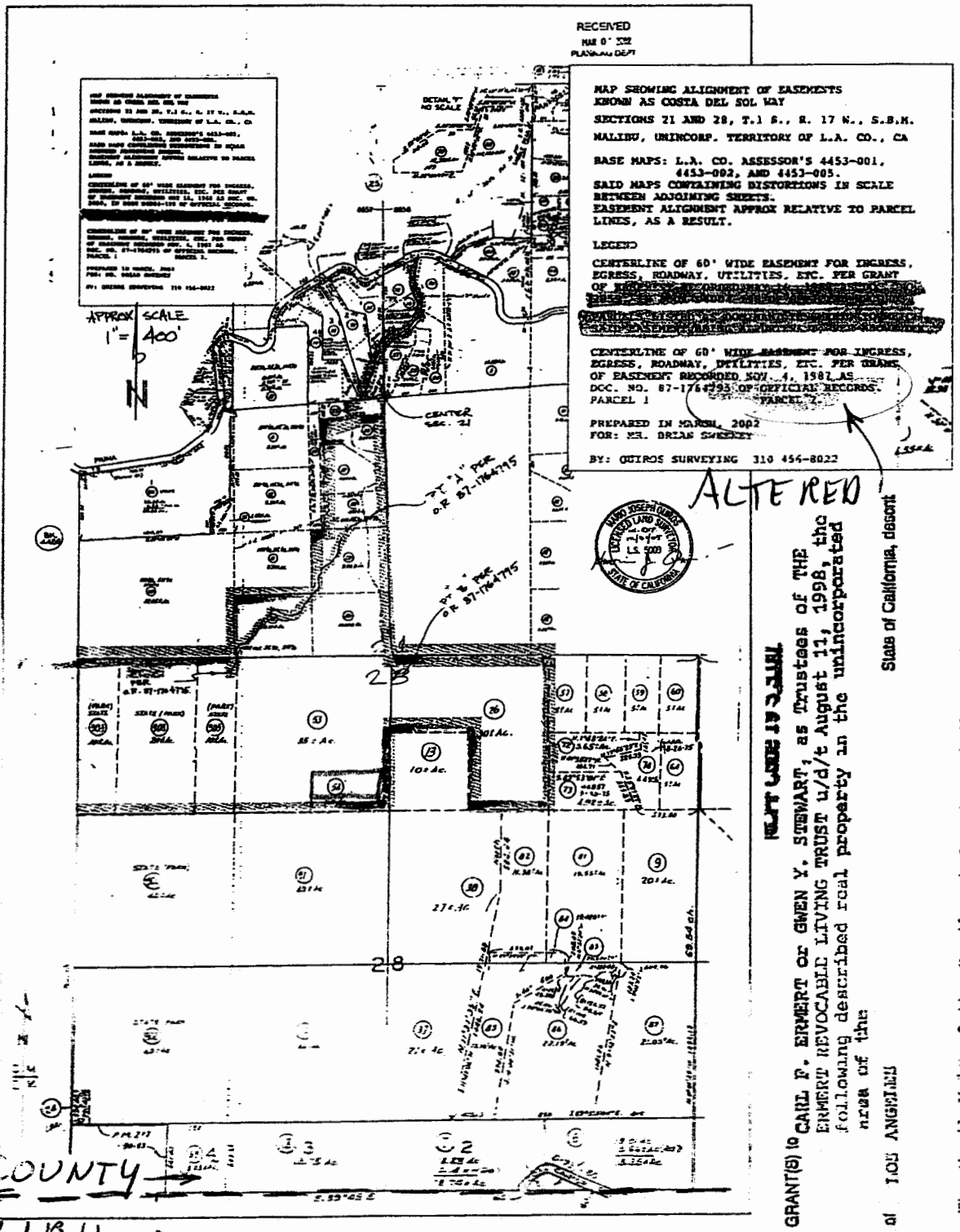
CARL F. ERMERT

(A)

EVANS PRESENTED TO COASTAL JUNE 16, 2011 T PROVE WE HAD AN EASEMEI TO THE NORTH!

Properties to the North:

- Properties to the north have access to the north from Piuma Road/Costa Del Sol Way
- APN 4453-005-054 was included with the parcels listed as "dominant tenement" (highlighted blue), which benefited from an easement recorded in 1968 over Costa Del Sol Way. It is not possible for parcel -054 to have an easement by necessity over the subject parcels.



CARL ERMENT P.O. Box 1749 TWIN HARTE CA 95383
GWENMENT@MLODE.COM
FAX [redacted] bunnchio@MLODE.COM

L.A. COUNTY →
MALIBU →

RECORDING REQUESTED BY
TICOR TITLE COMPANY

AND WHEN RECORDED MAIL TO
NAME Transamerica Financial Srvcs.
ADDRESS P.O. BOX 4327
CITY & STATE Chatsworth, Ca. 91313

Title Order No. 8376561 Escrow No.

87 1764703
RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CA
NOV 4 1987 AT 8 A.M.
Recorder's Office

SPACE ABOVE THIS LINE FOR

J. Guest

DEED OF TRUST AND ASSIGNMENT OF RENTS

LICENSE NO. 903 2879

DATE OF THIS DEED OF TRUST AND OF THE LOAN TRANSACTION	DAY, MONTH AND YEAR OF THE FIRST MONTHLY INSTALLMENT	ACCOUNT NUMBER
October 30, 1987	November 4th, 1987	

BENEFICIARY	TRUSTOR(s)
TRANSAMERICA FINANCIAL SERVICES ADDRESS P.O. BOX 4327 CITY Chatsworth, Ca. 91313	(1) John Peter Nolan and Leah Nolan, Husband and wife as joint tenants, as to an undivided 50% interest,*** (2) NAME OF TRUSTEE TICOR TITLE COMPANY

THIS DEED OF TRUST SECURES FUTURE ADVANCES

By this Deed of Trust, the undersigned (all, if more than one), hereafter "Trustor", for the purpose of securing payment of a Promissory Note of even date in the sum of $ 32,087.92 from Trustor to Beneficiary above named, any extensions, renewals, or revisions of said Note, and all future advances from Beneficiary to Trustor, hereby grants, transfers and assigns to the above named Trustee in trust, with power of sale, the following described real estate together with all improvements thereon situated in California, County of **Los Angeles**

LOT 12 OF TRACT 32917, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 903, PAGES 96 TO 98 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

***and Alice Bazarian, a widow, as to an undivided 50% interest, as tenants in common.

If the Trustor shall fully pay according to its terms the indebtedness hereby secured then this Deed of Trust shall become null and void.

Should Trustor sell, convey, transfer or dispose of, or further encumber said property, or any part thereof, without the written consent of Beneficiary being first had and obtained, then Beneficiary shall have the right, at its option, to declare all sums secured hereby forthwith due and payable.

Upon default by Trustor in payment of any indebtedness secured hereby or in the performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of Beneficiary and without demand but upon notice to Trustor. In such event and upon written request of Beneficiary, the Trustee shall sell, for lawful money of the United States, the property then subject to this Deed of Trust, as a whole or in separate parcels, at Beneficiary's option, in accordance with the provisions of the Laws of the State of California in force at the time of such sale, and if in separate parcels, in such order as Beneficiary may direct, at public auction to the highest bidder for cash in lawful money of the United States, payable at the time of sale. Trustee may postpone the sale of all or any portion of said property by public proclamation at the time and place of sale, and from time to time thereafter may postpone such sale by public proclamation at the time fixed by the preceding postponement. Trustee shall apply the proceeds of sale to payment of: all sums expended under the terms hereof, not then repaid; all other sums then secured hereby, and the remainder, if any, to the person or persons legally entitled thereto, unless otherwise prohibited by law, upon default by Trustor in payment of any indebtedness secured hereby or in the performance of any agreement hereunder, Trustor agrees to pay any appraisal costs requested by Beneficiary to obtain a current market evaluation of the above described real property.

This Deed inures to the benefit of, and binds all parties hereto, their heirs, legatees, administrators, executors, successors and assigns.

Trustor agrees to keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

Trustor agrees to pay, when due all taxes, liens, (including any prior Trust Deeds) and assessments that may accrue against the above described property and in default thereof Beneficiary may (but is not obligated to do so and without waiving its right to declare a default) pay such lien, tax or assessment. Trustor further agrees to maintain insurance in such forms and amounts as may be satisfactory to the Beneficiary as mortgagee loss payee. If Trustor shall fail to do so, Beneficiary may (but is not obligated to do so and without waiving its right to declare a default) procure such insurance. Any premiums, tax, lien or assessment, as well as any cost or expense that the Trustor has agreed to pay in any other provision of this instrument, shall, upon payment by the Beneficiary, be added to the unpaid principal balance of the obligations herein and be secured by this Deed of Trust and shall bear interest from the date of payment at the interest rate of charge as set forth in the Promissory Note.

As additional security, Trustor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Trustor the right, prior to any default by Trustor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

Trustor agrees to appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in any such action or proceeding in which Beneficiary or Trustee, or both, may appear, including any suit for the foreclosure of this Deed or any Beneficiary.

Beneficiary may, without the commencement of Trustee and/or Trustee, at any time and from time to time, by instrument in writing substitute a successor or successors to any Trustee named herein or acting hereunder, which instrument, when properly executed, acknowledged and recorded in the office of the Recorder of the County where said property is situated, shall be conclusive proof of proper substitution of such successor Trustee, who shall succeed to all of the title, estate, rights, power and duties. Beneficiary may exercise a fee not to exceed $50.00 as permitted by Section 2943 of the California Civil Code for furnishing to an "entitled person" or such person's authorized representative the statement required by said section.

THE UNDERSIGNED TRUSTOR REQUESTS THAT A COPY OF ANY NOTICE OF DEFAULT AND ANY NOTICE OF SALE HEREUNDER BE MAILED TO HIM/HER/THEM AT HIS/HER/THEIR ADDRESS AS SET FORTH ON THE REVERSE SIDE HEREOF.

OFFICIAL SEAL
MICHAEL S. NOLAN
NOTARY PUBLIC — CALIFORNIA
PRINCIPAL OFFICE IN
LOS ANGELES COUNTY
My Commission Expires May 20, 1990

Signature of Trustor

Alice Bazarian
John Peter Nolan
Leah Nolan

STATE OF CALIFORNIA } ss.
COUNTY OF

On this 30th day of October in the year 1987, before me Michael S. Nolan, a Notary Public in and for Los Angeles County, California, personally appeared John Peter Nolan, Leah Nolan and Alice Bazarian

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged that he/she/they executed it.

Notary's Signature

Type or Print Notary's Name Michael S. Nolan

18-841 (Rev. 10-85)

ORIGINAL

B

RECEIVED
MAR 07 2002
PLANNING DEPT

MAP SHOWING ALIGNMENT OF EASEMENTS
KNOWN AS COSTA DEL SOL WAY

SECTIONS 21 AND 28, T.1 S., R. 17 W., S.B.M.

MALIBU, UNINCORP. TERRITORY OF L.A. CO., CA

BASE MAPS: L.A. CO. ASSESSOR'S 4453-001,
4453-002, AND 4453-005.
SAID MAPS CONTAINING DISTORTIONS IN SCALE
BETWEEN ADJOINING SHEETS.
EASEMENT ALIGNMENT APPROX RELATIVE TO PARCEL
LINES, AS A RESULT.

LEGEND

CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED MAY 16, 1968 AS DOC. NO. 2859, IN BOOK D4004-198 OF OFFICIAL RECORDS.

[redacted]

CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED NOV. 4, 1982 AS DOC. NO. 87-1764795 OF OFFICIAL RECORDS.
PARCEL 1 PARCEL 2.

PREPARED IN MARCH, 2002
FOR: MR. BRIAN SWEENEY

BY: QUIROS SURVEYING 310 456-8022

MAP SHOWING ALIGNMENT OF EASEMENTS
KNOWN AS COSTA DEL SOL WAY
SECTIONS 21 AND 28, T.1 S., R. 17 W., S.B.M.
MALIBU, UNINCORP. TERRITORY OF L.A. CO., CA
BASE MAPS: L.A. CO. ASSESSOR'S 4453-001, 4453-002, AND 4453-005.
SAID MAPS CONTAINING DISTORTIONS IN SCALE BETWEEN ADJOINING SHEETS.
EASEMENT ALIGNMENT APPROX RELATIVE TO PARCEL LINES, AS A RESULT.
LEGEND
CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED NOV. 4, 1982 AS DOC. NO. 87-1764795 OF OFFICIAL RECORDS.
PARCEL 1 PARCEL 2.
PREPARED IN MARCH, 2002
FOR: MR. BRIAN SWEENEY
BY: QUIROS SURVEYING 310 456-8022

APPROX SCALE
1" = 400'

DETAIL "F"
NO SCALE

CENTER SEC. 21

PIUMA

PER O.R. 87-1764795

MARIO JOSEPH QUIROS
LICENSED LAND SURVEYOR
LIC. EXP. 12/31/05
L.S. 5009
STATE OF CALIFORNIA

BK. 4456

28

STATE (PARK) 901 40± Ac.

STATE (PARK) 902 40± Ac.

STATE (PARK) 903 40± Ac.

STATE (PARK) 904 20± Ac.

STATE (PARK) 905 10± Ac.

35 ± Ac.

10± Ac.

30± Ac.

5.65± Ac.

4.92± Ac.

11.98± Ac.

19.55± Ac.

20± Ac.

27± Ac.

21± Ac.

22.19± Ac.

21.05± Ac.

40± Ac.

8.03± Ac.

18.75 Ac.

18.88 Ac.
0.14 ± (Rd)
18.74 ± Ac.

19.01 Ac.
0.66± Ac (Rd)
18.35± Ac.

P.M. 217
90-93

S.89°45'E.

60

COAL CANYON RD.

69.54 ch.

South

T.1S. R.17W. S.B.M.

(Partnership)

STATE OF CALIFORNIA } SS.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

COUNTY OF Los Angeles

On October 29, 1987

before me, Elizabeth A. Praino, a Notary Public in and for said State,

personally appeared STEPHEN J. VERNON AND ANTHONY A. DE VIVO

(known to me)

(or proved to me on the basis of satisfactory evidence) to be TWO of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Signature Elizabeth A. Praino

OFFICIAL SEAL
ELIZABETH A PRAINO
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My comm. expires NOV 29, 1987

87 1764795

Form 3215 (CA 12-82)

(This area for official notarial seal)

CHICAGO TITLE INSURANCE COMPANY

Stapo

STATE OF CALIFORNIA, } SS.
COUNTY OF Los Angeles

On July 30, 1987

before me, the undersigned, a Notary Public in and for said County and State, personally appeared STEPHEN J. VERNON & ANTHONY A. DEVIVO

87 1764795

87-1214655

☒ personally known to me;

☐ proved to me on the basis of satisfactory evidence,

to be TWO of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

OFFICIAL SEAL
ELIZABETH A PRAINO
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My comm. expires NOV 29, 1987

Signature Elizabeth A. Praino

Elizabeth A. Praino
Name (Typed or Printed)
Notary Public in and for said County and State

FOR NOTARY SEAL OR STAMP

1-119 Maine PARTNER

TICOR TITLE INSURANCE CO. OF CALIFORNIA
RECORDING REQUESTED BY:

Stephen J. Vernon
724 Almar Avenue
Pacific Palisades
California 90272

WHEN RECORDED MAIL TO:

Stephen J. Vernon
724 Almar Avenue
Pacific Palisades
California 90272

RECORDED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
1 MIN. PAST 12 P.M. JUL 30 1987

87 1764795
87-1214655

FEE $11 G
4

DOCUMENTARY TRANSFER TAX $ -0-
COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,
OR COMPUTED ON FULL VALUE LESS LIENS AND
ENCUMBRANCES REMAINING AT TIME OF SALE.
Signature of Declarant or Agent determining tax. Firm Name

RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CA
NOV 4 1987 AT 8 A.M.
Recorder's Office

GRANT DEED
"EASEMENT"

NO TAX DUE

The value of property in this conveyance exclusive of any encumbrances is less than $100 and there is no other consideration received by Grantor. RET 11911 Long Affirm

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned, COSTA DEL SOL LTD., a California Partnership, grants to STEPHEN J. VERNON, a married man, and/or his nominees or assignees, the following described real property in the County of Los Angeles, State of California, a non-inclusive easement for ingress, egress, roadway, water and utility lines and incidental purposes, together with the right to grade and improve the same, to grant said easement to others and to dedicate same to public use over that portion of North East & South East Quarter of South West Quarter of Section 21, Township 1 South, Range 17 West, San Bernardino Meridian, in the County of Los Angeles, State of California, according to the Official Plat thereof including within a strip of land, 60.00 feet wide, lying 30.00 feet on each side of the following described center line:

FEE $11 S
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PARCEL 1: Beginning at the above-said North East Quarter at a point at the beginning of the center line described as South 41° 06' 55" East 50.00 feet in the Grant Deed Book D4004 Page 198 Instrument No: 2859 recorded on May 16, 1968 of O.R. of the Grant of Easement. The above point at the Northerly Terminus of South 41° 06' 55" East 50.00 feet (136698.270 North and 85555.586 East) being the True Point of Beginning for this description; thence South 40° 55' 35" East 100.00 feet to the beginning of a tangent curve concave Westerly having a radius 100.00 feet; thence Southerly along said curve through a center angle of 70° 00' 00" an arc distance 122.17 feet; thence tangent to said curve South 29° 04' 25" ~~East~~ WEST 10.00 feet to the beginning of a tangent curve concave Easterly having a radius of 100.00 feet; thence South Easterly along said curve through central angle 90° 10' 20" an arc distance 157.38 feet; thence tangent to said curve South 61° 05' 55" East 120.00 feet to the beginning of a tangent curve concave South

THIS DEED IS BEING RE-RECORDED TO CORRECT ERRORS CONTAINED IN THE LEGAL DESCRIPTION.

Westerly having a radius of 100.00 feet; thence South Easterly along said curve through a central angle 35° 35' 55" an arc distance 62.13 feet; thence tangent to said curve South 25° 30' 00" East 130.00 feet to the beginning of a tangent curve concave Westerly having a radius of 100.00 feet; thence Southerly along said curve through central angle 57° 00' 00" an arc distance 99.48 feet; thence tangent to said curve South 31° 30' 00" West 60.00 feet to the beginning of a tangent curve concave North Westerly having a radius of 100.00 feet; thence South Westerly along said curve through central angle of 21° 00' 00" an arc distance 36.65 feet; thence tangent to said curve South Westerly South 52° 30' 00" West 78.00 feet to the beginning of a tangent curve concave Easterly having a radius of 100.00 feet; thence Southerly along said curve through a central angle 62° 30' 00" an arc distance of 109.08 feet; thence tangent to said curve South 10° 00' 00" East 152.00 feet to Point "A"; thence continue South 10° 00' 00" East 200.00 feet to the beginning of a tangent curve concave Westerly having a radius of 100.00 feet; thence Southerly along said curve through a central angle of 8° 30' 00" an arc distance of 14.83 feet; thence tangent to said curve South 1° 30' 00" East 217.00 feet to the beginning of a tangent curve concave Easterly having a radius of 100.00 feet; thence Southerly along said curve through central angle of 28° 30' 00" an arc distance of 49.74 feet; thence tangent to said curve South 30° 00' 00" East 200.00 feet to the beginning of a tangent curve concave Westerly having a radius 100.00 feet; thence Southerly along said curve through a central angle of 67° 00' 00" an arc distance 116.94 feet; thence tangent to said curve South 37° 00' 00" West 200.00 feet to the beginning of a tangent curve concave Easterly having a radius of 100.00 feet; thence Southerly along said curve through central angle of 64° 00' 00" an arc distance of 111.70 feet; thence tangent to said curve South 27° 00' 00" West EAST 25.00 feet to the beginning of a tangent curve concave North Easterly having a radius of 100.00 feet; thence South Easterly along said curve through central angle of 48° 00' 00" an arc distance of 83.78 feet to the beginning of a tangent curve concave South Westerly having a radius of 100.00 feet; thence South Easterly along said curve through central angle of 60° 45' 00" an arc distance 106.03 feet; thence tangent to said curve South 14° 15' 00" East 50.00 feet to the beginning of a tangent curve concave North Easterly having a radius of 100.00 feet; thence in South Easterly direction abng said curve through central angle of 39° 04' 00" an arc distance of 68.18 feet; thence tangent to said curve South 53° 15' 04" East 100.00 feet to Point "B" of this description.

PARCEL 2: Beginning at the above Point "A" as the Point of Beginning of PARCEL 2, thence South 80° 00' 00" West 68.00 feet to a tangent

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curve concave South Easterly having a radius of 200.00 feet; thence along said curve South Westerly through a central angle of 80° 00' 00" an arc distance 279.25 feet; thence tangent to said curve South 0° 00' 00" 37.00 feet to the beginning of a tangent curve concave Westerly having a radius of 100.00 feet; thence South Westerly along said curve through central angle of 68° 59' 59" an arc distance 120.42 feet to the beginning of a tangent curve concave South Easterly having a radius of 100.00 feet; thence Southerly along said curve through central angle 62° 29' 59" an arc distance 109.08 feet; thence tangent to said curve South 6° 30' 00" West 53.00 feet to the beginning of a tangent curve concave Westerly having a radius of 150.00 feet; thence South Westerly along said curve through central angle of 25° 00' 00" an arc distance 65.45 feet; thence tangent to said curve South 31° 30' 00" West 193.00 feet to the beginning of a tangent curve concave Easterly having a radius of 300.00 feet; thence South Westerly along said curve through central angle 17° 00' 00" an arc distance 89.01 feet to the beginning of a tangent curve concave North Westerly having a radius of 100.00 feet; thence in South Westerly direction along said curve through central angle 95° 00' 00" an arc distance 165.08 feet; thence tangent to said curve North 70° 30' 00" West 150.00 feet to a tangent curve concave Southerly having a radius of 100.00 feet; thence Westerly along said curve through central angle 84° 00' 00" an arc distance 146.61 feet; thence tangent to said curve South 25° 30' 00" West 220.00 feet to the beginning of a tangent curve concave North Westerly having a radius of 150.00 feet; thence South Westerly along said curve through a central angle 42° 00' 06" an arc distance 109.96 feet to the beginning of a tangent curve concave South Easterly having a radius of 100.00 feet; thence in Southerly direction along said curve through a central angle of 67° 30' 06" an arc distance 117.81 feet; thence tangent to said curve South 0° 00' 00" 38.50 feet to a tangent curve concave North Westerly having a radius of 150.00 feet; thence in South Westerly direction through central angle of 55° 00' 00" an arc distance 143.99 feet to Point "C".

DATED July 24, 1987

COSTA DEL SOL LTD.

Stephen J Vernon Gen Part.

STEPHEN J. VERNON Gen. Part.

Anthony A DeVivo Gen Part.

ANTHONY A. DEVIVO Gen. Part.

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PLANNING DEPT

MAP SHOWING ALIGNMENT OF EASEMENTS
KNOWN AS COSTA DEL SOL WAY

SECTIONS 21 AND 28, T.1 S., R. 17 W., S.B.M.

MALIBU, UNINCORP. TERRITORY OF L.A. CO., CA

THREE = 3

BASE MAPS: L.A. CO. ASSESSOR'S 4453-001, 4453-002, AND 4453-005.
SAID MAPS CONTAINING DISTORTIONS IN SCALE BETWEEN ADJOINING SHEETS.
EASEMENT ALIGNMENT APPROX RELATIVE TO PARCEL LINES, AS A RESULT.

LEGEND

CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED MAY 14, 1965 AS DOC. NO. 3859, IN BOOK D1004 PAGE 498 OF OFFICIAL RECORDS, PARCELS LISTED AS DOMINANT TENEMENT, TO WHICH SAID EASEMENT BEING APPURTENANT, PER ABOVE DOC.

CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED NOV. 4, 1981 AS DOC. NO. 81-1153793 OF OFFICIAL RECORDS.
PARCEL 1 PARCEL 2.

THREE = 3

PREPARED IN MARCH, 2002
FOR: MR. BRIAN SWEENEY

BY: QUIROS SURVEYING 310 456-8022

OWNER (S): Carl F. Ermert or Gwen Y. Stewart, Trustees of the Emert Revocable Living Trust

CERTIFICATE OF COMPLIANCE
CONTINUATION

(E)

CERTIFICATE OF COMPLIANCE NO. RCOC 2014 00154

Assessors Parcel No.: 4453-005-054

NOTES:

1. Legal access from the subject property to the nearest public street has not been established.
2. Prior to any grading, brush clearance or construction on the subject property, the property owner will have to acquire an approved Coastal Development Permit.

THIS CERTIFICATE DOES NOT CONSTITUTE A BUILDING PERMIT. Prior to authorization to build on this property, the applicant will be required to conform to the County and State regulations. Such regulations include but are not limited to, programs for road and/or drainage right of way dedication, appropriate sanitary sewage disposal, water supply for domestic use and fire suppression, and adequate fire apparatus access.

GEOLOGIC, soils and/or Drainage Conditions may exist on the subject property, which could limit development or necessitate that remedial measures be taken in order to obtain a Building Permit.

DETERMINATION OF COMPLIANCE

This determination DOES NOT GUARANTEE that the subject property meets current design and improvement standards for subdivided parcels. Prospective purchasers should check site conditions and applicable development codes to determine whether the property is suitable for their intended use.

The subject property may be sold, leased, financed or otherwise conveyed without restriction.

CERTIFICATE OF COMPLIANCE

Pursuant to the provisions of the Subdivisions Map Act (Sec. 66410 et. Seq., Government Code, State of California) and the County Subdivision Ordinance (Title 21 of the Los Angeles County Code), I hereby certify that I have reviewed the above-described division of real property and have found it to be in conformance with all requirements of the Subdivision Map Act and of the County Subdivision Ordinance.

DEPARTMENT OF REGIONAL PLANNING

By: _____
For Sorin Alexanian

DEPARTMENT OF REGIONAL PLANNING
County of Los Angeles
Richard J. Bruckner
Director

Title: Deputy Director

Date 11-25-14

FAX to: Jacqueline Blaurund re: **Edge Development**

PLEASE PLACE IN PACKETS OF COMMISSIONERS AT EDGE HEARING AGENDA NO. 16a-f

May 6, 2015

From: Steven and Helen Clarke

3751 Serra Rd.

Malibu Ca 90265 (tel. 310 456 6111)

MAY 0 6 2015

South Central Coast District

Dear Commissioners,

My wife and I have lived at this address for the past 38 years and we are quite familiar with traffic patterns' on our road and that of the exit and entrance of Serra Rd. on to PCH. This road of ours is no shape to handle excessive, heavy truck traffic that the above the massive, high- end housing project will create. The noise, smoke and inevitable breakdowns are of special concern to us as my 77 year old wife suffers from a congenital movement disorder which is being treated by Dr. Yvette Borderlon. She is a clinical professor at the Geffen School of Medicine at U.C.L.A. in the Dept of Neurology. The disease is progressive.

As an outcome of this disease she has had two falls that have resulted in a broken left and right hip. Currently, she is in room 2324 Saint John's Hospital with the hip replacement of the left hip which just happened. We are terrified that with so much traffic created by the project that our movement to safety in the event of a fire, breakdown or wreck will cause us great bodily harm.

In the many years that we have lived on Serra Rd. we have seen the area around its entrance from P.C.H. increasingly clogged with traffic in both directions due to high surf at Surfriders State Beach and the general fame of Malibu beaches and shopping. The beach is just across the PCH from Serra Rd. When I take my walk to the beach the multiple accidents are due to rear –enders by curiosity seekers, jaywalkers and a hundred other reasons. Traffic on PCH has dramatically increased over the past 38 years.

After exploring Serra Canyon for more than 1/3 of a century and especially the Sweetwater Mesa area you can't help but to notice how beautiful the view is and how quiet in the higher elevations where the proposed project of luxury homes is to begin. This area is almost sacred to us. It is so pristine and full of wildlife and being out of the way nature truly is realized and there for the explorer on foot to enjoy.

Why would a body such as you want to take it away from the public and set a precedent for future foreign, developers to acquire land in the area or similar places? 540 pages in the staff report for 5 homes? Are we trying to put a round peg in a square hole? If someone shows up with a project in another sacred, protected place under your purview that is as damaging as this one but, engenders a report of 1000 pages will it pass the entire commission? WE are opposed to this project!

Respectfully: Steven and Helen Clarke

MC MC (for Helen in hospital)

fax # - (805) 641-1732

MAY 07 2015

Att: J. Blaumund

re: "Edge" development

Please place this letter in the CCC Commissioners packets re: the Edge Hearing, Agenda No. 16a-f.

Thank you.

Total of 3 pages including this cover page.

05/07/2015 14:17 FAX 13104565757 001

Agenda #16a-f
(Opposed.)

May 7, '15

To Whom It May Concern:

I am writing this letter to strongly object to the "Edge" development.

This project has grown from "just a house my client wants to live in" (Don Schmidt's remarks at Malibu Planning Commission meeting), to a massive development project consisting of five very large single-family residences, each with swimming pools. This is a full-blown real state development.

Never mind that is violates all criteria that the Coastal Commission themselves has required, namely a) violation of ridgeline provisions, b) a 1600 foot access road that should be no more than 300 feet c) height requirements and finally a water line that is being installed by this project without a pre-existing road.

The owners of the project would have you believe that because they are building five LEED qualified homes, that they are somehow not endangering the neighborhood, and all of its inhabitants, human or animal.

Had this project been required to file an EIR, as would have been appropriate considering its size and scale, it would have failed in most if not all aspects. Therefore, it is incumbent on the Commission to consider several aspects of the projects that should drive a "no" vote.

1. Traffic Density: The number of trips that will be generated by a project of this size on a daily basis will be a minimum of 15 trips per house times 5 houses...generating 75 trips per day, minimum, down Sweetwater Mesa Road and Serra Road. This is an undue burden and stress being placed on a road that can barely handle two cars going in opposite directions. At the very least, the recommending staff should themselves drive that road and reach the only sensible conclusion that could be reached, and that is, that the road cannot tolerate any more traffic.
2. Air Quality: The polluting particulate that will be created by the enormous number of trucks travelling up and down this roads will burden its residents, wildlife and plant life that currently exists in Serra Retreat. Whatever happened to the Coastal Commission's concern for the environmental impacts created by such a massive project? The diesel exhaust spewed by hauling trucks alone will have a long lasting effect on all living things in the area for years to come.
3. Noise: The noise that will be created from early in the morning to late afternoon for five years will create both economic and environmental impact to the residents living in the area and there is no way that this can be either abated or mitigated.

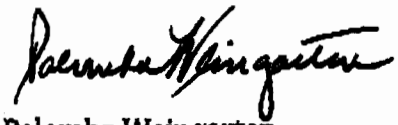
4. Fire and Safety: This project creates impaired access for all emergency vehicles including but not limited to fire trucks, police cars and ambulances. There are several elderly people who live in the affected areas of the community who cannot take the risk of impeded emergency vehicle access.
5. Water Resources: What must absolutely not be ignored is the amount of water required by this project. Two issues should get the attention of the Commission as well as the City of Malibu and that is: 1) water required and used during the construction of the project and 2) the additional water requirements of the residents themselves.

The residents of Malibu are currently being asked to reduce their water usage by some 36%. Are the residents to assume that their conservation is somehow going to subsidize the "Edge" project usage? In addition to the five residences, the project is asking for approval of five swimming pools.

Finally, at the very least, an approval by the Coastal Commission for the project would constitute reckless disregard for the community, for the environment and for the coastline the Commission is mandated and obligated to protect.

In keeping with your mandate, I urge you to reject this project in its entirety.

Sincerely yours,



Palomba Weingarten
3535 Sweetwater Mesa Rd.
Malibu, CA 90265

D. R. Hopkins
3538 Cross Creek Ln
Malibu, CA 90265

MAY 0 ? 2015

Agenda: Th16a-Th16f
Application: 4-10-040
4-10-041
4-10-042
4-10-044
4-14-0598
4-14-1094
Name: Hopkins, D.R.

Position: **Opposed**

4 May 2015

California Coastal Commission
South Central Coast Area
89 South California St., #200
Ventura, CA 93001

Coastal Commission Members:

I am opposed to all of the applications (4-10-040, 4-10-041, 4-10-042, 4-14-044, 4-14-0598, and 4-14-1094). The reasons for my position are listed below:

1. **Fire Danger**. This canyon has suffered from two devastating fires (1970 and 1993), and has been evacuated many other times in the last 50 years. The planned development will place 5 extraordinarily large and extraordinarily tall dwellings in the most dangerous (high altitude, directly in the path of the violent winds driving a firestorm) and inaccessible part of Serra Retreat-Malibu Canyon. This will make them far more vulnerable to fire than the other houses in the canyon. Fire trucks stationed near these homes will not be able to respond to fire outbreaks in the more densely populated part of Serra Retreat in anything approaching a timely fashion, given the speed at which wild fires travel. Serra Road itself is only wide enough to accommodate one fire truck, and the turn at Sweetwater Mesa onto Serra Road is very sharp and requires extra effort - while blocking Serra - to negotiate.
2. **Flooding.** Following every fire, and often in years when there has been no fire damage, this canyon has experienced destructive floods from runoff. In the past runoff from Sweetwater caused significant damage to houses and property on Serra Road, which has led to seemingly endless litigation. Adding five very large houses, and/or widening Sweetwater Road can only exacerbate this situation.
3. **Construction Chaos**. The planned development, and planned earth moving, will be a disaster for the entire canyon. Currently, even large moving vans cannot negotiate the roads in the canyon, and must off-load to allow furniture delivery. The size of the vehicles necessary for such gargantuan construction will cause constant havoc in the canyon.
4. **Subterfuge**. This application appears to be a reworking of an application that has already been reviewed and turned down. Breaking a large project in 5 smaller ones does not change anything.

Sincerely,
D. R. Hopkins

D. R. Hopkins

William G. Holly H. Cumberland
3550 Cross Creek Ln
Malibu, CA 90265

MAY 08 2015

Agenda: Th16a-Th16f
Application: 4-10-040
4-10-041
4-10-042
4-10-044
4-14-0598
4-14-1094
Name: Cumberland, William G
Cumberland, Holly H

Position: **Opposed**

4 May 2015

California Coastal Commission
South Central Coast Area
89 South California St. #200
Ventura, CA 93001

Coastal Commission Members:

We are opposed to all of the applications (4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, and 4-14-1094). The reasons for our position are listed below:

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4. **Subterfuge**. This application appears to be a reworking of an application that has already been reviewed and turned down. Breaking a large project into five smaller ones does not change anything.

Sincerely,

William G. Cumberland

Sincerely,

Holly Cumberland

Holly H. Cumberland

Temescal Canyon Association

Since 1972 Dedicated to Preservation of the Santa Monica Mountains

California Coastal Commission
South Central Coast District Office
89 South California Street #200
Ventura, CA 93001

May 4th,2015

MAY 08 2015

Re Sweetwater Mesa Project. Application number 16.a to 16.f

Dear Commissioners:

We ask that you vote to deny the permit for the above Sweetwater Mesa Projects, in its present form.

The revised project conflicts with resource protection and recreational access goals in the Santa Monica Mountains.

There are continuing adverse impacts that have not been resolved. These include fragmentation of habitat in a large undeveloped area. The visual blight from coastal areas is not acceptable. There are considerable geologic hazards in this area with its history: high flood and fire hazards. The 7800 foot water line extension will cut into local habitat corridors and across undeveloped and rugged hillside terrain and slash through ESHA designated lands. There will be significant disruption of habitat values and removal of undisturbed native chaparral that cannot be adequately mitigated.

The steep-sided slopes will affect stability and structural integrity of any buildings.

The Sweetwater Mesa development conflicts with several sections of the CA Coastal Act and the L.A. County Local Coastal Plan. These conflicts and violations have not been resolved. Because of these factors, the development should be denied.

Sincerely,

Gilbert Dembo, President

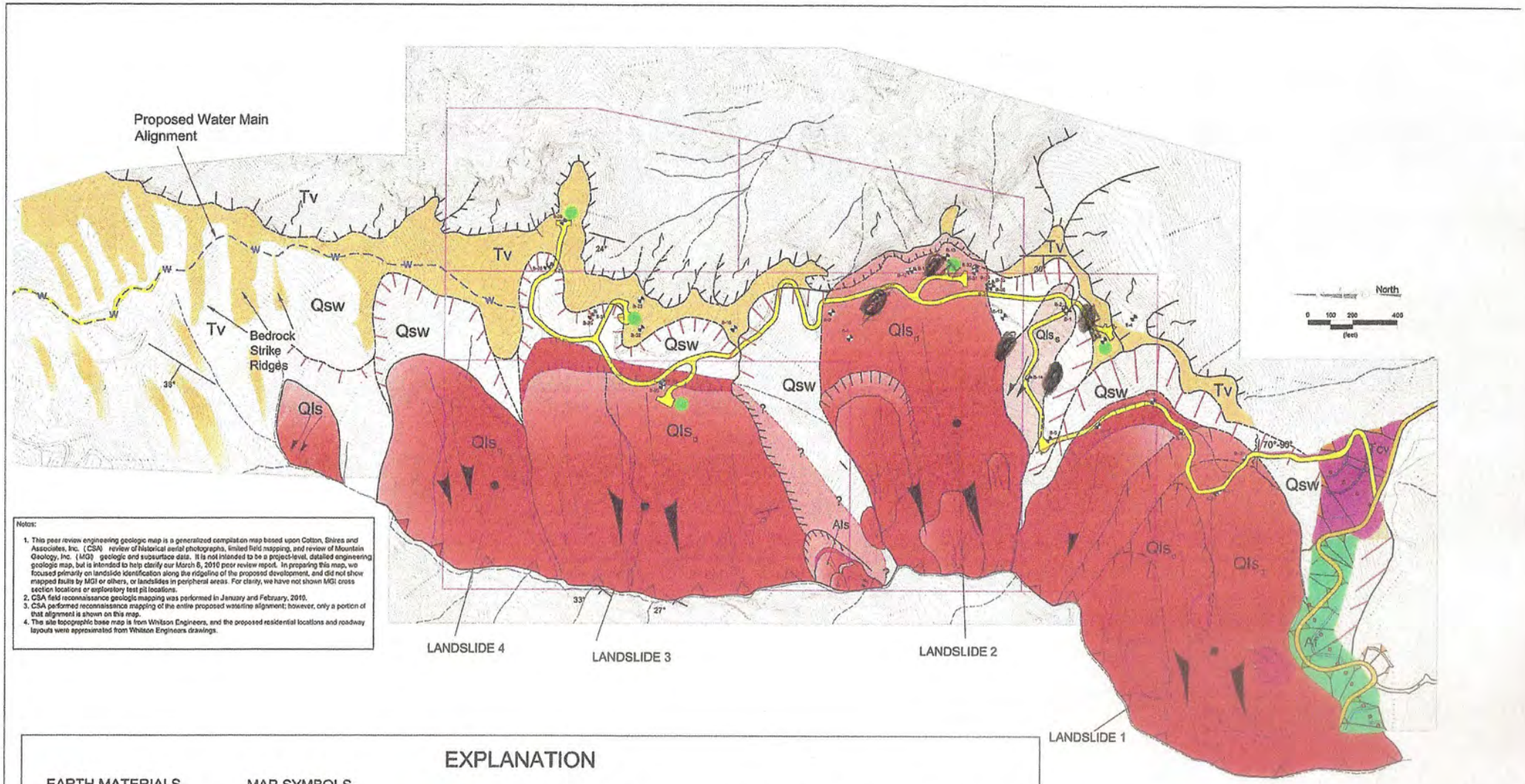
From:	Mary Wiesbrock
To:	Jack.Ainsworth@coastal.ca.gov; Blaugrund, Jacqueline@Coastal; skinsey@marincounty.org; zimmerccc@gmail.com; Gina Natoli; Sap, Craig@Parks; David Szymanski
Subject:	CCC"s nondisclosure of significant environmental issues
Date:	Tuesday, May 12, 2015 6:52:58 AM
Attachments:	Edge new mansion comples major landslide, historic Mesa0001.pdf Edge Landslide #2 roads & 4 residential comp0001.pdf

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How can this be? The public is being kept in the dark on the significant coastal and environmental issues. SOS is officially asking for a continuance until the public and public agencies are fully informed by an adequate staff report of what the impacts are of this new clustered development on our coast, national park, and its millions of visitors.

1) **geological issue**: Its ridiculous that SOS is having to determine where the clustered residential compounds impact landslide #2. There are no maps in the staff report showing this. We had to hash tag Exhibit #13, and then take the old landslide map (all in red) and pencil in the new approximate clustered locations of the residences. (attached)
2) **visual issue**: There are no simulations/drawings on how the scenic views of our millions national park visitors and how their views will be affected. It appears that there will be significant visual impacts from Malibu Creek State Park, Mesa Peak Motorway, Malibu Lagoon, Tuna Canyon.....but this staff report says nothing to that effect.
3) **ESHA (H1 and H2) issue**: The report states that this property is 100% ESHA. There is no map which overlays the structures and roads on the Los Angeles County LCP biological map. The applicant biologist is to determine these ESHA impacts later???
4) The CCC in closed session agreed to **by pass local and state agency** review on this development project which is in the boundaries of a national park and is High Priority Fee Acquisition on its (SMMNRA) Land Protection Plan. And this critical park information is not even in the project description!

cc/Geologist Thom Slosson, Gina Natoli



Notes:

1. This peer review engineering geologic map is a generalized compilation map based upon Cotton, Shires and Associates, Inc. (CSA) review of historical aerial photographs, limited field mapping, and review of Mountain Geology, Inc. (MGI) geologic and subsurface data. It is not intended to be a project-level, detailed engineering geologic map, but is intended to help clarify our March 8, 2010 peer review report. In preparing this map, we focused primarily on landslide identification along the ridgeline of the proposed development, and did not show mapped faults by MGI or others, or landslides in peripheral areas. For clarity, we have not shown MGI cross section locations or exploratory test pit locations.
2. CSA field reconnaissance geologic mapping was performed in January and February, 2010.
3. CSA performed reconnaissance mapping of the entire proposed waterline alignment; however, only a portion of that alignment is shown on this map.
4. The site topographic base map is from Whitson Engineers, and the proposed residential locations and roadway layouts were approximated from Whitson Engineers drawings.

EXPLANATION

EARTH MATERIALS

- Af — Artificial Fill
- Qsw — Slopewash
- Landslide Debris
  - Als: Active Landslide
  - Qls$_s$: ShallowLandslide
  - Qls$_d$: Deep Landslide
- Tcv — Conejo Volcanics
- Tv — Vaqueros Formation

MAP SYMBOLS

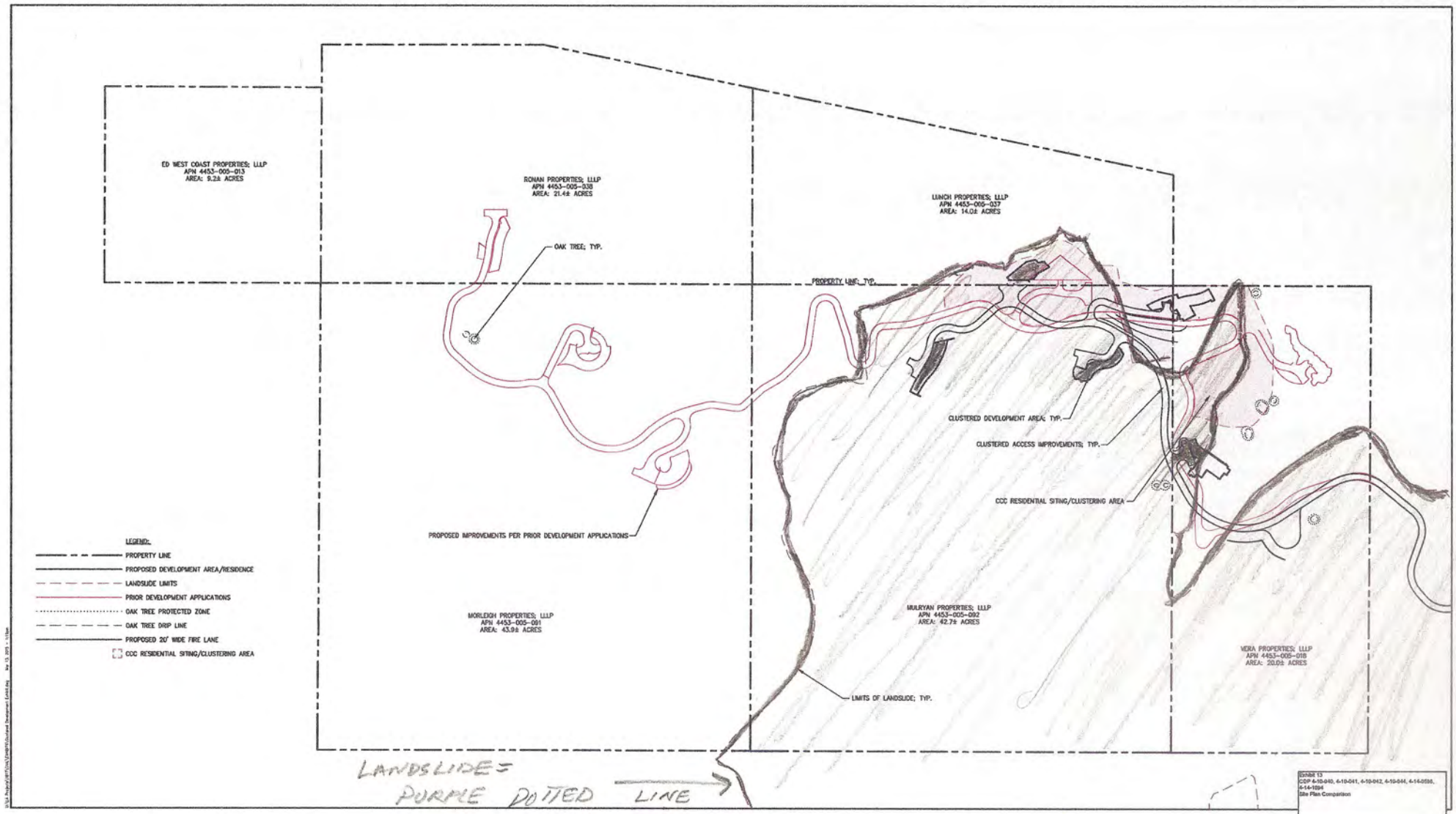
- Existing Paved Road
- Existing Dirt Trail
- Proposed Road
- Property Boundary
- Drainage
- Fill Slope
- Cut Slope
- Headscarp
- Landslide Debris
- Landslide Toe
- Escarpment, Sharp Break in Slope
- Graben
- Proposed Water Main Alignment
- Proposed Home Site
- 25° — Strike And Dip of Sedimentary Bedrock
- Fault/Shear Orientation
- B-13 — Exploratory Borings By Mountain Geology, Inc., 2006 and 2007

COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

PEER REVIEW ENGINEERING GEOLOGIC MAP

Sweetwater Mesa Development Project
Malibu, California

GEO/ENG BY	SCALE	PROJECT NO.
JW/POS	1"=200'	E5050
APPROVED BY	DATE	PLATE NO.
JW/POS	March 2010	1



SITE PLANS COMPARISON MAP
SWEETWATER MESA
LOS ANGELES COUNTY, CALIFORNIA

Whitson Engineers
5200 West Century Boulevard | Suite 430 | Los Angeles, CA 90045 | 310 645-3205 | F 310 645-3204
Civil Engineering • Land Surveying • Project Management | www.whitsonengineers.com
Project No.: 1617.00

MARCH 13, 2015
Sheet 1 of 1

1" = 130'

EXHIBIT 13

From:	JOHN FARRAR
To:	Blaugrund, Jacqueline@Coastal
Subject:	David Evans (Edge) Project item no. th16a-th16f
Date:	Monday, May 11, 2015 6:52:56 PM

To the Commission
Staff
John Farrar writing in opposition to the David Evans Project

I am writing to you to register my objections to the David Evans Project. I lived at 3509 Sweetwater Mesa Rd for about twenty years. It is a very narrow private road and in places very difficult for two cars to pass each other. If I understand this project correctly there will be an endless stream of large lorries, bulldozers and skiploaders using our road for several years. It is impossible now for a car and a truck to pass each other on Sweetwater without backing up to the nearest driveway (not an easy feat on Sweetwater) so its obvious that this project will cause major traffic problems. Surely this will create problems for emergency vehicles and place the residents in danger when we have another fire. Unfortunately for Malibu residents, another fire is more than just a possibility.

I am also worried that some way will be found to create a road from the project to Costa Del Sol which would make it possible for even more traffic to use Sweetwater.

Thank you
John Farrar

From: Robert Shain
To: Blaugrund, Jacqueline@Coastal
Subject: David Evans Project
Date: Monday, May 11, 2015 5:35:49 PM

Dear Members of the Coastal Commission,

I have lived in Serra Canyon aka, Serra Retreat, for thirty years in peace and quiet.
We are now being deluged with the construction of massive new homes that disrupt traffic, create intolerable noise, dust and many more cars.

I am pleading that you do not approve this latest grandiose monstrosity which will sentence all of us to years of more of the same and will further change the serene character of Serra Retreat.
This will further compromise the access of Fire Department, ambulances and police.

Sincerely,

Robert Shain, MD
3220 Serra Road
Malibu, CA 90265

From: Elizabeth Simonds
To: Blaugrund, Jacqueline@Coastal
Subject: Edge Hearing, Agenda No. 16a-f.
Date: Monday, May 11, 2015 6:25:40 PM

Dear Commissioners:

Please deny the Malibu Local Coastal Program Amendment for the Edge Project. If this LCPA is approved, protected public views will be destroyed by the construction of the five mansions and the extensive road that will be required to access these mansions. My specific concerns are as follows.

ENVIRONMENTAL DESTRUCTION: The Edge project is inconsistent with sections of the California Coastal Act (CA) and the Los Angeles County Local Coastal Plan (LCP) in regards to visual impacts, grading, significant hazards, ESHA and cumulative impacts.

SCENIC IMPACTS: The project has devastating impacts on public views form our coastal areas. The Coastal Act states: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance."

CUMULATIVE IMPACTS: A 7,800 water line will be dug, which violates numerous policies of the Coastal Act. Developments should be within, or in close proximity to, existing developed areas able to accommodate it or with adequate public service to prevent adverse effects on our coastal resources. The water line will be built through un-developed properties not owned by the applicants. The result will be leapfrog development in the 2900 acres of land. The long-term impact on public services is potentially devastating, as the water line is not located within legally existing roadways. These impacts have not been analyzed adequately.

FIRE HAZARD: The project is to be located in an undeveloped area of the Santa Monica Mountains with a history of fire and landslides. The CCC requires that development minimize risks to life and property in areas of high geologic, flood and fire hazard. All five mansions are to be built on clearly unmarked hillside landslides. A steep road requiring major grading and caissons will need to be constructed. This increased grading and landform alteration is inconsistent with the Coastal Act.

ESHA: The project allows for the Destruction of Environmentally Sensitive Habitat Area. Destruction of ESHA is not minimized as required by the Coastal Act. In violating the policies connected with providing water, the project also destroys ESHA.

GRADING: The project allows for massive grading across unstable land. Grading of some 41,210 cu yds. = 8,242 cu yds. per residence. Massive grading is needed to make the mansions stable. The development will be in areas historically prone to landslides. Huge structural enhancements are needed to ensure stability. And the grading required will increase pressure on landslide areas.

This development, in its present form, will forever impact the rural landscape surrounding Malibu and cause unacceptable environmental damage. We ask that the permit for this project be denied by the Coastal Commission.

Regards,

Elizabeth Simonds

PO Box 413

(29912 Cuthbert Road)

Malibu, CA 90265

From: Rachel Cisneros
To: "skinsey@marincounty.org"; "CCC Commissioners 05/15"
Cc: Lester, Charles@Coastal; Ainsworth, John@Coastal; Blaugrund, Jacqueline@Coastal; "sheila@bos.lacounty.gov"; "hEngland@bos.lacounty.gov"; "chogin@locallgovlaw.com"; Kenneth A. Ehrlich; C.J. Laffer; "anatol@planning.lacounty.gov"
Subject: Coastal Development Permit Application Nos. 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, 4-14-1094
Date: Monday, May 11, 2015 5:34:34 PM
Attachments: image001.png
5[illegible] Ltr to CCC.pdf

Dear Chairman Kinsey and Commission Members,

On behalf of Mr. Ehrlich, please see attached. Original sent via Federal Express.

Thank you,

Rachel Cisneros
Assistant to Kenneth A. Ehrlich | Katherine J. Kunberger
Phillip R. Lerch | Anat D. Simantob | Laura R. Mask
Elkins Kalt Weintraub Reuben Gartside LLP
2049 Century Park East, Suite 2700 | Los Angeles, California 90067
Direct Dial: (310) 746-4480 | Main: (310) 746-4400 | Fax: (310) 746-4499 | Email: rcisneros@elkinskalt.com | Web: www.elkinskalt.com

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Kenneth A. Ehrlich
D: 310.746.4412
F: 310.746.4462
KEhrlich@elkinskalt.com
Ref: 11614-0002

ELKINS
KALT
WEINTRAUB
REUBEN
GARTSIDE LLP

May 11, 2015

VIA E-MAIL AND FEDEX

California Coastal Commission
South Central Coast Area
89 South California Street, Suite 200
Ventura, California 93001

Re: Coastal Development Permit Application Nos. 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, 4-14-1094 ("Sweetwater Mesa Project" or "Project")

Hearing Date: May 14, 2015
Agenda Item Nos. Th 16 (a) – 16(f)

Dear Chairman Kinsey and Commission Members:

We represent the Serra Canyon Property Owners Association ("**SCPOA**"), an association of 105+ homeowners in the Serra Canyon area of the City of Malibu (the "**City**"). SCPOA remains committed to protecting and enhancing environmental quality in and around Sweetwater Mesa and the Malibu Creek Watershed. Accordingly, SCPOA has significant concerns that, as proposed, the subdivision and development of five (5) estate homes on a prominent, undeveloped Malibu ridgeline, along with the associated access road improvements and water facilities pursuant to the above-referenced California Coastal Commission ("**Commission**" or "**CCC**") applications will pose substantial, unmitigated risks to public safety and will have significant, unmitigated adverse impacts on the environment. At the very least, we request that the CCC impose additional conditions (specified below) to address these concerns.

Primary Concerns: Traffic & Access

SCPOA's primary concerns arise from the simple fact the Project's sole means of vehicular access to and from Pacific Coast Highway ("**PCH**") (the closest accessible public road) to the Project site, both during and after construction, is over and across a 0.3 mile improved portion of Serra Road and a 1.5 mile improved, but substandard portion of Sweetwater Mesa Road, both private streets over which the Project developer has limited easement rights, and which serve as the primary means of access for many Serra Canyon homeowners. Sweetwater Mesa Road, a steep and curvy private road, is only sixteen (16) feet wide (curb-to-curb), and is even narrower at some points. Vehicular passage and maneuvering on Sweetwater Mesa can be very difficult, particularly when used by service or construction vehicles.

Sweetwater Mesa Road simply cannot safely and adequately handle the construction traffic proposed to be generated by the Project unless the CCC or other regulatory agency imposes additional traffic mitigation measures. In addition, the Project requires construction of an approximately 3,700 foot private access road through what the Commission Staff Report for the Project (the "**Staff Report**") properly characterizes as "steep, rugged, mountainous terrain." However, the Staff Report for the Project completely fails to describe or analyze either the existing 1.5 mile Sweetwater Mesa Road "driveway" or the approximately 1,700 foot portion of the new access road located in the City of Malibu (the "**City**"), without which the Project simply cannot proceed.

As proposed, the Project does not comply with numerous provisions of the California Coastal Act, Public Resources Code Section 30000, *et. seq.* (the "**Coastal Act**") and the certified Santa Monica Mountains Local Coastal Program (the "**LCP**"), including, but not limited to, key habitat protections, water infrastructure requirements and grading restrictions.[1]

The limited vehicular access to the Project will result in the following impacts, which have neither been adequately analyzed or mitigated:

- The Project will cause a significant traffic impact on both Serra Road and Sweetwater Mesa Road both during and after construction of the Project, with thousands of trips by very large, heavy trucks and other construction vehicles travelling on narrow, residential access streets. Simply, these streets are not designed or improved to accommodate such traffic.
- The Project's construction traffic will significantly impair access for emergency response to Serra Canyon and Sweetwater Mesa, which are areas of very high risk of wildfire and other natural hazards.
- The Project's construction traffic will cause significant noise and air quality impacts.
- Following Project completion, frequent and/or large private events could result in traffic volumes that far exceed the capacity of the existing narrow, private roads and would cause a substantial degradation in the residential character of the community. At present, the CCC does not analyze this impact.

In addition, by extending the private access road an additional 3,700 feet into the Santa Monica Mountains, the Project could facilitate future development of adjoining and nearby properties, potentially leading to: (i) an extension or connection of the private access road to Costa Del Sol Way and/or Piuma Road; and/or (ii) further subdivision of the subject properties

[1] The LCP contains a Land Use Plan ("**LUP**") and a Local Implementation Program ("**LIP**").

and/or nearby properties, which would further contribute to the intensified use of, and impacts to, Serra Road and Sweetwater Mesa Road. Finally, by further enhancing vehicular access into the Santa Monica Mountains, the Project could induce development, expansion or the intensified use of public lands adjoining or near the Project site. At present, the CCC does not describe or analyze any of these significant impacts.

For these reasons, SPCOA respectfully urges the Commission to: (1) refuse to vote on the Project until the applicants and/or CCC staff analyzes all aspects of the Project, including the entire access road, or (2) modify the Project or impose enforceable mitigation measures to ensure compliance with all applicable provisions of the Coastal Act, the LCP and CEQA. If legal compliance cannot be achieved through Project modification or mitigation, then the Commission has no alternative but to deny the approval of the Project.

We further discuss the primary issues below.

I. Traffic Impacts

The Staff Report fails to describe, evaluate and mitigate the impacts resulting from the Project's reliance on Serra Road and Sweetwater Mesa Road, both during and after Project construction. Sweetwater Mesa Road is a limited, private access road only improved to an approximate roadway width of 16 feet (and even narrower in certain locations) and has highly restricted visibility and maneuverability (see Exhibit A.) The additional vehicles, including construction-related trucks of varying sizes, would severely impact safety to motorists, pedestrians, and bicyclists using Serra Canyon's narrow streets. In addition, the existing private access roads were not designed to handle the volume of additional vehicle traffic (including trucks) generated by construction of the Project. For example, as shown in Exhibit B, steel reinforcement bars have already been exposed on portions of Sweetwater Mesa Road.

As a means to highlight some of the likely impacts to the roadway curblines related to various construction-related vehicles using Sweetwater Mesa Road, the SCPOA retained Linscott, Law & Greenspan, a highly reputable transportation engineering firm, to prepare the following maneuvering studies:

- Exhibits C-1 and C-2 show a typical tandem truck used to remove dirt from a construction site.
- Exhibits C-3 and C-4 show a flatbed truck with a 59-foot trailer, typical equipment used to deliver lumber to construct the residential estates and caissons to construct the access road.
- Exhibits C-5 and C-6 show a smaller truck (42.5-foot trailer), typical for delivery of other construction materials to the Project site.

Exhibits C-1 , C-3 and C-5 show a detailed perspective of truck maneuvering on a curve of Sweetwater Mesa Road northeast of its intersection with Serra Road. The red highlighting on

the curb indicates that the curb would be impacted (*i.e.*, hit and/or truck tires driving over the curb) by the construction vehicle because the roadway design cannot accommodate such vehicle.

Exhibits C-2, C-4 and C-6 provide a wider view of the overall extent of Sweetwater Mesa Road through the existing SCPOA residential community, with the impacted sections of curb highlighted in red. In short, the SCPOA's analysis proves that a dirt hauler truck would impact at least one segment of roadway, a flatbed truck would impact approximately four sections of roadway, and smaller trucks would impact approximately two sections of roadway. These impacted roadway sections will cause severe traffic bottlenecks, especially during peak travel periods, and pose a significant risk that emergency response could be compromised in the event of a wildfire or other natural or man-made disaster.

Insufficient sight distance also exists for motorists exiting Serra Road onto PCH caused by the fact Serra Road lies on the "inside" of a curve in PCH (see Exhibit D, which shows the limited sight distance at the intersection of Serra Road and PCH from the westbound perspective). Additional vehicles turning to and from PCH onto Serra Road, particularly slower moving construction vehicles, would cause a safety impact to all motorists using the intersection. Moreover, the volume and speed of traffic on PCH would make left-turn exits from Serra Road onto PCH, particularly by slower moving construction vehicles, nearly impossible. As a result, it is likely that some construction vehicles will use Mariposa De Oro and Palm Canyon Lane to access Cross Creek Road, which is signalized at PCH.

Serra Road and Sweetwater Mesa Road were neither designed nor improved to accommodate the construction traffic necessary for completion of the Project, nor the long-term traffic resulting from a 3,700 foot extension. Nevertheless, the Staff Report recommends Commission approval of the Project based on analysis and the adoption of mitigation measures set forth in a Traffic Impact Analysis prepared by Associated Transportation Engineers, dated March 26, 2015 (the "**ATE Report**") (See Special Condition No. 21). However, the ATE Report is deficient in the following respects:

- It fails to include any maneuvering studies of large vehicles on Serra Road and Sweetwater Mesa.
- It fails to include a review of motorist sight distance at the Serra Road/PCH intersection, or along Serra Road and Sweetwater Mesa.
- It fails to include any discussion of impacts to existing roadway pavement, particularly caused by construction trucks.
- The analysis of construction impacts should be based on "peak" construction activity, not "average" operations. Also, a passenger equivalent factor of 2.0 or 3.0 should have been applied to the truck trips based on the extended portion of roadway used by these relatively large and slow-moving vehicles.

The technical memorandum prepared by Linscott, Law & Greenspan, dated May 11, 2015 attached and incorporated as Exhibit E (the "LLG Memo") specifies these methodological deficiencies in the applicants' traffic analysis. In addition, the LLG Memo also identifies the need for the following mitigation measures in addition to those identified in the ATE Report:

- Performance Bond(s) for SCPOA roadway repairs;
- Improve motorist sight distance at the Serra Road/PCH intersection to meet Caltrans standards;
- Post a guard at the Serra Road/Sweetwater Mesa Road intersection to prevent the use of Cross Creek Gate for exiting construction traffic; and
- Prohibit the use of engine brakes on Serra Road and Sweetwater Mesa Road.

Notwithstanding the addition of these mitigation measures, further measures will be warranted upon remedying the methodological deficiencies identified in the ATE Report above.

II. Fire and Life Safety Impacts

The Staff Report expressly acknowledges that "the [P]roject site is located in an area historically subject to significant natural hazards including, but not limited to, landslides, erosion, flooding and wild fire. Specifically, the project site contains complex geology, soils, and significant geologic hazards, including landslides" where "there is an extraordinary potential for damage or destruction from wildfire." (Staff Report, p. 7, 54).

The Los Angeles County Fire Department classifies the Project site location in the Santa Monica Mountains as a "Very High Fire Hazard Severity Zone". Moreover, as noted in the Staff Report, several significant wildfires have occurred in the area of the Project site, including in 2007, 1996, 1993, 1985, 1970, 1956 and 1942. (Staff Report, p. 54). The following particular site characteristics further contribute to the significant risks to life and property from wildfire presented by the Project:

> *"With slopes steeply descending from either side of the subject ridgeline to canyons below, the proposed home sites are situated in areas near or at the top of the ridge that are particularly vulnerable to fire hazard. Homes located in natural chimneys, such as narrow canyons and ridgetop saddles, are especially fire-prone because winds are swiftly funneled into these canyons and eddies are created. Homes located where a canyon meets a ridge are more likely to burn than other ridge-top homes because flames and convection heat hit the home directly rather than passing over."* (Staff Report, p. 54.)

While acknowledging such high risks from wildfire at the Project Site, the Staff Report also acknowledges that "[d]ue to the steepness and length of the proposed access route, the properties would be difficult to reach and traverse for emergency vehicles." In reaching this

conclusion, the Staff Report solely refers to the "1,980 foot long access road [that] is proposed to reach the subject properties." (Staff Report, p. 54.) However, in order to provide access from the Project Site to Sweetwater Mesa Road, the construction of an additional 1,700 foot section of private access road, through rugged terrain, will be required to connect to the current terminus of Sweetwater Mesa Road. This new construction is in addition to the current 1.5 mile Sweetwater Mesa private driveway, which, in existing form, has significant design limitations that could impede emergency response, particularly if construction or service vehicles are also utilizing the roadway. The Staff Report is silent on these points, ostensibly because it believes that the City of Malibu will analyze these impacts pursuant to its future CDP process for this segment of the access road.

In short, the applicants propose to develop a subdivision of residential estates in an extremely high-risk area that has severely limited access for emergency response. This fact directly contradicts Policy SN-20 of the LCP, which requires that "all new development is sized, designed and sited to minimize risks to life and property from fire hazard."[2]

As a result, the Project does not only jeopardize the life of property of its future inhabitants, but the entire Serra Canyon and Sweetwater Mesa community.

In addressing these significant risks, the Staff Report only indicates that the Project will: (i) include one fire department turnout area along the access road (presumably only the 1,980 portion on the Project site) to accommodate safe emergency vehicle access and staging; and (ii) will be required to obtain L.A. County Fire Department approval of a fire protection plan--Special Condition Twenty (20), which principally focuses on building-level improvements or systems, but is not expressly required to address access for emergency response vehicles. Special Condition Twenty (20) requires that the fire protection plan "shall analyze and incorporate, *where feasible*" (emphasis added) a range of wildfire protection measures including "exterior landscape irrigation systems." In light of the statewide drought and mandated reductions in water usage, it is wholly inappropriate to elect to develop in an area with a very high risk of wildfire and then rely upon landscaping irrigation as a primary means of fire prevention.

[2] Section 30253 of the Coastal Act also requires that "[n]ew development shall…[m]inimize risks to life and property in areas of high geologic, flood, and fire hazard." Furthermore, LCP Policy SN-21 requires the design and siting of new development "in a manner that minimizes the threat of loss from wildland fires while avoiding the need for excessive vegetation clearance."

III. Additional Violations of the Coastal Act and LCP

In addition to violating key LCP provisions concerning risks from wildfire, the Project also fails to comply with LCP policies concerning: (a) habit protection; and (b) siting of potable water delivery infrastructure. Approval of the Project in clear violation of these policies constitutes a violation of the Coastal Act.

A. Habitat. The Staff Report expressly acknowledges that the Project does not comply with LUP Policies CO-55 and 57 because the Project has not been designed to provide mandated buffers to avoid impacts to H1-designated purple needlegrass and rock outcrop habitat.

B. Water Infrastructure. The Staff Report expressly acknowledges that significant portions of the proposed 7,800 foot waterline extension will cause substantial disturbance of sensitive habitat, and will not be limited to a location with within a "legally existing roadway" or "road rights-ofway", as required by Section 22.44.1340-D of the LIP.

IV. CEQA & Improper Alternatives Analysis

Commission approval of the Project as currently designed and conditioned, and in reliance upon the Staff Report, would constitute a violation of the California Environmental Quality Act, Pub. Resources Section 21000 *et. seq.*, ("**CEQA**") for a variety of reasons.

First, to approve the Project, the Commission must find that there are no "feasible alternatives or feasible mitigation measures available that would substantially lessen a significant adverse effect that the activity may have on the environment."[3] The record contains no such finding. Accordingly, the Staff Report recommends that the Commission find that "[a]s conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment." (Staff Report, p. 110.)

However, the record is deficient on the evaluation of feasible alternatives or mitigation measures that would substantially reduce many of the Project's impacts, including the risks to public safety. This deficiency is exacerbated by the Commission's failure to even describe and analyze the full scope of the Project, including: a) the 1,700 foot new access road extension from Sweetwater Mesa Road in the City, b) the Project's reliance on, and impacts to, Serra Road and Sweetwater Mesa Road, both during and after Project construction, and c) the impacts associated

[3] Pub. Resources Code Section 21080.5, subd. (d)(2)(A). Note that the Commission fulfills its responsibilities under CEQA through its certified regulatory program, whereby the staff report serves as the "functional equivalent" of an Environmental Impact Report.

with drilling a Project-specific water line through 6600' of H1 and H2 habitat. (Staff Report, p. 74.)

While the Staff Report alludes to reviewing certain Project alternatives (*e.g.*, Staff Report, p. 76), the Staff Report fails to specify a single alternative Project reviewed or analyzed by CCC staff and similarly fails to reference a less (or more) intensive alternative acceptable to staff. CCC staff admit that, for purposes of its takings analysis, the relevant property area is something less than five separate parcels. (Staff Report, p. 78.) However, the Staff Report does not review of analyze anything but a five-estate Project on the land footprint proposed by the applicants. (See Staff Report, p. 82, "[T]he Commission finds the approval of five clustered houses to represent a reasonable approach"). While the SCPOA understands that the CCC staff approves of the proposed Project, analysis of a less intense land use (*e.g.*, 2 or 3 homes with the proposed or reduced development footprint) may yield reduced overall impacts. The Staff Report and the record do not contain or reference analysis of an economically viable, less intense land use or less intense Project alternative.

Second, in addition to failing to analyze logical and viable Project alternatives, the CCC Staff Report illegally splits the Project and, thus, fails to analyze the aspects of the Project left to others to consider. For example, the Project supported by staff fails to analyze significant Project elements within the City of Malibu, such as the access road. By wholly ignoring the Project elements within the City, the Commission has failed to properly identify and evaluate the proper scope of the Project and evaluate the "whole of the action." *Laurel Heights Improvements Assoc. v. Regents* (1988) 47 Cal.3d. 376, 396; see also CEQA Guidelines Section 15378, subd. (a)). This is commonly known as "piecemeal" review or "project splitting". The Staff Report's failure to include any discussion and analysis of impacts within the the City precludes informed decision-making, and the Commission's reliance on the Staff Report for CEQA purposes would constituting a prejudicial abuse of discretion. (See *Assn. of Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1391, *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 712.)

Accordingly, in order the satisfy the substantive mandates of CEQA, the Commission must consider and evaluate the Project's use and reliance on SCPOA private access roads, and the extension of the same, as well as their reasonably foreseeable impacts. Proper review and analysis of these points could even sway the CCC staff's takings analysis (Staff Report, pp. 76-83) such that a less onerous and impactful alternative could be developed and recommended for approval.

V. Induced Development

SCPOA's final issue of significant concern involves the Project's potential to catalyze even further development in this sensitive hillside area, which would also worsen and increase the traffic impacts and risks of diminished emergency response discussed above. Specifically, upon completion of the Project's two-plus mile access road, it is reasonably foreseeable that other

nearby property owners would initiate development proposals. Moreover, risk exists that the Project applicants would amend the Project to further intensify the development (e.g. through the creation of additional legal lots.) This risk was previously identified by the City during its initial consideration of the Project elements (*i.e.*, the access road and related improvements) that fall within its jurisdiction. At that time, the City had proposed a number of conditions to minimize the reasonably foreseeable risk that the Project will catalyze further development.[4]

The following conditions, which mirror the City's proposed conditions, are entirely reasonable and fall squarely within the CCC's jurisdiction:

- Applicants shall be required at any future time deemed necessary to show the access rights, if any, of all surrounding parcels to the nearest public right-of-way, and if access is provided to Sweetwater Mesa Road from any of the surrounding properties, the CDP shall not be effective unless this condition is amended or waived by the Commission through a noticed public hearing.

- Sweetwater Mesa Road must be terminated after the access point to the Ronan Property (APN 4453-005-038) and the applicants must record deed restriction (a) limiting the access rights to this portion of Sweetwater Mesa Road to five lots (APNs 4453-005-018, 4453-005-092, 4453-005-037, 4453-005-091, 4453-005-038) and (b) prohibiting future division of the properties. Any subsequent easement, road or other means of access to Sweetwater Road by any surrounding parcels or any future extension of access beyond the termination access point to the Ronan Property (APN 4453-005-038) shall be deemed a violation of this condition and this CDP and will void this CDP.

- If the private access road is ever physically connected to a road or any property to the north of the five lots in a manner that results in automobile traffic passing freely and regularly between the road or any property in unincorporated Los Angeles County through to Sweetwater Mesa Road in Malibu via the private access road or any portion thereof, as it now exists or as it may be modified in any way in the future, that is the subject of the CDP, the CDP and all rights granted pursuant to the CDP and the variances shall become null and void. In the event that the CDP becomes null and void pursuant to any condition of the CDP, each of the property owners (jointly and severally) shall be obligated and shall restore the private access road and any associated grading with the road construction to its natural state as it existed prior to construction and shall immediately abandon the access easement.

[4] Malibu City Council Resolution No. 09-02, Condition Nos. 23-27, 29.

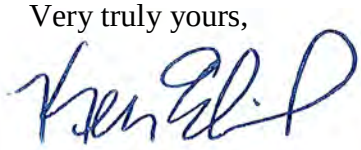
- Prior to the commencement of any grading or construction for the Project, the applicants shall record deed restrictions against each of the five building lots (APNs 4453-005-018, 4453-005-092, 4453-005-037, 4453-005-091, 4453-005-038) forever prohibiting any future subdivision or splitting of said lots, as well as forever prohibiting non-residential, non-agricultural, or non-animal husbandry uses.

- A certified copy of any recorded agreement, deed, easement or other instrument associated with the five lots (APNs 4453-005-018, 4453-005-092, 4453-005-037, 4453-005-091, 4453-005-038), the northerly ten acre parcel (APN 4453-005-013), and the subject access easement, whether inside the City of Malibu or in unincorporated Los Angeles County, which grants or creates rights of parcels other than the five lots to access Sweetwater Mesa Road shall be filed with the Commission within 30 days of recordation.

VI. Conclusion

SCPOA appreciates the Commission's consideration of the information above and the opportunity to further present these issues to the Commission at the May 14 hearing on the Project. Please contact us if you have any questions or wish to discuss these matters further.

Very truly yours,



KENNETH A. EHRLICH,
a Professional Corporation of
Elkins Kalt Weintraub Reuben Gartside LLP

KAE

cc: Dr. Charles Lester (via email)
Mr. Jack Ainsworth (via email)
Ms. Jacqueline Blaugrund (via email)
Supervisor Sheila Kuehl (via email)
Mr. Richard J. Bruckner, Los Angeles County Director of Regional Planning (via email)
Ms. Nicole Englund (via email)
Ms. Christi Hogin, Esq. (via email)

EXHIBIT A


6WYG896


6WYG896



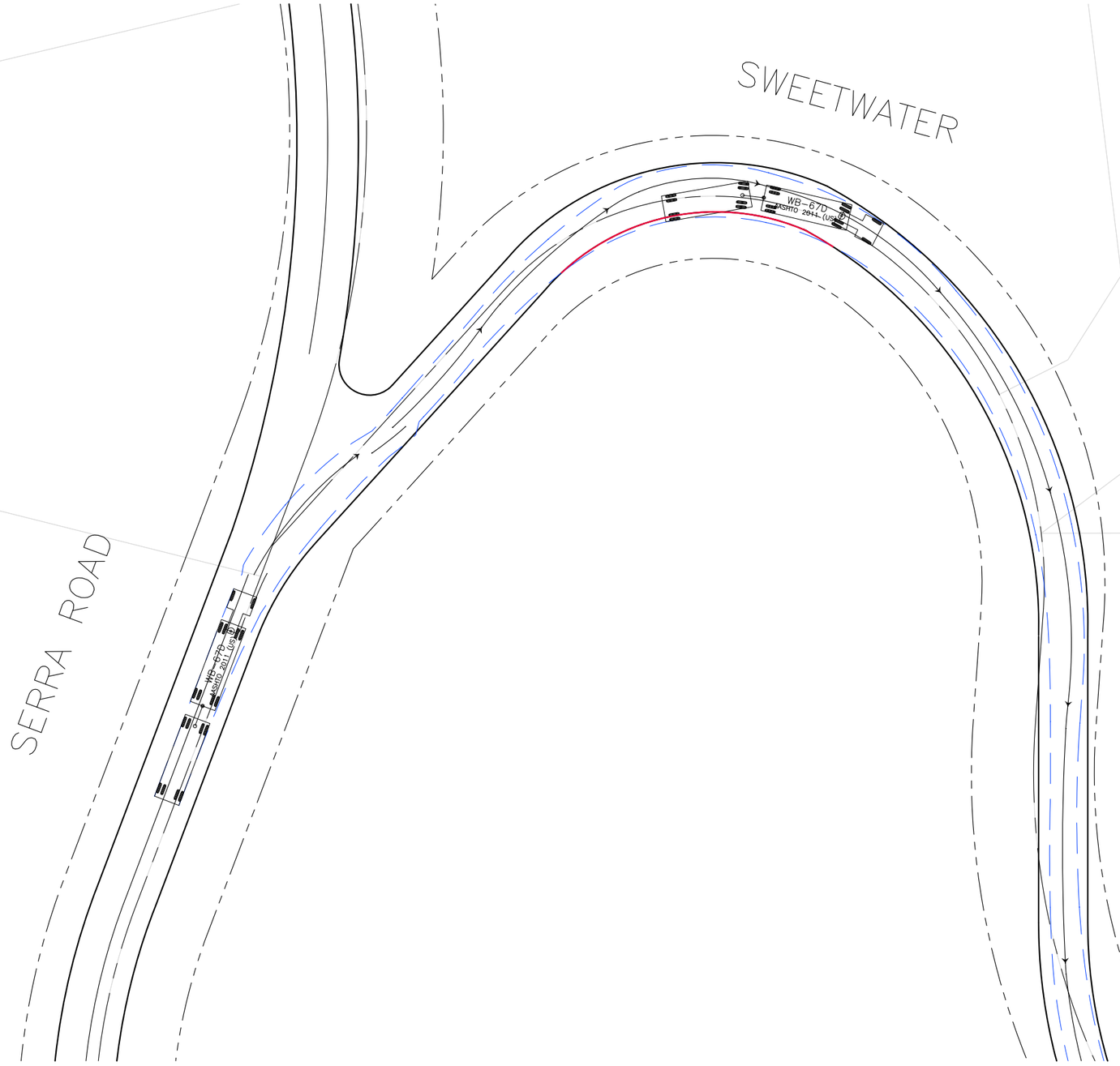


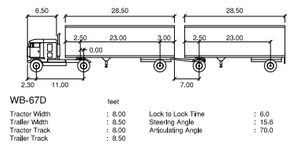


EXHIBIT B



EXHIBIT C

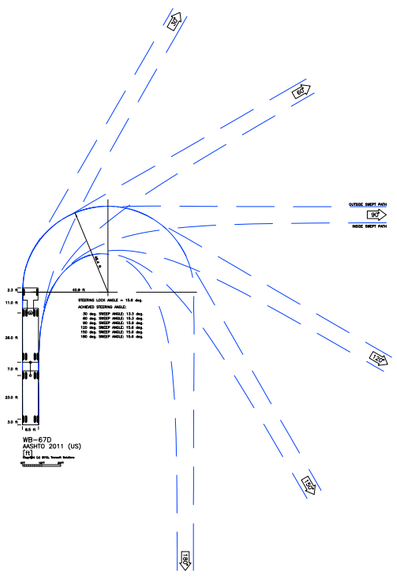




WB-67D

feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 15.6
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		



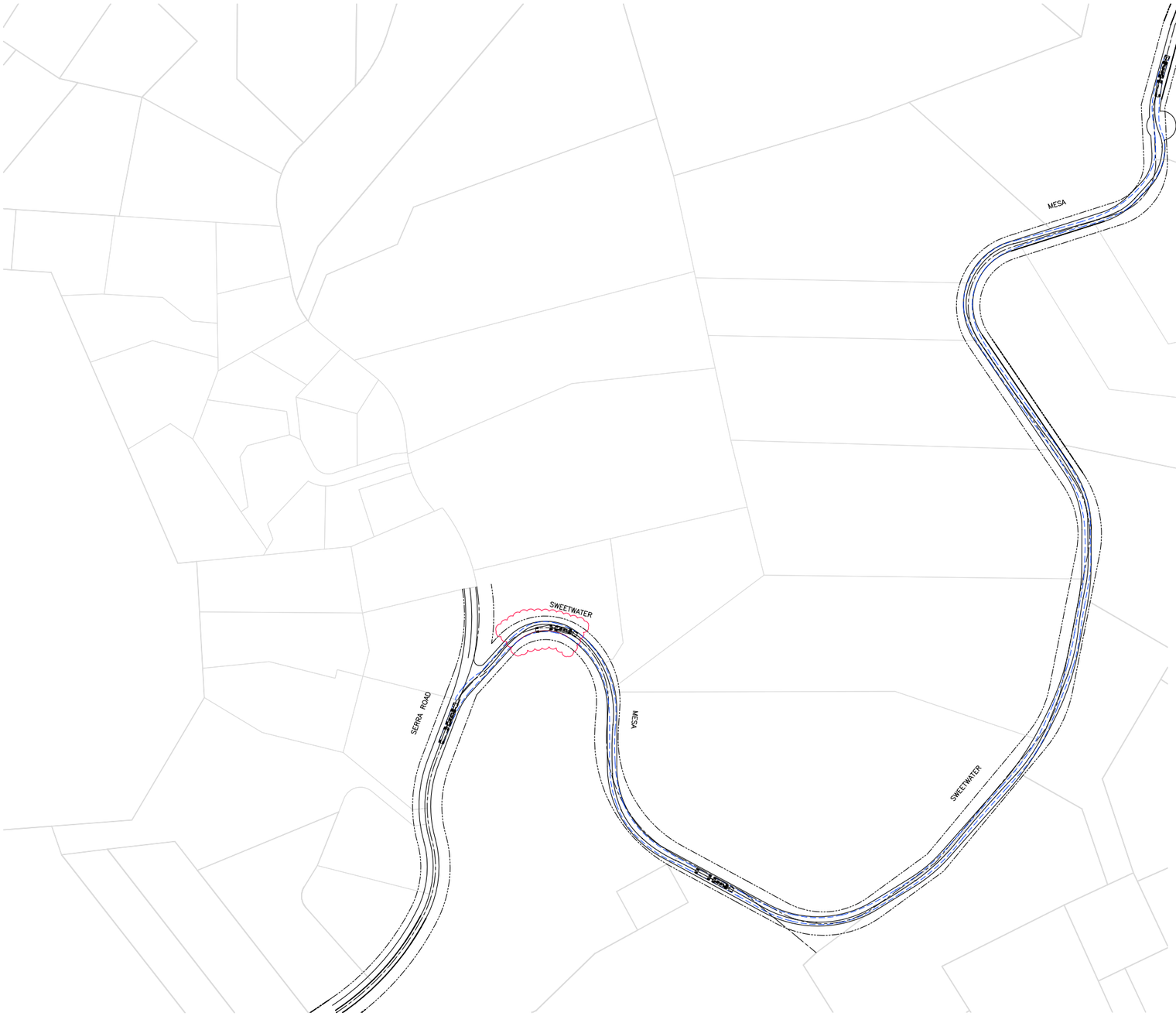
LINSCOTT LAW & GREENSPAN engineers

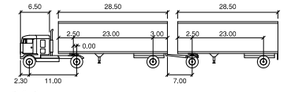
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1"=40'

EXHIBIT C-1
CONSTRUCTION TRUCK MANEUVERABILITY
WB-67D DOUBLE TRAILER TRUCK
SERRA CANYON REVIEW

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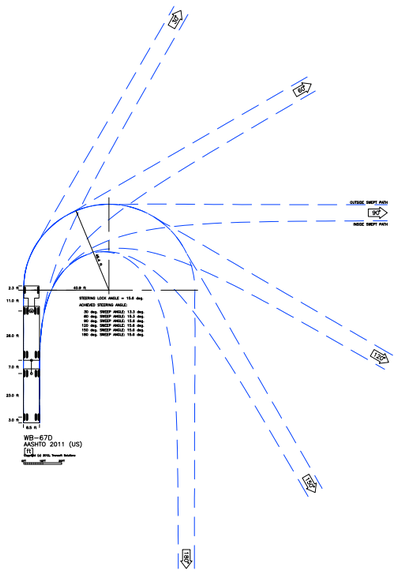




WB-67D

feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 15.6
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		



LINSCOTT LAW & GREENSPAN engineers

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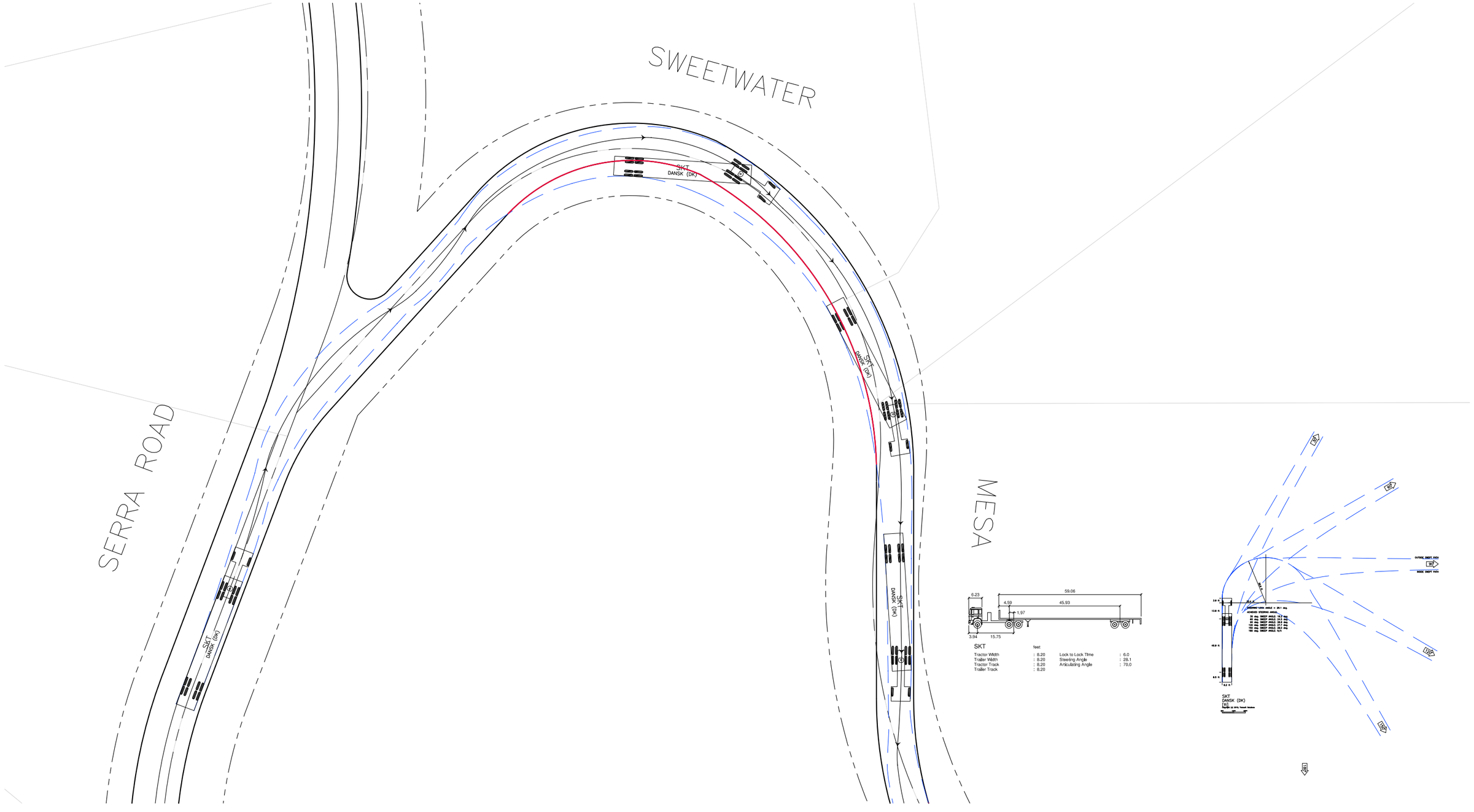
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LEGEND

STREET IMPACT AREA

EXHIBIT C-2
CONSTRUCTION TRUCK STREET IMPACT AREAS
WB-67D DOUBLE TRAILER TRUCK
SERRA CANYON REVIEW

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SKT

feet

Tractor Width	: 8.20	Lock to Lock Time	: 6.0
Trailer Width	: 8.20	Steering Angle	: 28.1
Tractor Track	: 8.20	Articulating Angle	: 70.0
Trailer Track	: 8.20		

LINSCOTT LAW & GREENSPAN engineers

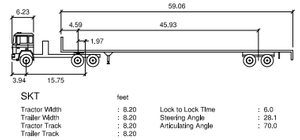
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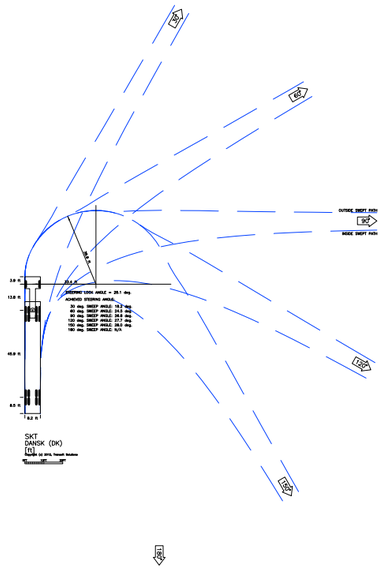
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EXHIBIT C-3
CONSTRUCTION TRUCK MANEUVERABILITY
SKT FLAT BED TRUCK
SERRA CANYON REVIEW

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LINSCOTT LAW & GREENSPAN engineers

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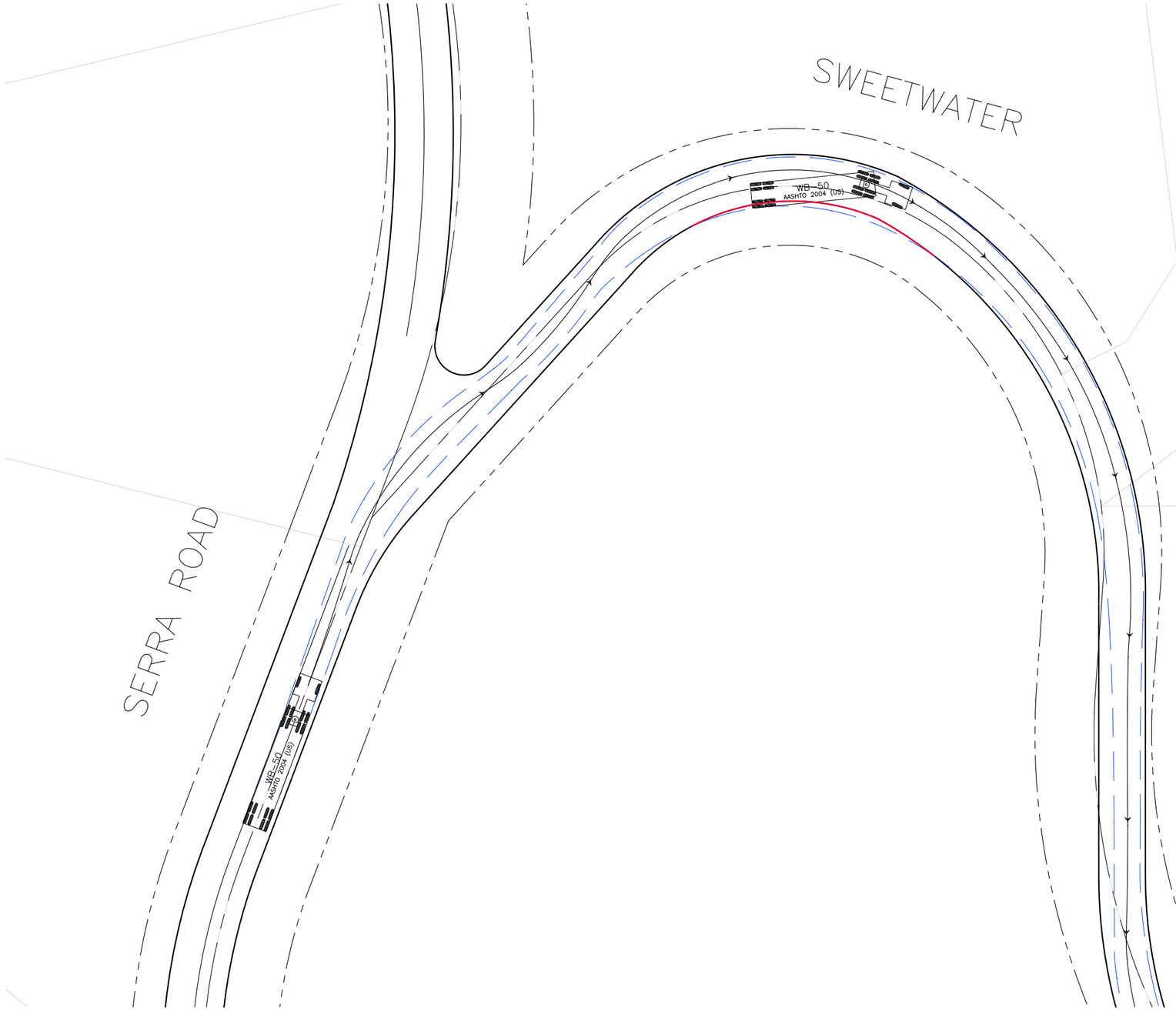
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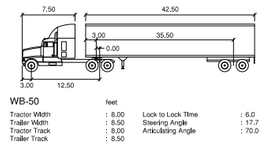
LEGEND

STREET IMPACT AREA

EXHIBIT C-4
CONSTRUCTION TRUCK STREET IMPACT AREAS
SKT FLAT BED TRUCK
SERRA CANYON REVIEW

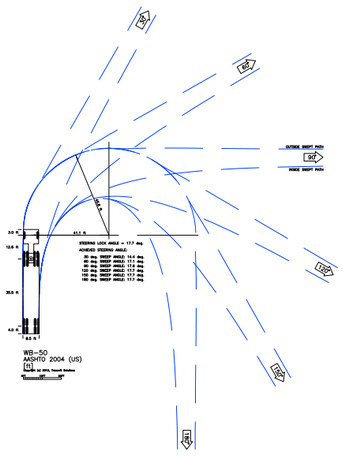
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WB-50 feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		



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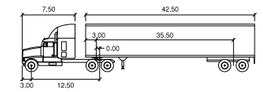
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1"=40'

EXHIBIT C-5
CONSTRUCTION TRUCK MANEUVERABILITY
WB-50 TRUCK
SERRA CANYON REVIEW

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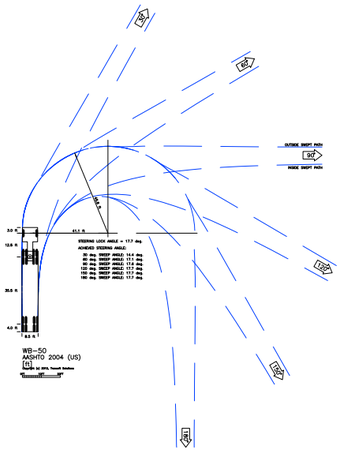




WB-50

feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		



LINSCOTT LAW & GREENSPAN engineers

N

1"=40'

LEGEND

STREET IMPACT AREA

EXHIBIT C-6
CONSTRUCTION TRUCK STREET IMPACT AREAS
WB-50 TRUCK
SERRA CANYON REVIEW

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EXHIBIT D



EXHIBIT E

MEMORANDUM

To:	Kenneth A. Ehrlich Elkins Kalt Weintraub Reuben Gartside LLP	Date:	May 11, 2015
From:	David S. Shender, P.E. Linscott, Law & Greenspan, Engineers	LLG Ref:	5-15-0157-1
Subject:	**Comments and Recommended Mitigation Measures Related to the Sweetwater Mesa Residential Projects**		

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This memorandum has been prepared by Linscott, Law & Greenspan, Engineers (LLG) to provide a summary of our review of pertinent traffic and safety issues related to the Sweetwater Mesa Residential Projects (the "Projects"). In addition, this memorandum provides recommended traffic mitigation measures beyond those listed in the traffic study prepared for the Projects by Associated Transportation Engineers[1] (the ATE traffic study). In conjunction with our review of the ATE traffic study, LLG has also reviewed the staff report prepared by the California Coastal Commission[2] for the Projects.

Essentially all construction-related traffic will travel through roads owned and maintained by the Serra Canyon Property Owners Association (the "Association") and/or local residents, most specifically Serra Road and Sweetwater Mesa Road. These roadways are designed to accommodate limited residential traffic and not regular truck traffic. Therefore, the traffic impacts related to construction of the Projects will be significant, as stated in the ATE traffic study.

We have the following comments to the ATE traffic study that would require revision to the analysis of traffic impacts due to construction of the Projects:

- Traffic Analysis Should Be Based on Peak Construction Activities. The analysis of traffic impacts due to construction of the Projects as provided in the ATE traffic study is based on "average" construction activities (e.g., see Tables 2, 3 and 4 in the ATE traffic study). From our experience (both in preparing evaluations of impacts due to construction, as well as in review of analyses prepared by other traffic engineering firms), the analysis of impacts due to construction is based on peak activities, particularly related to trucks. This would be particularly true at the Projects during peak days of dirt removal from the site, as well as during large concrete pours for building foundations. The traffic analysis should be revised to evaluate peak construction only.

[1] *Traffic Impact Analysis for the Construction Phase of the Sweetwater Project, Santa Monica Area of Los Angeles County*, Associated Transportation Engineers, March 26, 2015.
[2] *Staff Report: Regular Calendar, CDP Application Numbers 4-10-040, 4-10-041, 4-10-044, 4-14-0598, 4-14-1094*, Staff Report: September 18, 2014.

- Traffic Analysis Fails to Apply a Passenger Car Equivalency Factor for Trucks. The ATE traffic study does not apply a passenger car equivalency factor for construction trucks. It is common in evaluating traffic impacts due to construction to apply a passenger car equivalency factor to the forecast truck trip generation due to the larger amount of roadway space utilized by trucks (e.g., due to the fact that they are larger than passenger vehicles and are slower-moving). Based on national references such as the *Highway Capacity Manual*, a passenger car equivalency factor of 3.0 should be applied to construction trucks on hilly roads such as Serra Road and Sweetwater Mesa Road. Therefore, the truck trip generation forecast should be multiplied by a factor of 3.0 to determine the equivalent number of cars that construction of the Projects will generate.

- No Analysis Has Been Prepared to Determine the Size of Vehicles that Can Be Accommodated on Sweetwater Mesa Road. The ATE traffic study acknowledges that Sweetwater Mesa Road is extremely narrow in some sections (less than 16 feet). The ATE traffic study, however, does not provide any vehicle maneuvering studies (e.g., using the AutoTurn software) to assess potential limitations to the size of large trucks related to construction of the Projects (as well as other trucks after completion of the Projects, so as moving trucks) that can be accommodated on Sweetwater Mesa Road without causing damage to the roadway and/or adjacent property.

Page 7 of the ATE traffic study provides a list of eight "Mitigation Measures" to mitigate the significant traffic impacts of the Projects. We would recommend that these measures be incorporated as conditions of approval for the Projects. In addition, the following additional measures are recommended to mitigate the significant traffic operational and safety impacts of the Projects:

- Performance Bond for Roadway Repairs. We disagree with the assessment provided on page 6 of the ATE traffic study whereby it states that the existing roadway pavement is "good" on the section of Serra Road between Pacific Coast Highway and Sweetwater Mesa Road, and on Sweetwater Mesa Road north of Serra Road. In fact, the ATE traffic study does not provide any analysis related to the structural integrity of Serra Road and Sweetwater Mesa Road. For example, it is not known if Serra Road (which has an asphalt surface) was constructed to handle the high volume of heavy construction vehicles that will be generated by the Projects. Further, on Serra Road, simply visual inspection of the existing concrete roadway shows that the concrete surface is worn and cracked, and that steel reinforcement rods are protruding through the surface.

Mitigation Measure #8 on page 7 of the ATE study appropriately recommends documenting existing roadway pavement conditions on Serra Road and Sweetwater Mesa Road, and repair any damage caused as a result of construction of the Projects. As the roadway repairs would likely happen at the end of construction, there is no certainty that funds would be available from the Projects to make the required roadway repairs.

Accordingly, LLG recommends that the applicant(s) of the Projects be required to post a performance bond to ensure that funds are available to make needed roadway repairs. The bond (e.g., for $1,000,000) would not limit the applicant's responsibility for providing additional repairs, if needed.

- Improve Motorist Sight Distance at Serra Road/Pacific Coast Highway to Meet Caltrans Standards. The ATE traffic study does not address existing motorist sight distance constraints at the Serra Road/Pacific Coast Highway intersection. That is, for motorists exiting Serra Road onto Pacific Coast Highway and turning left or right, there is currently an insufficient line of sight available for motorist waiting to make the turn to safely judge oncoming traffic along Pacific Coast Highway. This will be exacerbated by construction trucks related to the Projects exiting Serra Road onto Pacific Coast Highway. In general, construction vehicles (concrete mixers, dirt haulers, etc.) are slow-moving and therefore require a greater line of sight due to the greater gap in traffic needed for these large vehicles to safely exit Serra Road onto Pacific Coast Highway.

  Pacific Coast Highway is State Route 1. The Caltrans *Highway Design Manual* provides the required motorist sight distance for private road intersections with State highways. For State highways with a design speed of 55 miles per hour, [3] Table 201.1 in the *Highway Design Manual* states that a minimum stopping sight distance of 500 feet shall be provided at private road connections. The Serra Road intersection is located on the "inside" of the curve of Pacific Coast Highway, with vegetation growth on both sides of the intersection, which limits the available sight distance for motorists exiting onto Pacific Coast Highway. From our field review, we measure the available sight distance to be less than 400 feet in each direction (to the east and west for motorists turning left or right onto Pacific Coast Highway). Therefore, it is recommended that the Projects modify vegetation and construct other improvements as needed at the Serra Road/Pacific Coast Highway intersection so as to provide the minimum 500 feet of motorist sight distance in each direction to the satisfaction of Caltrans.

[3] The design speed is typically determined to be 10 miles per hour greater than the posted speed limit. The posted speed limit for Pacific Coast Highway near Serra Road is 45 miles per hour.

- Post a Security Guard at the Serra Road/Sweetwater Mesa Road Intersection to Prevent Use of the Cross Creek Gate. The ATE traffic study assumes that all construction-related traffic will utilize the Serra Road gate but does not provide adequate measures to ensure that construction-related vehicles will not attempt to use the Association's Cross Creek gate. Portions of the Association's roadways leading from the Serra Road/Sweetwater Mesa Road intersection to the Cross Creek gate are very narrow (i.e., on some segments, there is only roadway width available for one car to pass at a time). Therefore, it is critical from a traffic safety standpoint to ensure that all construction-related traffic associated with the Projects utilize only the Serra Road gate.

  The Association's security station at the Cross Creek gate can screen inbound traffic to help minimize construction-related traffic that may try to access the construction site via the Cross Creek gate, but there is less control of outbound vehicles. The Cross Creek gate provides access to the Cross Creek Road/Pacific Coast Highway intersection, which is controlled by a traffic signal whereas the Serra Road intersection with Pacific Coast Highway is controlled by a stop sign facing Serra Road traffic. Thus, there is a valid concern that some construction vehicles will attempt to exit the Association property via the Cross Creek gate so as to access the traffic signal at Pacific Coast Highway, particularly by vehicles destined to the east on Pacific Coast Highway (i.e., who would otherwise be required to make a left-turn from Serra Road onto Pacific Coast Highway).

  To prevent construction-related traffic from attempting to utilize the Cross Creek gate, it is recommended that the applicant fund the posting of a security guard at the Serra Road/Sweetwater Mesa Road intersection during hours of construction. The guard will be responsible to ensuring that all inbound and outbound construction vehicles associated with the Projects utilize the Serra Road gate.

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- Require that Trucks are Not Permitted to Use Engine Brakes on Serra Road and Sweetwater Mesa Road. Roadway segments leading between Pacific Coast Highway and the construction site of the Projects feature significant grades, as well as horizontal and vertical curves, which will require all vehicles, particularly trucks, to use brakes. Some truck drivers will use engine breaks (referred to as "jake breaking") in order to limit use of regular breaks. This practice, however, emits significant noise, and therefore shall not be permitted on all portions of Serra Road and Sweetwater Mesa Road.

cc: File

STAFF

CAL. COASTAL COMMISSION

89 S. CALIFORNIA ST.

SUITE 200

VENTURA CA

93001

IN FAVOR

AGENDA # Th l6 a-Th 16f

MAY 08 2015

APPLICATION #

4-14-1094

CARL F. ERMERT

OWNER APN #4453-005-054

MAY 08 2015

My wife Gwen and I are owners of APN No.-054, five acres which adjoin the Sweetwater Mesa/Evans Project to the north. We have owned this property since 1986 and, since then, have accessed our property over a jeep trail which was bladed up to and on to our land from Sweetwater-Mesa Road to the south.

For years Evans' project has claimed that we had an easement over properties toward Piuma to the north of our five acres, and that we were not land-locked. Unfortunately, the Coastal Commission, the City of Malibu, and the Superior Court all have relied on the Evans misrepresentation of the facts. My wife and I were at the Coastal Commission meeting in Marina Del Rey on June 16, 2011, to witness the Schmitz/Evans presentation with "proof" that our APN-054 did not have a legal access over the Sweetwater Mesa/Evans project. Their "proof" stated that "...it is not possible for parcel APN-054 to have an easement by necessity over the subject (Evans) parcels."

The document presented to prove our easement from the north was altered from the original document (see attachment B) The original non-altered document shows that portion of the claimed northern easement is indicated in yellow. It passes over roadways and parcels which were created without the approval of the Los Angeles Department of Regional Planning's oversight or approval.

These parcels and roadways have Certificates of Compliances which have not been completed or perfected to date. No buildings, roads or easements are possible over them. The original document (attachment B) indicates Document No. 87-1764795 very clearly which is highlighted in yellow and green. This recorded four page document is attached. (See attachment C)

The power point document. (See attachment A) is marked "Altered" and is high-lighted in yellow. An enlargement of this area (See attachment D) clearly indicates the altered #4793 with the three being a different style of print than those in the upper area of the original.

The power point document presented to Coastal as "evidence" leads one to believe that the Evans project was purposefully deceptive and that they were aware that APN-054 had no easement to the north. After a very thorough investigation by the Los Angeles Department of Regional Planning and Enforcement, our Certificate of Compliance (See attachment E) has determined that a "Legal" Access from the subject property to the nearest public street has not been established." The nearest public street would be Costa Del Sol/ Piuma Road to the north.

The Evans project has determined that we do not have an access easement over their project (See attachment F)

We do not have easements to APN#-054. We are definitely landlocked and an easement across the Evans property will be sought by us.

Thank you for your consideration.

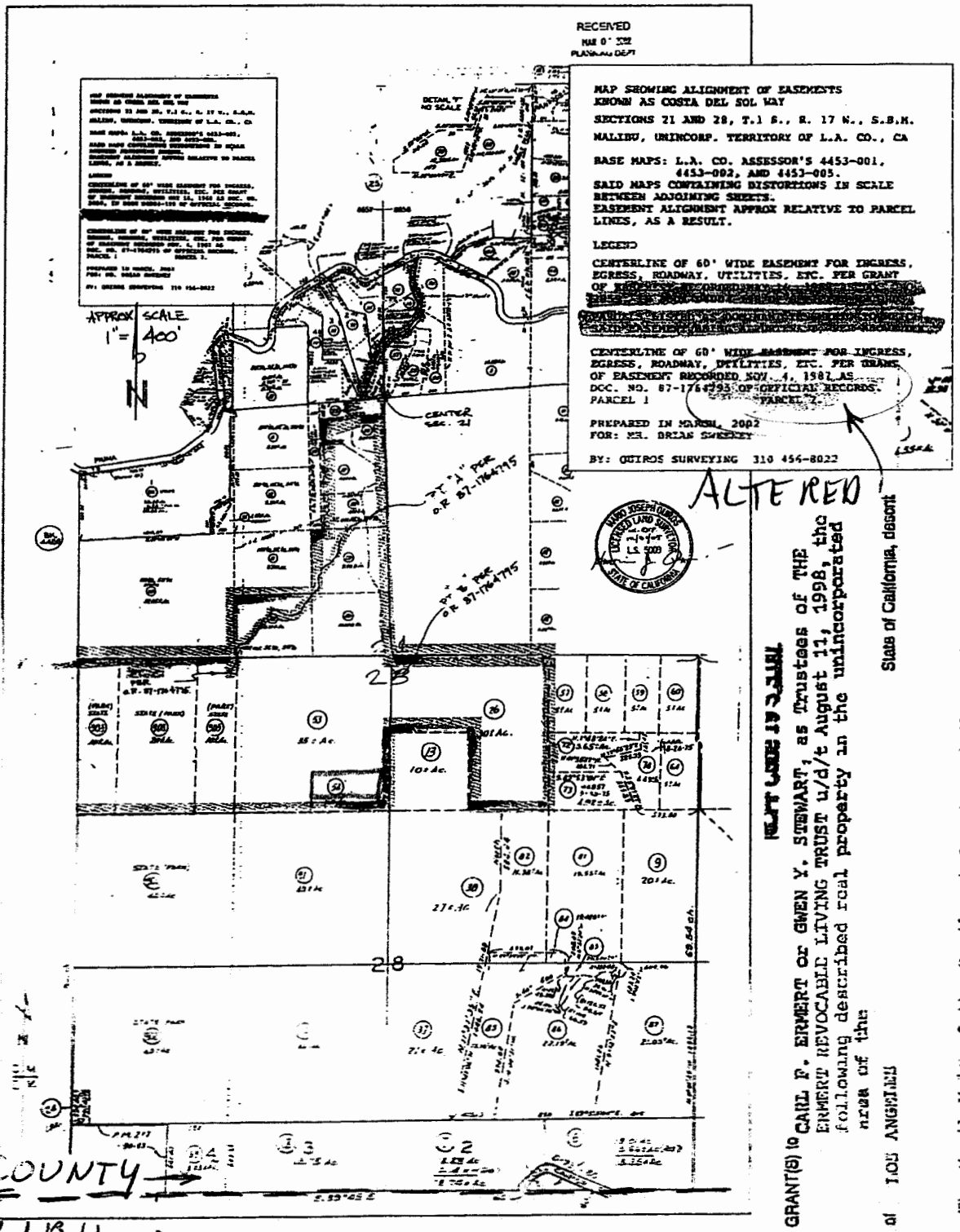
CARL F. ERMERT

(A)

EVANS PRESENTED TO COASTAL JUNE 16, 2011 T PROVE WE HAD AN EASEMEI TO THE NORTH!

Properties to the North:

- Properties to the north have access to the north from Piuma Road/Costa Del Sol Way
- APN 4453-005-054 was included with the parcels listed as "dominant tenement" (highlighted blue), which benefited from an easement recorded in 1968 over Costa Del Sol Way. It is not possible for parcel -054 to have an easement by necessity over the subject parcels.



CARL ERMENT P.O. Box 1749 TWIN HARTE CA 95383
GWENMENT@MLODE.COM
FAX [redacted] bunnchio@MLODE.COM

L.A. COUNTY →
MALIBU →

RECORDING REQUESTED BY
TICOR TITLE COMPANY

AND WHEN RECORDED MAIL TO
NAME Transamerica Financial Srvcs.
ADDRESS P.O. BOX 4327
CITY & STATE Chatsworth, Ca. 91313

Title Order No. 8376561 Escrow No.

87 1764703
RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CA
NOV 4 1987 AT 8 A.M.
Recorder's Office

SPACE ABOVE THIS LINE FOR

J. Guest

DEED OF TRUST AND ASSIGNMENT OF RENTS

LICENSE NO. 903 2879

DATE OF THIS DEED OF TRUST AND OF THE LOAN TRANSACTION	DAY, MONTH AND YEAR OF THE FIRST MONTHLY INSTALLMENT	ACCOUNT NUMBER
October 30, 1987	November 4th, 1987	

BENEFICIARY	TRUSTOR(s)
TRANSAMERICA FINANCIAL SERVICES ADDRESS P.O. BOX 4327 CITY Chatsworth, Ca. 91313	(1) John Peter Nolan and Leah Nolan, Husband and wife as joint tenants, as to an undivided 50% interest,*** (2) NAME OF TRUSTEE TICOR TITLE COMPANY

THIS DEED OF TRUST SECURES FUTURE ADVANCES

By this Deed of Trust, the undersigned (all, if more than one), hereafter "Trustor", for the purpose of securing payment of a Promissory Note of even date in the sum of $ 32,087.92 from Trustor to Beneficiary above named, any extensions, renewals, or revisions of said Note, and all future advances from Beneficiary to Trustor, hereby grants, transfers and assigns to the above named Trustee in trust, with power of sale, the following described real estate together with all improvements thereon situated in California, County of **Los Angeles**

LOT 12 OF TRACT 32917, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 903, PAGES 96 TO 98 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

***and Alice Bazarian, a widow, as to an undivided 50% interest, as tenants in common.

If the Trustor shall fully pay according to its terms the indebtedness hereby secured then this Deed of Trust shall become null and void.

Should Trustor sell, convey, transfer or dispose of, or further encumber said property, or any part thereof, without the written consent of Beneficiary being first had and obtained, then Beneficiary shall have the right, at its option, to declare all sums secured hereby forthwith due and payable.

Upon default by Trustor in payment of any indebtedness secured hereby or in the performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of Beneficiary and without demand but upon notice to Trustor. In such event and upon written request of Beneficiary, the Trustee shall sell, for lawful money of the United States, the property then subject to this Deed of Trust, as a whole or in separate parcels, at Beneficiary's option, in accordance with the provisions of the Laws of the State of California in force at the time of such sale, and if in separate parcels, in such order as Beneficiary may direct, at public auction to the highest bidder for cash in lawful money of the United States, payable at the time of sale. Trustee may postpone the sale of all or any portion of said property by public proclamation at the time and place of sale, and from time to time thereafter may postpone such sale by public proclamation at the time fixed by the preceding postponement. Trustee shall apply the proceeds of sale to payment of: all sums expended under the terms hereof, not then repaid; all other sums then secured hereby, and the remainder, if any, to the person or persons legally entitled thereto, unless otherwise prohibited by law, upon default by Trustor in payment of any indebtedness secured hereby or in the performance of any agreement hereunder, Trustor agrees to pay any appraisal costs requested by Beneficiary to obtain a current market evaluation of the above described real property.

This Deed inures to the benefit of, and binds all parties hereto, their heirs, legatees, administrators, executors, successors and assigns.

Trustor agrees to keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

Trustor agrees to pay, when due all taxes, liens, (including any prior Trust Deeds) and assessments that may accrue against the above described property and in default thereof Beneficiary may (but is not obligated to do so and without waiving its right to declare a default) pay such lien, tax or assessment. Trustor further agrees to maintain insurance in such forms and amounts as may be satisfactory to the Beneficiary as mortgagee loss payee. If Trustor shall fail to do so, Beneficiary may (but is not obligated to do so and without waiving its right to declare a default) procure such insurance. Any premiums, tax, lien or assessment, as well as any cost or expense that the Trustor has agreed to pay in any other provision of this instrument, shall, upon payment by the Beneficiary, be added to the unpaid principal balance of the obligations herein and be secured by this Deed of Trust and shall bear interest from the date of payment at the interest rate of charge as set forth in the Promissory Note.

As additional security, Trustor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Trustor the right, prior to any default by Trustor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

Trustor agrees to appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in any such action or proceeding in which Beneficiary or Trustee, or both, may appear, including any suit for the foreclosure of this Deed or any Beneficiary.

Beneficiary may, without the commencement of Trustee and/or Trustee, at any time and from time to time, by instrument in writing substitute a successor or successors to any Trustee named herein or acting hereunder, which instrument, when properly executed, acknowledged and recorded in the office of the Recorder of the County where said property is situated, shall be conclusive proof of proper substitution of such successor Trustee, who shall succeed to all of the title, estate, rights, power and duties. Beneficiary may exercise a fee not to exceed $50.00 as permitted by Section 2943 of the California Civil Code for furnishing to an "entitled person" or such person's authorized representative the statement required by said section.

THE UNDERSIGNED TRUSTOR REQUESTS THAT A COPY OF ANY NOTICE OF DEFAULT AND ANY NOTICE OF SALE HEREUNDER BE MAILED TO HIM/HER/THEM AT HIS/HER/THEIR ADDRESS AS SET FORTH ON THE REVERSE SIDE HEREOF.

OFFICIAL SEAL
MICHAEL S. NOLAN
NOTARY PUBLIC — CALIFORNIA
PRINCIPAL OFFICE IN
LOS ANGELES COUNTY
My Commission Expires May 20, 1990

Signature of Trustor

Alice Bazarian
John Peter Nolan
Leah Nolan

STATE OF CALIFORNIA } ss.
COUNTY OF

On this 30th day of October in the year 1987, before me Michael S. Nolan, a Notary Public in and for Los Angeles County, California, personally appeared John Peter Nolan, Leah Nolan and Alice Bazarian

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged that he/she/they executed it.

Notary's Signature

Type or Print Notary's Name Michael S. Nolan

18-841 (Rev. 10-85)

ORIGINAL

B

RECEIVED
MAR 07 2002
PLANNING DEPT

MAP SHOWING ALIGNMENT OF EASEMENTS
KNOWN AS COSTA DEL SOL WAY

SECTIONS 21 AND 28, T.1 S., R. 17 W., S.B.M.

MALIBU, UNINCORP. TERRITORY OF L.A. CO., CA

BASE MAPS: L.A. CO. ASSESSOR'S 4453-001,
4453-002, AND 4453-005.
SAID MAPS CONTAINING DISTORTIONS IN SCALE
BETWEEN ADJOINING SHEETS.
EASEMENT ALIGNMENT APPROX RELATIVE TO PARCEL
LINES, AS A RESULT.

LEGEND

CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED MAY 16, 1968 AS DOC. NO. 2859, IN BOOK D4004-198 OF OFFICIAL RECORDS.

[redacted]

CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED NOV. 4, 1982 AS DOC. NO. 87-1764795 OF OFFICIAL RECORDS.
PARCEL 1 PARCEL 2.

PREPARED IN MARCH, 2002
FOR: MR. BRIAN SWEENEY

BY: QUIROS SURVEYING 310 456-8022

MAP SHOWING ALIGNMENT OF EASEMENTS
KNOWN AS COSTA DEL SOL WAY
SECTIONS 21 AND 28, T.1 S., R. 17 W., S.B.M.
MALIBU, UNINCORP. TERRITORY OF L.A. CO., CA
BASE MAPS: L.A. CO. ASSESSOR'S 4453-001, 4453-002, AND 4453-005.
SAID MAPS CONTAINING DISTORTIONS IN SCALE BETWEEN ADJOINING SHEETS.
EASEMENT ALIGNMENT APPROX RELATIVE TO PARCEL LINES, AS A RESULT.
LEGEND
CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED NOV. 4, 1982 AS DOC. NO. 87-1764795 OF OFFICIAL RECORDS.
PARCEL 1 PARCEL 2.
PREPARED IN MARCH, 2002
FOR: MR. BRIAN SWEENEY
BY: QUIROS SURVEYING 310 456-8022

APPROX SCALE
1" = 400'

DETAIL "F"
NO SCALE

CENTER SEC. 21

PIUMA

PER O.R. 87-1764795

MARIO JOSEPH QUIROS
LICENSED LAND SURVEYOR
LIC. EXP. 12/31/05
L.S. 5009
STATE OF CALIFORNIA

BK. 4456

28

STATE (PARK) 901 40± Ac.

STATE (PARK) 902 40± Ac.

STATE (PARK) 903 40± Ac.

STATE (PARK) 904 20± Ac.

STATE (PARK) 905 10± Ac.

35 ± Ac.

10± Ac.

30± Ac.

5.65± Ac.

4.92± Ac.

11.98± Ac.

19.55± Ac.

20± Ac.

27± Ac.

21± Ac.

22.19± Ac.

21.05± Ac.

40± Ac.

8.03± Ac.

18.75 Ac.

18.88 Ac.
0.14 ± (Rd)
18.74 ± Ac.

19.01 Ac.
0.66± Ac (Rd)
18.35± Ac.

P.M. 217
90-93

S.89°45'E.

60

COAL CANYON RD.

69.54 ch.

South

T.1S. R.17W. S.B.M.

(Partnership)

STATE OF CALIFORNIA } SS.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

COUNTY OF Los Angeles

On October 29, 1987

before me, Elizabeth A. Praino, a Notary Public in and for said State,

personally appeared STEPHEN J. VERNON AND ANTHONY A. DE VIVO

(known to me)

(or proved to me on the basis of satisfactory evidence) to be TWO of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Signature Elizabeth A. Praino

OFFICIAL SEAL
ELIZABETH A PRAINO
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My comm. expires NOV 29, 1987

87 1764795

Form 3215 (CA 12-82)

(This area for official notarial seal)

CHICAGO TITLE INSURANCE COMPANY

Stapo

STATE OF CALIFORNIA, } SS.
COUNTY OF Los Angeles

On July 30, 1987

before me, the undersigned, a Notary Public in and for said County and State, personally appeared STEPHEN J. VERNON & ANTHONY A. DEVIVO

87 1764795

87-1214655

☒ personally known to me;

☐ proved to me on the basis of satisfactory evidence,

to be TWO of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

OFFICIAL SEAL
ELIZABETH A PRAINO
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My comm. expires NOV 29, 1987

Signature Elizabeth A. Praino

Elizabeth A. Praino
Name (Typed or Printed)
Notary Public in and for said County and State

FOR NOTARY SEAL OR STAMP

1-119 Maine PARTNER

TICOR TITLE INSURANCE CO. OF CALIFORNIA
RECORDING REQUESTED BY:

Stephen J. Vernon
724 Almar Avenue
Pacific Palisades
California 90272

WHEN RECORDED MAIL TO:

Stephen J. Vernon
724 Almar Avenue
Pacific Palisades
California 90272

RECORDED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
1 MIN. PAST 12 P.M. JUL 30 1987

87 1764795
87-1214655

FEE $11 G
4

DOCUMENTARY TRANSFER TAX $ -0-
COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,
OR COMPUTED ON FULL VALUE LESS LIENS AND
ENCUMBRANCES REMAINING AT TIME OF SALE.
Signature of Declarant or Agent determining tax. Firm Name

RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CA
NOV 4 1987 AT 8 A.M.
Recorder's Office

GRANT DEED
"EASEMENT"

NO TAX DUE

The value of property in this conveyance exclusive of any encumbrances is less than $100 and there is no other consideration received by Grantor. RET 11911 Long Affirm

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned, COSTA DEL SOL LTD., a California Partnership, grants to STEPHEN J. VERNON, a married man, and/or his nominees or assignees, the following described real property in the County of Los Angeles, State of California, a non-inclusive easement for ingress, egress, roadway, water and utility lines and incidental purposes, together with the right to grade and improve the same, to grant said easement to others and to dedicate same to public use over that portion of North East & South East Quarter of South West Quarter of Section 21, Township 1 South, Range 17 West, San Bernardino Meridian, in the County of Los Angeles, State of California, according to the Official Plat thereof including within a strip of land, 60.00 feet wide, lying 30.00 feet on each side of the following described center line:

FEE $11 S
4

PARCEL 1: Beginning at the above-said North East Quarter at a point at the beginning of the center line described as South 41° 06' 55" East 50.00 feet in the Grant Deed Book D4004 Page 198 Instrument No: 2859 recorded on May 16, 1968 of O.R. of the Grant of Easement. The above point at the Northerly Terminus of South 41° 06' 55" East 50.00 feet (136698.270 North and 85555.586 East) being the True Point of Beginning for this description; thence South 40° 55' 35" East 100.00 feet to the beginning of a tangent curve concave Westerly having a radius 100.00 feet; thence Southerly along said curve through a center angle of 70° 00' 00" an arc distance 122.17 feet; thence tangent to said curve South 29° 04' 25" ~~East~~ WEST 10.00 feet to the beginning of a tangent curve concave Easterly having a radius of 100.00 feet; thence South Easterly along said curve through central angle 90° 10' 20" an arc distance 157.38 feet; thence tangent to said curve South 61° 05' 55" East 120.00 feet to the beginning of a tangent curve concave South

THIS DEED IS BEING RE-RECORDED TO CORRECT ERRORS CONTAINED IN THE LEGAL DESCRIPTION.

Westerly having a radius of 100.00 feet; thence South Easterly along said curve through a central angle 35° 35' 55" an arc distance 62.13 feet; thence tangent to said curve South 25° 30' 00" East 130.00 feet to the beginning of a tangent curve concave Westerly having a radius of 100.00 feet; thence Southerly along said curve through central angle 57° 00' 00" an arc distance 99.48 feet; thence tangent to said curve South 31° 30' 00" West 60.00 feet to the beginning of a tangent curve concave North Westerly having a radius of 100.00 feet; thence South Westerly along said curve through central angle of 21° 00' 00" an arc distance 36.65 feet; thence tangent to said curve South Westerly South 52° 30' 00" West 78.00 feet to the beginning of a tangent curve concave Easterly having a radius of 100.00 feet; thence Southerly along said curve through a central angle 62° 30' 00" an arc distance of 109.08 feet; thence tangent to said curve South 10° 00' 00" East 152.00 feet to Point "A"; thence continue South 10° 00' 00" East 200.00 feet to the beginning of a tangent curve concave Westerly having a radius of 100.00 feet; thence Southerly along said curve through a central angle of 8° 30' 00" an arc distance of 14.83 feet; thence tangent to said curve South 1° 30' 00" East 217.00 feet to the beginning of a tangent curve concave Easterly having a radius of 100.00 feet; thence Southerly along said curve through central angle of 28° 30' 00" an arc distance of 49.74 feet; thence tangent to said curve South 30° 00' 00" East 200.00 feet to the beginning of a tangent curve concave Westerly having a radius 100.00 feet; thence Southerly along said curve through a central angle of 67° 00' 00" an arc distance 116.94 feet; thence tangent to said curve South 37° 00' 00" West 200.00 feet to the beginning of a tangent curve concave Easterly having a radius of 100.00 feet; thence Southerly along said curve through central angle of 64° 00' 00" an arc distance of 111.70 feet; thence tangent to said curve South 27° 00' 00" West EAST 25.00 feet to the beginning of a tangent curve concave North Easterly having a radius of 100.00 feet; thence South Easterly along said curve through central angle of 48° 00' 00" an arc distance of 83.78 feet to the beginning of a tangent curve concave South Westerly having a radius of 100.00 feet; thence South Easterly along said curve through central angle of 60° 45' 00" an arc distance 106.03 feet; thence tangent to said curve South 14° 15' 00" East 50.00 feet to the beginning of a tangent curve concave North Easterly having a radius of 100.00 feet; thence in South Easterly direction abng said curve through central angle of 39° 04' 00" an arc distance of 68.18 feet; thence tangent to said curve South 53° 15' 04" East 100.00 feet to Point "B" of this description.

PARCEL 2: Beginning at the above Point "A" as the Point of Beginning of PARCEL 2, thence South 80° 00' 00" West 68.00 feet to a tangent

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87-214655

curve concave South Easterly having a radius of 200.00 feet; thence along said curve South Westerly through a central angle of 80° 00' 00" an arc distance 279.25 feet; thence tangent to said curve South 0° 00' 00" 37.00 feet to the beginning of a tangent curve concave Westerly having a radius of 100.00 feet; thence South Westerly along said curve through central angle of 68° 59' 59" an arc distance 120.42 feet to the beginning of a tangent curve concave South Easterly having a radius of 100.00 feet; thence Southerly along said curve through central angle 62° 29' 59" an arc distance 109.08 feet; thence tangent to said curve South 6° 30' 00" West 53.00 feet to the beginning of a tangent curve concave Westerly having a radius of 150.00 feet; thence South Westerly along said curve through central angle of 25° 00' 00" an arc distance 65.45 feet; thence tangent to said curve South 31° 30' 00" West 193.00 feet to the beginning of a tangent curve concave Easterly having a radius of 300.00 feet; thence South Westerly along said curve through central angle 17° 00' 00" an arc distance 89.01 feet to the beginning of a tangent curve concave North Westerly having a radius of 100.00 feet; thence in South Westerly direction along said curve through central angle 95° 00' 00" an arc distance 165.08 feet; thence tangent to said curve North 70° 30' 00" West 150.00 feet to a tangent curve concave Southerly having a radius of 100.00 feet; thence Westerly along said curve through central angle 84° 00' 00" an arc distance 146.61 feet; thence tangent to said curve South 25° 30' 00" West 220.00 feet to the beginning of a tangent curve concave North Westerly having a radius of 150.00 feet; thence South Westerly along said curve through a central angle 42° 00' 06" an arc distance 109.96 feet to the beginning of a tangent curve concave South Easterly having a radius of 100.00 feet; thence in Southerly direction along said curve through a central angle of 67° 30' 06" an arc distance 117.81 feet; thence tangent to said curve South 0° 00' 00" 38.50 feet to a tangent curve concave North Westerly having a radius of 150.00 feet; thence in South Westerly direction through central angle of 55° 00' 00" an arc distance 143.99 feet to Point "C".

DATED July 24, 1987

COSTA DEL SOL LTD.

Stephen J Vernon Gen Part.

STEPHEN J. VERNON Gen. Part.

Anthony A DeVivo Gen Part.

ANTHONY A. DEVIVO Gen. Part.

87-1214655

87 1764795

PLANNING DEPT

MAP SHOWING ALIGNMENT OF EASEMENTS
KNOWN AS COSTA DEL SOL WAY

SECTIONS 21 AND 28, T.1 S., R. 17 W., S.B.M.

MALIBU, UNINCORP. TERRITORY OF L.A. CO., CA

THREE = 3

BASE MAPS: L.A. CO. ASSESSOR'S 4453-001, 4453-002, AND 4453-005.
SAID MAPS CONTAINING DISTORTIONS IN SCALE BETWEEN ADJOINING SHEETS.
EASEMENT ALIGNMENT APPROX RELATIVE TO PARCEL LINES, AS A RESULT.

LEGEND

CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED MAY 14, 1965 AS DOC. NO. 3859, IN BOOK D1004 PAGE 498 OF OFFICIAL RECORDS, PARCELS LISTED AS DOMINANT TENEMENT, TO WHICH SAID EASEMENT BEING APPURTENANT, PER ABOVE DOC.

CENTERLINE OF 60' WIDE EASEMENT FOR INGRESS, EGRESS, ROADWAY, UTILITIES, ETC. PER GRANT OF EASEMENT RECORDED NOV. 4, 1981 AS DOC. NO. 81-1153793 OF OFFICIAL RECORDS.
PARCEL 1 PARCEL 2.

THREE = 3

PREPARED IN MARCH, 2002
FOR: MR. BRIAN SWEENEY

BY: QUIROS SURVEYING 310 456-8022

OWNER (S): Carl F. Ermert or Gwen Y. Stewart, Trustees of the Emert Revocable Living Trust

CERTIFICATE OF COMPLIANCE
CONTINUATION

(E)

CERTIFICATE OF COMPLIANCE NO. RCOC 2014 00154

Assessors Parcel No.: 4453-005-054

NOTES:

1. Legal access from the subject property to the nearest public street has not been established.
2. Prior to any grading, brush clearance or construction on the subject property, the property owner will have to acquire an approved Coastal Development Permit.

THIS CERTIFICATE DOES NOT CONSTITUTE A BUILDING PERMIT. Prior to authorization to build on this property, the applicant will be required to conform to the County and State regulations. Such regulations include but are not limited to, programs for road and/or drainage right of way dedication, appropriate sanitary sewage disposal, water supply for domestic use and fire suppression, and adequate fire apparatus access.

GEOLOGIC, soils and/or Drainage Conditions may exist on the subject property, which could limit development or necessitate that remedial measures be taken in order to obtain a Building Permit.

DETERMINATION OF COMPLIANCE

This determination DOES NOT GUARANTEE that the subject property meets current design and improvement standards for subdivided parcels. Prospective purchasers should check site conditions and applicable development codes to determine whether the property is suitable for their intended use.

The subject property may be sold, leased, financed or otherwise conveyed without restriction.

CERTIFICATE OF COMPLIANCE

Pursuant to the provisions of the Subdivisions Map Act (Sec. 66410 et. Seq., Government Code, State of California) and the County Subdivision Ordinance (Title 21 of the Los Angeles County Code), I hereby certify that I have reviewed the above-described division of real property and have found it to be in conformance with all requirements of the Subdivision Map Act and of the County Subdivision Ordinance.

DEPARTMENT OF REGIONAL PLANNING

By: _____
For Sorin Alexanian

DEPARTMENT OF REGIONAL PLANNING
County of Los Angeles
Richard J. Bruckner
Director

Title: Deputy Director

Date 11-25-14

From:	oaksrus@verizon.net
To:	Blaugrund, Jacqueline@Coastal
Subject:	Item Th16a-f Sweetwater Mesa comments
Date:	Tuesday, May 12, 2015 10:04:12 AM
Attachments:	Sweetwater Mesa Projects RCDSMM comments 5.12.15.pdf

Dear Jacqueline Blaugrund,
Attached please find our comments regarding the proposed developments on Sweetwater Mesa.
We apologize for the late submission but greatly appreciate your passing these along to the commissioners for their consideration. Sincerely, Rosi

Rosi Dagit
Senior Conservation Biologist
RCD of the Santa Monica Mountains
P.O. Box 638
Agoura Hills, CA 91736-0638
310-455-7528

RESOURCE
CONSERVATION DISTRICT
OF THE
SANTA MONICA MOUNTAINS

818.597.8627 phone
818.597.8630 fax
info@rcdsmm.org

540 S. Topanga Canyon Blvd., Topanga, CA 90290

BOARD OF DIRECTORS

Richard C. Brody
President

Steven Rosentsweig
Vice President

Nancy Helsley
Treasurer

Beth Burnam
Director

Mary Ellen Strote
Director

EXECUTIVE OFFICER
Clark Stevens

11 May 2015

Delivered via email

California Coastal Commission
South Central Coast District Office
89 S. California Street, Suite 200
Ventura, CA 93001

Re: Sweetwater Mesa Project – Application Nos. 04-10-040,4-10-041, 4-10-042, 4-10-044, 4-14-0598,4-14-1094

Honorable Chairperson Kinsey and Commissioners:

The Resource Conservation District of the Santa Monica Mountains (RCDSMM) appreciates the opportunity to comment on the proposed developments on Sweetwater Mesa in the City of Malibu. As a reviewing and resource agency in the Santa Monica Mountains, the RCDSMM is actively involved in monitoring local and endangered species within the Santa Monica Mountains, as well as water quality monitoring and restoration efforts to improve the health of the Malibu Creek watershed and surrounding areas.

Upon review of the currently proposed developments, we appreciate the slight improvements over the plans previously submitted and commented upon, and that Coastal is reviewing project impacts as a whole rather than individually. However this project still remains inconsistent with the Coastal Act and the Santa Monica Mountains Local Coastal Plan (LCP) in regards to grading, visual, ESHA, fire hazard, and cumulative impacts. The open space conservation easement and habitat restoration (0.35 acres of purple needlegrass) envisioned as part of the project do not mitigate for these impacts.

We encourage the Commission to deny these projects as currently designed.

Viewshed Impacts

The proposed five houses and their associated outbuildings are located along a designated "Significant Ridgeline". Single family residences are not a resource-dependant use and the height limit is 18 feet above grade. While it is good that the height of the structures has been reduced, several still exceed this limit. The intrusion of development along this unbroken ridgeline will be visible from many locations. We concur with NPS that these impacts are significant and can't be mitigated and recommend that all of the designs be modified to comply with the 18 foot limitation.

Fire Hazard Issues

The locations of the five main structures, along with the ancillary buildings along the main ridgeline in a well documented high fire zone area which has a history of wildfires every 10 years is a recipe for future impacts. The proposed access road is 1,980 linear feet long (~0.4 miles), which exceed the

limits of the 2014 LCP . This kind of development requires extensive resources for fire protection, no matter how many turnarounds are provided. Providing fire protection to remotely located homes is costly and dangerous for both the residents and firefighters.

Associated with the development of properties in high fire areas, extensive fuel modification to "protect" the structures is required. In the case of this proposed development, even though somewhat clustered, each property would have to meet the 200 foot clearance requirements, and resulting in encroachments into H1 habitat buffer and would impact sensitive native needlegrass, in addition to chaparral. Chaparral shrubs are extremely deep rooted, and provide essential slope stabilization, reducing soil erosion and preventing slope failure. The combined effect of removing these shrubs and then increasing irrigation upslope has been associated with significant slope failures in the Santa Monica Mountains.

The high costs associated with providing fire protection, mitigating loss of slope stabilizing habitat and increased erosion suggest that development of these proposed designs will be substantial and continue as long as the structures are inhabited.

Ecological Issues

We concur with the 2014 Coastal Commission staff determination that, with the exception of the area of disturbed non-native grassland, the entire remainder of the 156 acre complex is comprised of pristine native chaparral, coastal sage scrub and oak woodland habitat and deserves protection and ESHA designation. Because it is also totally surrounded by almost 2,800 acres of pristine native habitats, disturbance of this core habitat area will have substantially greater edge effect impacts than if it were confined to areas adjacent to presently disturbed habitat.

The proposed mitigation of $15,500 per acre is usually associated with the cost of replacement planting in a disturbed site. It does not adequately represent the actual ecosystem service and function lost when a core habitat is fragmented. A more realistic mitigation would require at least a 2:1 purchase of similar high quality core and ridgeline and purple needlegrass habitat for permanent public open space. As is more commonly applied to wetlands, no net loss of core or identified sensitive habitat should be permitted.

While chaparral remains the largest, most dominant vegetation type in the area, it is nevertheless important to protect as much of this habitat type as possible. Development patterns over time repeatedly show a pattern of incremental loss of important habitat types (oak woodland, riparian, coastal sage scrub, etc.), resulting in isolated fragments with compromised function and threatened long term sustainability. Chaparral is one of the last remaining vegetative community associations functioning in the Santa Monica Mountains, and as such is worthy of protection.

The functionality of this core habitat area in sustaining the regional population of mountain lions, coyotes and bobcats is well described. These top predators require large undisturbed blocks of habitat in order to survive. Introducing development into such areas has been shown to significantly impact the viability of these populations, and sets the stage for potential confrontations between residents and mountain lions, which has resulted in the killing of lions in the past. One way we know of to avoid

these problems is to place development outside of known wildlife corridors and core habitat areas. The impacts associated with the proposed developments will be significant.

Growth Inducement and additional habitat/ridgeline disturbance
Installing a water main with a capacity for connecting to adjacent undeveloped properties in addition to the five under consideration, rather than utilizing on site wells or water tanks, or pulling a line from existing development in Serra Retreat to supply the individual properties provides substantial infrastructure that could encourage additional development in this area. The potential growth inducing cumulative impacts have not been adequately addressed in the analysis of these projects.

The proposed 7,800 linear foot long extension of the water line from Costa Del Sol Way through presently unfragmented intact habitat not only has direct impacts associated with trenching and installation, but continuous long term impacts related to anthropogenic intrusion into a wild area, maintenance issues, and potential growth inducement. The required restoration of the unpaved dirt road extending from Costa Del Sol Way to the parcels is important, as is the required mitigation to restore habitat for the temporarily disturbed area, but it fails to incorporate realistic mitigation for the long-term impacts.

Summary
Given the above concerns, in addition to those raised in the Coastal Commission staff report and by NPS, the RCD of the Santa Monica Mountains respectfully recommendations denial of this project in its current form.

We appreciate the opportunity to comment on these proposed developments, and the effort of the Coastal Commission to uphold the highest standards of protection for sensitive coastal resources.

Sincerely,

Rosi Dagit
Senior Conservation Biologist

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COASTAL COMMISSION

VIA FAX: (415) 904-5400

May 8, 2015

Steve Kinsey, Chair
California Coastal Commission
45 Fremont Street 2000
San Francisco, California 94105

RE: David Evans Developments aka Sweetwater Mesa Projects

Dear Chair Kinsey:

I am writing in connection with the above development projects. I have read a letter written by Richard J. Bruckner, Director of Los Angeles County Dept. of Regional Planning, addressed to Dr. Charles Lester dated May 7, 2015 and another letter from Shiela Kuehl addressed you dated May 7, 2015. I am very familiar with the site and surrounding areas.

As a resident of Sweetwater Mesa, I agree with Mr. Bruckner and Ms. Kuelh. I feel this project would cause irreparable harm to habitat and view, cause extensive geological disturbance and destroy environmentally sensitive native vegetation as well as shrink open spaces. Therefore, I am requesting that the David Evans Development is denied as proposed until the projects are in full compliance with/accepted by the SMMLCP.

Sincerely,

Dorothy Day

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Agenda Item No. Th16a – Th16f

Application Numbers: 4-10-040, 4-10-041, 4-10-042, 4-10-044, 4-14-0598, and 4-14-1094

Submission from Sally Munro
Opposed

MAY 11 2015

May 7, 2015

Applicants Lunch Properties, LLLP, Vera Properties, LLLP, Mulryan Properties, LLLP, Ronan Properties, LLLP, Morleigh Properties, LLLP and E.D. West Properties, LLLP

California Coastal Commission
South Central Coast Area
89 South California St. Suite 200
Ventura, CA 93001

Dear Commissioners,

As a home builder and owner for over 40 years across Carbon Canyon from the proposed five home developments near the ridge line north of Sweetwater Mesa Road, I wish to express my opposition to this intrusion of five mega-mansions being considered despite the initial justifiable opposition by the Coastal Commission who are charged with protecting and preserving the natural resources of the area.

The attendant grading and disruption of unique scenic vistas, natural habitat and ridgeline vistas within national parkland is an affront to all who have enjoyed the wonder of the area and others that should have that rare privilege in the decades to come. Such natural beauty is increasingly rare and it is important for the Coastal Commission to continue their efforts to protect the area from development. Future generations deserve to share the blessings of some open space and beautiful vistas too; to lift up their eyes to the hills from whence cometh inspiration.

As the "Edge" theme lyrics states:

On this day it's so real to me
Everything has come to life
Another chance to chase a dream
Another chance to feel
Chance to feel alive

Sincerely, Sally Munro
3085 Rambla Pacifico
Malibu, California 90265