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## CALIFORNIA COASTAL COMMISSION

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Staff Report: 03/26/03  
Hearing Date: 4/8-11/03  
Commission Action:



### STAFF REPORT: REGULAR CALENDAR

**APPLICATION Nos.:** 4-03-10, 4-03-11, & 4-03-12

**APPLICANTS:** Tom Merrill, Alan Lewinson & Canyon View, Inc.

**PROJECT LOCATIONS:** 2120, 2116, & 2130 Stunt Road, Los Angeles County

**PROJECT DESCRIPTIONS:** These applications are for proposed development on three separate, contiguous parcels.

#### CDP Application 4-03-10 (2120 Stunt Road):

The applicant is proposing to construct a two story, 30 foot high, 6,797 sq. ft. single family residence with an attached 929 sq. ft. garage, 1,495 sq. ft. basement garage, access road improvements, swimming pool, private sewage disposal system, landscaping, retaining wall system, 2,768 cubic yards of grading (1,354 cu. yds. cut, 1,414 cu. yds. fill). The applicant is also requesting approval of an after-the-fact redivision of three parcels into three parcels.

#### CDP Application 4-03-11 (2116 Stunt Road)

The applicant is proposing to construct a two story, 30 foot high, 5,954 sq. ft. single family residence with two attached garages totaling 1,169 sq. ft. garage, driveway, access road improvements, swimming pool, private sewage disposal system, landscaping, retaining wall system, 3,685 cu. yds. of grading (1,833 cu. yds. cut, 1,852 cu yds. fill). The applicant is also requesting approval of an after-the-fact redivision of three parcels into three parcels.

#### CDP Application 4-03-12 (2130 Stunt Road)

The applicant is proposing to construct a two story, 30 foot high, 6,236, sq. ft. single family residence with two attached garages totaling 1,440 sq. ft., driveway, access road improvements, swimming pool, private sewage disposal system, landscaping, retaining wall system, 2,067 cu. yds. of grading (1,073 cu. yds. cut, 994 cu. yds. fill). The applicant is also requesting approval of an after-the-fact redivision of three parcels into three parcels.

	<u>CDP 4-03-10:</u>	<u>CDP 4-03-11:</u>	<u>CDP 4-03-12:</u>
Lot Area:	1.42 acres	2.01 acres	5.34 acres
Building Coverage:	6185 sq. ft.	4,202 sq. ft.	5,502
Paved Area:	6,824 sq. ft.	4,620 sq. ft.	1,724 sq. ft.
Landscaped Area:	23,595 sq. ft.	24,600 sq. ft.	14,562 sq. ft.
Unimproved Area:	25,372 sq. ft.	53,940 sq. ft.	19,541 sq. ft.
Ht. Abv. Ext. Grade:	30 ft.	30 ft.	34 ft.

**SUMMARY OF STAFF RECOMMENDATION**

Staff recommends **approval** of the proposed projects with 13 Special Conditions regarding 1) Conformance with Geologic Recommendations, 2) Landscaping and Erosion Control, 3) Removal of Natural Vegetation, 4) Wildfire Waiver of Liability 5) Drainage and Polluted Run-Off Control, 6) Lighting Restriction, 7) Structural Appearance, 8) Future Development Restriction, 9) Removal of Excavated Material, 10) Deed Restriction, 11) Pool and Spa Drainage and Monitoring, 12) Habitat Impact Mitigation and 13) Condition Compliance.

**LOCAL APPROVALS RECEIVED:** Los Angeles County Department of Regional Planning, Approval In Concepts for 2116, 2120, and 2130 Stunt Road, dated 3/12/02 & 3/15/02; Los Angeles County Department of Regional Planning Certificate of Compliance for Lot Line Adjustment No. 101,741; Los Angeles County Department of Regional Planning Certificate of Compliance for Lot Line Adjustment No. 100,619; Los Angeles County Fire Department Approval for 2116, 2120 & 2130 Stunt Road, Los Angeles County Department of Health Services, Conceptual Approvals for Private Septic Systems, dated 12/25/03.

**SUBSTANTIVE FILE DOCUMENTS:** Update Engineering Geologic Report for 2116, 2120 & 2130 Stunt Road, dated May 2, 2002 prepared by Mountain Geology Inc.; Update Geotechnical Engineering and Percolation Test Investigation for 2116, 2120 & 2130 Stunt Road, dated April 14, 2000; Supplemental Engineering Geologic Report for 2116, 2120 & 2130 Stunt Road, dated September 20, October 14, & October 29 2002 prepared by Mountain Geology, Inc.; and Percolation Test and Site Evaluation for 2116, 2120 & 2130 Stunt Road, dated October 6 & 23, 2002 prepared by Barton Slutske. Coastal development permits 5-89-296 (Greenburg), 5-89-297 (Greenburg), 5-89-298 (Greenburg), 5-90-874 (Greenburg). Revised Findings for the City of Malibu Local Coastal Program adopted on February 6, 2003.

**I. STAFF RECOMMENDATION**

**MOTION:** *I move that the Commission approve Coastal Development Permit Nos. 4-03-10, 4-03-11, and 4-03-12 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permits as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO APPROVE THE PERMITS:**

The Commission hereby approves the Coastal Development Permits for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to

of the permits complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permits are not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of these permits and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, these permits will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit(s) must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permits may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permits.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

## III. Special Conditions

### 1. Plans Conforming to Geotechnical Engineer's Recommendations

All recommendations contained in the reports prepared by Mountain Geology, Inc., including those dated 5/2/02; 9/20/02, 10/14/02 & 10/29/02; and West Coast Geotechnical, including those reports dated April 14, 2002; shall be incorporated into all final design and construction, including recommendations concerning foundations, grading, and drainage, and must be reviewed and approved by the consultant prior to commencement of development. Prior to issuance of coastal development permit Nos. 4-03-10, 4-03-11, and 4-03-12, the applicant shall submit evidence to the Executive Director of the consultant's review and approval of all final design and construction plans.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, and drainage. Any

substantial changes in the proposed development approved by the Commission that may be required by the consultant shall require amendment(s) to the permit(s) or new Coastal Development Permit(s).

## **2. Landscaping and Erosion Control Plans**

***Prior to the issuance of the coastal development permit Nos. 4-03-10, 4-03-11, and 4-03-12, the applicant shall submit landscaping and erosion control plans, prepared by a licensed landscape architect or qualified resource specialist, for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the consulting geotechnical engineer to ensure that the plans are in conformance with the consultant's recommendations. The plans shall incorporate the following criteria:***

### **A) Landscaping Plan**

- 1) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control purposes within thirty (30) days of completion of the proposed development. To minimize the need for irrigation and to screen and soften the visual impact of development, landscaping shall consist of primarily native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled *Recommended List of Plants for Landscaping in the Santa Monica Mountains*, dated February 5, 1996, and shall be compatible with the character of the surrounding native environment. Invasive, non-indigenous plant species that tend to supplant native species shall not be used. The plan shall specify the erosion control measures to be implemented and the materials necessary to accomplish short-term stabilization, as needed on the site.

All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains, compatible with the surrounding environment, using accepted planting procedures, and consistent with fire safety requirements. Such planting shall be adequate to provide ninety (90) percent coverage within two (2) years, and this requirement shall apply to all disturbed and graded soils;

- 2) Plantings shall be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements;
- 3) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment(s) to the Coastal Development Permit(s), unless the Executive Director determines that no amendment is required.

- 4) Vegetation within 50 feet of the proposed house may be removed to mineral earth, vegetation within a 200 foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicant shall submit evidence that the fuel modification plan has been reviewed and approved by the Forestry Department of Los Angeles County. Irrigated lawn, turf and ground cover planted within the fifty foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.
- 5) Fencing of the entire property on 2130 Stunt Road (4-03-012) is prohibited. Fencing shall extend no further than the area identified as zone B (irrigated zone) on the final fuel modification plan. The fencing type and location shall be illustrated on the landscape plan. Fencing shall also be subject to the color requirements outlined in condition 7 below.

**B) Interim Erosion Control Plan**

- 1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas, and stockpile areas. The natural areas on the sites shall be clearly delineated on the project site with fencing or survey flags.
- 2) The plan shall specify that grading shall take place only during the dry season (April 1 – October 31). This period may be extended for a limited period of time if the situation warrants such a limited extension, if approved by the Executive Director. The applicant shall install or construct temporary sediment basins (including debris basins, desilting basins, or silt traps), temporary drains and swales, sand bag barriers, silt fencing, and shall stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible. These erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site, unless removed to an appropriate, approved dumping location either outside of the coastal zone or within the coastal zone to a site permitted to receive fill.
- 3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than thirty (30) days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils, and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify

that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

### **C. Monitoring**

Five (5) years from the date of completion of the proposed development, the applicant shall submit for the review and approval of the Executive Director a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this special condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to these permits, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed landscape architect or qualified resource specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

### **3. Removal of Natural Vegetation**

Removal of natural vegetation for the purpose of fuel modification for the development approved pursuant to these permits shall not commence until the local government has issued a building or grading permit(s) for the development approved pursuant to these Coastal Development Permits.

### **4. Wildfire Waiver of Liability**

*Prior to the issuance of the coastal development permit Nos. 4-03-10, 4-00-11, and 4-00-12, the applicant shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents, and employees against any and all claims, demands, damages, costs, and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property.*

### **5. Drainage and Polluted Runoff Control Plan**

*Prior to the issuance of the coastal development permit Nos. 4-03-10, 4-03-11, and 4-03-12, the applicant shall submit for the review and approval of the Executive Director, final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural*

Best Management Practices (BMPs) designed to control the volume, velocity, and pollutant load of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting engineering geologist to ensure the plan is in conformance with geologist's recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter stormwater from each runoff event, up to and including the 85<sup>th</sup> percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- (b) Runoff shall be conveyed off site in a non-erosive manner.
- (c) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (d) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30<sup>th</sup> each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if amendment(s) or new Coastal Development Permit(s) are required to authorize such work.

6. Lighting Restriction

- A. The only outdoor night lighting allowed on the subject parcel is limited to the following:
  - (1) The minimum necessary to light walkways used for entry and exit to the structures, including parking areas on the site. This lighting shall be limited to fixtures that do not exceed two feet in height above finished grade, are directed downward and generate the same or less lumens equivalent to those generated by a 60 watt incandescent bulb, unless a greater number of lumens is authorized by the Executive Director.
  - (2) Security lighting attached to the residence and garage shall be controlled by motion detectors and is limited to same or less lumens equivalent to those generated by a 60 watt incandescent bulb.

- (3) The minimum necessary to light the entry area to the driveway with the same or less lumens equivalent to those generated by a 60 watt incandescent bulb.
- B. No lighting around the perimeter of the site and no lighting for aesthetic purposes is allowed.

**7. Structural Appearance**

***Prior to the issuance of the coastal development permit***, the applicant shall submit for the review and approval of the Executive Director, a color palette and material specifications for the outer surface of all structures authorized by approval of Coastal Development Permits 4-03-10, 4-03-11 & 4-03-12. The palette shall include the colors proposed for the roof, trim, exterior surfaces, driveways, retaining walls, fencing or other structures authorized by this permit. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white or light shades and no bright tones. All windows shall be comprised of non-glare glass.

The approved structures shall be colored with only the colors and window materials authorized pursuant to this special condition. Alternative colors or materials for future repainting or resurfacing or new windows may only be applied to the structures authorized by Coastal Development Permits 4-03-10, 4-03-11 & 4-03-12 if such changes are specifically authorized by the Executive Director as complying with this special condition.

**8. Future Development Restriction**

This permit is only for the development described in Coastal Development Permits 4-03-10, 4-03-11 & 4-03-12. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by Coastal Development Permits 4-03-10, 4-03-11 & 4-03-12. Accordingly, any future structures, future improvements, or change of use to the permitted structures authorized by these permits, including but not limited to, any grading, clearing or other disturbance of vegetation and fencing, other than as provided for in the approved fuel modification/landscape plan prepared pursuant to Special Condition 2 shall require an amendment to Coastal Development Permits 4-03-10, 4-03-11 & 4-03-12 from the Commission or shall require additional coastal development permits from the Commission or from the applicable certified local government.

**9. REMOVAL OF EXCAVATED MATERIAL**

The applicant is required to remove any excess excavated/cut material from the subject properties to an appropriate disposal site located outside the Coastal Zone, or an approved site located in the Coastal Zone with a valid Coastal Development Permit for disposal of fill material.



**10. Deed Restriction**

***Prior to issuance of the coastal development permit*** the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to these permits, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of these permits as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the applicant's entire parcel or parcels. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

**11. Pool and Spa Drainage and Maintenance**

***Prior to issuance of the Coastal Development Permit***, the applicant shall submit, for review and approval of the Executive Director, a written pool and spa maintenance plan, that contains an agreement to install and use a no chlorine or low chlorine purification system and a program to maintain proper pH, calcium and alkalinity balance in a manner that any runoff or drainage from the pool or spa will not include excessive amounts of chemicals that may adversely affect water quality or environmentally sensitive habitat area. In addition, the plan shall, at a minimum: 1) prohibit discharge of chlorinated pool water and 2) prohibit discharge of chlorinated or non-chlorinated pool water into a street, storm drain, creek, canyon, drainage channel, or other location where it could enter receiving waters. The Permittees shall undertake development and maintenance in compliance with this pool and spa maintenance agreement and program approved by the Executive Director. No changes shall be made to the agreement or plan unless they are approved by the Executive Director.

**12. Habitat Impact Mitigation**

Prior to the issuance of the coastal development permit, the applicant shall submit for the review and approval of the Executive Director, a map delineating all areas of chaparral habitat that are "environmentally sensitive habitat area" (ESHA), that will be disturbed by the proposed development on Lot 3, including by fuel modification and brush clearance requirements on the project site and adjacent property. The chaparral ESHA areas on the site and adjacent property shall be delineated on a detailed map, to scale, illustrating the subject parcel boundaries and adjacent parcel boundaries if the fuel modification/brush clearance zones extend onto adjacent property. The delineation map shall indicate the total acreage for all chaparral ESHA both on and offsite, that will

be impacted by the proposed development on Lot 3, including the fuel modification/brush clearance areas. The delineation shall be prepared by a qualified resource specialist or biologist familiar with the ecology of the Santa Monica Mountains.

Mitigation shall be provided for impacts to the chaparral ESHA from the proposed development and fuel modification requirements by one of the three following habitat mitigation methods:

**A. Habitat Restoration**

**1) Habitat Restoration Plan**

Prior to the issuance of the coastal development permit, the applicant shall submit a habitat restoration plan, for the review and approval of the Executive Director, for an area of degraded chaparral habitat equivalent to the area of chaparral ESHA impacted by the proposed development and fuel modification area. The habitat restoration area may either be onsite or offsite within the coastal zone in the City of Malibu or in the Santa Monica Mountains. The habitat restoration area shall be delineated on a detailed site plan, to scale, that illustrates the parcel boundaries and topographic contours of the site. The habitat restoration plan shall be prepared by a qualified resource specialist or biologist familiar with the ecology of the Santa Monica Mountains, and shall be designed to restore the area in question for habitat function, species diversity and vegetation cover. The restoration plan shall include a statement of goals and performance standards, revegetation and restoration methodology, and maintenance and monitoring provisions. If the restoration site is offsite the applicant shall submit written evidence to the Executive Director that the property owner agrees to the restoration work, maintenance and monitoring required by this condition and agrees not to disturb any native vegetation in the restoration area.

The applicant shall submit, on an annual basis for five years, a written report, for the review and approval of the Executive Director, prepared by a qualified resource specialist, evaluating compliance with the performance standards outlined in the restoration plan and describing the revegetation, maintenance and monitoring that was conducted during the prior year. The annual report shall include recommendations for mid-course corrective measures. At the end of the five-year period, a final detailed report shall be submitted for the review and approval of the Executive Director. If this report indicates that the restoration project has been in part, or in whole, unsuccessful, based on the approved goals and performance standards, the applicant shall submit a revised or supplemental restoration plan with maintenance and monitoring provisions, for the review and approval of the Executive Director, to compensate for those portions of the original restoration plan that were not successful. A report shall be submitted evaluating whether the supplemental restoration plan has achieved compliance with the goals and performance standards for the restoration area. If the goals and performance standards are not met within 10 years, the applicant shall

submit an amendment to the coastal development permit for an alternative mitigation program.

The habitat restoration plan shall be implemented prior to occupancy of the residence.

## 2) Open Space Deed Restriction

No development, as defined in section 30106 of the Coastal Act shall occur in the habitat restoration area, as shown on the habitat restoration site plan, required pursuant to (A)(1) above.

Prior to the issuance of the coastal development permit, the owner of the habitat restoration area shall execute and record a deed restriction in a form and content acceptable to the Executive Director, reflecting the above restriction on development and designating the habitat restoration area as open space. The deed restriction shall include a graphic depiction and narrative legal descriptions of both the parcel and the open space area/habitat restoration area. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

## 3) Performance Bond

Prior to the issuance of the permit, the applicant shall post performance bonds to guarantee implementation of the restoration plan as follows: a) one equal to the value of the labor and materials; and b) one equal to the value of the maintenance and monitoring for a period of 5 years. Each performance bond shall be released upon satisfactory completion of items (a) and (b) above. If the applicant fails to either restore or maintain and monitor according to the approved plans, the Coastal Commission may collect the security and complete the work on the property.

## B. Habitat Conservation

~~Prior to issuance of the coastal development permit, the applicant shall execute and record an open space deed restriction in a form and content acceptable to the Executive Director, over a parcel or parcels containing coastal sage scrub ESHA. The chaparral ESHA located on the mitigation parcel or parcels must be of equal or greater area than the ESHA area impacted by the proposed development, including the fuel modification/brush clearance areas. No development, as defined in section 30106 of the Coastal Act, shall occur on the mitigation parcel(s) and the parcel(s) shall be preserved as permanent open space. The deed restriction shall include a graphic depiction and narrative legal descriptions of the parcel or parcels. The deed restriction shall run with the land,~~

binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction.

Prior to occupancy of the residence the applicant shall submit evidence, for the review and approval of the Executive Director, that the recorded documents have been reflected in the Los Angeles County Tax Assessor Records.

If the mitigation parcel is larger in size than the impacted habitat area, the excess acreage may be used to provide habitat impact mitigation for other development projects that impact like ESHA.

### **C. Habitat Impact Mitigation Fund**

Prior to the issuance of the coastal development permit, the applicant the applicant shall submit evidence, for the review and approval of the Executive Director, that compensatory mitigation, in the form of an in-lieu fee, has been paid to the Santa Monica Mountains Conservancy to mitigate adverse impacts to chaparral habitat. The fee shall be based on the cost per acre to restore or create comparable habitat type, and the acreage of habitat affected. The fee shall be used for the acquisition or permanent preservation of chaparral habitat in the Santa Monica Mountains coastal zone.

## **12. Condition Compliance**

Within 120 days of Commission action on this coastal development permit application, or within such time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

## **IV. Findings and Declarations**

The Commission hereby finds and declares:

### **A. Project Description and Background**

The applicant proposes to construct three single family residences on three separate contiguous parcels accessed by a private road from Stunt Road. The applicant is also proposing a redivision of three lots into three lots in order to provide a single ingress/egress access to the properties and to provide building sites adjacent to the access road (Exhibit 2). The properties are located on the periphery of the Cold Creek significant watershed in the Santa Monica Mountains, near the intersection of Stunt and Mulholland Highway (Exhibits 1-22).

Due to the related nature of these three applications, the proposed development on all three parcels will be addressed in one staff report. To clearly address what is proposed on each parcel by each permit application, however, the project descriptions are listed below for each separate application.

**1. CDP APPLICATION 4-00-10 (2120 Stunt Road):**

Construction of a two story, 30 foot high, 6,797 sq. ft. single family residence with an attached 929 sq. ft. garage, 1,495 sq. ft. basement garage, access road improvements, driveway, swimming pool, private sewage disposal system, landscaping, retaining wall system, 3,685 cu. yds. of grading (1,833 cu. yds. cut, 1,852 cu yds. fill). The applicant is also requesting approval of an after-the-fact redivision of three parcels into three parcels (Exhibits 4-9).

**2. CDP APPLICATION 4-00-11 (2116 Stunt Road):**

Construction of a two story, 30 foot high, 5,954 sq. ft. single family residence with two attached garages totaling 1,169 sq. ft., driveway, access road improvements, swimming pool, private sewage disposal system, landscaping, retaining wall system, 3,685 cu. yds. of grading (1,833 cu. yds. cut, 1,852 cu yds. fill). The applicant is also requesting approval of an after the fact after-the-fact redivision of three parcels into three parcels (Exhibits 10-14).

**3. CDP APPLICATION 4-00-12 (2130 Stunt Road):**

Construction of a two story, 30 foot high, 6,236, sq. ft. single family residence with two attached garages totaling 1,440 sq. ft., driveway, access road improvements, swimming pool, private sewage disposal system, landscaping, retaining wall system, 2,067 cu. yds. of grading (1,073 cu. yds. cut, 994 cu. yds. fill). The applicant is also requesting approval of an after-the-fact redivision of three parcels into three parcels (Exhibits 15-20).

The subject properties are situated on a south-facing slope that ascends from Stunt Road at a relatively gentle slope transitioning into steeply sloping terrain just beyond the northerly most building site. Site drainage is by sheet flow which is concentrated in a south-tending drainage through the property that drains into Cold Creek located approximately ¼ mile to the south. The minor drainage on the subject site is not a designated blueline stream nor does it contain riparian plant species.

The proposed buildings sites contain primarily non-native grasses that are annually cleared for fire protection purposes for the two neighboring residences located to the east and west of the properties. The hillside above the northern most parcel (lot 3) does contain undisturbed chaparral vegetation which is contiguous to a large extent of undisturbed chaparral habitat to the north. This area is considered environmentally sensitive habitat area (ESHA). A portion of the proposed fuel modification zone for the residence on lot 3 will extend into this area.

The project sites have been subject to past Commission actions. Coastal development permits P80-7189 and P81-7840 were approved by the Commission in the early 1980s for two single family residences on the properties that fronted Stunt Road under the original parcel configuration. The conditions on these permits were not complied with and the permits expired.

On July 13, 1989 the Commission approved three 35 foot high 5,000 sq. ft. residences, septic systems, garages, swimming pools and one tennis court with 27,811 cubic yards of grading (CDPs 4-89-296, 297 & 298). The developments also included a lot line adjustment as illustrated as lot line adjustment No.1 on Exhibit 2. The Commission approved the permits with no special conditions. In September of 1990 the Commission revoked the CDPs finding that the projects were improperly noticed and that the failure of notice may have caused the Commission to act differently on the above applications.

On October 10, 1990 the Commission approved CDP 4-90-874 for the construction of three 35 foot high 5,000 sq. ft. single family residences with septic systems, garages, swimming pools, 27,811 cu. yds. of grading and a lot line adjustment subject to six special conditions. The Commission required the applicant to submit revised plans that limited the building pads to a maximum size of 10,000 sq. ft. and required the deletion of a tennis court. The other conditions included landscaping and grading plans, future development restriction, plans conforming to geologic recommendations, drainage plans, and open space deed restriction. The applicant never complied with the special conditions and the permits expired.

Finally, the applicant is proposing a redivision of three lots into three lots (Exhibit 2). The proposed redivision consists of two after-the-fact lot line adjustments approved by the County Department of Regional Planning on September 18, 1989 and August 25, 1999. The first lot line adjustment was approved by the Commission on October 10, 1990 under CDP 5-90-874. However, the applicant at the time did not comply with the conditions of the permit and the permit subsequently expired. A CDP was never secured for the second lot line adjustment.

## **B. Visual Resources**

Section 30251 of the Coastal Act states:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline reservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and preserved. The subject site is located in the upper Cold Creek area which is known

for its scenic vistas of the Santa Monica Mountains. The subject sites are located on a developed stretch of Stunt Road just west of the intersection of Stunt Road and Mulholland Highway. Residential development is located on the northside of Stunt road for approximately ½ mile from the intersection of Stunt and Mulholland Highway. South of Stunt Road is vacant undeveloped land that descends into Cold Creek and then transitions into steeply sloping mountain terrain to Saddle Peak. Sandstone rock outcroppings located to the north of the project sites provide a unique scenic landscape. The site is visible from Stunt Road which is a designated scenic roadway in the certified Malibu/Santa Monica Mountains Land Use Plan. The site is also visible from the LUP designated Calabasas/Cold Creek trail and the Stunt High trail.

The proposed building site has been historically disturbed by vegetation clearance for fire protection purposes for the adjacent residences to the east and west of the subject properties. The building sites are covered with primarily non-native grass species intermixed with sparse chaparral species. Undisturbed contiguous chaparral habitat is located to the north of lot 3. this habitat is considered environmentally sensitive habitat area. A small drainage runs through the site to an existing detention basin at Stunt Road. A culvert transmits runoff under Stunt Road eventually merging with Cold Creek approximately ¼ mile to the south of the subject site.

The applicants are proposing to construct three residential projects on three separate lots that will be accessed off of an existing dirt road. The residences range in size from 5,954 sq. ft. to 6,797 sq. ft. and are 30 feet in height from finished grade. The applicants are also proposing a redivision of three lots into three lots to accommodate the logical building sites for residential development. The three building sites are located on gentle sloping to level portions of the property and are directly adjacent to the existing access road. In order to minimize grading and site disturbance the applicants have located the building sites on the eastern portion of the properties adjacent to the existing access road. The previous lot configurations did not facilitate a design that minimized landform alteration. The previously approved development (CDP 4-90-874) included building pads that were not clustered on the more level portions of the site adjacent to the existing access road and therefore required a significant amount of grading to develop these sites. The total grading approved under this CDP was 27,811 cubic yards. The total proposed grading for the three residential developments in this case is 8,520 cu. yds.

As stated above, in the Cold Creek Significant Watershed Area and other chaparral ESHA in the Santa Monica Mountains the Commission has required, through past permit actions, that development be clustered on a lot and the building pad size not exceed 10,000 sq. ft. to minimize impacts on the sensitive watershed habitat. In his case, the applicants have worked with staff to reduce the grading and footprint of development to comply with this standard. The applicant originally proposed approximate 15,000 – 20,000 sq. ft. pad sizes on the two lots at 2116 and 2120 Stunt Road. The applicant revised the plans for these two lots reducing the building pad size to just under 10,000 sq. ft. This required the elimination of a detached guest unit and garage on lot 1 adjacent to Stunt Road (2120 Stunt Rd.). In addition, the proposed pool

on this lot was relocated next to the residence and the residential structure was reduced slightly in size. The applicants reduced the pad size on middle lot (2116 Stunt Road) by eliminating a yard area and siting the pool closer to the residence. The third lot or northern most lot pad size was designed in conformance with the 10,000 sq. ft. pad size requirement.

The proposed residence on lot 1 (2120 Stunt Rd.) is a two story, 30-foot high, 6,797 sq. ft. structure with a 929 sq. ft. garage and a 1,495 square foot basement garage. The basement garage is accessed from south side of the structure off of the fire turn around area. The applicant is proposing 2,042 cubic yards of grading (846 cu. yds. cut, 1,196 cu. yds. fill) to create a 9,994 sq. ft. building pad and driveway/fire turnaround area. The proposed grading will not result in a significant alteration of the gently sloping landform on this site. In order to minimize grading the applicant is proposing 290 linear feet high of retaining wall to support the western side of the building pad. This retaining wall ranges in height from 0 to 6 feet in height. In addition, the applicant is proposing 726 cu. yds. of grading (508 cu. yds. cut, 218 cu. yds. fill) and a 290 foot long, 0-4 foot high retaining wall to support the 20 foot wide access road to comply with County Fire Department standards. The proposed retaining walls in this case can be effectively screened with landscaping.

The proposed residence on lot 2 (2116 Stunt Rd) is a two story, 30 foot high, 5954 sq. ft. residence with a 1,169 sq. garage. The applicant is proposing 2,068 cu. yds. of grading (1,146 cu. yds. cut, 926 cu. yds. fill) to create a 9,820 sq. ft. building pad and driveway/fire turn around area. In order to minimize grading the applicant is proposing a 124 foot long 0 to 5 foot high retaining wall to support the slope behind the residence. This wall will not be visible from Stunt Road as the residence will block the view of the wall. A 32 foot long 6 foot high retaining wall supports the driveway/fire turn around area. A shallow 2:1 fill slope is proposed to support the south western portion of the pad. In addition, the applicant is proposing 983 cu. yds. of grading (687 cu. yds. cut, 296 cu. yds. fill) and a 130 foot long 4-6 foot high retaining wall to support the 20 foot wide access road to comply with the County Fire Department requirements. The proposed grading and retaining walls will not result in a significant alteration of the relatively gently sloping landform on this site. In addition, the proposed retaining walls can be screened with landscaping to minimize the visual impact of the retaining walls.

The proposed residence on the lot 3 is a two story 30 foot high (from finished grade) 6,236, sq. ft. single family residence with an 1,440 sq. ft. garage. The applicant is proposing 1,596 cu. yds. of grading (638 cu. yds. cut, 960 cu. yds. fill) to create the 9,957 sq. ft. building pad and a fire turn around area. The southern portion of the proposed pad consists of four feet of fill and therefore, the height of the structure from natural grade is 34 feet. In order to minimize cut and fill slopes the applicant is proposing an extensive retaining wall system to support this pad. None of the retaining walls exceed six feet in height so they can be screened with landscaping. Approximately 480 feet of retaining walls are proposed to support the building pad, driveway/turnaround area and access road. 496 cu. yds. of grading is proposed to improve the access road on this parcel to County Fire Department standards. The



proposed building pad is just off the existing access road on the site and is sited on a small existing level area. This area will be expanded to accommodate the building pad which will be supported by the retaining wall system. The proposed grading and site alteration will not result in a significant alteration of the existing landform.

The applicants have revised the proposed project grading plans and structures several times to reduce the grading and pads sizes for the developments. The proposed building pads do not exceed the 10,000 sq. ft. pads size requirement the Commission has consistently required for residential development within the Cold Creek Significant Watershed Area. The proposed retaining wall systems that support portions of the building pads and access road do not exceed six feet in height and can be effectively screen with landscaping. The proposed structures are not excessive in height or size and are located in an existing developed stretch of Stunt Road. The proposed residences are also compatible with the existing development in the immediate vicinity. The surrounding residences range in size from 880 sq. ft. to 7,761 square feet. The Commission approved the neighboring residence to the west which is approximately 5,000 sq. ft. in size. In addition, the Commission has approved two residences within a few hundred feet of the subject properties to the east that are 5,922 sq. ft. and 7,761 sq. ft. in size.

The visual impact of the proposed structures and retaining walls can be minimized by requiring the residence to be finished in a color consistent with the surrounding natural landscape and, further, by requiring that windows of the proposed structure be of a non-reflective glass type. To ensure visual impacts associated with the colors of the structure and the potential glare of the window glass are minimized, the Commission requires the applicant to use colors compatible with the surrounding environment and non-glare glass, as detailed by **Special Condition 7**.

Visual impacts associated with proposed grading, retaining walls and the structures themselves, can be further reduced by the use of appropriate and adequate landscaping. As such, **Special Condition 2** incorporates the requirement that vertical screening elements be added to the landscape plan to soften views of the proposed developments residence from Stunt Road, Cold Creek/ Calabasas trail and Stunt High Trail. In addition, Special Condition 2 requires the applicant to prepare a landscape plan relying mostly on native, noninvasive plant species to ensure that the vegetation on site remains visually compatible with the native flora of surrounding areas. Implementation of Special Condition 2 will partially screen the proposed structures and soften the visual impact of the development from public view areas. To ensure that the final approved landscaping plans are successfully implemented, Special Condition 2 also requires the applicant to revegetate all disturbed areas in a timely manner and includes a monitoring component to ensure the successful establishment of all newly planted and landscaped areas over time.

In addition, the Commission has found that night lighting of areas in the Malibu/Santa Monica Mountains area creates a visual impact to nearby scenic roads and trails. In addition, night lighting may alter or disrupt feeding, nesting, and roosting activities of

native wildlife species. The subject site contains environmentally sensitive habitat. Therefore, **Special Condition 6**, Lighting Restriction, limits night lighting of the site in general; limits lighting to the developed area of the site; and specifies that lighting be shielded downward. The restriction on night lighting is necessary to protect the night time rural character of this portion of the Santa Monica Mountains consistent with the scenic and visual qualities of this coastal area.

Finally, regarding future developments or improvements, certain types of development to the property, normally associated with a single-family residence, which might otherwise be exempt, have the potential to impact scenic and visual resources in this area. It is necessary to ensure that any future development or improvements normally associated with the entire property, which might otherwise be exempt, is reviewed by the Commission for compliance with the scenic resource policy, Section 30251 of the Coastal Act. **Special Condition 8**, the Future Development Restriction, will ensure that the Commission will have the opportunity to review future projects for compliance with the Coastal Act. Finally, **Special Condition 10** requires the applicant to record a deed restriction that imposes the terms and conditions of this permit as restrictions on use and enjoyment of the subject properties and provides any prospective purchaser with recorded notice that the restrictions are imposed on the subject property.

The proposed projects, as conditioned, will not result in a significant adverse impact to scenic public views or character of the surrounding area. Therefore the Commission finds that, as conditioned, the proposed development is consistent with section 30251 of the Coastal Act.

### **C. Hazards and Geologic Stability**

The proposed development is located in the Malibu/Santa Monica Mountains area, an area that is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wildfires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

Section 30253 of the Coastal Act states, in pertinent part, that new development shall:

~~(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.~~

(2) **Assure stability and structural integrity, and neither create nor contribute significantly to erosion, instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.**

### **Geology**

The applicant has submitted three reports entitled, "Update Engineering Geologic Report, Proposed Residential Development at 2116, 2120 & 2130 Stunt Road." prepared by Mountain Geology, Inc., dated May, 2000, which states:

*Based upon our investigation, the proposed development will be free from geologic hazards such as landslides, slippage, active faults, and settlement. The proposed development and septic system will have no adverse effect upon the stability of the site or adjacent properties provided the recommendations of the Engineering Geologist and Geotechnical Engineer are complied with during construction.*

In addition, the applicant has submitted three reports entitled, "Update Geotechnical Engineering and Percolation Test Investigation, Proposed Single Family Residence at 2116, 2120 and 2130 Stunt Road" prepared by West Coast Geotechnical, dated April 14, 2000, states:

*It is the opinion of West Coast Geotechnical that the proposed development will be safe against hazards from landslide, settlement or slippage, and that the proposed development will not have an adverse affect on the stability of the subject site or immediate vicinity, provided our recommendations are made part of the development plans and are implemented during construction..*

The engineering geologic and geotechnical consultant conclude that the proposed developments are feasible and will be free from geologic hazard provided their recommendations are incorporated into the proposed development. The Geologic & Soils Engineering Study, contain several recommendations to be incorporated into project construction, design, drainage, foundations and sewage disposal to ensure the stability and geologic safety of the proposed project site and adjacent property. To ensure that the recommendations of the consultant have been incorporated into all proposed development the Commission, as specified in **Special Condition 1**, requires the applicant to submit project plans certified by the consulting geotechnical engineer as conforming to all structural and site stability recommendations for the proposed projects. Final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed developments, as approved by the Commission, which may be recommended by the consultant shall require an amendment to the permit or a new coastal development permit.

The Commission finds that controlling and diverting run-off in a non-erosive manner from the proposed structures, impervious surfaces, and building pad will minimize erosion and add to the geologic stability of the project sites. To ensure that adequate drainage and erosion control are included in the proposed developments the Commission requires the applicant to submit drainage and interim erosion control plans certified by the consultants, as specified in **Special Conditions 2 and 5**. Special Conditions 5 requires the applicants to maintain a functional drainage system at the subject sites to insure that run-off from the project sites is diverted in a non-erosive manner to minimize erosion at the sites for the life of the proposed developments. Should the drainage system of the project sites fail at any time, the applicant will be

responsible for any repairs or restoration of eroded areas as consistent with the terms of Special Condition 5.

The Commission also finds that landscaping of graded and disturbed areas on the subject site will serve stabilize disturbed soils, reduce erosion and thus enhance and maintain the geologic stability of the site. Therefore, **Special Condition 2** requires the applicant to submit landscaping plans certified by the consulting geotechnical engineer as in conformance with their recommendations for landscaping of the project site. Special Condition 2 also requires the applicant to utilize and maintain native and noninvasive plant species compatible with the surrounding area for landscaping the project sites.

Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foliage weight. The Commission notes that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize slopes and that such vegetation results in potential adverse effects to the stability of the project site. Native species, alternatively, tend to have a deeper root structure than non-native and invasive species, and once established aid in preventing erosion.

In addition, to ensure excess excavated material is moved off site so as not to contribute to unnecessary landform alteration and to minimize erosion and sedimentation from stockpiled excavated soil, the Commission finds it necessary to require the applicant to dispose of the material at a appropriate disposal site or to a site that has been approved to accept fill material, as specified in **Special Condition 9**.

Furthermore, in order to ensure that vegetation clearance for fire protection purposes does not occur prior to commencement of grading or construction of the proposed structures, the Commission finds that it is necessary to impose a restriction on the removal of natural vegetation as specified in **Special Condition 3**. This restriction specifies that natural vegetation shall not be removed until grading or building permits have been secured and construction of the permitted structures has commenced. The limitation imposed by Special Condition 3 avoids loss of natural vegetative coverage resulting in unnecessary erosion in the absence of adequately constructed drainage and run-off control devices and implementation of the landscape and interim erosion control plans.

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The Commission finds that the proposed projects, as conditioned, will serve to minimize potential geologic hazards of the project site and adjacent properties.

### **Wild Fire**

The proposed projects are located in the Santa Monica Mountains, an area subject to an extraordinary potential for damage or destruction from wild fire. Typical vegetation in the Santa Monica Mountains consists mostly of coastal sage scrub and chaparral. Many plant species common to these communities produce and store terpenes, which

are highly flammable substances (Mooney in Barbour, Terrestrial Vegetation of California, 1988). Chaparral and sage scrub communities have evolved in concert with, and continue to produce the potential for, frequent wild fires. The typical warm, dry summer conditions of the Mediterranean climate combine with the natural characteristics of the native vegetation to pose a risk of wild fire damage to development that cannot be completely avoided or mitigated.

Due to the fact that the proposed projects are located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through **Special Condition 4**, the wildfire waiver of liability, the applicant acknowledges the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of **Special Condition 6**, the applicant also agrees to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted projects.

For the reasons set forth above, the Commission finds that, as conditioned, the proposed projects are consistent with Section 30253 of the Coastal Act.

**D. Environmentally Sensitive Habitat**

Section 30230 of the Coastal Act states that:

***Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.***

Section 30231 states:

***The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.***

Section 30240 states:

**(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.**

**(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.**

Section 30107.5 of the Coastal Act, defines an environmentally sensitive area as:

***"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.***

Section 30231 of the Coastal Act requires that the biological productivity and the quality of coastal waters and streams be maintained and, where feasible, restored through, among other means, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flows, maintaining natural buffer areas that protect riparian habitats, and minimizing alteration of natural streams. In addition, Sections 30107.5 and 30240 of the Coastal Act state that environmentally sensitive habitat areas must be protected against disruption of habitat values. Therefore, when considering any area, such as the Santa Monica Mountains, with regard to an ESHA determination one must focus on three main questions:

- 1) Is a habitat or species rare?
- 2) Is the habitat or species especially valuable because of its special nature or role in the ecosystem?
- 3) Is the habitat or species easily disturbed or degraded by human activities and developments?

The Coastal Commission has found that the Mediterranean Ecosystem in the Santa Mountains is itself rare, and valuable because of its relatively pristine character, physical complexity, and resultant biological diversity. Therefore, habitat areas that provide important roles in that ecosystem are especially valuable and meet the second criterion for the ESHA designation. In the Santa Monica Mountains, coastal sage scrub and chaparral have many important roles in the ecosystem, including the provision of critical linkages between riparian corridors, the provision of essential habitat for species that require several habitat types during the course of their life histories, the provision of essential habitat for local endemics, the support of rare species, and the reduction of erosion, thereby protecting the water quality of coastal streams. For these and other reasons discussed in Exhibit 21, which is incorporated herein, the Commission finds that large contiguous, relatively pristine stands of coastal sage scrub and chaparral in

the Santa Monica Mountains meet the definition of ESHA. This is consistent with the Commission's past findings on the Malibu LCP<sup>1</sup>.

For any specific property within the Santa Monica Mountains, it is necessary to meet three tests in order to assign the ESHA designation. First, is the habitat properly identified, for example as coastal sage scrub or chaparral? Second, is the habitat undeveloped and otherwise relatively pristine? Third, is the habitat part of a large, contiguous block of relatively pristine native vegetation?

Commission staff visited the subject properties on February 25, 2003 and confirmed that the area north of the building site on Lot 3 consists primarily of chaparral vegetation. In addition, this chaparral vegetation is undisturbed and is part of a large contiguous area of chaparral habitat that extends to the north of the subject sites (Exhibit 22). The designation of habitat types follows Holland (1986) and the list given in the NPS General Management Plan & Environmental Impact Statement for the Malibu/SMM area. Therefore, due to the important ecosystem roles of coastal sage scrub and chaparral in the Santa Monica Mountains (detailed in Exhibit 21), and the fact that the subject site is relatively undisturbed and part of a large, unfragmented block of habitat (Exhibit 22), the Commission finds that the coastal sage scrub and chaparral on the upper portion of Lot 3 meets the definition of ESHA under the Coastal Act.

As previously mentioned, the project site is located on a developed stretch of Stunt Road in the Cold Creek watershed Area of the Santa Monica Mountains. The subject building sites are located on disturbed portions of the subject properties that have been cleared for many years for fire protection purposes for the adjacent residential developments. The actual building sites are not considered ESHA. However, the area located just to the north of the building site on Lot 3 contains undisturbed chaparral habitat that is contiguous with a vast area of undisturbed habitat that extends to the ridgeline and beyond. As discussed above, this chaparral habitat meets the definition of ESHA as defined in the Coastal Act. The fuel modification zone extending around the proposed structure on Lot 3 will require the thinning of approximately 1.5 acres of chaparral ESHA.

The proposed redivision of the three lots moves the property line on Lot 3 south to capture a building site outside of the ESHA. Staff did consider alternative building sites and lot configurations to further minimize the clearance of the chaparral habitat. Clustering the building sites further to the south would have reduced the fuel modification area extending into the ESHA but would have resulted in additional grading to accommodate building sites and would have required the filling of the minor drainage on the site. Under the proposed lot configuration and building site design the drainage feature is retained on the site. In addition, topographically there are three existing relatively level areas on the site that serve as the logical building sites to minimize grading. Furthermore, by taking access directly off the existing access road grading is

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<sup>1</sup> Revised Findings for the City of Malibu Local Coastal Program (as adopted on September 13, 2002) adopted on February 6, 2003.

further minimized. Compressing the residential development to the south in the same configuration as proposed would somewhat reduce the fuel modification zone required for residence on lot 3 but this would not translate into a significant reduction in ESHA area impacted by fuel modification.

In addition, Commission staff has worked extensively with the applicant to reduce the footprint of development, site disturbance and landform alteration. Originally, the applicant was proposing a larger development area that exceeded 10,000 sq. ft. pad limitation the Commission has required through permit actions in the Cold Creek Significant Watershed Area and other chaparral ESHA in the Santa Monica Mountains. Through past permit actions, the Commission has limited the development area for residential development in ESHA to a maximum development area of 10,000 square feet in order to cluster development and minimize the adverse impacts to ESHA from fuel modification requirements. The applicant originally proposed approximate 15,000 – 20,000 sq. ft. pad sizes on the two lots at 2116 and 2120 Stunt Road. The applicant revised the plans for these two lots reducing the building pad size to just under 10,000 sq. ft. This required the elimination of a detached guest unit and garage on lot 1 adjacent to Stunt Road (2120 Stunt Rd.). In addition, the proposed pool on this lot was relocated next to the residence and the residential structure was reduced slightly in size. The applicants reduced the pad size on middle lot (2116 Stunt Road) by eliminating a yard area and siting the pool closer to the residence. The third lot or northern most lot pad size was designed in conformance with the 10,000 sq. ft. pad size requirement.

As explained above, the upper portion of Lot 3 constitutes an environmentally sensitive habitat area (ESHA) pursuant to Section 30107.5. Section 30240 requires that "environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas." Section 30240 restricts development on the parcel to only those uses that are dependent on the resource. The applicant proposes to construct a single family residence on the parcel which will require the removal of chaparral ESHA as a result of fuel modification for fire protection purposes. As single family residences do not have to be located within ESHAs to function, the Commission does not consider single-family residences to be a use dependent on ESHA resources. Application of Section 30240, by itself, would require denial of the project, because the project would result in significant disruption of habitat values and is not a use dependent on those sensitive habitat resources.

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However, the Commission must also consider Section 30010, and the Supreme Court decision in *Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003, 112 S.Ct. 2886. Section 30010 of the Coastal Act provides that the Coastal Act shall not be construed as authorizing the Commission to exercise its power to grant or deny a permit in a manner which will take private property for public use. Application of Section 30010 may overcome the presumption of denial in some instances. The subject of what government action results in a "taking" was addressed by the U.S. Supreme Court in *Lucas v. South Carolina Coastal Council*. In *Lucas*, the Court



identified several factors that should be considered in determining whether a proposed government action would result in a taking. For instance, the Court held that where a permit applicant has demonstrated that he or she has a sufficient real property interest in the property to allow the proposed project, and that project denial would deprive his or her property of all economically viable use, then denial of the project by a regulatory agency might result in a taking of the property for public use unless the proposed project would constitute a nuisance under State law. Another factor that should be considered is the extent to which a project denial would interfere with reasonable investment-backed expectations.

The Commission interprets Section 30010, together with the *Lucas* decision, to mean that if Commission denial of the project would deprive an applicant's property of all reasonable economic use, the Commission may be required to allow some development even where a Coastal Act policy would otherwise prohibit it, unless the proposed project would constitute a nuisance under state law. In other words, Section 30240 of the Coastal Act cannot be read to deny all economically beneficial or productive use of land because Section 30240 cannot be interpreted to require the Commission to act in an unconstitutional manner.

In the subject case, the applicant purchased the three properties in the early 1990s for approximately \$300,000. The parcels were designated in the County's certified Land Use Plan in 1986 for residential use. Residential development has previously been approved on the subject parcels by the Commission and on other parcels in the vicinity that generally contained the same type of habitat as the applicant's parcel. At the time the applicant purchased the parcel, the County's certified Land Use Plan did not designate the vegetation on the site as ESHA. Based on this fact, along with the presence of existing and approved residential development on nearby parcels, the applicant had reason to believe that they had purchased parcels on which they would be able to build a residence.

The Commission finds that in this particular case, other allowable uses for the subject site (Lot 3), such as a recreational park or a nature preserve, are not feasible and would not provide the owner an economic return on the investment. The parcel is 5.34 acres, and is surrounded by other residentially developed parcels. Public parkland has been acquired in this general vicinity, the Santa Monica Mountains National Recreation Area. However, there is currently not an offer to purchase the property from any public park agency. The Commission thus concludes that in this particular case there is no viable alternative use for the site other than residential development. The Commission finds, therefore, that outright denial of all residential use on Lot 3 would interfere with reasonable investment-backed expectations and deprive the property of all reasonable economic use.

Next the Commission turns to the question of nuisance. There is no evidence that construction of a residence on Lot 3 would create a nuisance under California law. Other houses have been constructed in similar situations in chaparral habitat in Los Angeles County, apparently without the creation of nuisances. The County's Health

Department has not reported evidence of septic system failures. In addition, the County has reviewed and approved the applicant's proposed septic system, ensuring that the system will not create public health problems. Furthermore, the use that is proposed is residential, rather than, for example, industrial, which might create noise or odors or otherwise create a public nuisance. In conclusion, the Commission finds that a residential project on Lot 3 can be allowed to permit the applicant a reasonable economic use of their property consistent with Section 30010 of the Coastal Act.

While the applicant is entitled under Section 30010 to an assurance that the Commission will not act in such a way as to take their property, this section does not authorize the Commission to avoid application of the policies of the Coastal Act, including Section 30240, altogether. Instead, the Commission is only directed to avoid construing these policies in a way that would take property. Aside from this instruction, the Commission is still otherwise directed to enforce the requirements of the Act. Therefore, in this situation, the Commission must still comply with Section 30240 by avoiding impacts that would disrupt and/or degrade environmentally sensitive habitat, to the extent this can be done without taking the property.

As discussed above, the proposed development will be approved within ESHA in order to provide an economically viable use. Siting and design alternatives have been considered in order to identify the alternative that can avoid and minimize impacts to ESHA to the greatest extent feasible. However, given the location of ESHA on Lot 3, there will still be significant impacts to ESHA resulting from the required fuel modification area around the approved structure on Lot 3. The following discussion of ESHA impacts from new development and fuel modification is based on the findings of the Malibu LCP<sup>2</sup>.

Fuel modification is the removal or modification of combustible native or ornamental vegetation. It may include replacement with drought tolerant, fire resistant plants. The amount and location of required fuel modification would vary according to the fire history of the area, the amount and type of plant species on the site, topography, weather patterns, construction design, and siting of structures. There are typically three fuel modification zones applied by the Fire Department:

Zone A (Setback Zone) is required to be a minimum of 20 feet beyond the edge of protected structures. In this area native vegetation is cleared and only ground cover, green lawn, and a limited number of ornamental plant species are allowed. This zone must be irrigated to maintain a high moisture content.

Zone B (Irrigated Zone) is required to extend from the outermost edge of Zone A to a maximum of 80 feet. In this area ground covers may not extend over 18 inches in height. Some native vegetation may remain in this zone if they are

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<sup>2</sup> Revised Findings for the City of Malibu Local Coastal Program (as adopted on September 13, 2002) adopted on February 6, 2003.

adequately spaced, maintained free of dead wood and individual plants are thinned. This zone must be irrigated to maintain a high moisture content.

Zone C (Thinning Zone) is required to extend from the outermost edge of Zone B up to 100 feet. This zone would primarily retain existing native vegetation, with the exception of high fuel species such as chamise, red shank, California sagebrush, common buckwheat and sage. Dead or dying vegetation must be removed and the fuel in existing vegetation reduced by thinning individual plants.

Thus, the combined required fuel modification area around structures can extend up to a maximum of 200 feet. If there is not adequate area on the project site to provide the required fuel modification for structures, then brush clearance may also be required on adjacent parcels. In this case, required fuel modification zone on lot 3 will extend from the approved structures as generally shown on Exhibit 15, into chaparral ESHA.

Notwithstanding the need to protect structures from the risk of wildfire, fuel modification results in significant adverse impacts that are in excess of those directly related to the development itself. Within the area next to approved structures (Zone A), all native vegetation must be removed and ornamental, low-fuel plants substituted. In Zone B, most native vegetation will be removed or widely spaced. Finally, in Zone C, native vegetation may be retained if thinned, although particular high-fuel plant species must be removed (Several of the high fuel species are important components of the coastal sage scrub community). In this way, for a large area around any permitted structures, native vegetation will be cleared, selectively removed to provide wider spacing, and thinned.

Obviously, native vegetation that is cleared and replaced with ornamental species, or substantially removed and widely spaced will be lost as habitat and watershed cover. Additionally, thinned areas will be greatly reduced in habitat value. Even where complete clearance of vegetation is not required, the natural habitat can be significantly impacted, and ultimately lost. For instance, in coastal sage scrub habitat, the natural soil coverage of the canopies of individual plants provides shading and reduced soil temperatures. When these plants are thinned, the microclimate of the area will be affected, increasing soil temperatures, which can lead to loss of individual plants and the eventual conversion of the area to a dominance of different non-native plant species. The areas created by thinning between shrubs can be invaded by non-native grasses that will over time out-compete native species.

For example, undisturbed coastal sage scrub vegetation typical of coastal canyon slopes, and the downslope riparian corridors of the canyon bottoms, ordinarily contains a variety of tree and shrub species with established root systems. Depending on the canopy coverage, these species may be accompanied by understory species of lower profile. The established vegetative cover, including the leaf detritus and other mulch contributed by the native plants, slows rainfall runoff from canyon slopes and staunches silt flows that result from ordinary erosional processes. The native vegetation thereby limits the intrusion of sediments into downslope creeks. Accordingly, disturbed slopes

where vegetation is either cleared or thinned are more directly exposed to rainfall runoff that can therefore wash canyon soils into down-gradient creeks. The resultant erosion reduces topsoil and steepens slopes, making revegetation increasingly difficult or creating ideal conditions for colonization by invasive, non-native species that supplant the native populations.

The cumulative loss of habitat cover also reduces the value of the sensitive resource areas as a refuge for birds and animals, for example by making them—or their nests and burrows—more readily apparent to predators. The impacts of fuel clearance on bird communities was studied by Stralberg who identified three ecological categories of birds in the Santa Monica Mountains: 1) local and long distance migrators (ash-throated flycatcher, Pacific-slope flycatcher, phainopepla, black-headed grosbeak), 2) chaparral-associated species (Bewick's wren, wrentit, blue-gray gnatcatcher, California thrasher, orange-crowned warbler, rufous-crowned sparrow, spotted towhee, California towhee) and 3) urban-associated species (mourning dove, American crow, Western scrub-jay, Northern mockingbird)<sup>3</sup>. It was found in this study that the number of migrators and chaparral-associated species decreased due to habitat fragmentation while the abundance of urban-associated species increased. The impact of fuel clearance is to greatly increase this edge-effect of fragmentation by expanding the amount of cleared area and "edge" many-fold. Similar results of decreases in fragmentation-sensitive bird species are reported from the work of Bolger et al. in southern California chaparral<sup>4</sup>.

Fuel clearance and habitat modification may also disrupt native arthropod communities, and this can have surprising effects far beyond the cleared area on species seemingly unrelated to the direct impacts. A particularly interesting and well-documented example with ants and lizards illustrates this point. When non-native landscaping with intensive irrigation is introduced, the area becomes favorable for the invasive and non-native Argentine ant. This ant forms "super colonies" that can forage more than 650 feet out into the surrounding native chaparral or coastal sage scrub around the landscaped area<sup>5</sup>. The Argentine ant competes with native harvester ants and carpenter ants displacing them from the habitat<sup>6</sup>. These native ants are the primary food resource for the native coast horned lizard, a California "Species of Special Concern." As a result of Argentine ant invasion, the coast horned lizard and its native ant food resources are diminished in areas near landscaped and irrigated developments<sup>7</sup>. In addition to

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<sup>3</sup> Stralberg, D. 2000. Landscape-level urbanization effects on chaparral birds: a Santa Monica Mountains case study. Pp. 125–136 in Keeley, J.E., M. Baer-Keeley, and C.J. Fotheringham (eds.). *2nd interface between ecology and land development in California*. U.S. Geological Survey, Sacramento, California.

<sup>4</sup> Bolger, D. T., T. A. Scott and J. T. Rotenberry. 1997. Breeding bird abundance in an urbanizing landscape in coastal Southern California. *Conserv. Biol.* 11:406-421.

<sup>5</sup> Suarez, A.V., D.T. Bolger and T.J. Case. 1998. Effects of fragmentation and invasion on native ant communities in coastal southern California. *Ecology* 79(6):2041-2056.

<sup>6</sup> Holway, D.A. 1995. The distribution of the Argentine ant (*Linepithema humile*) in central California: a twenty-year record of invasion. *Conservation Biology* 9:1634-1637. Human, K.G. and D.M. Gordon. 1996. Exploitation and interference competition between the invasive Argentine ant, (*Linepithema humile*), and native ant species. *Oecologia* 105:405-412.

<sup>7</sup> Fisher, R.N., A.V. Suarez and T.J. Case. 2002. Spatial patterns in the abundance of the coastal horned lizard. *Conservation Biology* 16(1):205-215. Suarez, A.V. J.Q. Richmond and T.J. Case. 2000. Prey

specific effects on the coast horned lizard, there are other Mediterranean habitat ecosystem processes that are impacted by Argentine ant invasion through impacts on long-evolved native ant-plant mutualisms<sup>8</sup>. The composition of the whole arthropod community changes and biodiversity decreases when habitats are subjected to fuel modification. In coastal sage scrub disturbed by fuel modification, fewer arthropod predator species are seen and more exotic arthropod species are present than in undisturbed habitats<sup>9</sup>.

Studies in the Mediterranean vegetation of South Africa (equivalent to California shrubland with similar plant species) have shown how the invasive Argentine ant can disrupt the whole ecosystem.<sup>10</sup> In South Africa the Argentine ant displaces native ants as they do in California. Because the native ants are no longer present to collect and bury seeds, the seeds of the native plants are exposed to predation, and consumed by seed eating insects, birds and mammals. When this habitat burns after Argentine ant invasion the large-seeded plants that were protected by the native ants all but disappear. So the invasion of a non-native ant species drives out native ants, and this can cause a dramatic change in the species composition of the plant community by disrupting long-established seed dispersal mutualisms. In California, some insect eggs are adapted to being buried by native ants in a manner similar to plant seeds<sup>11</sup>.

While these impacts resulting from fuel modification can be reduced through siting and designing alternatives for new development, they cannot be completely avoided, given the high fire risk and the location of ESHA on Lot 3. The Commission finds that the loss of chaparral ESHA resulting from the removal, conversion, or modification of natural habitat for new development including fuel modification and brush clearance must be mitigated. The acreage of habitat that is impacted must be determined based on the size of the required fuel modification are on Lot 3. In this case, the ESHA area affected by the proposed development including the areas impacted by fuel modification or brushing is approximately 1.5 acres. However, the precise area of chaparral ESHA that will be impacted by the proposed development has not been calculated. Therefore, the Commission finds that it is necessary to require the applicant to delineate the ESHA both on and offsite that will be impacted by the proposed development on Lot 3c including the areas affected by fuel modification and brushing activities, as required by **Special Condition No. 12**.

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selection in horned lizards following the invasion of Argentine ants in southern California. *Ecological Applications* 10(3):711-725.

<sup>8</sup> Suarez, A.V., D.T. Bolger and T.J. Case. 1998. Effects of fragmentation and invasion on native ant communities in coastal southern California. *Ecology* 79(6):2041-2056. Bond, W. and P. Slingsby. Collapse of an Ant-Plant Mutualism: The Argentine Ant (*Iridomyrmex humilis*) and Myrmecochorous Proteaceae. *Ecology* 65(4):1031-1037.

<sup>9</sup> Longcore, T.R. 1999. Terrestrial arthropods as indicators of restoration success in coastal sage scrub. Ph.D. Dissertation, University of California, Los Angeles.

<sup>10</sup> Christian, C. 2001. Consequences of a biological invasion reveal the importance of mutualism for plant communities. *Nature* 413:635-639.

<sup>11</sup> Hughes, L. and M. Westoby. 1992. Capitula on stick insect eggs and elaiosomes on seeds: convergent adaptations for burial by ants. *Functional Ecology* 6:642-648.

In the certification of the Malibu LCP the Commission approved three methods for providing mitigation for the unavoidable loss of ESHA resulting from development, including habitat restoration, habitat conservation, and an in-lieu fee for habitat conservation. The Commission finds that these measures are appropriate in this case to mitigate the loss of chaparral habitat on Lot 3. These three mitigation methods are provided as three available options for compliance with **Special Condition No. 12**. The first method is to provide mitigation through the restoration of an area of degraded habitat (either on the project site, or at an off-site location) that is equivalent in size to the area of habitat impacted by the development. A restoration plan must be prepared by a biologist or qualified resource specialist and must provide performance standards, and provisions for maintenance and monitoring. The restored habitat must be permanently preserved through the recordation of an open space easement. This mitigation method is provided for in Special Condition No. 12, subpart A.

The second habitat impact mitigation method is habitat conservation. This includes the conservation of an area of intact habitat equivalent to the area of the impacted habitat. The parcel containing the habitat conservation area must be restricted from future development and permanently preserved. If the mitigation parcel is larger in size than the impacted habitat area, the excess acreage could be used to provide habitat impact mitigation for other development projects that impact ESHA. This mitigation method is provided for in Special Condition No. 12, subpart B.

The third habitat impact mitigation option is an in-lieu fee for habitat conservation. The fee will be based on the habitat type(s) in question, the cost per acre to restore or create the comparable habitat type, and the acreage of habitat affected by the project. The fee shall be provided to the Santa Monica Mountains Conservancy for the acquisition or permanent preservation of natural habitat areas within the coastal zone. This mitigation method is provided for in Special Condition No.12, subpart C.

The Commission has determined that in conjunction with siting new development to minimize impacts to ESHA, additional actions can be taken to minimize adverse impacts to ESHA. The Commission finds that the use of non-native and/or invasive plant species for residential landscaping results in both direct and indirect adverse effects to native plants species indigenous to the Malibu/Santa Monica Mountains area. Adverse effects from such landscaping result from the direct occupation or displacement of native plant communities by new development and associated non-native landscaping. Indirect adverse effects include offsite migration and colonization of native plant habitat by non-native/invasive plant species (which tend to outcompete native species) adjacent to new development. The Commission notes that the use of exotic plant species for residential landscaping has already resulted in significant adverse effects to native plant communities in the Malibu/Santa Monica Mountains area. Therefore, in order to minimize adverse effects to the indigenous plant communities of the Malibu/Santa Monica Mountains area, **Special Condition 2** requires that all landscaping consist primarily of native plant species and that invasive plant species shall not be used.

The Commission notes that streams and drainages, such as Cold Creek located ¼ mile south of the subject sites, provide important habitat for wetland and riparian plant and animal species. Section 30231 of the Coastal Act provides that the quality of coastal waters and streams shall be maintained and restored whenever feasible through means such as: controlling runoff, preventing interference with surface water flows and alteration of natural streams, and by maintaining natural vegetation buffer areas. In past permit actions the Commission has found that new development adjacent to coastal streams and natural drainages results in potential adverse impacts to riparian habitat and marine resources from increased erosion, contaminated storm runoff, introduction of non-native and invasive plant species, disturbance of wildlife, and loss of riparian plant and animal habitat. A minor drainage onsite transmits runoff directly into Cold Creek located ¼ mile to the south as such, the Commission finds that potential adverse effects of the proposed development on riparian habitat of this stream may be further minimized through the implementation of a drainage and polluted runoff control plan, which will ensure that erosion is minimized and polluted run-off from the site is controlled and filtered before it reaches natural drainage courses within the watershed. Therefore, the Commission requires **Special Condition 5**, the Drainage and Polluted Run-off Control Plan, which requires the applicant to incorporate appropriate drainage devices and Best Management Practices (BMPs) to ensure that run-off from the proposed structures, impervious surfaces, building pad area, and barn is conveyed off-site in a non-erosive manner and is treated/filtered to reduce pollutant load before it reaches coastal waterways.

In addition, the Commission has found that night lighting of areas in the Malibu/Santa Monica Mountains area creates a visual impact to nearby scenic beaches, scenic roads, parks, and trails. In addition, night lighting may alter or disrupt feeding, nesting, and roosting activities of native wildlife species. The subject site contains environmentally sensitive habitat. Therefore, **Special Condition 6**, Lighting Restriction, limits night lighting of the site in general; limits lighting to the developed area of the site; and specifies that lighting be shielded downward. The restriction on night lighting is necessary to protect the night time rural character of this portion of the Santa Monica Mountains consistent with the scenic and visual qualities of this coastal area. In addition, low intensity security lighting will assist in minimizing the disruption of wildlife traversing this area at night that are commonly found in this rural and relatively undisturbed area. Thus, the proposed setback from the sensitive habitat area and natural topography in concert with the lighting restrictions will attenuate the impacts of unnatural light sources and will not impact sensitive wildlife species.

Furthermore, fencing of the Lot 3 would adversely impact the movement of wildlife through the chaparral ESHA on this 5.34 acre parcel. Therefore, the Commission finds it is necessary to limit fencing to the perimeter of Zone B (irrigated zone) of the fuel modification Plan as required in **Special Condition 2**.

Finally, the Commission finds that the amount and location of any new development that may be proposed in the future on the subject site is significantly limited by the unique nature of the site and the environmental constraints discussed above.



Therefore, to ensure that any future structures, additions, change in landscaping or intensity of use at the project site, that may otherwise be exempt from coastal permit requirements, are reviewed by the Commission for consistency with the resource protection policies of the Coastal Act, **Special Condition 8**, the future development restriction, has been required. Finally, **Special Condition 10** requires the applicant to record a deed restriction that imposes the terms and conditions of this permit as restrictions on use and enjoyment of the property and provides any prospective purchaser of the site with recorded notice that the restrictions are imposed on the subject property.

For the reasons set forth above, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30230, 30231, and 30240 of the Coastal Act.

#### **E. Water Quality**

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, and introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources, as well as effluent from septic systems.

Section 30231 of the Coastal Act states:

***The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.***

As described in detail in the previous sections, the applicant is proposing to develop the subject sites with new single-family residences and other appurtenant structures. The proposed building locations are located upslope from Cold Creek a stream that contains sensitive riparian habitat. The sites are considered a "hillside" development, as it involves sloping hillside terrain with soils that are susceptible to erosion.

The proposed developments will result in an increase in impervious surface at the subject sites, which in turn decreases the infiltrative function and capacity of existing permeable land on site. Reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and



pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to find the proposed developments consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed sites. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP), is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost.

For design purposes, with case-by-case considerations, post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs. The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85<sup>th</sup> percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in **Special Condition 5**, and finds this will ensure the proposed developments will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act.

In addition, the proposed projects are conditioned to also implement a pool and spa drainage and maintenance plan to prevent uncontrolled drainage of the proposed swimming pools and spas such that drainage of pool water does not result in discharge of chemically treated water to coastal streams and drainages. The pool and spa drainage and maintenance plan, as detailed in **Special Condition 11** requires the applicant to submit a written pool and spa maintenance plan that contains an

agreement to install and use a no chlorine or low chlorine purification system and a program to maintain proper pH, calcium and alkalinity balance in a manner such that any runoff or drainage from the pool or spa will not include excessive amounts of chemicals that may adversely affect water quality or environmentally sensitive habitat area. In addition, Special Condition 11 prohibits discharge of pool water into a street, storm drain, creek, canyon, drainage channel, or other location where it could enter receiving waters.

Furthermore, interim erosion control measures implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the post-development stage. Therefore, the Commission finds that **Special Condition 2** is necessary to ensure the proposed developments will not adversely impact water quality or coastal resources.

Finally, the proposed developments include the installation of on-site private sewage disposal systems to serve the residences. The applicant has submitted three reports entitled "Supplemental Engineering Geologic Reports, Proposed Private Sewage Disposal Systems for all three properties. The reports state that:

***Based upon the exploration and findings in the area of the proposed seepage pits(s), and experience with similar projects, the installation of the proposed private sewage disposal system is considered feasible from an engineering geologic standpoint provided the following recommendations are made part of the plans and are implemented during construction.***

***Based on recent percolation testing by Mr. Slutske, the underlying volcanic bedrock provides adequate absorption of effluent; however, more than one pit may be required.***

In addition, the County of Los Angeles, Department of Health Services, has given in-concept approval of the proposed septic systems, determining that the systems meet the requirements of the plumbing code. The Commission has found that conformance with the provisions of the plumbing code is protective of coastal resources.

For the reasons set forth above, the Commission finds that the proposed projects, as conditioned to incorporate and maintain a drainage and polluted runoff control plan, are consistent with Section 30231 of the Coastal Act.

#### **F. New Development/Land Use Densities and Cumulative Impacts**

Section 30250 (a) of the Coastal Act provides that new development be located within or near existing developed areas able to accommodate it, with adequate public services, where it will not have significant adverse effects, either individually or cumulatively, on coastal resources:

***New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.***

Section 30105.5 of the Coastal Act defines the term "cumulatively", as it is applied in Section 30250(a) to mean that:

**... the incremental effects of an individual project shall be reviewed in conjunction with the effects of past projects, the effects of other current projects, and the effects of probable future projects.**

In past permit actions, the Commission has found that for Malibu and the Santa Monica Mountains, the coastal terrace area represents the existing developed area. The Commission has repeatedly emphasized, in past permit decisions, the need to address the cumulative impacts of new development in the Malibu/Santa Monica Mountains coastal zone. The Commission has reviewed land division applications to ensure that newly created or reconfigured parcels are of sufficient size, have access to roads and other utilities, are geologically stable and contain an appropriate potential building pad area where future structures can be developed consistent with the resource protection policies of the Coastal Act. In particular, the Commission has ensured that future development on new or reconfigured lots can minimize landform alteration and other visual impacts, and impacts to environmentally sensitive habitat areas. Finally, the Commission has required that all new or reconfigured lots have adequate public services, including road, bridge, and driveway access that meets the requirements of the Fire Department.

The Commission has considered several projects which the applicants and the County treated as "lot line adjustments" which actually resulted in major reconfiguration of lot lines amongst several lots [4-96-28 (Harberger, et. al.) 4-96-150 (Rein, et. al.), 4-96-189 (Flinkman), 4-96-187 (Sohal), 4-00-110 (Gurvitz)]. In these cases, the Commission has considered the proposed projects to actually be "redivisions" whereby existing property boundary lines are significantly modified to redivide the project site into the same number or fewer wholly reconfigured lots. The Commission has analyzed these proposals just as it analyzes a new subdivision of lots. The Commission has only permitted such redivisions where adequate fire access and other public services are available and where the resultant lots could be developed minimizing impacts to coastal resources.

As noted in the project description, the proposed project involves an after the fact redivision of three existing lots into three reconfigured lots. Therefore, the project does not increase the number of lots so there is no increase in density. The proposed

project is located on a rural area of the Santa Monica Mountains which outside the area the Commission considers to be a developed area. However, the area has adequate public services and is able to accommodate the new lot configuration consistent with the requirements of Section 30250 of the Coastal Act.

The certified 1986 Malibu Land Use Plan (LUP) density designation for this site is Mountain Land (M2 – 1dwelling unit per 20 acres). Therefore, under the original lot configuration the lots were not in conformance with the LUP M2 designation of one dwelling unit per 20 acres. Therefore, the lots are considered legal non-conforming parcels. The following table sets forth the sizes of the existing and the redivided parcels.

Parcel No.	Original Parcel Size	Proposed Parcel Size
Parcel 1	3.41 acres	1.42 acres
Parcel 2	1.21 acres	2.01 acres
Parcel 3	4.15 acres	5.34 acres

The proposed redivision provides a lot configuration that includes three logical building sites that take access off an existing access road. The applicant has designed a lot configuration that clusters the proposed building sites on existing disturbed areas of the site and on the more gently sloping portions of the site. This lot configuration in combination with locating the building pads adjacent to an existing access road serves to minimize grading for the development of three residences. In addition the lot sizes get progressively larger from lot 1 to lot 3 as the slope increases across the site from south to north. In other words, the smaller lot is on the sited on the less steeply sloping portion of the site and the larger lot is on the steeper portion of the site. The proposed redivision does not increased the potential density of development on the site and is configured to minimize grading and site disturbance. In addition, as discussed above, the proposed building sites on the three parcels can be developed consistent with the Chapter Three policies of the Coastal Act and there are adequate services to accommodate the newly configured parcels. Therefore, for the reasons set forth above, the Commission finds, that the proposed projects, as conditioned, will not result in any significant individual or cumulative adverse impacts on coastal resources and are consistent with Section 30250 of the Coastal Act.

#### **G. Violations**

Unpermitted development occurred on the subject parcel prior to submission of this permit application involving the redivision of three parcels into three parcels. The subject permit application addresses the unpermitted development, as well as the new development proposed in the subject application. In order to ensure that the matter of unpermitted development is resolved in a timely manner, **Special Condition No. 13**

requires that the applicant satisfy all conditions of this permit which are prerequisite to the issuance of this permit within 120 days of Commission action, or within such additional time as the Executive Director may grant for good cause.

Consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

#### **H. Local Coastal Program**

Section 30604 of the Coastal Act states:

*a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).*

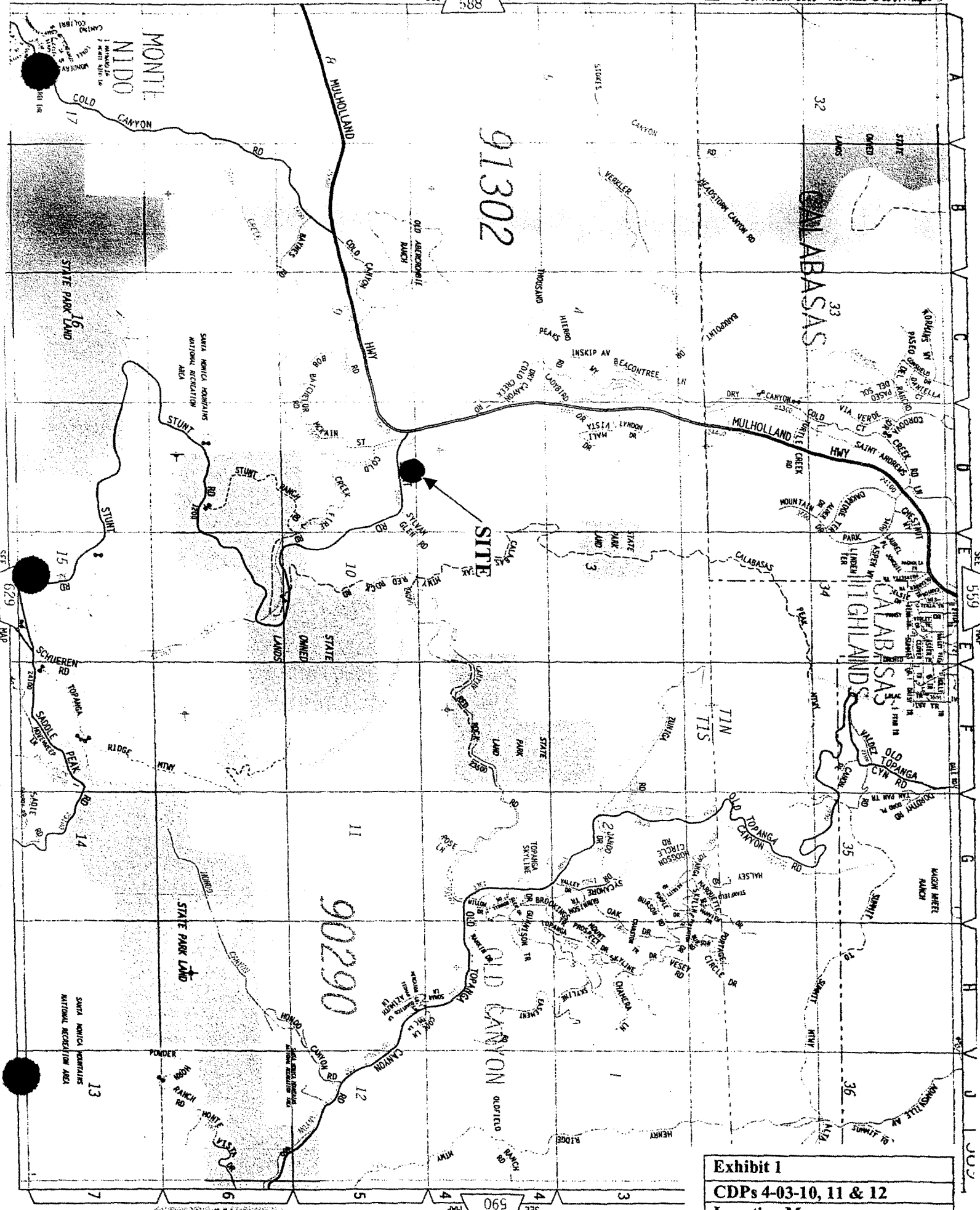
Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the projects and are accepted by the applicant. As conditioned, the proposed developments will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed developments, as conditioned, will not prejudice the County of Los Angeles' ability to prepare a Local Coastal Program for this area which is also consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

#### **I. CEQA**

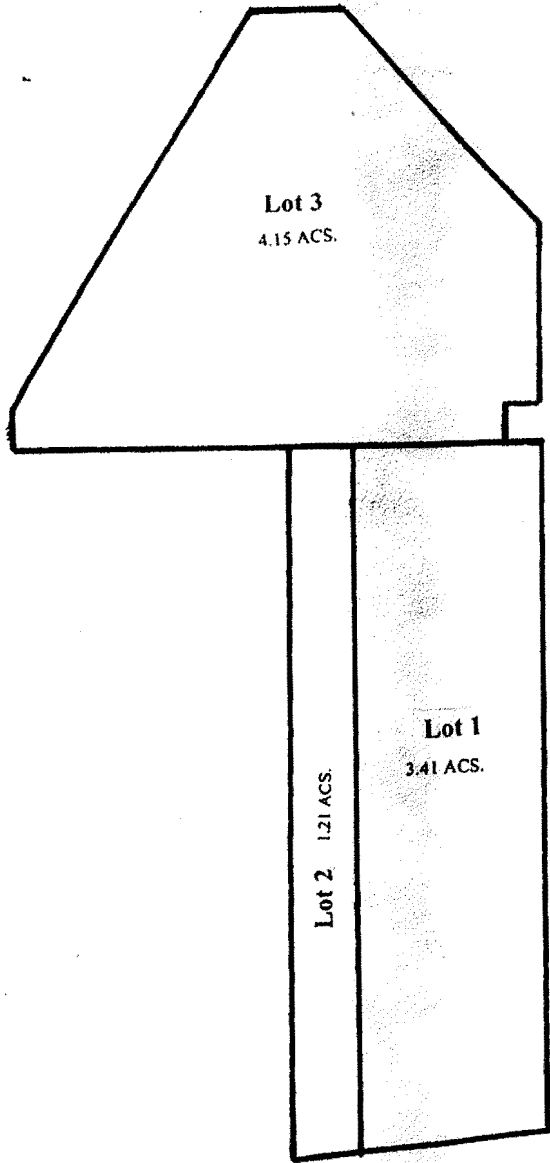
Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

The Commission finds that the proposed projects, as conditioned, will not have significant adverse effects on the environment within the meaning of the California

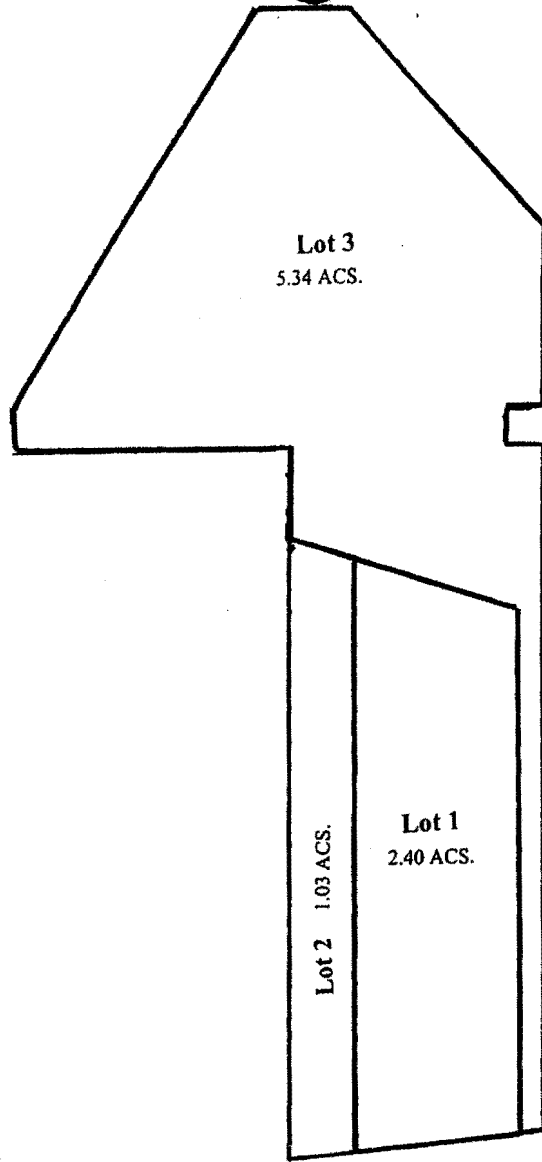
Environmental Quality Act of 1970. Therefore, the proposed projects, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.



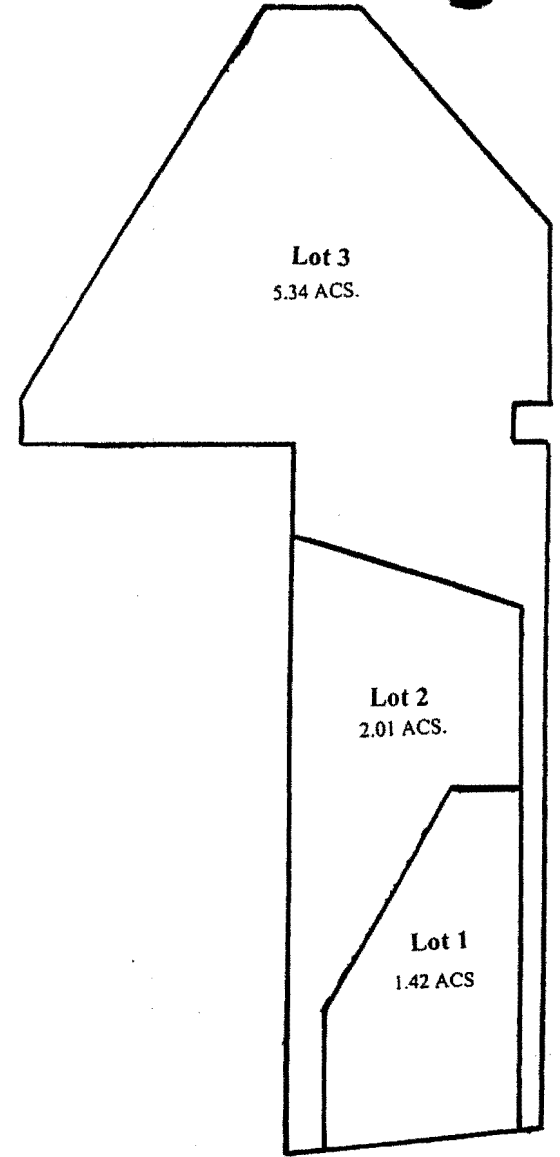
**Exhibit 1**  
**CDPs 4-03-10, 11 & 12**  
**Location Map**



Original Lot Configuration



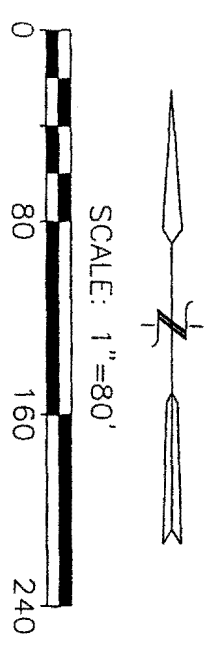
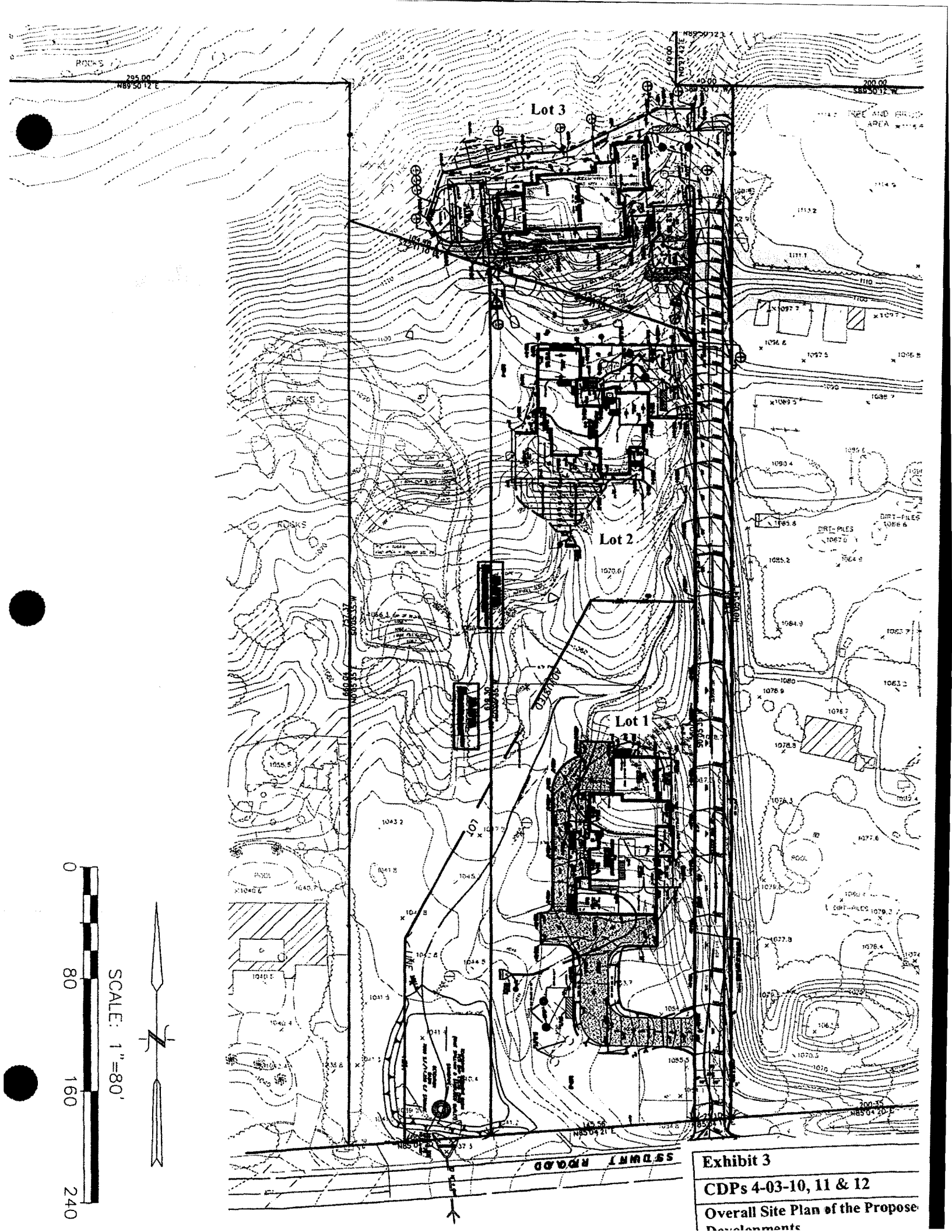
Lot Line Adjustment No. 1  
(LA County C of C # 100,619)



Lot Line Adjustment No. 2 - Proposed Lot Configuration  
(LA County C of C # 101,741)

## Lot Redivision





**Exhibit 3**  
**CDPs 4-03-10, 11 & 12**  
**Overall Site Plan of the Proposed Developments**

**PLANS DEPARTMENT NOTICE**

THIS PLAN IS A PRELIMINARY PLAN AND IS SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING DEPARTMENT. THE PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT OR FOR THE RESULTS THEREOF. THE PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR THE DESIGN OF THE PROJECT OR FOR THE RESULTS THEREOF. THE PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT OR FOR THE RESULTS THEREOF.

**CONSTRUCTION NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND THE CALIFORNIA ELECTRICAL CODE.

2. ALL FOUNDATIONS SHALL BE CONSTRUCTED ON A MINIMUM OF 4" OF COMPACTED GRANULAR FILL OVER THE NATURAL GROUND SURFACE.

3. ALL EXTERIOR WALLS SHALL BE CONSTRUCTED WITH A MINIMUM OF 8" OF CONCRETE OR 12" OF BRICK WITH A MINIMUM OF 1/2" OF AIR SPACE ON BOTH SIDES.

4. ALL ROOFS SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" OF AIR SPACE ON BOTH SIDES.

5. ALL ROOFING SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" OF AIR SPACE ON BOTH SIDES.

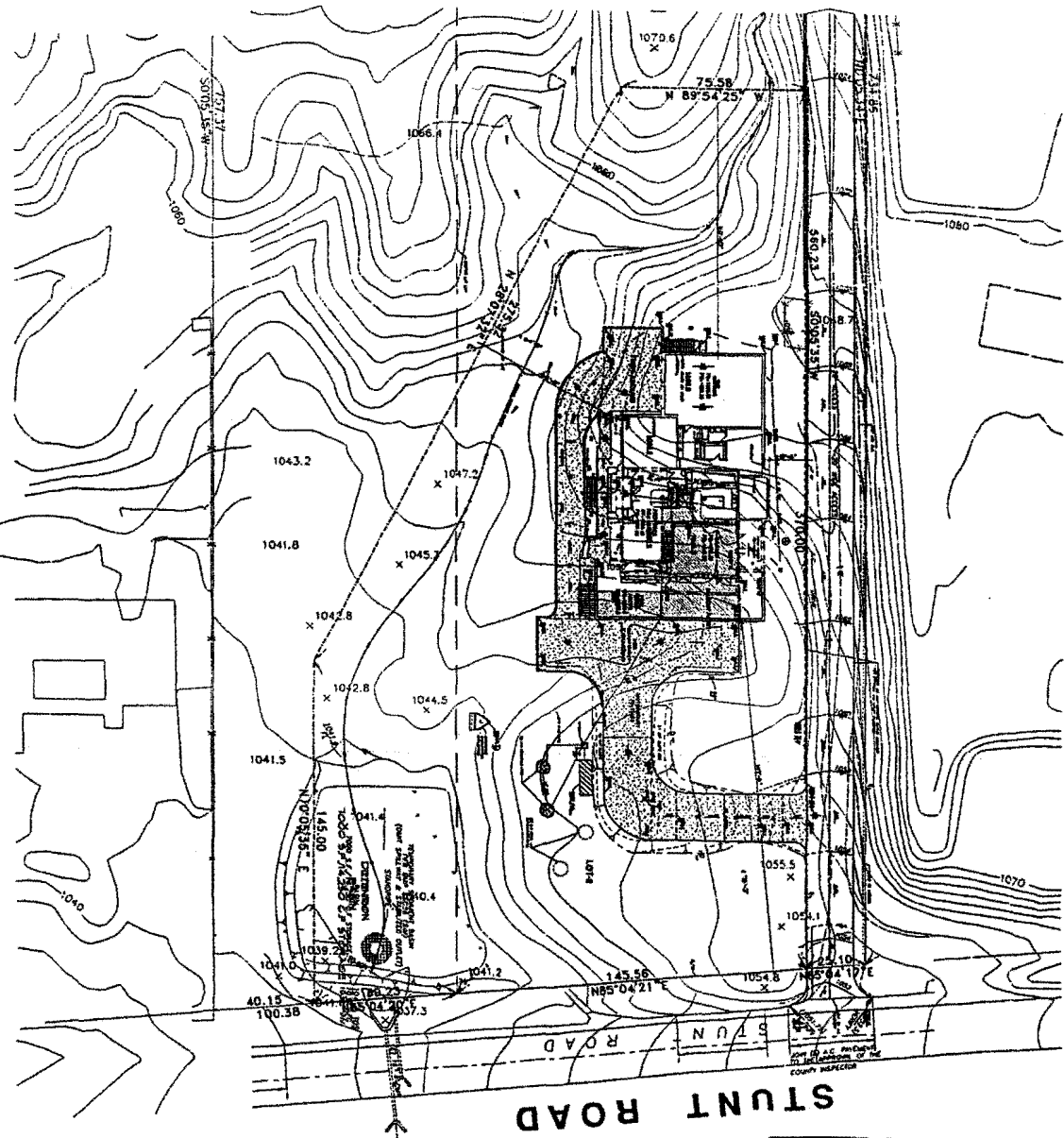
6. ALL ROOFING SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" OF AIR SPACE ON BOTH SIDES.

7. ALL ROOFING SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" OF AIR SPACE ON BOTH SIDES.

8. ALL ROOFING SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" OF AIR SPACE ON BOTH SIDES.

9. ALL ROOFING SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" OF AIR SPACE ON BOTH SIDES.

10. ALL ROOFING SHALL BE CONSTRUCTED WITH A MINIMUM OF 1/2" OF AIR SPACE ON BOTH SIDES.



**SITE PLAN**

**SITE PLAN LOWER LOT**

NO.	DESCRIPTION	AREA (SQ. FT.)
1	Garage	1,000
2	Living Room	1,200
3	Dining Room	800
4	Kitchen	600
5	Bedroom	1,000
6	Bathroom	400
7	Hall	200
8	Staircase	100
9	Front Porch	300
10	Back Porch	200
11	Driveway	500
12	Courtyard	1,000
13	Other	1,000
<b>TOTAL</b>	<b>ENTIRE LOT</b>	<b>10,000</b>

Exhibit 4  
 CDPs 4-03-10, 11 & 12  
 Site Plan - Lot 1 (2120 Stunt Rd)

AS2

REVISIONS

**MR. R. THOMAS MERRILL RESIDENCE**  
 2120 STUNT ROAD  
 CALABASAS, CALIFORNIA 91302  
 PHONE NO. 310.882.3408

SCALE: 1" = 20'-0"

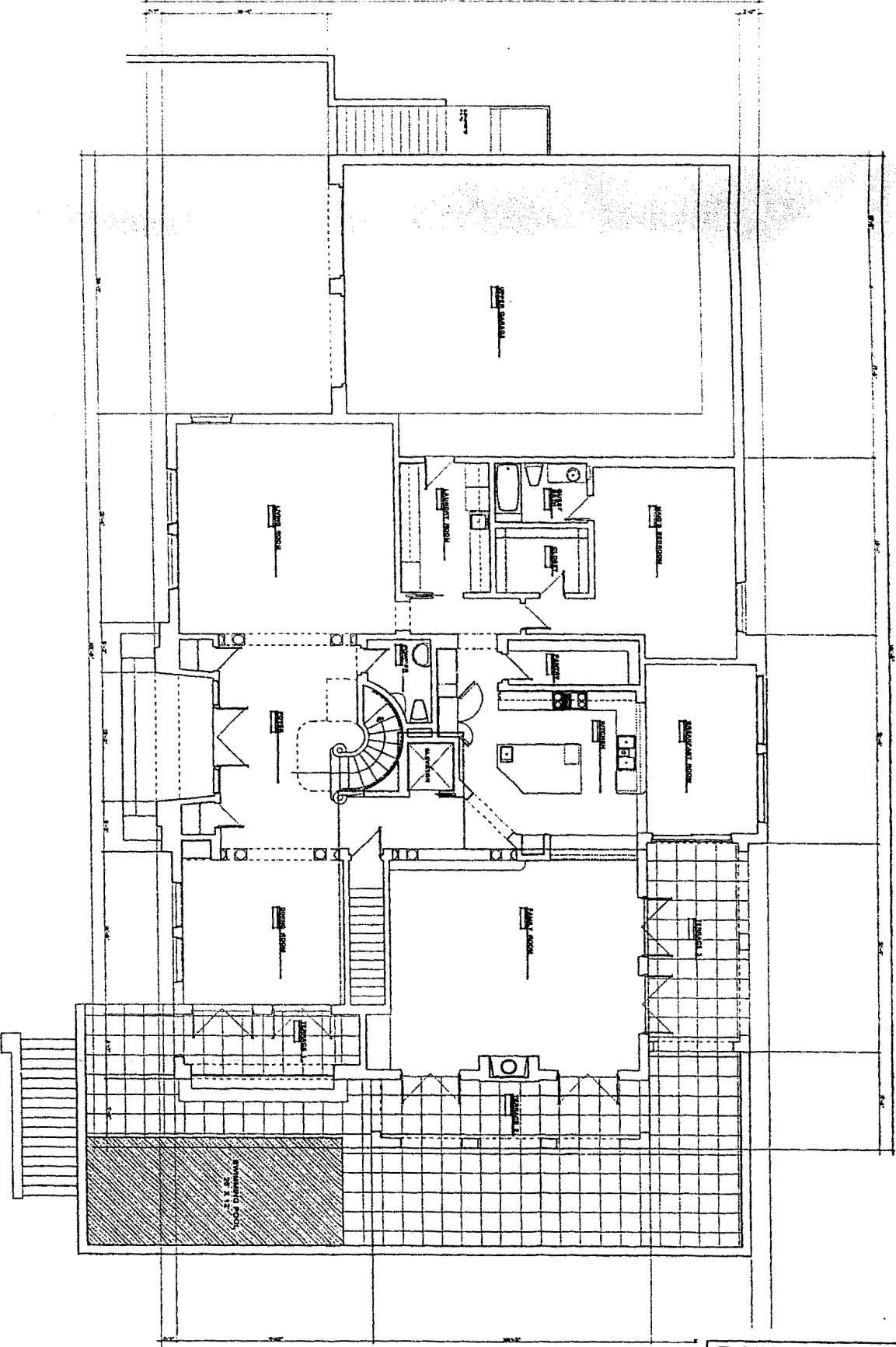
DATE: 04/08/08

SCHEMATIC

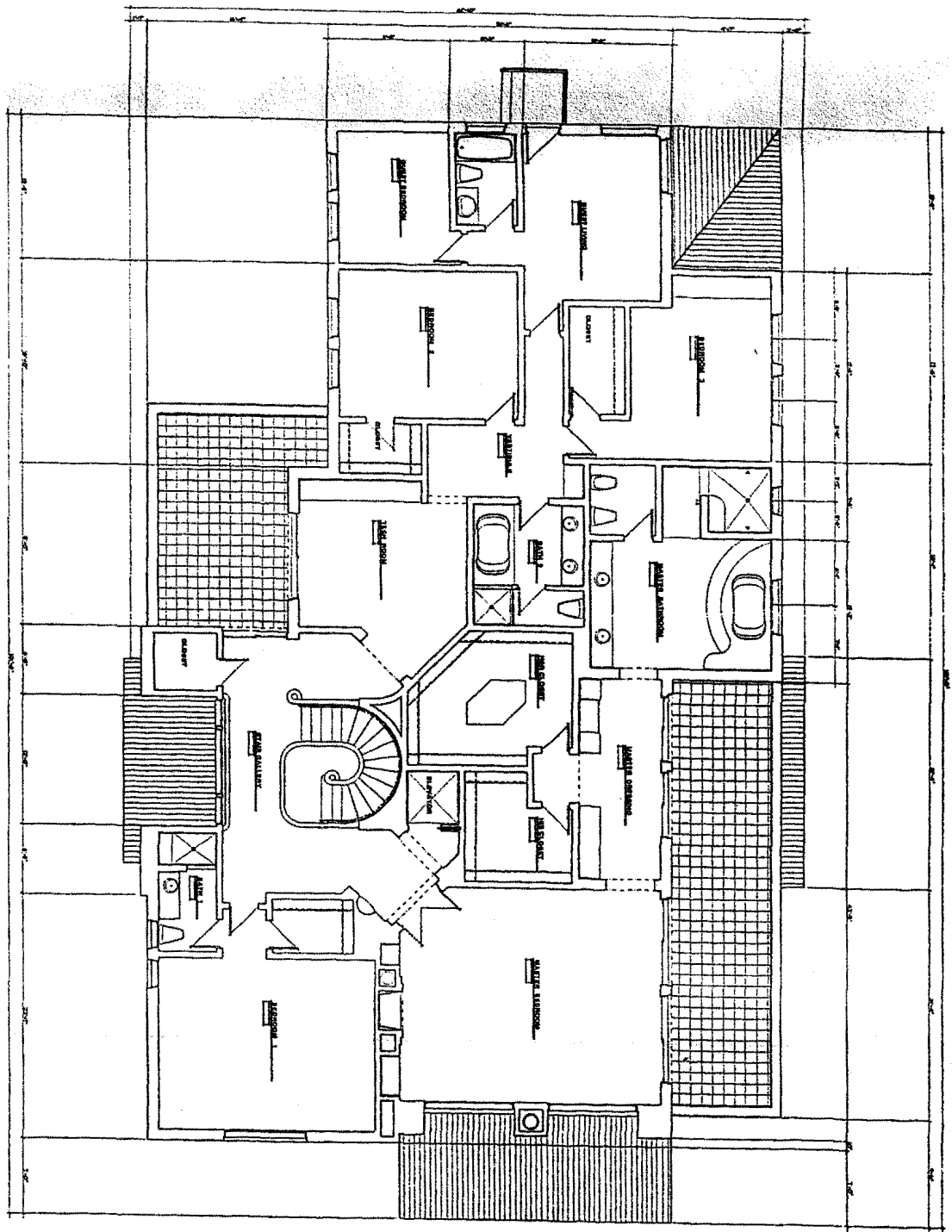
FLOOR PLAN

**MAIN FLOOR PLAN**  
**PARCEL No. 2**

**PROJECT INFORMATION**  
 PROJECT NO. 2120 STUNT RD. MALIBU, CA 90265  
 ARCHITECT: [Faded]  
 DATE: [Faded]  
 SCALE: [Faded]



**Exhibit 5**  
**CDPs 4-03-10, 11 & 12**  
**First Floor Plan - Lot 1 (2120 Stunt Rd.)**



**UPPER FLOOR PLAN**  
**PARCEL No. 2**

INFORMATION

DATE	NO.	DESCRIPTION
1988.04.28	1	PRELIMINARY
1988.05.12	2	REVISED
1988.05.26	3	REVISED
1988.06.09	4	REVISED
1988.06.23	5	REVISED
1988.07.07	6	REVISED
1988.07.21	7	REVISED
1988.08.04	8	REVISED
1988.08.18	9	REVISED
1988.09.01	10	REVISED
1988.09.15	11	REVISED
1988.09.29	12	REVISED
1988.10.13	13	REVISED
1988.10.27	14	REVISED
1988.11.10	15	REVISED
1988.11.24	16	REVISED
1988.12.08	17	REVISED
1989.01.22	18	REVISED
1989.02.05	19	REVISED
1989.02.19	20	REVISED
1989.03.05	21	REVISED
1989.03.19	22	REVISED
1989.04.02	23	REVISED
1989.04.16	24	REVISED
1989.04.30	25	REVISED
1989.05.14	26	REVISED
1989.05.28	27	REVISED
1989.06.11	28	REVISED
1989.06.25	29	REVISED
1989.07.09	30	REVISED
1989.07.23	31	REVISED
1989.08.06	32	REVISED
1989.08.20	33	REVISED
1989.09.03	34	REVISED
1989.09.17	35	REVISED
1989.09.30	36	REVISED
1989.10.14	37	REVISED
1989.10.28	38	REVISED
1989.11.11	39	REVISED
1989.11.25	40	REVISED
1989.12.09	41	REVISED
1989.12.23	42	REVISED
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1990.01.20	44	REVISED
1990.02.03	45	REVISED
1990.02.17	46	REVISED
1990.03.03	47	REVISED
1990.03.17	48	REVISED
1990.03.31	49	REVISED
1990.04.14	50	REVISED
1990.04.28	51	REVISED
1990.05.12	52	REVISED
1990.05.26	53	REVISED
1990.06.09	54	REVISED
1990.06.23	55	REVISED
1990.07.07	56	REVISED
1990.07.21	57	REVISED
1990.08.04	58	REVISED
1990.08.18	59	REVISED
1990.09.01	60	REVISED
1990.09.15	61	REVISED
1990.09.29	62	REVISED
1990.10.13	63	REVISED
1990.10.27	64	REVISED
1990.11.10	65	REVISED
1990.11.24	66	REVISED
1990.12.08	67	REVISED
1990.12.22	68	REVISED
1991.01.05	69	REVISED
1991.01.19	70	REVISED
1991.02.02	71	REVISED
1991.02.16	72	REVISED
1991.02.28	73	REVISED
1991.03.13	74	REVISED
1991.03.27	75	REVISED
1991.04.10	76	REVISED
1991.04.24	77	REVISED
1991.05.08	78	REVISED
1991.05.22	79	REVISED
1991.06.05	80	REVISED
1991.06.19	81	REVISED
1991.07.03	82	REVISED
1991.07.17	83	REVISED
1991.07.31	84	REVISED
1991.08.14	85	REVISED
1991.08.28	86	REVISED
1991.09.11	87	REVISED
1991.09.25	88	REVISED
1991.10.09	89	REVISED
1991.10.23	90	REVISED
1991.11.06	91	REVISED
1991.11.20	92	REVISED
1991.12.04	93	REVISED
1991.12.18	94	REVISED
1992.01.01	95	REVISED
1992.01.15	96	REVISED
1992.01.29	97	REVISED
1992.02.12	98	REVISED
1992.02.26	99	REVISED
1992.03.11	100	REVISED

**FLOOR PLAN**

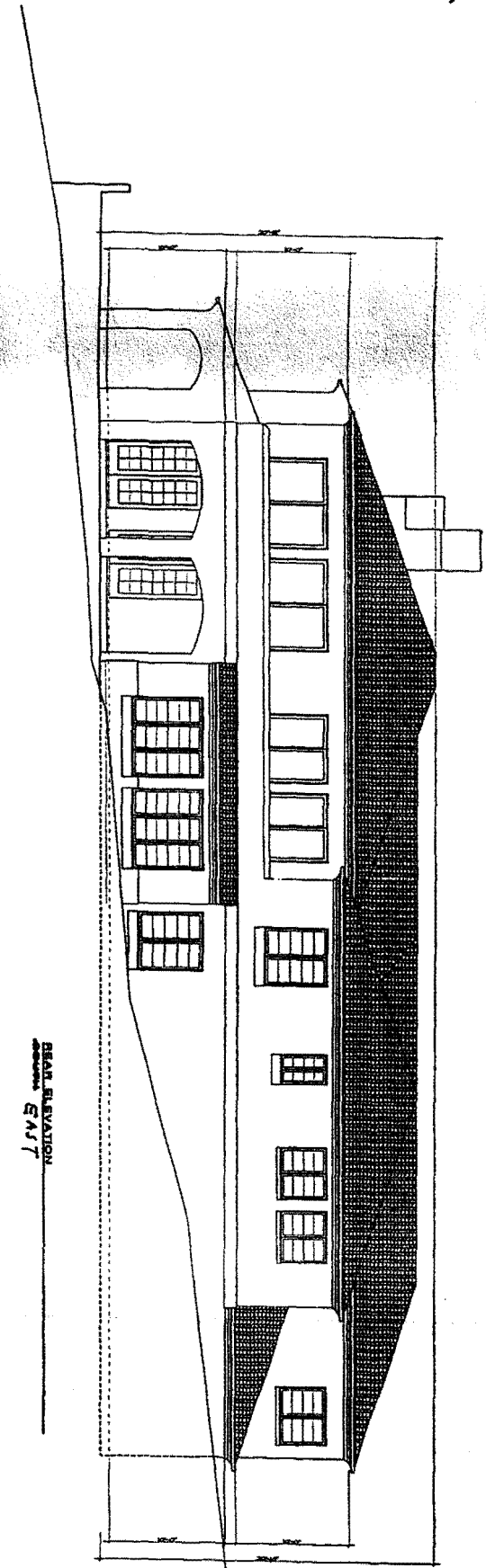
**Exhibit 6**  
**CDPs 4-03-10, 11 & 12**  
**Second Floor Plan - Lot 1 (2120 Stunt Rd.)**

**MR. R. THOMAS MERRILL RESIDENCE**  
 2120 STUNT ROAD  
 MALIBU, CALIFORNIA 90265  
 PHONE No. 310.822.2408

SCALE  
 PER PLAN  
 DATE  
 24 APRIL 1989

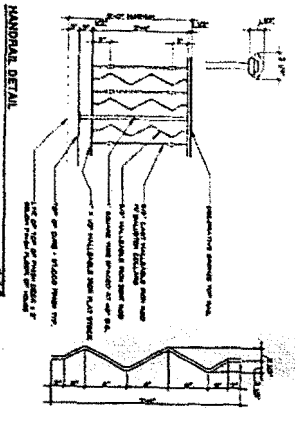
AS  
 OF



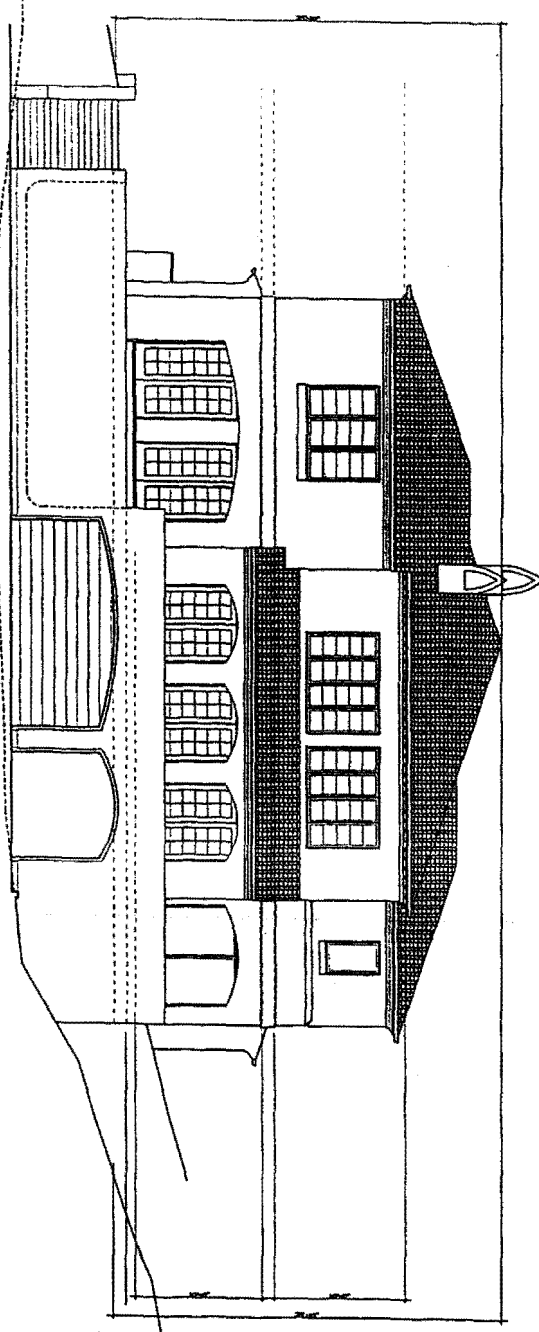


REAR ELEVATION  
SCALE: 1/8" = 1'-0"

NOTES:  
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
2. FINISHES ARE AS NOTED OR AS SHOWN ON THE FINISH SCHEDULE.  
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES AND SERVICES.  
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE AND BONDS.  
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ACCESS AND EGRESS.  
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SIGNAGE AND MARKING.  
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRAFFIC CONTROL.  
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SAFETY MEASURES.  
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CLEANUP AND RESTORATION.



HANDRAIL DETAIL



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

EXTERIOR ELEVATIONS  
PARCEL NO. 2

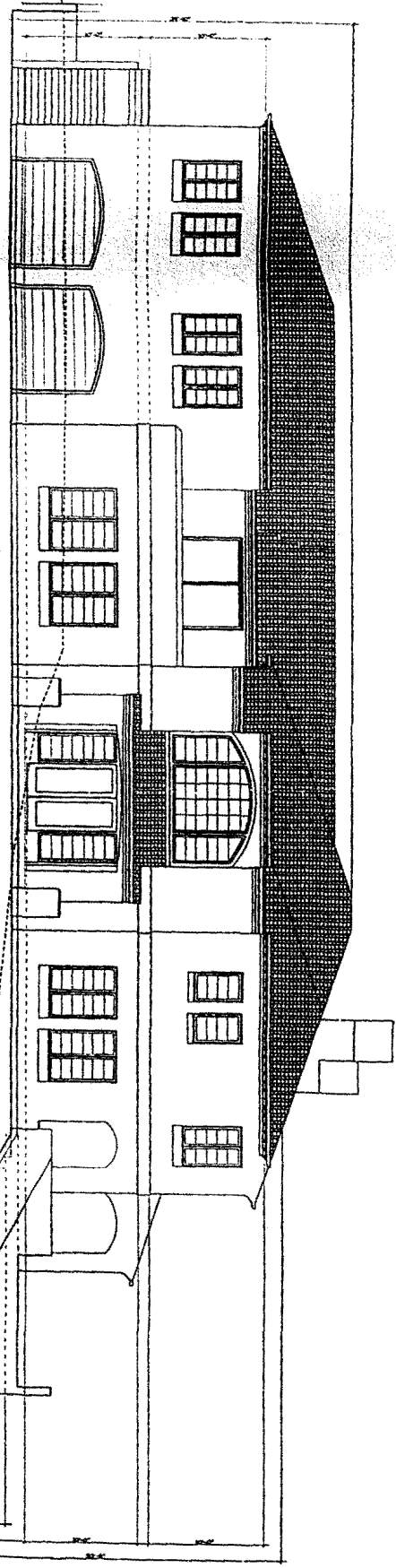
EXTERIOR ELEVATIONS

Exhibit 8  
CDPs 4-03-10, 11 & 12  
East and South Elevations of  
Residence - Lot 1 (2120 Stunt Rd.)

MR. R. THOMAS MERRILL RESIDENCE  
2120 STUNT ROAD  
CALABASAS, CALIFORNIA 91302  
PHONE NO. 310. 892. 2605

SCALE:	FOR PLAN	DATE:	24 APRIL 2004
DATE:	24 APRIL 2004	BY:	SM

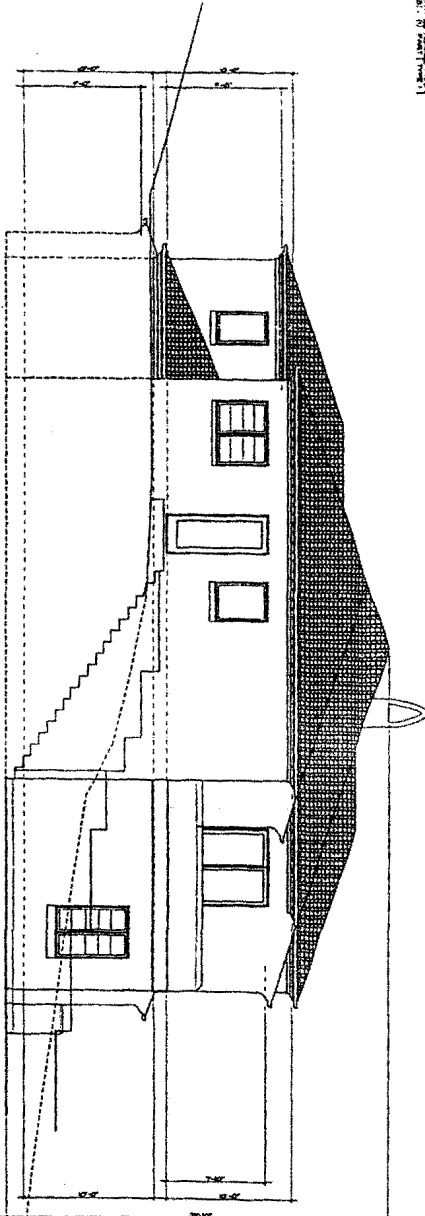
A7  
SHEET NO.



ELEVATION NOTES:

1. ALL MATERIALS TO BE USED IN THE CONSTRUCTION OF THIS RESIDENCE SHALL BE OF THE BEST QUALITY AND SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECT. 2. THE ROOF SHALL BE SHINGLED WITH 30 YEAR WARRANTY SHINGLES. 3. THE EXTERIOR WALLS SHALL BE FINISHED WITH STUCCO. 4. THE INTERIOR WALLS SHALL BE FINISHED WITH PLASTER AND PAINT. 5. THE FLOORING SHALL BE AS SPECIFIED ON THE FLOOR PLAN. 6. THE CEILING SHALL BE FINISHED WITH PLASTER AND PAINT. 7. THE LIGHTING SHALL BE AS SPECIFIED ON THE ELECTRICAL SCHEDULE. 8. THE MECHANICAL SYSTEMS SHALL BE AS SPECIFIED ON THE MECHANICAL SCHEDULE. 9. THE FINISHES SHALL BE AS SPECIFIED ON THE FINISH SCHEDULE. 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. 11. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THIS RESIDENCE. 12. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE STRUCTURAL DESIGN OF THIS RESIDENCE. 13. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE LANDSCAPE DESIGN OF THIS RESIDENCE. 14. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE INTERIOR DESIGN OF THIS RESIDENCE. 15. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE FURNITURE DESIGN OF THIS RESIDENCE. 16. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE APPLIANCE DESIGN OF THIS RESIDENCE. 17. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE UTILITY DESIGN OF THIS RESIDENCE. 18. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE SECURITY DESIGN OF THIS RESIDENCE. 19. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE SOUND DESIGN OF THIS RESIDENCE. 20. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE VIBRATION DESIGN OF THIS RESIDENCE. 21. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE AIR QUALITY DESIGN OF THIS RESIDENCE. 22. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE THERMAL DESIGN OF THIS RESIDENCE. 23. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE MOISTURE DESIGN OF THIS RESIDENCE. 24. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE INDOOR CLIMATE DESIGN OF THIS RESIDENCE. 25. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE WELL-BEING DESIGN OF THIS RESIDENCE. 26. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE QUALITY OF LIFE DESIGN OF THIS RESIDENCE. 27. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE HAPPINESS DESIGN OF THIS RESIDENCE. 28. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE SUCCESS DESIGN OF THIS RESIDENCE. 29. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE WEALTH DESIGN OF THIS RESIDENCE. 30. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE POWER DESIGN OF THIS RESIDENCE. 31. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE FORTUNE DESIGN OF THIS RESIDENCE. 32. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE GLORY DESIGN OF THIS RESIDENCE. 33. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE HONOR DESIGN OF THIS RESIDENCE. 34. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE RESPECT DESIGN OF THIS RESIDENCE. 35. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE REVERENCE DESIGN OF THIS RESIDENCE. 36. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE DIGNITY DESIGN OF THIS RESIDENCE. 37. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE WISDOM DESIGN OF THIS RESIDENCE. 38. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE KNOWLEDGE DESIGN OF THIS RESIDENCE. 39. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE UNDERSTANDING DESIGN OF THIS RESIDENCE. 40. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE APPRECIATION DESIGN OF THIS RESIDENCE. 41. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ADOREMENT DESIGN OF THIS RESIDENCE. 42. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE WORSHIP DESIGN OF THIS RESIDENCE. 43. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE DEVOTION DESIGN OF THIS RESIDENCE. 44. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE DEDICATION DESIGN OF THIS RESIDENCE. 45. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE COMMITMENT DESIGN OF THIS RESIDENCE. 46. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE PROMISE DESIGN OF THIS RESIDENCE. 47. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OATH DESIGN OF THIS RESIDENCE. 48. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE VOW DESIGN OF THIS RESIDENCE. 49. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE BOND DESIGN OF THIS RESIDENCE. 50. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OBLIGATION DESIGN OF THIS RESIDENCE. 51. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE LIABILITY DESIGN OF THIS RESIDENCE. 52. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE RESPONSIBILITY DESIGN OF THIS RESIDENCE. 53. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCOUNTABILITY DESIGN OF THIS RESIDENCE. 54. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE TRANSPARENCY DESIGN OF THIS RESIDENCE. 55. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE INTEGRITY DESIGN OF THIS RESIDENCE. 56. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ETHICS DESIGN OF THIS RESIDENCE. 57. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE MORALS DESIGN OF THIS RESIDENCE. 58. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE VIRTUES DESIGN OF THIS RESIDENCE. 59. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE PRINCIPLES DESIGN OF THIS RESIDENCE. 60. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE VALUES DESIGN OF THIS RESIDENCE. 61. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE BELIEFS DESIGN OF THIS RESIDENCE. 62. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OPINIONS DESIGN OF THIS RESIDENCE. 63. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ATTITUDES DESIGN OF THIS RESIDENCE. 64. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE BEHAVIORS DESIGN OF THIS RESIDENCE. 65. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACTIONS DESIGN OF THIS RESIDENCE. 66. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE REACTIONS DESIGN OF THIS RESIDENCE. 67. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE RESPONSES DESIGN OF THIS RESIDENCE. 68. 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THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE DEDICATION DESIGN OF THIS RESIDENCE. 80. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE COMMITMENT DESIGN OF THIS RESIDENCE. 81. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE PROMISE DESIGN OF THIS RESIDENCE. 82. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OATH DESIGN OF THIS RESIDENCE. 83. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE VOW DESIGN OF THIS RESIDENCE. 84. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE BOND DESIGN OF THIS RESIDENCE. 85. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OBLIGATION DESIGN OF THIS RESIDENCE. 86. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE LIABILITY DESIGN OF THIS RESIDENCE. 87. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE RESPONSIBILITY DESIGN OF THIS RESIDENCE. 88. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCOUNTABILITY DESIGN OF THIS RESIDENCE. 89. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE TRANSPARENCY DESIGN OF THIS RESIDENCE. 90. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE INTEGRITY DESIGN OF THIS RESIDENCE. 91. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ETHICS DESIGN OF THIS RESIDENCE. 92. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE MORALS DESIGN OF THIS RESIDENCE. 93. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE VIRTUES DESIGN OF THIS RESIDENCE. 94. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE PRINCIPLES DESIGN OF THIS RESIDENCE. 95. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE VALUES DESIGN OF THIS RESIDENCE. 96. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE BELIEFS DESIGN OF THIS RESIDENCE. 97. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OPINIONS DESIGN OF THIS RESIDENCE. 98. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ATTITUDES DESIGN OF THIS RESIDENCE. 99. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE BEHAVIORS DESIGN OF THIS RESIDENCE. 100. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACTIONS DESIGN OF THIS RESIDENCE.

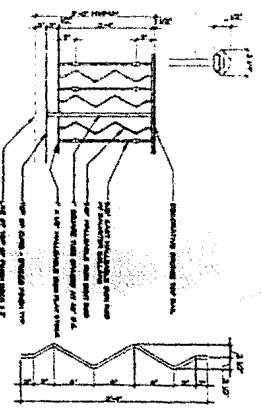
FRONT ELEVATION  
APRIL 1974



LEFT ELEVATION  
NOV 74

EXTERIOR ELEVATIONS  
PARCEL No. 2

1/8" = 1'-0"



EXTERIOR ELEVATIONS

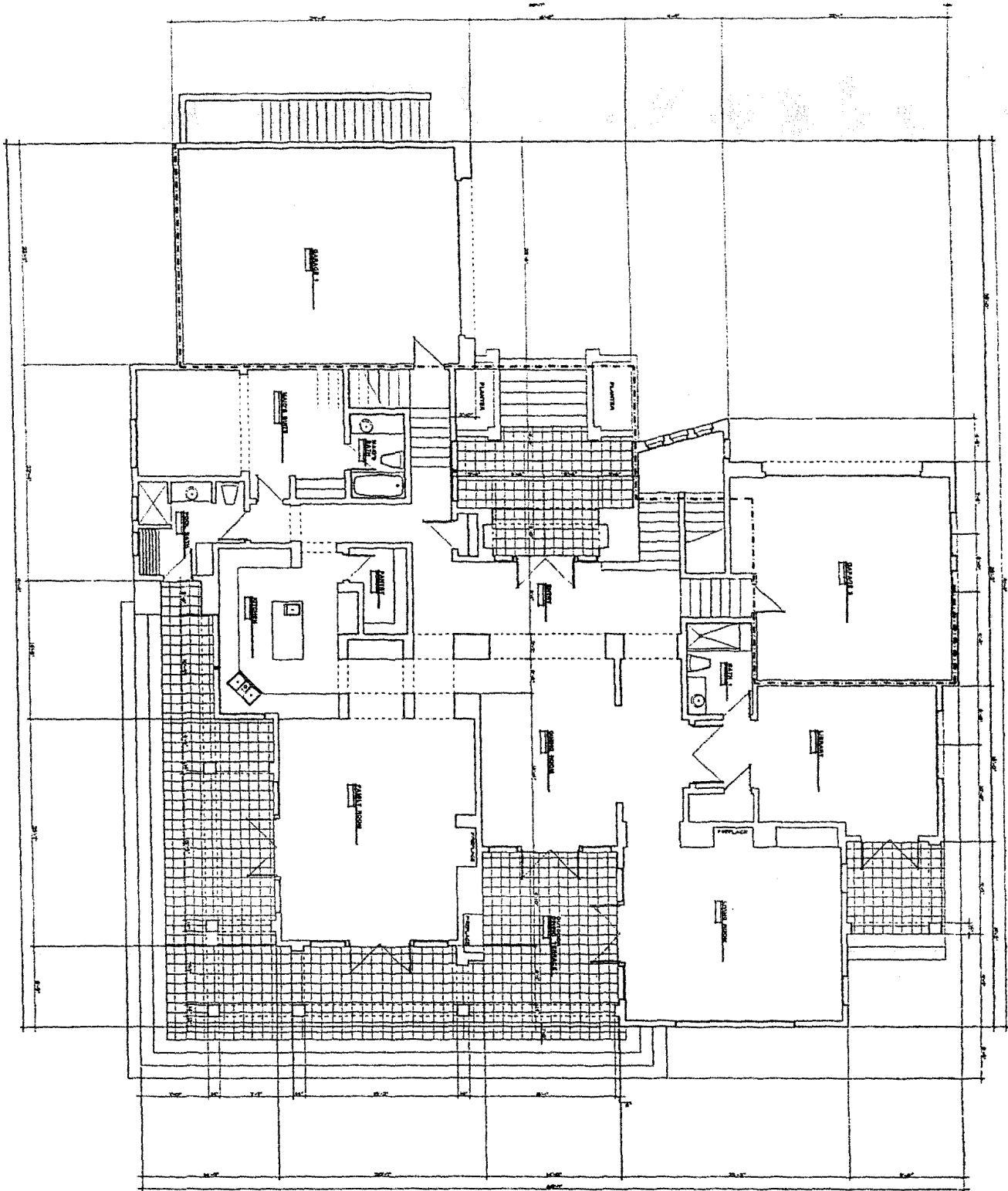






**FIRST FLOOR PLAN**

**MIDDLE LOT**  
 FIRST FLOOR : 2913 SQ. FT.  
 GARAGES : 1189 SQ. FT.



**A4**

BY ARCHITECT: SCHNEID  
 SHEET NO. 11

**MR. ALLEN LEWINSON RESIDENCE**  
 2116 STUNT ROAD  
 CALABASAS, CALIFORNIA 91063  
 PHONE No. 805.488.1779

SCALE: 1/8" = 1'-0"  
 DATE: 11-10-68

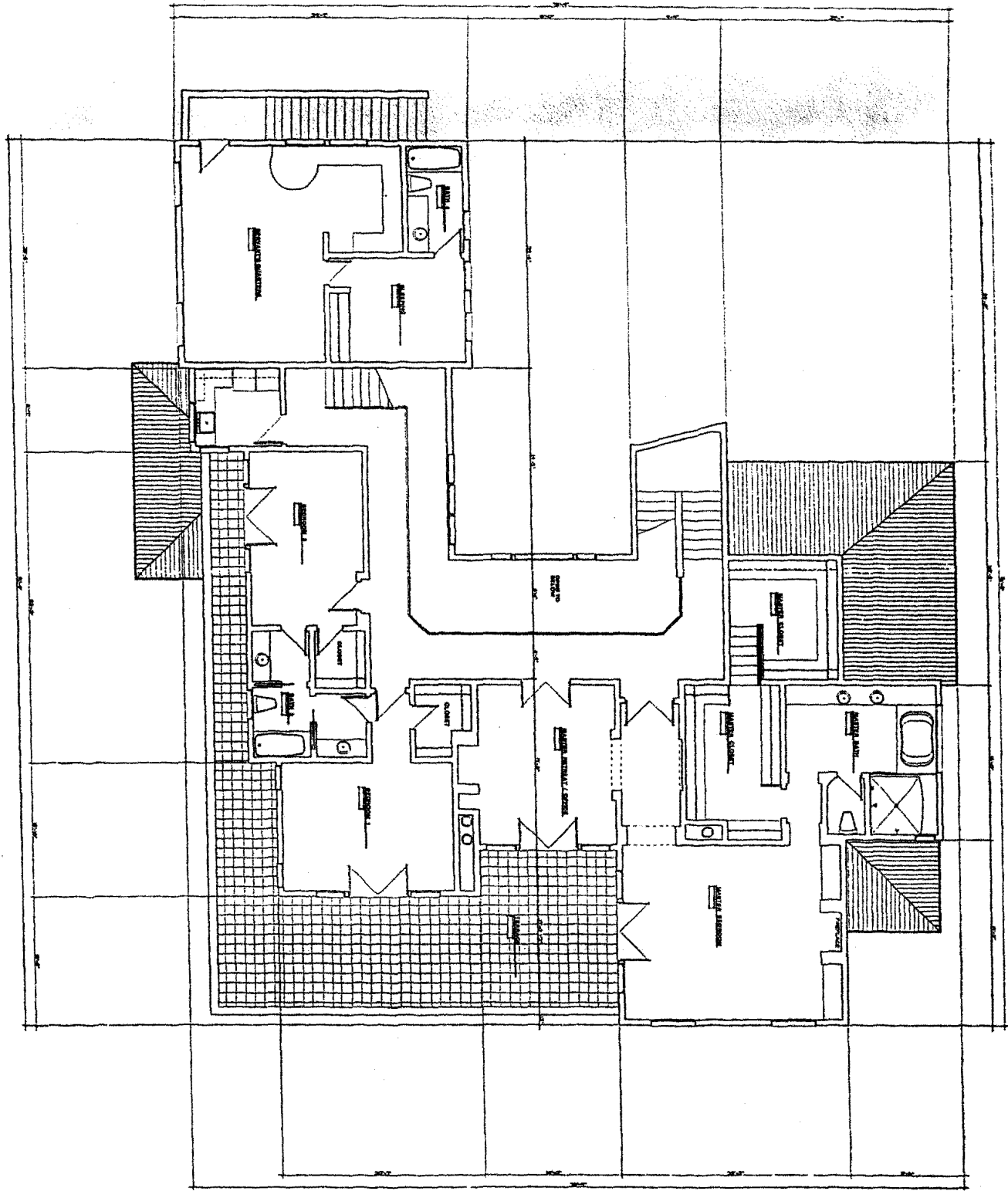
SCHNEID  
 ARCHITECT  
 116 CALABASAS  
 ROAD, CALABASAS, CALIF.  
 PHONE: 805.488.1779

**Exhibit 11**

**CDPs 4-03-10, 11 & 12**

**First Floor Plan - Lot 2 (2116 Stunt Rd.)**

SECTION  
**FIRST FLOOR PLAN**  
 MIDDLE LOT  
 FIRST FLOOR: 3041 SQ. FT.  
 SECOND FLOOR: 1183 SQ. FT.  
**FLOOR PLAN**



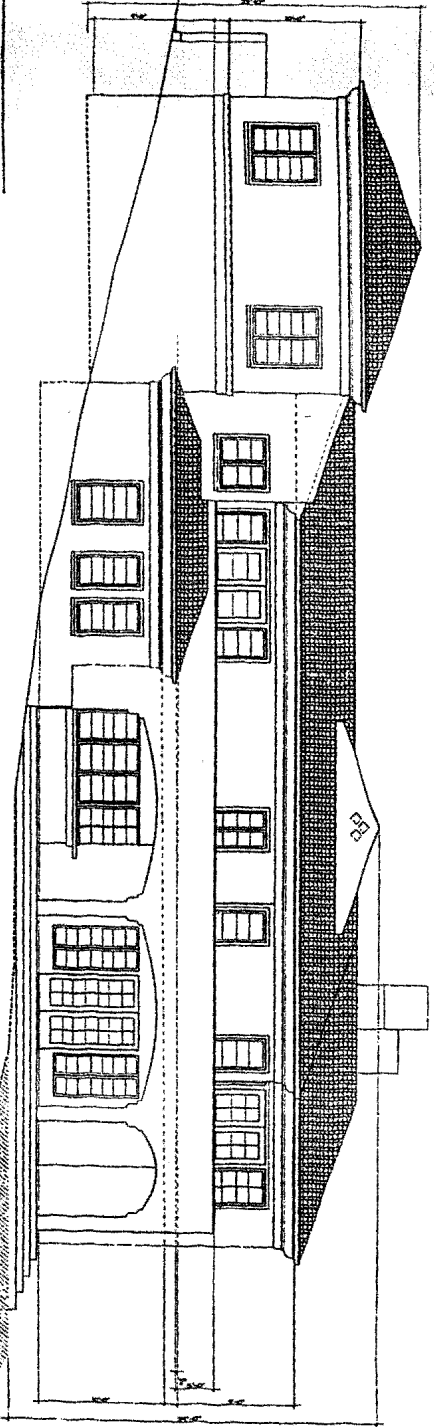
**Exhibit 12**  
**CDPs 4-03-10, 11 & 12**  
**Second Floor Plan - Lot 2 (2116 Stunt Rd.)**

REVISIONS  
 NO. DATE DESCRIPTION  
 AS

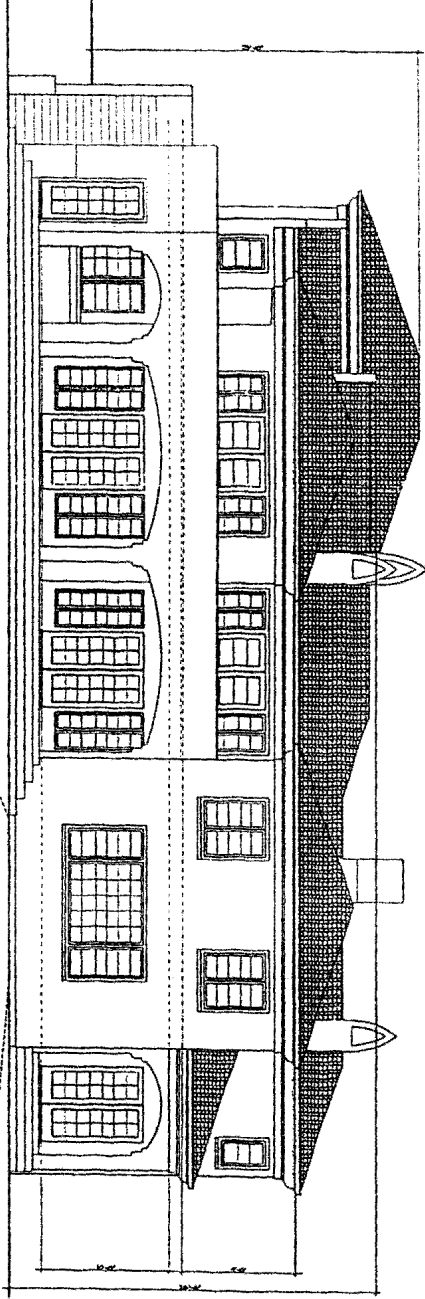
**MR. ALLEN LEWINSON RESIDENCE**  
 2116 STUNT ROAD  
 CALABASAS, CALIFORNIA 91303  
 PHONE NO. 805-485-1979

SCALE:  
 PER PLAN  
 DATE:  
 03/20/2003

PROPERTY LINE



WEST ELEVATION

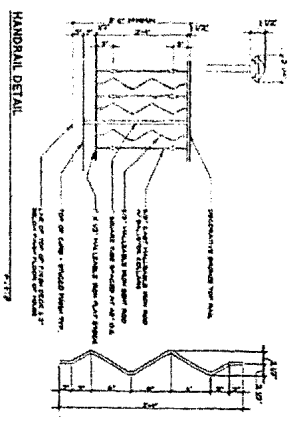


REAR ELEVATION

EXTERIOR ELEVATIONS  
MIDDLE LOT

ELEVATIONS

ELEVATION NOTES:  
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
2. FINISHES TO BE AS SHOWN ON SCHEDULE.  
3. MATERIALS TO BE AS SHOWN ON SCHEDULE.  
4. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.  
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
6. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
7. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.  
8. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.  
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.  
10. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.



HANDRAIL DETAIL

Exhibit 13  
CDPs 4-03-10, 11 & 12  
West & South Elevations of  
Residence - Lot 2

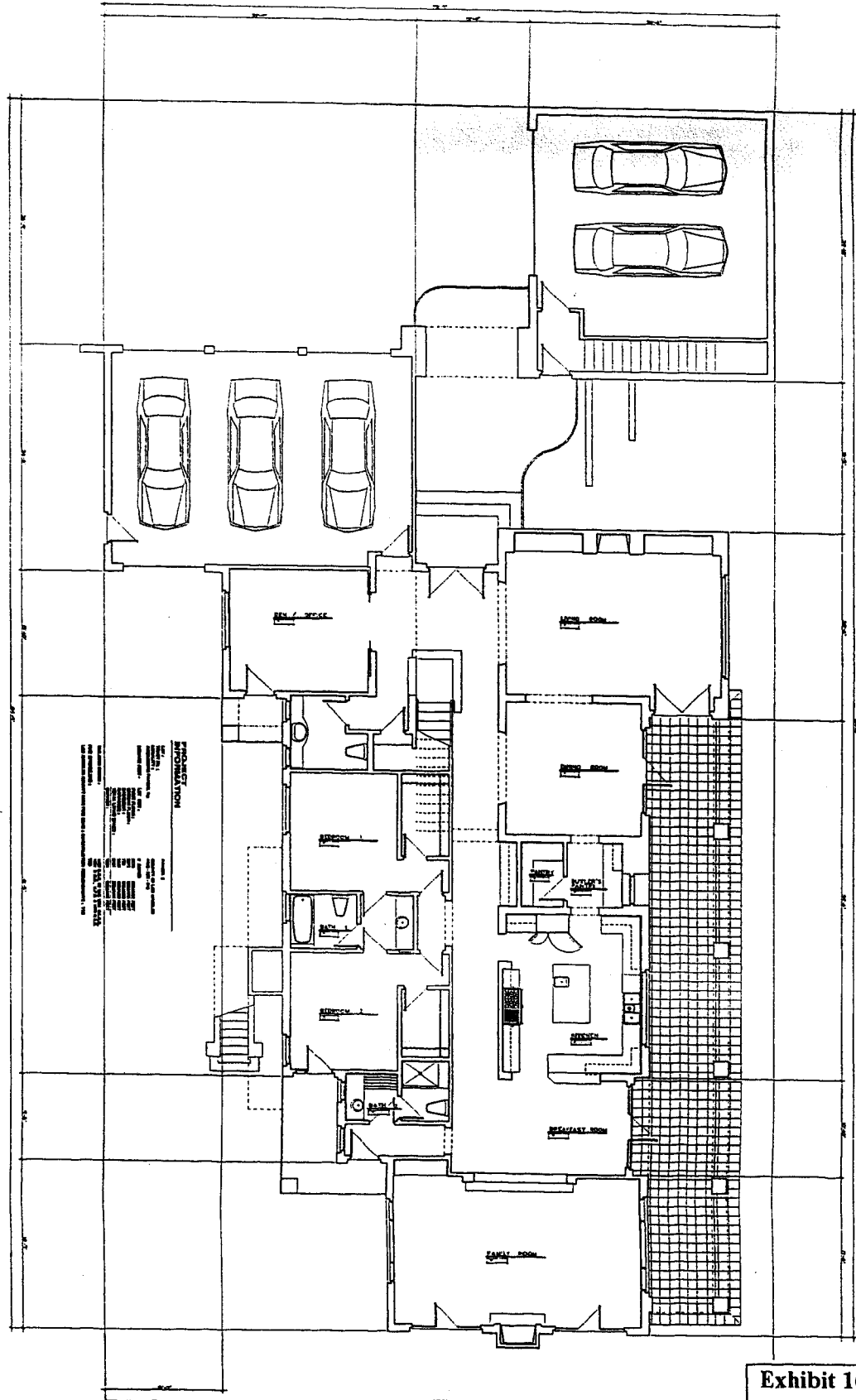
MR. ALLEN LEWINSON RESIDENCE  
2118 STUNT ROAD  
CALABASAS, CALIFORNIA 91303  
PHONE NO. 805.495.1979

SCALE: 1/8" = 1'-0"  
DATE: 24 SEP 2008

AG  
REVISED 24 SEP 2008

FLOOR PLAN

FIRST FLOOR PLAN  
PARCEL 3



**PROVISIONS**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.  
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.  
 5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY AND SECURITY MEASURES THROUGHOUT THE PROJECT.  
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL NEARBY ENVIRONMENTAL FEATURES.  
 7. THE CONTRACTOR SHALL MAINTAIN RECORDS OF ALL WORK DONE AND SUBMIT THEM TO THE ARCHITECT UPON COMPLETION OF THE PROJECT.

A4

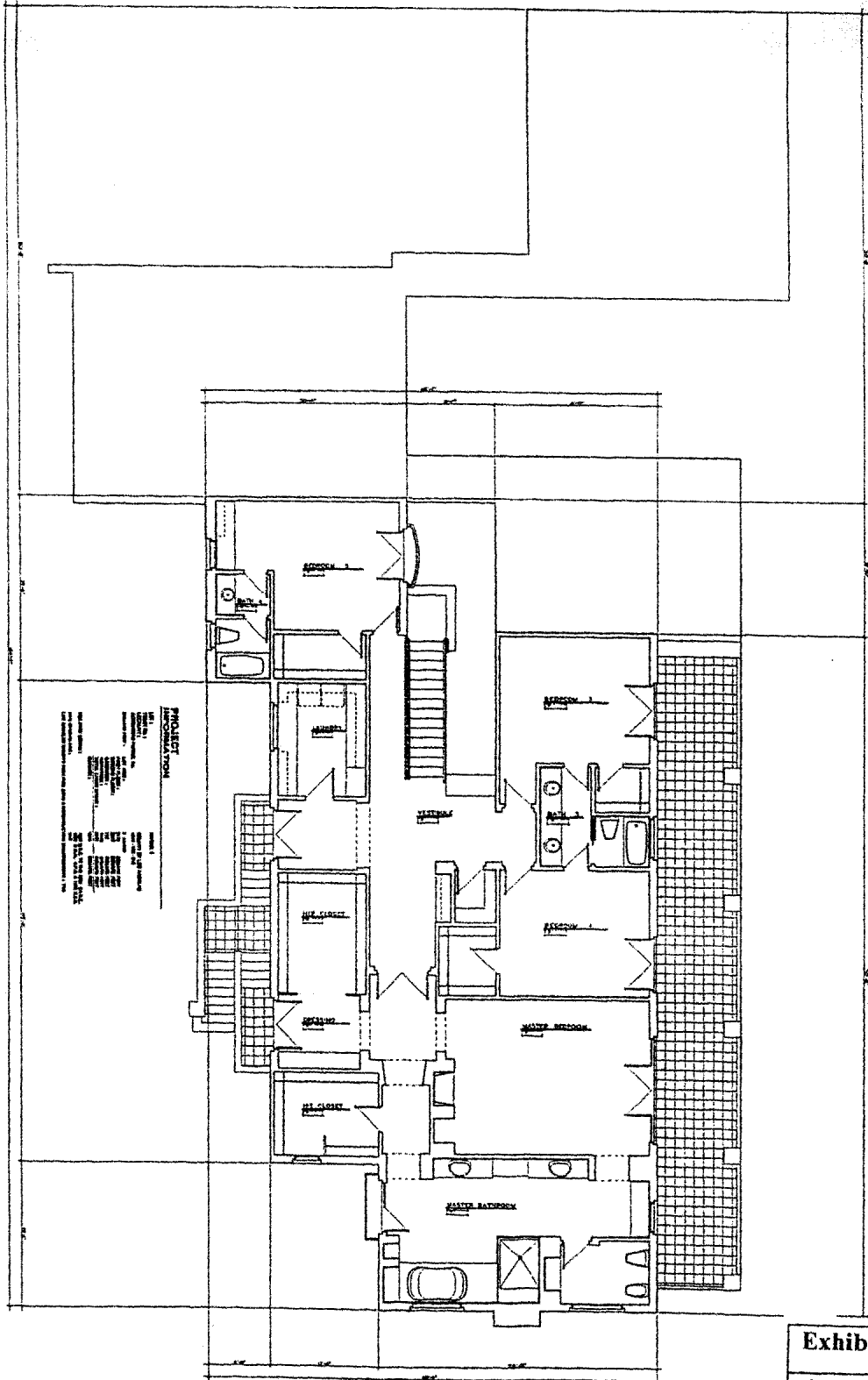
CANYON VIEW, INC. c/o LINDA CLARK GAGER  
 2130 STUNT ROAD  
 CALABASAS CALIFORNIA 91302  
 PHONE NO. 818.882.5488

SCALE: PER PLAN  
 DATE: 12/15/98  
 SCHNEIDER  
 CIVIL ENGINEER  
 10000 WILSON BLVD.  
 SUITE 100  
 VAN NUYS, CA 91411  
 PHONE NO. 818.708.4444

Exhibit 16  
 CDPs 4-03-10, 11 & 12  
 First Floor Plan Lot - 3 (2130 Stunt

FLOOR PLAN

SECOND FLOOR PLAN



**PROJECT INFORMATION**

PROJECT NO.	DATE
CLIENT	DESIGNED BY
LOCATION	DRAWN BY
SCALE	CHECKED BY
DATE	APPROVED BY

Exhibit 17  
 CDPs 4-03-10, 11 & 12  
 Second Floor Plan- Lot 3 (2130 Stunt Rd.)

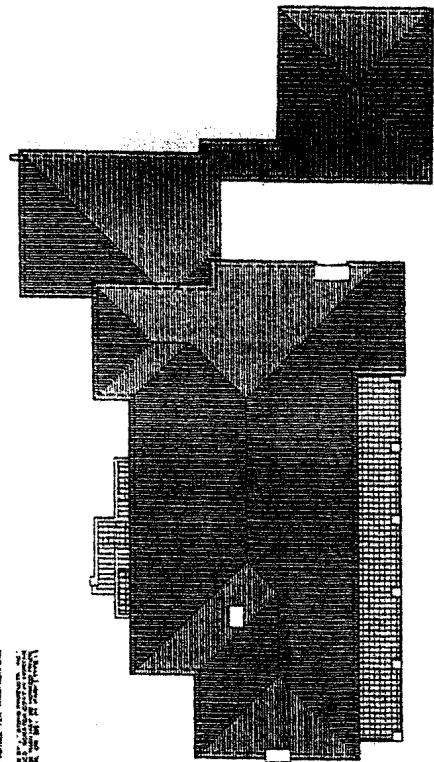
AS

CANYON VIEW, INC. c/o LINDA CLARK GAGER  
 2130 STUNT ROAD  
 CALABASAS, CALIFORNIA 91302  
 PHONE No. 475.625.3488

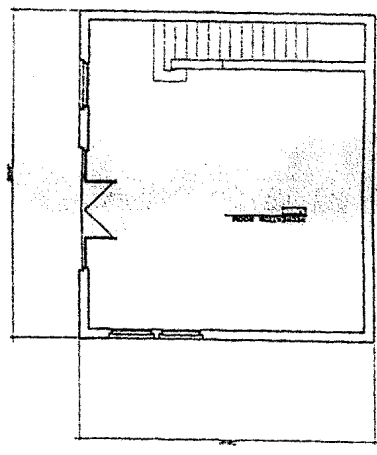
SCALE: 1/8" = 1'-0"  
 DATE: 11/11/03  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 APPROVED BY: [Signature]

SCHNEIDER  
 CIVIL ENGINEERING  
 14000 CALIFORNIA AVENUE  
 CALABASAS, CA 91302  
 PHONE: 475.252.8232

**PLEASE READ THESE NOTES:**  
 1. THIS SET OF PLANS IS TO BE USED FOR THE CONSTRUCTION OF THE BASEMENT FLOOR PLAN ONLY.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.  
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING CONDITIONS AND UTILITIES PRIOR TO CONSTRUCTION.  
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES.  
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ENVIRONMENTAL FEATURES.  
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL HISTORICAL FEATURES.  
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL NEIGHBORHOOD CHARACTERISTICS.  
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL PUBLIC UTILITIES.  
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL PRIVATE UTILITIES.  
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SURFACE WATER FEATURES.  
 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SUBSURFACE WATER FEATURES.  
 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SOILS AND ROCKS.  
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL VEGETATION AND TREES.  
 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ANIMALS AND BIRDS.  
 16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CULTURAL RESOURCES.  
 17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL HISTORICAL AND PREHISTORIC REMAINS.  
 18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ARCHAEOLGICAL REMAINS.  
 19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL GEOLOGICAL FEATURES.  
 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SEISMOLOGICAL FEATURES.  
 21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CLIMATE AND WEATHER FEATURES.  
 22. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL AIR QUALITY FEATURES.  
 23. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL NOISE AND VIBRATION FEATURES.  
 24. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL VISUAL QUALITY FEATURES.  
 25. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SOCIAL AND ECONOMIC FEATURES.  
 26. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CULTURAL AND RECREATION FEATURES.  
 27. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EDUCATIONAL AND RESEARCH FEATURES.  
 28. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL HEALTH AND SAFETY FEATURES.  
 29. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ENERGY AND RESOURCE FEATURES.  
 30. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ENVIRONMENTAL AND ECOSYSTEM FEATURES.

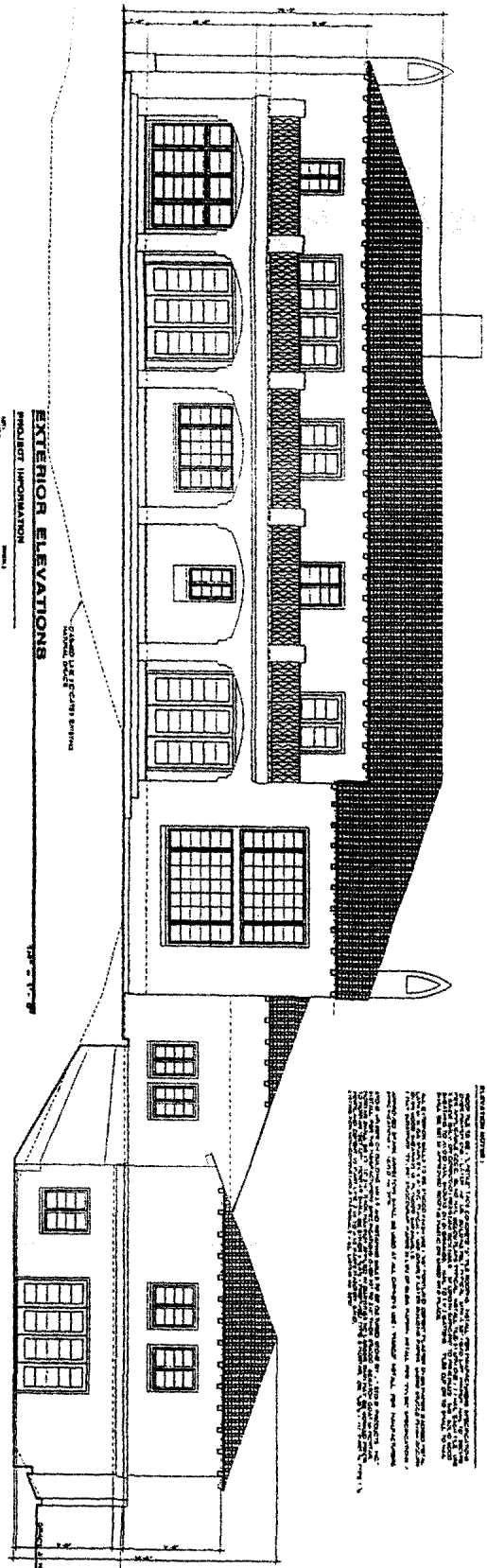
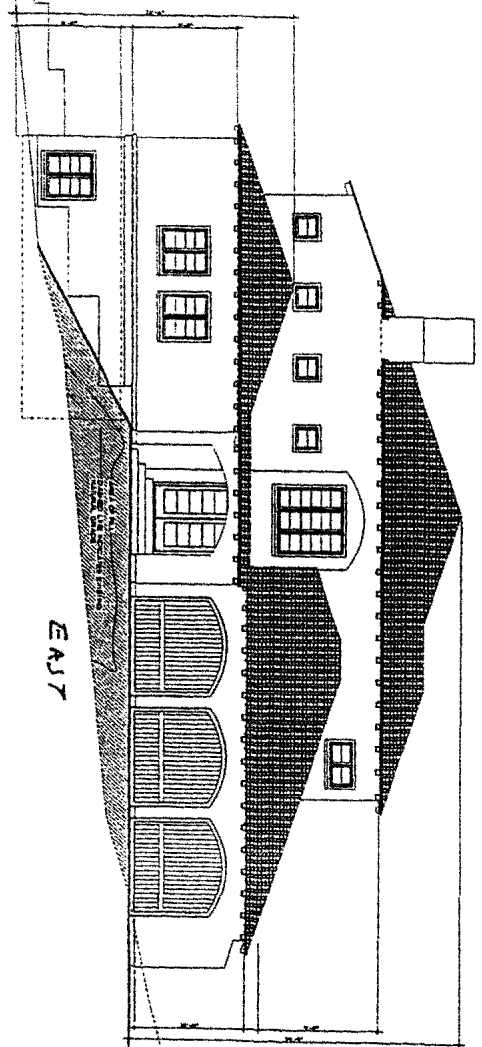
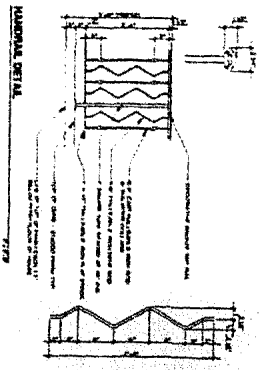


BASEMENT PLAN



BASEMENT PLAN

FLOOR PLAN



**EXTERIOR ELEVATIONS**  
 PRODUCT INFORMATION  
 CANYON VIEW, INC.  
 2130 STUNT ROAD  
 CALABASAS, CALIFORNIA 91302  
 PHONE NO. 310.892.2000

ELEVATIONS

PROJECT ELEVATION  
 SHEET  
 200711

THE ARCHITECT HAS PREPARED THESE DRAWINGS FOR THE PROJECT DESCRIBED HEREIN AND FOR THE PURPOSES SPECIFIED. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT DESCRIBED HEREIN. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE CONSULTANTS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF ANY OTHER PART OF THE PROJECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT DESCRIBED HEREIN. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE CONSULTANTS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF ANY OTHER PART OF THE PROJECT.

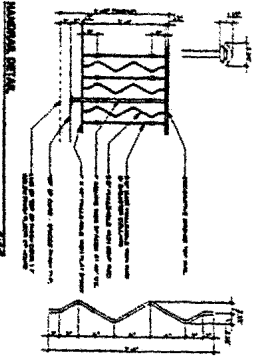
Exhibit 19  
 CDPs 4-03-10, 11 & 12  
 East and South Elevations of  
 Residence - Lot 3 (2130 Stunt R...

A7

CANYON VIEW, INC. c/o LINDA CLARK GAGER  
 2130 STUNT ROAD  
 CALABASAS, CALIFORNIA 91302  
 PHONE NO. 310.892.2000

SCALE  
 DATE  
 SCHNEIDER  
 ARCHITECT  
 10000 W. ALHAMBRA BLVD.  
 SUITE 100  
 ALHAMBRA, CA 91804

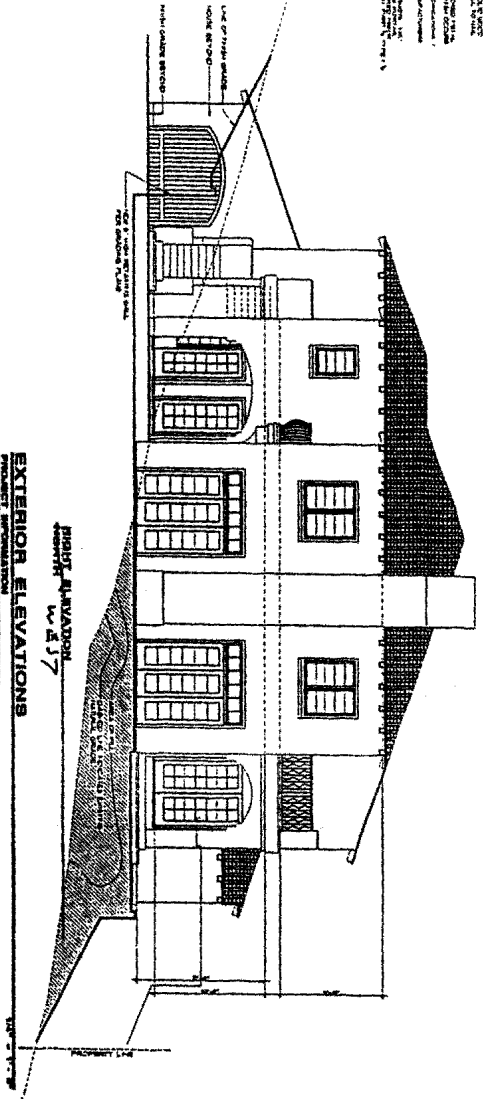
ELEVATIONS



NOTES:  
 1. ALL FINISHES TO BE AS SHOWN ON THE FINISH SCHEDULE.  
 2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.  
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 5. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITIES.  
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.  
 7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 8. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.  
 9. ALL WASTE MATERIALS SHALL BE PROPERLY DISPOSED OF.  
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

**EXTERIOR ELEVATIONS**

NO.	DESCRIPTION	QTY	UNIT
1	BRICK	1000	SQ. FT.
2	CONCRETE	500	SQ. FT.
3	WOOD	100	SQ. FT.
4	GLASS	50	SQ. FT.
5	ROOFING	1000	SQ. FT.
6	PAINT	100	GAL.
7	LANDSCAPING	100	SQ. FT.
8	WATER	100	CU. YD.
9	ELECTRICAL	100	HR.
10	MECHANICAL	100	HR.
11	PLUMBING	100	HR.
12	FINISHES	100	SQ. FT.
13	LANDSCAPING	100	SQ. FT.
14	WATER	100	CU. YD.
15	ELECTRICAL	100	HR.
16	MECHANICAL	100	HR.
17	PLUMBING	100	HR.
18	FINISHES	100	SQ. FT.
19	LANDSCAPING	100	SQ. FT.
20	WATER	100	CU. YD.
21	ELECTRICAL	100	HR.
22	MECHANICAL	100	HR.
23	PLUMBING	100	HR.
24	FINISHES	100	SQ. FT.
25	LANDSCAPING	100	SQ. FT.
26	WATER	100	CU. YD.
27	ELECTRICAL	100	HR.
28	MECHANICAL	100	HR.
29	PLUMBING	100	HR.
30	FINISHES	100	SQ. FT.
31	LANDSCAPING	100	SQ. FT.
32	WATER	100	CU. YD.
33	ELECTRICAL	100	HR.
34	MECHANICAL	100	HR.
35	PLUMBING	100	HR.
36	FINISHES	100	SQ. FT.
37	LANDSCAPING	100	SQ. FT.
38	WATER	100	CU. YD.
39	ELECTRICAL	100	HR.
40	MECHANICAL	100	HR.
41	PLUMBING	100	HR.
42	FINISHES	100	SQ. FT.
43	LANDSCAPING	100	SQ. FT.
44	WATER	100	CU. YD.
45	ELECTRICAL	100	HR.
46	MECHANICAL	100	HR.
47	PLUMBING	100	HR.
48	FINISHES	100	SQ. FT.
49	LANDSCAPING	100	SQ. FT.
50	WATER	100	CU. YD.



NORTH ELEVATION

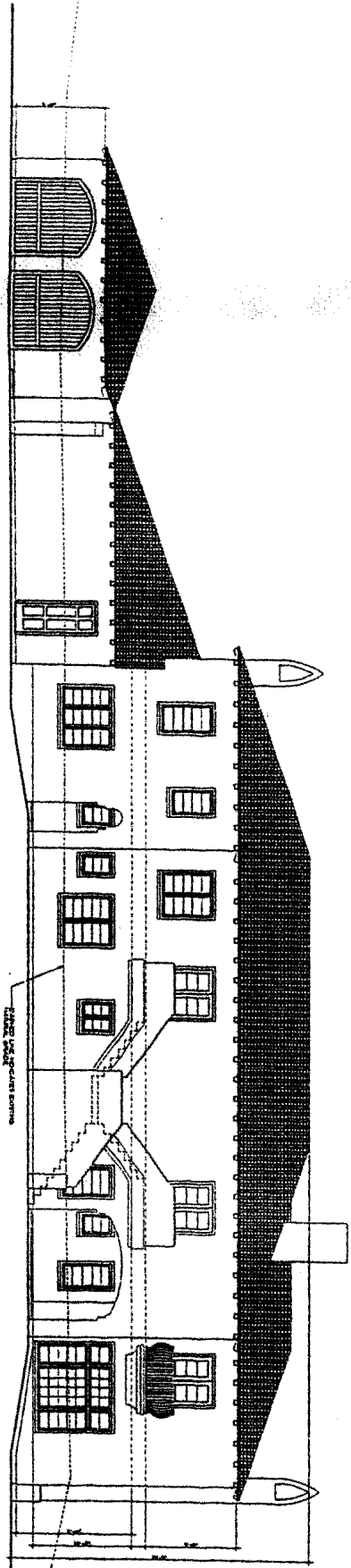


Exhibit 20  
 CDPs 4-03-10, 11 & 12  
 North and West Elevations of  
 Residence 1442 (2000)



## CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400



## MEMORANDUM

FROM: John Dixon, Ph.D.  
Ecologist / Wetland Coordinator

TO: Ventura Staff

SUBJECT: Designation of ESHA in the Santa Monica Mountains

DATE: March 25, 2003

In the context of the Malibu LCP, the Commission found that the Mediterranean Ecosystem in the Santa Mountains is rare, and especially valuable because of its relatively pristine character, physical complexity, and resultant biological diversity. Therefore, areas of undeveloped native habitat in the Santa Monica Mountains that are large and relatively unfragmented may meet the definition of ESHA by virtue of their valuable roles in that ecosystem, regardless of their relative rarity throughout the state. This is the only place in the coastal zone where the Commission has recognized chaparral as meeting the definition of ESHA. The scientific background presented herein for ESHA analysis in the Santa Monica Mountains is adapted from the Revised Findings for the Malibu LCP that the Commission adopted on February 6, 2003.

For habitats in the Santa Monica Mountains, particularly coastal sage scrub and chaparral, there are three site-specific tests to determine whether an area is ESHA because of its especially valuable role in the ecosystem. First, is the habitat properly identified, for example as coastal sage scrub or chaparral? The requisite information for this test generally should be provided by a site-specific biological assessment. Second, is the habitat largely undeveloped and otherwise relatively pristine? Third, is the habitat part of a large, contiguous block of relatively pristine native vegetation? This should be documented with an aerial photograph from our mapping unit (with the site delineated) and should be attached as an exhibit to the staff report. For those habitats that are absolutely rare or that support individual rare species, it is not necessary to find that they are relatively pristine, and are neither isolated nor fragmented.

**Designation of Environmentally Sensitive Habitat in the  
Santa Monica Mountains**

The Coastal Act provides a definition of "environmentally sensitive area" as: "Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments" (Section 30107.5).

Exhibit 21
CDPs 4-03-10, 11 & 12
Memo From Dr. Dixon - Designation of ESHA in Santa Monica Mountains

There are three important elements to the definition of ESHA. First, a geographic area can be designated ESHA either because of the presence of individual species of plants or animals or because of the presence of a particular habitat. Second, in order for an area to be designated as ESHA, the species or habitat must be either rare or it must be especially valuable. Finally, the area must be easily disturbed or degraded by human activities.

The first test of ESHA is whether a habitat or species is rare. Rarity can take several forms, each of which is important. Within the Santa Monica Mountains, rare species and habitats often fall within one of two common categories. Many rare species or habitats are globally rare, but locally abundant. They have suffered severe historical declines in overall abundance and currently are reduced to a small fraction of their original range, but where present may occur in relatively large numbers or cover large local areas. This is probably the most common form of rarity for both species and habitats in California and is characteristic of coastal sage scrub, for example. Some other habitats are geographically widespread, but occur everywhere in low abundance. California's native perennial grasslands fall within this category.

A second test for ESHA is whether a habitat or species is especially valuable. Areas may be valuable because of their "special nature," such as being an unusually pristine example of a habitat type, containing an unusual mix of species, supporting species at the edge of their range, or containing species with extreme variation. For example, reproducing populations of valley oaks are not only increasingly rare, but their southernmost occurrence is in the Santa Monica Mountains. Generally, however, habitats or species are considered valuable because of their special "role in the ecosystem." For example, many areas within the Santa Monica Mountains may meet this test because they provide habitat for endangered species, protect water quality, provide essential corridors linking one sensitive habitat to another, or provide critical ecological linkages such as the provision of pollinators or crucial trophic connections. Of course, all species play a role in their ecosystem that is arguably "special." However, the Coastal Act requires that this role be "especially valuable." This test is met for relatively pristine areas that are integral parts of the Santa Monica Mountains Mediterranean ecosystem because of the demonstrably rare and extraordinarily special nature of that ecosystem as detailed below.

Finally, ESHAs are those areas that could be easily disturbed or degraded by human activities and developments. Within the Santa Monica Mountains, as in most areas of southern California affected by urbanization, all natural habitats are in grave danger of direct loss or significant degradation as a result of many factors related to anthropogenic changes.

### **Ecosystem Context of the Habitats of the Santa Monica Mountains**

The Santa Monica Mountains comprise the largest, most pristine, and ecologically complex example of a Mediterranean ecosystem in coastal southern California.

California's coastal sage scrub, chaparral, oak woodlands, and associated riparian areas have analogues in just a few areas of the world with similar climate. Mediterranean ecosystems with their wet winters and warm dry summers are only found in five localities (the Mediterranean coast, California, Chile, South Africa, and south and southwest Australia). Throughout the world, this ecosystem with its specially adapted vegetation and wildlife has suffered severe loss and degradation from human development. Worldwide, only 18 percent of the Mediterranean community type remains undisturbed<sup>1</sup>. However, within the Santa Monica Mountains, this ecosystem is remarkably intact despite the fact that it is closely surrounded by some 17 million people. For example, the 150,000 acres of the Santa Monica Mountains National Recreation Area, which encompasses most of the Santa Monica Mountains, was estimated to be 90 percent free of development in 2000<sup>2</sup>. Therefore, this relatively pristine area is both large and mostly unfragmented, which fulfills a fundamental tenet of conservation biology<sup>3</sup>. The need for large contiguous areas of natural habitat in order to maintain critical ecological processes has been emphasized by many conservation biologists<sup>4</sup>.

In addition to being a large single expanse of land, the Santa Monica Mountains ecosystem is still connected, albeit somewhat tenuously, to adjacent, more inland ecosystems<sup>5</sup>. Connectivity among habitats within an ecosystem and connectivity among ecosystems is very important for the preservation of species and ecosystem integrity. In a recent statewide report, the California Resources Agency<sup>6</sup> identified wildlife corridors and habitat connectivity as the top conservation priority. In a letter to governor Gray Davis, sixty leading environmental scientists have endorsed the

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<sup>1</sup> National Park Service. 2000. Draft general management plan & environmental impact statement. Santa Monica Mountains National Recreation Area - California.

<sup>2</sup> Ibid.

<sup>3</sup> Harris, L. D. 1988. Edge effects and conservation of biotic diversity. *Conserv. Biol.* 330-332. Soule, M. E., D. T. Bolger, A. C. Alberts, J. Wright, M. Sorice and S. Hill. 1988. Reconstructed dynamics of rapid extinctions of chaparral-requiring birds in urban habitat islands. *Conserv. Biol.* 2: 75-92. Yahner, R. H. 1988. Changes in wildlife communities near edges. *Conserv. Biol.* 2:333-339. Murphy, D. D. 1989. Conservation and confusion: Wrong species, wrong scale, wrong conclusions. *Conservation Biol.* 3:82-84.

<sup>4</sup> Crooks, K. 2000. Mammalian carnivores as target species for conservation in Southern California. p. 105-112 in: Keeley, J. E., M. Baer-Keeley and C. J. Fotheringham (eds), 2<sup>nd</sup> Interface Between Ecology and Land Development in California, U.S. Geological Survey Open-File Report 00-62. Sauvajot, R. M., E. C. York, T. K. Fuller, H. Sharon Kim, D. A. Kamradt and R. K. Wayne. 2000. Distribution and status of carnivores in the Santa Monica Mountains, California: Preliminary results from radio telemetry and remote camera surveys. p 113-123 in: Keeley, J. E., M. Baer-Keeley and C. J. Fotheringham (eds), 2<sup>nd</sup> Interface Between Ecology and Land Development in California, U.S. Geological Survey Open-File Report 00-62. Beier, P. and R. F. Noss. 1998. Do habitat corridors provide connectivity? *Conserv. Biol.* 12:1241-1252. Beier, P. 1996. Metapopulation models, tenacious tracking and cougar conservation. In: *Metapopulations and Wildlife Conservation*, ed. D. R. McCullough. Island Press, Covelo, California, 429p.

<sup>5</sup> The SMM area is linked to larger natural inland areas to the north through two narrow corridors: 1) the Conejo Grade connection at the west end of the Mountains and 2) the Simi Hills connection in the central region of the SMM (from Malibu Creek State Park to the Santa Susanna Mountains).

<sup>6</sup> California Resources Agency. 2001. Missing Linkages: Restoring Connectivity to the California Landscape. California Wilderness Coalition, Calif. Dept of Parks & Recreation, USGS, San Diego Zoo and The Nature Conservancy. Available at: <http://www.calwild.org/pubs/reports/linkages/index.htm>

conclusions of that report<sup>7</sup>. The chief of natural resources at the California Department of Parks and Recreation has identified the Santa Monica Mountains as an area where maintaining connectivity is particularly important<sup>8</sup>.

The species most directly affected by large scale connectivity are those that require large areas or a variety of habitats, e.g., gray fox, cougar, bobcat, badger, steelhead trout, and mule deer<sup>9</sup>. Large terrestrial predators are particularly good indicators of habitat connectivity and of the general health of the ecosystem<sup>10</sup>. Recent studies show that the mountain lion, or cougar, is the most sensitive indicator species of habitat fragmentation, followed by the spotted skunk and the bobcat<sup>11</sup>. Sightings of cougars in both inland and coastal areas of the Santa Monica Mountains<sup>12</sup> demonstrate their continued presence. Like the "canary in the mineshaft," an indicator species like this is good evidence that habitat connectivity and large scale ecological function remains in the Santa Monica Mountains ecosystem.

The habitat integrity and connectivity that is still evident within the Santa Monica Mountains is extremely important to maintain, because both theory and experiments over 75 years in ecology confirm that large spatially connected habitats tend to be more stable and have less frequent extinctions than habitats without extended spatial structure<sup>13</sup>. Beyond simply destabilizing the ecosystem, fragmentation and disturbance

<sup>7</sup> Letters received and included in the September 2002 staff report for the Malibu LCP.

<sup>8</sup> Schoch, D. 2001. Survey lists 300 pathways as vital to state wildlife. Los Angeles Times. August 7, 2001.

<sup>9</sup> Martin, G. 2001. Linking habitat areas called vital for survival of state's wildlife Scientists map main migration corridors. San Francisco Chronicle, August 7, 2001.

<sup>10</sup> Noss, R. F., H. B. Quigley, M. G. Hornocker, T. Merrill and P. C. Paquet. 1996. Conservation biology and carnivore conservation in the Rocky Mountains. *Conserv. Biol.* 10: 949-963. Noss, R. F. 1995. Maintaining ecological integrity in representative reserve networks. World Wildlife Fund Canada.

<sup>11</sup> Sauvajot, R. M., E. C. York, T. K. Fuller, H. Sharon Kim, D. A. Kamradt and R. K. Wayne. 2000. Distribution and status of carnivores in the Santa Monica Mountains, California: Preliminary results from radio telemetry and remote camera surveys. p 113-123 in: Keeley, J. E., M. Baer-Keeley and C. J. Fotheringham (eds), 2nd Interface Between Ecology and Land Development in California, U.S. Geological Survey Open-File Report 00-62. Beier, P. 1996. Metapopulation models, tenacious tracking and cougar conservation. In: *Metapopulations and Wildlife Conservation*, ed. D. R. McCullough. Island Press, Covelo, California, 429p.

<sup>12</sup> Recent sightings of mountain lions include: Temescal Canyon (pers. com., Peter Brown, Facilities Manager, Calvary Church), Topanga Canyon (pers. com., Marti Witter, NPS), Encinal and Trancas Canyons (pers. com., Pat Healy), Stump Ranch Research Center (pers. com., Dr. Robert Wayne, Dept. of Biology, UCLA). In May of 2002, the NPS *photographed* a mountain lion at a trip camera on the Back Bone Trail near Castro Crest – Seth Riley, Eric York and Dr. Ray Sauvajot, National Park Service, SMMNRA.

<sup>13</sup> Gause, G. F. 1934. *The struggle for existence*. Baltimore, William and Wilkins 163 p. (also reprinted by Hafner, N.Y. 1964). Gause, G. F., N. P. Smaragdova and A. A. Witt. 1936. Further studies of interaction between predators and their prey. *J. Anim. Ecol.* 5:1-18. Huffaker, C. B. 1958. Experimental studies on predation: dispersion factors and predator-prey oscillations. *Hilgardia* 27:343-383. Luckinbill, L. S. 1973. Coexistence in laboratory populations of *Paramecium aurelia* and its predator *Didinium nasutum*. *Ecology* 54:1320-1327. Allen, J. C., C. C. Brewster and D. H. Slone. 2001. Spatially explicit ecological models: A spatial convolution approach. *Chaos, Solitons and Fractals.* 12:333-347.

can even cause unexpected and irreversible changes to new and completely different kinds of ecosystems (habitat conversion)<sup>14</sup>.

As a result of the pristine nature of large areas of the Santa Monica Mountains and the existence of large, unfragmented and interconnected blocks of habitat, this ecosystem continues to support an extremely diverse flora and fauna. The observed diversity is probably a function of the diversity of physical habitats. The Santa Monica Mountains have the greatest geological diversity of all major mountain ranges within the transverse range province. According to the National Park Service, the Santa Monica Mountains contain 40 separate watersheds and over 170 major streams with 49 coastal outlets<sup>15</sup>. These streams are somewhat unique along the California coast because of their topographic setting. As a "transverse" range, the Santa Monica Mountains are oriented in an east-west direction. As a result, the south-facing riparian habitats have more variable sun exposure than the east-west riparian corridors of other sections of the coast. This creates a more diverse moisture environment and contributes to the higher biodiversity of the region. The many different physical habitats of the Santa Monica Mountains support at least 17 native vegetation types<sup>16</sup> including the following habitats considered sensitive by the California Department of Fish and Game: native perennial grassland, coastal sage scrub, red-shank chaparral, valley oak woodland, walnut woodland, southern willow scrub, southern cottonwood-willow riparian forest, sycamore-alder woodland, oak riparian forest, coastal salt marsh, and freshwater marsh. Over 400 species of birds, 35 species of reptiles and amphibians, and more than 40 species of mammals have been documented in this diverse ecosystem. More than 80 sensitive species of plants and animals (listed, proposed for listing, or species of concern) are known to occur or have the potential to occur within the Santa Monica Mountains Mediterranean ecosystem.

The Santa Monica Mountains are also important in a larger regional context. Several recent studies have concluded that the area of southern California that includes the Santa Monica Mountains is among the most sensitive in the world in terms of the number of rare endemic species, endangered species and habitat loss. These studies have designated the area to be a local hot-spot of endangerment in need of special protection<sup>17</sup>.

Therefore, the Commission finds that the Santa Monica Mountains ecosystem is itself rare and especially valuable because of its special nature as the largest, most pristine,

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<sup>14</sup> Scheffer, M., S. Carpenter, J. A. Foley, C. Folke and B. Walker. 2001. Catastrophic shifts in ecosystems. *Nature* 413:591-596.

<sup>15</sup> NPS. 2000. *op.cit.*

<sup>16</sup> From the NPS report (2000 *op. cit.*) that is based on the older Holland system of subjective classification. The data-driven system of Sawyer and Keeler-Wolf results in a much larger number of distinct "alliances" or vegetation types.

<sup>17</sup> Myers, N. 1990. The biodiversity challenge: Expanded hot-spots analysis. *Environmentalist* 10:243-256. Myers, N., R. A. Mittermeier, C. G. Mittermeier, G. A. B. da Fonseca and J. A. Kent. 2000. Biodiversity hot-spots for conservation priorities. *Nature* 403:853-858. Dobson, A. P., J. P. Rodriguez, W. M. Roberts and D. S. Wilcove. 1997. Geographic distribution of endangered species in the United States. *Science* 275:550-553.

physically complex, and biologically diverse example of a Mediterranean ecosystem in coastal southern California. The Commission further finds that because of the rare and special nature of the Santa Monica Mountains ecosystem, the ecosystem roles of substantially intact areas of the constituent plant communities discussed below are "especially valuable" under the Coastal Act.

### **Major Habitats within the Santa Monica Mountains**

The most recent vegetation map that is available for the Santa Monica Mountains is the map that was produced for the National Park Service in the mid-1990s using 1993 satellite imagery supplemented with color and color infrared aerial imagery from 1984, 1988, and 1994 and field review<sup>18</sup>. The minimum mapping unit was 5 acres. For that map, the vegetation was mapped in very broad categories, generally following a vegetation classification scheme developed by Holland<sup>19</sup>. Because of the mapping methods used the degree of plant community complexity in the landscape is not represented. For example, the various types of "ceanothus chaparral" that have been documented were lumped under one vegetation type referred to as "northern mixed chaparral." Dr. Todd Keeler-Wolf of the California Department of Fish and Game is currently conducting a more detailed, quantitative vegetation survey of the Santa Monica Mountains.

The National Park Service map can be used to characterize broadly the types of plant communities present. The main generic plant communities present in the Santa Monica Mountains<sup>20</sup> are: coastal sage scrub, chaparral, riparian woodland, coast live oak woodland, and grasslands.

#### Riparian Woodland

Some 49 streams connect inland areas with the coast, and there are many smaller drainages as well, many of which are "blue line." Riparian woodlands occur along both perennial and intermittent streams in nutrient-rich soils. Partly because of its multi-layered vegetation, the riparian community contains the greatest overall biodiversity of all the plant communities in the area<sup>21</sup>. At least four types of riparian communities are discernable in the Santa Monica Mountains: walnut riparian areas, mulefat-dominated riparian areas, willow riparian areas and sycamore riparian woodlands. Of these, the

<sup>18</sup> Franklin, J. 1997. Forest Service Southern California Mapping Project, Santa Monica Mountains National Recreation Area, Task 11 Description and Results, Final Report. June 13, 1997, Dept. of Geography, San Diego State University, USFS Contract No. 53-91S8-3-TM45.

<sup>19</sup> Holland R. F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. State of California, The Resources Agency, Dept. of Fish and Game, Natural Heritage Division, Sacramento, CA. 95814.

<sup>20</sup> National Park Service. 2000. Draft: General Management Plan & Environmental Impact Statement, Santa Monica Mountains National Recreation Area, US Dept. of Interior, National Park Service, December 2000. (Fig. 11 in this document.)

<sup>21</sup> Ibid.

sycamore riparian woodland is the most diverse riparian community in the area. In these habitats, the dominant plant species include arroyo willow, California black walnut, sycamore, coast live oak, Mexican elderberry, California bay laurel, and mule fat. Wildlife species that have been observed in this community include least Bell's vireo (a State and federally listed species), American goldfinches, black phoebes, warbling vireos, bank swallows (State listed threatened species), song sparrows, belted kingfishers, raccoons, and California and Pacific tree frogs.

Riparian communities are the most species-rich to be found in the Santa Monica Mountains. Because of their multi-layered vegetation, available water supply, vegetative cover and adjacency to shrubland habitats, they are attractive to many native wildlife species, and provide essential functions in their lifecycles<sup>22</sup>. During the long dry summers in this Mediterranean climate, these communities are an essential refuge and oasis for much of the areas' wildlife.

Riparian habitats and their associated streams form important connecting links in the Santa Monica Mountains. These habitats connect all of the biological communities from the highest elevation chaparral to the sea with a unidirectional flowing water system, one function of which is to carry nutrients through the ecosystem to the benefit of many different species along the way.

The streams themselves provide refuge for sensitive species including: the coast range newt, the Pacific pond turtle, and the steelhead trout. The coast range newt and the Pacific pond turtle are California Species of Special Concern and are proposed for federal listing<sup>23</sup>, and the steelhead trout is federally endangered. The health of the streams is dependent on the ecological functions provided by the associated riparian woodlands. These functions include the provision of large woody debris for habitat, shading that controls water temperature, and input of leaves that provide the foundation of the stream-based trophic structure.

The importance of the connectivity between riparian areas and adjacent habitats is illustrated by the Pacific pond turtle and the coast range newt, both of which are sensitive and both of which require this connectivity for their survival. The life history of the Pacific pond turtle demonstrates the importance of riparian areas and their associated watersheds for this species. These turtles require the stream habitat during the wet season. However, recent radio tracking work<sup>24</sup> has found that although the Pacific pond turtle spends the wet season in streams, it also requires upland habitat for refuge during the dry season. Thus, in coastal southern California, the Pacific pond turtle requires both streams and intact adjacent upland habitats such as coastal sage

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<sup>22</sup> Walter, Hartmut. Bird use of Mediterranean habitats in the Santa Monica Mountains, Coastal Commission Workshop on the Significance of Native Habitats in the Santa Monica Mountains. CCC Hearing, June 13, 2002, Queen Mary Hotel.

<sup>23</sup> USFWS. 1989. Endangered and threatened wildlife and plants; animal notice of review. Fed. Reg. 54:554-579. USFWS. 1993. Endangered and threatened wildlife and plants; notice of 1-year petition finding on the western pond turtle. Fed. Reg. 58:42717-42718.

<sup>24</sup> Rathbun, G.B., N.J. Scott and T.G. Murphy. 2002. Terrestrial habitat use by Pacific pond turtle in a Mediterranean climate. *Southwestern Naturalist*. (in Press).



scrub, woodlands or chaparral as part of their normal life cycle. The turtles spend about four months of the year in upland refuge sites located an average distance of 50 m (but up to 280 m) from the edge of the creek bed. Similarly, nesting sites where the females lay eggs are also located in upland habitats an average of 30 m (but up to 170 m) from the creek. Occasionally, these turtles move up to 2 miles across upland habitat<sup>25</sup>. Like many species, the pond turtle requires both stream habitats and the upland habitats of the watershed to complete its normal annual cycle of behavior. Similarly, the coast range newt has been observed to travel hundreds of meters into upland habitat and spend about ten months of the year far from the riparian streambed<sup>26</sup>. They return to the stream to breed in the wet season, and they are therefore another species that requires both riparian habitat and adjacent uplands for their survival.

Riparian habitats in California have suffered serious losses and such habitats in southern California are currently very rare and seriously threatened. In 1989, Faber estimated that 95-97% of riparian habitat in southern California was already lost<sup>27</sup>. Writing at the same time as Faber, Bowler asserted that, "[t]here is no question that riparian habitat in southern California is endangered."<sup>28</sup> In the intervening 13 years, there have been continuing losses of the small amount of riparian woodlands that remain. Today these habitats are, along with native grasslands and wetlands, among the most threatened in California.

In addition to direct habitat loss, streams and riparian areas have been degraded by the effects of development. For example, the coast range newt, a California Species of Special Concern has suffered a variety of impacts from human-related disturbances<sup>29</sup>. Human-caused increased fire frequency has resulted in increased sedimentation rates, which exacerbates the cannibalistic predation of adult newts on the larval stages.<sup>30</sup> In addition impacts from non-native species of crayfish and mosquito fish have also been documented. When these non-native predators are introduced, native prey organisms are exposed to new mortality pressures for which they are not adapted. Coast range newts that breed in the Santa Monica Mountain streams do not appear to have adaptations that permit co-occurrence with introduced mosquito fish and crayfish<sup>31</sup>. These introduced predators have eliminated the newts from streams where they previously occurred by both direct predation and suppression of breeding.

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<sup>25</sup> Testimony by R. Dagit, Resource Conservation District of the Santa Monica Mountains at the CCC Habitat Workshop on June 13, 2002.

<sup>26</sup> Dr. Lee Kats, Pepperdine University, personal communication to Dr J. Allen, CCC.

<sup>27</sup> Faber, P.A., E. Keller, A. Sands and B.M. Massey. 1989. The ecology of riparian habitats of the southern California coastal region: a community profile. U.S. Fish and Wildlife Service Biological Report 85(7.27) 152pp.

<sup>28</sup> Bowler, P.A. 1989. Riparian woodland: An endangered habitat in southern California. Pp 80-97 in Schoenherr, A.A. (ed.) Endangered plant communities of southern California. Botanists Special Publication No. 3.

<sup>29</sup> Gamradt, S.C., L.B. Kats and C.B. Anzalone. 1997. Aggression by non-native crayfish deters breeding in California newts. *Conservation Biology* 11(3):793-796.

<sup>30</sup> Kerby, L.J., and L.B. Kats. 1998. Modified interactions between salamander life stages caused by wildfire-induced sedimentation. *Ecology* 79(2):740-745.

<sup>31</sup> Gamradt, S.C. and L.B. Kats. 1996. Effect of introduced crayfish and mosquitofish on California newts. *Conservation Biology* 10(4):1155-1162.



Therefore, because of the essential role that riparian plant communities play in maintaining the biodiversity of the Santa Monica Mountains, because of the historical losses and current rarity of these habitats in southern California, and because of their extreme sensitivity to disturbance, the native riparian habitats in the Santa Monica Mountains meet the definition of ESHA under the Coastal Act.

### Coastal Sage Scrub and Chaparral

Coastal sage scrub and chaparral are often lumped together as "shrublands" because of their roughly similar appearance and occurrence in similar and often adjacent physical habitats. In earlier literature, these vegetation associations were often called soft chaparral and hard chaparral, respectively. "Soft" and "hard" refers to differences in their foliage associated with different adaptations to summer drought. Coastal sage scrub is dominated by soft-leaved, generally low-growing aromatic shrubs that die back and drop their leaves in response to drought. Chaparral is dominated by taller, deeper-rooted evergreen shrubs with hard, waxy leaves that minimize water loss during drought.

The two vegetation types are often found interspersed with each other. Under some circumstances, coastal sage scrub may even be successional to chaparral, meaning that after disturbance, a site may first be covered by coastal sage scrub, which is then replaced with chaparral over long periods of time.<sup>32</sup> The existing mosaic of coastal sage scrub and chaparral is the result of a dynamic process that is a function of fire history, recent climatic conditions, soil differences, slope, aspect and moisture regime, and the two habitats should not be thought of as completely separate and unrelated entities but as different phases of the same process<sup>33</sup>. The spatial pattern of these vegetation stands at any given time thus depends on both local site conditions and on history (e.g., fire), and is influenced by both natural and human factors.

In lower elevation areas with high fire frequency, chaparral and coastal sage scrub may be in a state of flux, leading one researcher to describe the mix as a "coastal sage-chaparral subclimax."<sup>34</sup> Several other researchers have noted the replacement of chaparral by coastal sage scrub, or coastal sage scrub by chaparral depending on fire history.<sup>35</sup> In transitional and other settings, the mosaic of chaparral and coastal sage

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<sup>32</sup> Cooper, W.S. 1922. The broad-sclerophyll vegetation of California. Carnegie Institution of Washington Publication 319. 124 pp.

<sup>33</sup> Longcore, T and C. Rich. 2002. Protection of environmentally sensitive habitat areas in proposed local coastal plan for the Santa Monica Mountains. The Urban Wildlands Group, Inc., P.O. Box 24020 Los Angeles, CA 90024. (See attached comment document in Appendix).

<sup>34</sup> Hanes, T.L. 1965. Ecological studies on two closely related chaparral shrubs in southern California. Ecological Monographs 41:27-52.

<sup>35</sup> Gray, K.L. 1983. Competition for light and dynamic boundary between chaparral and coastal sage scrub. Madrono 30(1):43-49. Zedler, P.H., C.R. Gautier and G.S. McMaster. 1983. Vegetation change in response to extreme events: The effect of a short interval between fires in California chaparral and coastal sage scrub. Ecology 64(4): 809-818.

scrub enriches the seasonal plant resource base and provides additional habitat variability and seasonality for the many species that inhabit the area.

*Relationships Among Coastal Sage Scrub, Chaparral and Riparian Communities*

Although the constituent communities of the Santa Monica Mountains Mediterranean ecosystem can be defined and distinguished based on species composition, growth habits, and the physical habitats they characteristically occupy, they are not independent entities ecologically. Many species of plants, such as black sage, and laurel sumac, occur in more than one plant community and many animals rely on the predictable mix of communities found in undisturbed Mediterranean ecosystems to sustain them through the seasons and during different portions of their life histories.

Strong evidence for the interconnectedness between chaparral, coastal scrub and other habitats is provided by "opportunistic foragers" (animals that follow the growth and flowering cycles across these habitats). Coastal scrub and chaparral flowering and growth cycles differ in a complimentary and sequential way that many animals have evolved to exploit. Whereas coastal sage scrub is shallow-rooted and responds quickly to seasonal rains, chaparral plants are typically deep-rooted having most of their flowering and growth later in the rainy season after the deeper soil layers have been saturated<sup>36</sup>. New growth of chaparral evergreen shrubs takes place about four months later than coastal sage scrub plants and it continues later into the summer<sup>37</sup>. For example, in coastal sage scrub, California sagebrush flowers and grows from August to February and coyote bush flowers from August to November<sup>38</sup>. In contrast, chamise chaparral and bigpod ceanothus flower from April to June, buck brush ceanothus flowers from February to April, and hoaryleaf ceanothus flowers from March to April.

Many groups of animals exploit these seasonal differences in growth and blooming period. The opportunistic foraging insect community (e.g., honeybees, butterflies and moths) tends to follow these cycles of flowering and new growth, moving from coastal sage scrub in the early rainy season to chaparral in the spring<sup>39</sup>. The insects in turn are followed by insectivorous birds such as the blue-gray gnatcatcher<sup>40</sup>, bushtit, cactus wren, Bewick's wren and California towhee. At night bats take over the role of daytime insectivores. At least 12 species of bats (all of which are considered sensitive) occur in

<sup>36</sup> DeSimone, S. 2000. California's coastal sage scrub. *Fremontia* 23(4):3-8. Mooney, H.A. 1988. Southern coastal scrub. Chap. 13 in Barbour, M.G. and J. Majors; Eds. 1988. *Terrestrial vegetation of California*, 2<sup>nd</sup> Edition. Calif. Native Plant Soc. Spec. Publ. #9.

<sup>37</sup> Schoenherr, A. A. 1992. *A natural history of California*. University of California Press, Berkeley. 772p.

<sup>38</sup> Dale, N. 2000. Flowering plants of the Santa Monica Mountains. California Native Plant Society, 1722 J Street, Suite 17, Sacramento, CA 95814.

<sup>39</sup> Ballmer, G. R. 1995. What's bugging coastal sage scrub. *Fremontia* 23(4):17-26.

<sup>40</sup> Root, R. B. 1967. The niche exploitation pattern of the blue-gray gnatcatcher. *Ecol. Monog.* 37:317-350.

the Santa Monica Mountains<sup>41</sup>. Five species of hummingbirds also follow the flowering cycle<sup>42</sup>.

Many species of 'opportunistic foragers', which utilize several different community types, perform important ecological roles during their seasonal movements. The scrub jay is a good example of such a species. The scrub jay is an omnivore and forages in coastal sage scrub, chaparral, and oak woodlands for insects, berries and notably acorns. Its foraging behavior includes the habit of burying acorns, usually at sites away from the parent tree canopy. Buried acorns have a much better chance of successful germination (about two-fold) than exposed acorns because they are protected from desiccation and predators. One scrub jay will bury approximately 5000 acorns in a year. The scrub jay therefore performs the function of greatly increasing recruitment and regeneration of oak woodland, a valuable and sensitive habitat type<sup>43</sup>.

Like the scrub jay, most of the species of birds that inhabit the Mediterranean ecosystem in the Santa Monica Mountains require more than one community type in order to flourish. Many species include several community types in their daily activities. Other species tend to move from one community to another seasonally. The importance of maintaining the integrity of the multi-community ecosystem is clear in the following observations of Dr. Hartmut Walter of the University of California at Los Angeles:

"Bird diversity is directly related to the habitat mosaic and topographic diversity of the Santa Monicas. Most bird species in this bio-landscape require more than one habitat for survival and reproduction." "A significant proportion of the avifauna breeds in the wooded canyons of the Santa Monicas. Most of the canyon breeders forage every day in the brush- and grass-covered slopes, ridges and mesas. They would not breed in the canyons in the absence of the surrounding shrublands. Hawks, owls, falcons, orioles, flycatchers, woodpeckers, warblers, hummingbirds, etc. belong to this group. Conversely, some of the characteristic chaparral birds such as thrashers, quails, and wrentits need the canyons for access to shelter, protection from fire, and water. The regular and massive movement of birds between riparian corridors and adjacent shrublands has been demonstrated by qualitative and quantitative observations by several UCLA students<sup>44</sup>."

Thus, the Mediterranean ecosystem of the Santa Monica Mountains is a mosaic of vegetation types linked together ecologically. The high biodiversity of the area results

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<sup>41</sup> Letter from Dr. Marti Witter, NPS, dated Sept. 13, 2001, in letters received and included in the September 2002 staff report for the Malibu LCP.

<sup>42</sup> National Park Service. 1993. A checklist of the birds of the Santa Monica Mountains National Recreation Area. Southwest Parks and Monuments Assoc., 221 N. Court, Tucson, AZ. 85701

<sup>43</sup> Borchert, M. I., F. W. Davis, J. Michaelsen and L. D. Oylor. 1989. Interactions of factors affecting seedling recruitment of blue oak (*Quercus douglasii*) in California. *Ecology* 70:389-404. Bossema, I. 1979. Jays and oaks: An eco-ethological study of a symbiosis. *Behavior* 70:1-118. Schoenherr, A. A. 1992. A natural history of California. University of California Press, Berkeley. 772p.

<sup>44</sup> Walter, Hartmut. Bird use of Mediterranean habitats in the Santa Monica Mountains, Coastal Commission Workshop on the Significance of Native Habitats in the Santa Monica Mountains. CCC Hearing, June 13, 2002, Queen Mary Hotel.

from both the diversity and the interconnected nature of this mosaic. Most raptor species, for example, require large areas and will often require different habitats for perching, nesting and foraging. Fourteen species of raptors (13 of which are considered sensitive) are reported from the Santa Monica Mountains. These species utilize a variety of habitats including rock outcrops, oak woodlands, riparian areas, grasslands, chaparral, coastal sage scrub, estuaries and freshwater lakes<sup>45</sup>.

When the community mosaic is disrupted and fragmented by development, many chaparral-associated native bird species are impacted. In a study of landscape-level fragmentation in the Santa Monica Mountains, Stralberg<sup>46</sup> found that the ash-throated flycatcher, Bewick's wren, wren-tit, blue-gray gnatcatcher, California thrasher, orange-crowned warbler, rufous-crowned sparrow, spotted towhee, and California towhee all decreased in numbers as a result of urbanization. Soule<sup>47</sup> observed similar effects of fragmentation on chaparral and coastal sage scrub birds in the San Diego area.

In summary, all of the vegetation types in this ecosystem are strongly linked by animal movement and foraging. Whereas classification and mapping of vegetation types may suggest a snapshot view of the system, the seasonal movements and foraging of animals across these habitats illustrates the dynamic nature and vital connections that are crucial to the survival of this ecosystem.

### Coastal Sage Scrub

"Coastal sage scrub" is a generic vegetation type that is inclusive of several subtypes<sup>48</sup>. In the Santa Monica Mountains, coastal sage scrub is mostly of the type termed "Venturan Coastal Sage Scrub." In general, coastal sage scrub is comprised of dominant species that are semi-woody and low-growing, with shallow, dense roots that enable them to respond quickly to rainfall. Under the moist conditions of winter and spring, they grow quickly, flower, and produce light, wind-dispersed seeds, making them good colonizers following disturbance. These species cope with summer drought by dying back, dropping their leaves or producing a smaller summer leaf in order to reduce water loss. Stands of coastal sage scrub are much more open than chaparral and contain a greater admixture of herbaceous species. Coastal sage scrub is generally restricted to drier sites, such as low foothills, south-facing slopes, and shallow soils at higher elevations.

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<sup>45</sup> National Park Service. 1993. A checklist of the birds of the Santa Monica Mountains National Recreation Area. Southwest Parks and Monuments Assoc., 221 N. Court, Tucson, AZ. 85701. and Letter from Dr. Marti Witter, NPS, Dated Sept. 13, 2001, in letters received and included in the September 2002 staff report for the Malibu LCP.

<sup>46</sup> Stralberg, D. 2000. Landscape-level urbanization effects on chaparral birds: A Santa Monica Mountains case study. p 125-136 in: Keeley, J. E., M. Baer-Keeley and C. J. Fotheringham (eds), 2<sup>nd</sup> Interface Between Ecology and Land Development in California, U.S. Geological Survey Open-File Report 00-62.

<sup>47</sup> Soule, M. E, D. T. Bolger, A. C. Alberts, J. Wright, M. Sorice and S. Hill. 1988. Reconstructed dynamics of rapid extinctions of chaparral-requiring birds in urban habitat islands. *Conserv. Biol.* 2: 75-92.

<sup>48</sup> Kirkpatrick, J.B. and C.F. Hutchinson. 1977. The community composition of Californian coastal sage scrub. *Vegetatio* 35:21-33; Holland, 1986. op.cit.; Sawyer and Keeler-Wolf, 1995, op.cit.

The species composition and structure of individual stands of coastal sage scrub depend on moisture conditions that derive from slope, aspect, elevation and soil type. Drier sites are dominated by more drought-resistant species (e.g., California sagebrush, coast buckwheat, and *Opuntia* cactus). Where more moisture is available (e.g., north-facing slopes), larger evergreen species such as toyon, laurel sumac, lemonade berry, and sugar bush are common. As a result, there is more cover for wildlife, and movement of large animals from chaparral into coastal sage scrub is facilitated in these areas. Characteristic wildlife in this community includes Anna's hummingbirds, rufous-sided towhees, California quail, greater roadrunners, Bewick's wrens, coyotes, and coast horned lizards<sup>49</sup>, but most of these species move between coastal sage scrub and chaparral during their daily activities or on a seasonal basis.

Of the many important ecosystem roles performed by the coastal sage scrub community, five are particularly important in the Santa Monica Mountains. Coastal sage scrub provides critical linkages between riparian corridors, provides essential habitat for species that require several habitat types during the course of their life histories, provides essential habitat for local endemics, supports rare species that are in danger of extinction, and reduces erosion, thereby protecting the water quality of coastal streams.

Riparian woodlands are primary contributors to the high biodiversity of the Santa Monica Mountains. The ecological integrity of those riparian habitats not only requires wildlife dispersal along the streams, but also depends on the ability of animals to move from one riparian area to another. Such movement requires that the riparian corridors be connected by suitable habitat. In the Santa Monica Mountains, coastal sage scrub and chaparral provide that function. Significant development in coastal sage scrub would reduce the riparian corridors to linear islands of habitat with severe edge effects<sup>50</sup>, reduced diversity, and lower productivity.

Most wildlife species and many species of plants utilize several types of habitat. Many species of animals endemic to Mediterranean habitats move among several plant communities during their daily activities and many are reliant on different communities either seasonally or during different stages of their life cycle. Without an intact mosaic of coastal sage scrub, chaparral, and riparian community types, many species will not thrive. Specific examples of the importance of interconnected communities, or habitats, were provided in the discussion above. This is an essential ecosystem role of coastal sage scrub.

A characteristic of the coastal sage scrub vegetation type is a high degree of endemism. This is consonant with Westman's observation that 44 percent of the species he sampled in coastal sage scrub occurred at only one of his 67 sites, which were

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<sup>49</sup> National Park Service. 2000. Draft: General Management Plan & Environmental Impact Statement, Santa Monica Mountains National Recreation Area, US Dept. of Interior, National Park Service, December 2000.

<sup>50</sup> Environmental impacts are particularly severe at the interface between development and natural habitats. The greater the amount of this "edge" relative to the area of natural habitat, the worse the impact.

distributed from the San Francisco Bay area to Mexico<sup>51</sup>. Species with restricted distributions are by nature more susceptible to loss or degradation of their habitat. Westman said of this unique and local aspect of coastal sage scrub species in California:

"While there are about 50 widespread sage scrub species, more than half of the 375 species encountered in the present study of the sage scrub flora are rare in occurrence within the habitat range. In view of the reduction of the area of coastal sage scrub in California to 10-15% of its former extent and the limited extent of preserves, measures to conserve the diversity of the flora are needed."<sup>52</sup>

Coastal sage scrub in southern California provides habitat for about 100 rare species<sup>53</sup>, many of which are also endemic to limited geographic regions<sup>54</sup>. In the Santa Monica Mountains, rare animals that inhabit coastal sage scrub<sup>55</sup> include the Santa Monica shieldback katydid, silvery legless lizard, coastal cactus wren, Bell's sparrow, San Diego desert woodrat, southern California rufous-crowned sparrow, coastal western whiptail, and San Diego horned lizard. Some of these species are also found in chaparral<sup>56</sup>. Rare plants found in coastal sage scrub in the Santa Monica Mountains include Santa Susana tarplant, Coulter's saltbush, Blockman's dudleya, Braunton's milkvetch, Parry's spineflower, and Plummer's mariposa lily<sup>57</sup>. A total of 32 sensitive species of reptiles, birds and mammals have been identified in this community by the National Park Service.<sup>58</sup>

One of the most important ecological functions of coastal sage scrub in the Santa Monica Mountains is to protect water quality in coastal streams by reducing erosion in the watershed. Although shallow rooted, the shrubs that define coastal sage scrub have dense root masses that hold the surface soils much more effectively than the exotic annual grasses and forbs that tend to dominate in disturbed areas. The native shrubs of this community are resistant not only to drought, as discussed above, but well adapted to fire. Most of the semi-woody shrubs have some ability to crown sprout after

<sup>51</sup> Westman, W.E. 1981. Diversity relations and succession in Californian coastal sage scrub. *Ecology* 62:170-184.

<sup>52</sup> *Ibid.*

<sup>53</sup> Atwood, J. L. 1993. California gnatcatchers and coastal sage scrub: The biological basis for endangered species listing. pp.149-166 *In: Interface Between Ecology and Land Development in California*. Ed. J. E. Keeley, So. Calif. Acad. of Sci., Los Angeles. California Department of Fish and Game (CDFG). 1993. The Southern California Coastal Sage Scrub (CSS) Natural Communities Conservation Plan (NCCP). CDFG and Calif. Resources Agency, 1416 9<sup>th</sup> St., Sacramento, CA 95814.

<sup>54</sup> Westman, W.E. 1981. *op. cit.*

<sup>55</sup> Biological Resources Assessment of the Proposed Santa Monica Mountains Significant Ecological Area. Nov. 2000. Los Angeles Co., Dept. of Regional Planning, 320 West Temple St., Rm. 1383, Los Angeles, CA 90012.

<sup>56</sup> O'Leary J.F., S.A. DeSimone, D.D. Murphy, P.F. Brussard, M.S. Gilpin, and R.F. Noss. 1994. Bibliographies on coastal sage scrub and related malacophyllous shrublands of other Mediterranean-type climates. *California Wildlife Conservation Bulletin* 10:1-51.

<sup>57</sup> Biological Resources Assessment of the Proposed Santa Monica Mountains Significant Ecological Area. Nov. 2000. Los Angeles Co., Dept. of Regional Planning, 320 West Temple St., Rm. 1383, Los Angeles, CA 90012.

<sup>58</sup> NPS, 2000, *op. cit.*

fire. Several CSS species (e.g., *Eriogonum cinereum*) in the Santa Monica Mountains and adjacent areas resprout vigorously and other species growing near the coast demonstrate this characteristic more strongly than do individuals of the same species growing at inland sites in Riverside County.<sup>59</sup> These shrub species also tend to recolonize rapidly from seed following fire. As a result they provide persistent cover that reduces erosion.

In addition to performing extremely important roles in the Mediterranean ecosystem, the coastal sage scrub community type has been drastically reduced in area by habitat loss to development. In the early 1980's it was estimated that 85 to 90 percent of the original extent of coastal sage scrub in California had already been destroyed.<sup>60</sup> Losses since that time have been significant and particularly severe in the coastal zone.

Therefore, because of its increasing rarity, its important role in the functioning of the Santa Monica Mountains Mediterranean ecosystem, and its extreme vulnerability to development, coastal sage scrub within the Santa Monica Mountains meets the definition of ESHA under the Coastal Act.

### Chaparral

Another shrub community in the Santa Monica Mountain Mediterranean ecosystem is chaparral. Like "coastal sage scrub," this is a generic category of vegetation. Chaparral species have deep roots (10s of ft) and hard waxy leaves, adaptations to drought that increase water supply and decrease water loss at the leaf surface. Some chaparral species cope more effectively with drought conditions than do desert plants<sup>61</sup>. Chaparral plants vary from about one to four meters tall and form dense, intertwining stands with nearly 100 percent ground cover. As a result, there are few herbaceous species present in mature stands. Chaparral is well adapted to fire. Many species regenerate mainly by crown sprouting; others rely on seeds which are stimulated to germinate by the heat and ash from fires. Over 100 evergreen shrubs may be found in chaparral<sup>62</sup>. On average, chaparral is found in wetter habitats than coastal sage scrub, being more common at higher elevations and on north facing slopes.

The broad category "northern mixed chaparral" is the major type of chaparral shown in the National Park Service map of the Santa Monica Mountains. However, northern mixed chaparral can be variously dominated by chamise, scrub oak or one of several species of manzanita or by ceanothus. In addition, it commonly contains woody vines and large shrubs such as mountain mahogany, toyon, hollyleaf redberry, and sugarbush<sup>63</sup>. The rare red shank chaparral plant community also occurs in the Santa Monica Mountains. Although included within the category "northern mixed chaparral" in

<sup>59</sup> Dr. John O'Leary, SDSU, personal communication to Dr. John Dixon, CCC, July 2, 2002

<sup>60</sup> Westman, W.E. 1981. op. cit.

<sup>61</sup> Dr. Stephen Davis, Pepperdine University. Presentation at the CCC workshop on the significance of native habitats in the Santa Monica Mountains. June 13, 2002.

<sup>62</sup> Keely, J.E. and S.C. Keeley. Chaparral. Pages 166-207 in M.G. Barbour and W.D. Billings, eds. North American Terrestrial Vegetation. New York, Cambridge University Press.

<sup>63</sup> Ibid.



the vegetation map, several types of ceanothus chaparral are reported in the Santa Monica Mountains. Ceanothus chaparral occurs on stable slopes and ridges, and may be dominated by bigpod ceanothus, buck brush ceanothus, hoaryleaf ceanothus, or greenbark ceanothus. In addition to ceanothus, other species that are usually present in varying amounts are chamise, black sage, holly-leaf redberry, sugarbush, and coast golden bush<sup>64</sup>.

Several sensitive plant species that occur in the chaparral of the Santa Monica Mountains area are: Santa Susana tarplant, Lyon's pentachaeta, marcescent dudleya, Santa Monica Mountains dudleya, Braunton's milk vetch and salt spring checkerbloom<sup>65</sup>. Several occurring or potentially occurring sensitive animal species in chaparral from the area are: Santa Monica shieldback katydid, western spadefoot toad, silvery legless lizard, San Bernardino ring-neck snake, San Diego mountain kingsnake, coast patch-nosed snake, sharp-shinned hawk, southern California rufous-crowned sparrow, Bell's sparrow, yellow warbler, pallid bat, long-legged myotis bat, western mastiff bat, and San Diego desert woodrat.<sup>66</sup>

Coastal sage scrub and chaparral are the predominant generic community types of the Santa Monica Mountains and provide the living matrix within which rarer habitats like riparian woodlands exist. These two shrub communities share many important ecosystem roles. Like coastal sage scrub, chaparral within the Santa Monica Mountains provides critical linkages among riparian corridors, provides essential habitat for species that require several habitat types during the course of their life histories, provides essential habitat for sensitive species, and stabilizes steep slopes and reduces erosion, thereby protecting the water quality of coastal streams.

Many species of animals in Mediterranean habitats characteristically move among several plant communities during their daily activities, and many are reliant on different communities either seasonally or during different stages of their life cycle. The importance of an intact mosaic of coastal sage scrub, chaparral, and riparian community types is perhaps most critical for birds. However, the same principles apply to other taxonomic groups. For example, whereas coastal sage scrub supports a higher diversity of native ant species than chaparral, chaparral habitat is necessary for the coast horned lizard, an ant specialist<sup>67</sup>. Additional examples of the importance of an interconnected communities, or habitats, were provided in the discussion of coastal sage scrub above. This is an extremely important ecosystem role of chaparral in the Santa Monica Mountains.

Chaparral is also remarkably adapted to control erosion, especially on steep slopes. The root systems of chaparral plants are very deep, extending far below the surface and

<sup>64</sup> Ibid.

<sup>65</sup> Biological Resources Assessment of the Proposed Santa Monica Mountains Significant Ecological Area. Nov. 2000. Los Angeles Co., Dept. of Regional Planning, 320 West Temple St., Rm. 1383, Los Angeles, CA 90012.

<sup>66</sup> Ibid.

<sup>67</sup> A.V. Suarez. Ants and lizards in coastal sage scrub and chaparral. A presentation at the CCC workshop on the significance of native habitats in the Santa Monica Mountains. June 13, 2002.



penetrating the bedrock below<sup>68</sup>, so chaparral literally holds the hillsides together and prevents slippage.<sup>69</sup> In addition, the direct soil erosion from precipitation is also greatly reduced by 1) water interception on the leaves and above ground foliage and plant structures, and 2) slowing the runoff of water across the soil surface and providing greater soil infiltration. Chaparral plants are extremely resistant to drought, which enables them to persist on steep slopes even during long periods of adverse conditions. Many other species die under such conditions, leaving the slopes unprotected when rains return. Since chaparral plants recover rapidly from fire, they quickly re-exert their ground stabilizing influence following burns. The effectiveness of chaparral for erosion control after fire increases rapidly with time<sup>70</sup>. Thus, the erosion from a 2-inch rain-day event drops from 5 yd<sup>3</sup>/acre of soil one year after a fire to 1 yd<sup>3</sup>/acre after 4 years.<sup>71</sup> The following table illustrates the strong protective effect of chaparral in preventing erosion.

Soil erosion as a function of 24-hour precipitation and chaparral age.

Years Since Fire	Erosion (yd <sup>3</sup> /acre) at Maximum 24-hr Precipitation of:		
	2 inches	5 inches	11 inches
1	5	20	180
4	1	12	140
17	0	1	28
50+	0	0	3

Therefore, because of its important roles in the functioning of the Santa Monica Mountains Mediterranean ecosystem, and its extreme vulnerability to development, chaparral within the Santa Monica Mountains meets the definition of ESHA under the Coastal Act.

Oak Woodland and Savanna

Coast live oak woodland occurs mostly on north slopes, shaded ravines and canyon bottoms. Besides the coast live oak, this plant community includes hollyleaf cherry, California bay laurel, coffeeberry, and poison oak. Coast live oak woodland is more

<sup>68</sup> Helmers, H., J.S. Horton, G. Juhren and J. O'Keefe. 1955. Root systems of some chaparral plants in southern California. Ecology 36(4):667-678. Kummerow, J. and W. Jow. 1977. Root systems of chaparral shrubs. Oecologia 29:163-177.

<sup>69</sup> Radtke, K. 1983. *Living more safely in the chaparral-urban interface*. General Technical Report PSW-67. U.S. Department of Agriculture, Forest Service, Pacific Southwest Research Station, Berkeley, California. 51 pp.

<sup>70</sup> Kittredge, J. 1973. *Forest influences — the effects of woody vegetation on climate, water, and soil*. Dover Publications, New York. 394 pp. Longcore, T and C. Rich. 2002. Protection of environmentally sensitive habitat areas in proposed local coastal plan for the Santa Monica Mountains. (Table 1). The Urban Wildlands Group, Inc., P.O. Box 24020 Los Angeles, CA 90024. Vicars, M. (ed.) 1999. *FireSmart: protecting your community from wildfire*. Partners in Protection, Edmonton, Alberta.

<sup>71</sup> *ibid*.

tolerant of salt-laden fog than other oaks and is generally found nearer the coast<sup>72</sup>. Coast live oak also occurs as a riparian corridor species within the Santa Monica Mountains.

Valley oaks are endemic to California and reach their southern most extent in the Santa Monica Mountains. Valley oaks were once widely distributed throughout California's perennial grasslands in central and coastal valleys. Individuals of this species may survive 400-600 years. Over the past 150 years, valley oak savanna habitat has been drastically reduced and altered due to agricultural and residential development. The understory is now dominated by annual grasses and recruitment of seedlings is generally poor. This is a very threatened habitat.

The important ecosystem functions of oak woodlands and savanna are widely recognized<sup>73</sup>. These habitats support a high diversity of birds<sup>74</sup>, and provide refuge for many species of sensitive bats<sup>75</sup>. Typical wildlife in this habitat includes acorn woodpeckers, scrub jays, plain titmice, northern flickers, cooper's hawks, western screech owls, mule deer, gray foxes, ground squirrels, jackrabbits and several species of sensitive bats.

Therefore, because of their important ecosystem functions and vulnerability to development, oak woodlands and savanna within the Santa Monica Mountains met the definition of ESHA under the Coastal Act.

### Grasslands

Grasslands consist of low herbaceous vegetation that is dominated by grass species but may also harbor native or non-native forbs.

### California Perennial Grassland

Native grassland within the Santa Monica Mountains consists of perennial native needlegrasses: purple needlegrass, (*Nassella pulchra*), foothills needlegrass, (*Nassella lepida*) and nodding needlegrass (*Nassella cernua*). These grasses may occur in the same general area but they do not typically mix, tending to segregate based on slope

<sup>72</sup> NPS 2000. op. cit.

<sup>73</sup> Block, W.M., M.L. Morrison, and J. Verner. 1990. Wildlife and oak-woodland interdependency. *Fremontia* 18(3):72-76. Pavlik, B.M., P.C. Muick, S. Johnson, and M. Popper. 1991. *Oaks of California*. Cachuma Press and California Oak Foundation, Los Olivos, California. 184 pp.

<sup>74</sup> Cody, M.L. 1977. Birds. Pp. 223-231 in Thrower, N.J.W., and D.E. Bradbury (eds.). *Chile-California Mediterranean scrub atlas*. US/IBP Synthesis Series 2. Dowden, Hutchinson & Ross, Stroudsburg, Pennsylvania. National Park Service. 1993. A checklist of the birds of the Santa Monica Mountains National Recreation Area. Southwest Parks and Monuments Assoc., 221 N. Court, Tucson, AZ. 85701

<sup>75</sup> Miner, K.L., and D.C. Stokes. 2000. Status, conservation issues, and research needs for bats in the south coast bioregion. Paper presented at *Planning for biodiversity: bringing research and management together*, February 29, California State University, Pomona, California.

and substrate factors<sup>76</sup>. Mixed with these native needlegrasses are many non-native annual species that are characteristic of California annual grassland<sup>77</sup>. Native perennial grasslands are now exceedingly rare<sup>78</sup>. In California, native grasslands once covered nearly 20 percent of the land area, but today are reduced to less than 0.1 percent<sup>79</sup>. The California Natural Diversity Database (CNDDDB) lists purple needlegrass habitat as a community needing priority monitoring and restoration. The CNDDDB considers grasslands with 10 percent or more cover by purple needlegrass to be significant, and recommends that these be protected as remnants of original California prairie. Patches of this sensitive habitat occur throughout the Santa Monica Mountains where they are intermingled with coastal sage scrub, chaparral and oak woodlands.

Many of the raptors that inhabit the Santa Monica Mountains make use of grasslands for foraging because they provide essential habitat for small mammals and other prey. Grasslands adjacent to woodlands are particularly attractive to these birds of prey since they simultaneously offer perching and foraging habitat. Particularly noteworthy in this regard are the white-tailed kite, northern harrier, sharp-shinned hawk, Cooper's hawk, red-shouldered hawk, red-tailed hawk, golden eagle, American kestrel, merlin, and prairie falcon<sup>80</sup>.

Therefore, because of their extreme rarity, important ecosystem functions, and vulnerability to development, California native perennial grasslands within the Santa Monica Mountains meet the definition of ESHA under the Coastal Act.

### California Annual Grassland

The term "California annual grassland" has been proposed to recognize the fact that non-native annual grasses should now be considered naturalized and a permanent feature of the California landscape and should be acknowledged as providing important ecological functions. These habitats support large populations of small mammals and provide essential foraging habitat for many species of birds of prey. California annual grassland generally consists of dominant invasive annual grasses that are primarily of Mediterranean origin. The dominant species in this community include common wild oats (*Avena fatua*), slender oat (*Avena barbata*), red brome (*Bromus madritensis* ssp. *Rubens*), ripgut brome, (*Bromus diandrus*), and herbs such as black mustard (*Brassica nigra*), wild radish (*Raphanus sativus*) and sweet fennel (*Foeniculum vulgare*). Annual grasslands are located in patches throughout the Santa Monica Mountains in previously disturbed areas, cattle pastures, valley bottoms and along roadsides. While many of

<sup>76</sup> Sawyer, J. O. and T. Keeler-Wolf. 1995. A manual of California vegetation. California Native Plant Society, 1722 J St., Suite 17, Sacramento, CA 95814.

<sup>77</sup> Biological Resources Assessment of the Proposed Santa Monica Mountains Significant Ecological Area. Nov. 2000. Los Angeles Co., Dept. of Regional Planning, 320 West Temple St., Rm. 1383, Los Angeles, CA 90012.

<sup>78</sup> Noss, R.F., E.T. LaRoe III and J.M. Scott. 1995. Endangered ecosystems of the United States: a preliminary assessment of loss and degradation. Biological Report 28. National Biological Service, U.S. Dept. of Interior.

<sup>79</sup> NPS 2000. op. cit.

<sup>80</sup> NPS 2000. op. cit.

these patches are dominated by invasive non-native species, it would be premature to say that they are never sensitive or do not harbor valuable annual native species. A large number of native forbs also may be present in these habitats<sup>81</sup>, and many native wildflowers occur primarily in annual grasslands. In addition, annual grasslands are primary foraging areas for many sensitive raptor species in the area.

Inspection of California annual grasslands should be done prior to any impacts to determine if any rare native species are present or if any rare wildlife rely on the habitat and to determine if the site meets the Coastal Act ESHA criteria.

### **Effects of Human Activities and Development on Habitats within the Santa Monica Mountains**

The natural habitats of the Santa Monica Mountains are highly threatened by current development pressure, fragmentation and impacts from the surrounding megalopolis. The developed portions of the Santa Monica Mountains represents the extension of this urbanization into natural areas. About 54% of the undeveloped Santa Monica Mountains are in private ownership<sup>82</sup>, and computer simulation studies of the development patterns over the next 25 years predict a serious increase in habitat fragmentation<sup>83</sup>. Development and associated human activities have many well-documented deleterious effects on natural communities. These environmental impacts may be both direct and indirect and include the effects of increased fire frequency, of fire clearance, of introduction of exotic species, and of night lighting.

#### Increased Fire Frequency

Since 1925, all the major fires in the Santa Monica Mountains have been caused by human activities<sup>84</sup>. Increased fire frequency alters plant communities by creating conditions that select for some species over others. Strong resprouting plant species such as laurel sumac, are favored while non-sprouters like bigpod ceanothus, are at a disadvantage. Frequent fire recurrence before the non-sprouters can develop and reestablish a seed bank is detrimental, so that with each fire their chances for propagation are further reduced. Resprouters can be sending up new shoots quickly, and so they are favored in an increased fire frequency regime. Also favored are weedy and invasive species. Dr. Steven Davis in his abstract for a Coastal Commission

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<sup>81</sup> Holstein, G. 2001. Pre-agricultural grassland in Central California. *Madrono* 48(4):253-264. Stromberg, M.R., P. Kephart and V. Yadon. 2001. Composition, invasibility and diversity of coastal California grasslands. *Madrono* 48(4):236-252.

<sup>82</sup> National Park Service. 2000. Draft: General Management Plan & Environmental Impact Statement, Santa Monica Mountains National Recreation Area, US Dept. of Interior, National Park Service, December 2000.

<sup>83</sup> Swenson, J. J., and J. Franklin. 2000. The effects of future urban development on habitat fragmentation in the Santa Monica Mountains. *Landscape Ecol.* 15:713-730.

<sup>84</sup> NPS, 2000, op. cit.

Workshop stated<sup>85</sup> "We have evidence that recent increases in fire frequency has eliminated drought-hardy non-sprouters from chaparral communities near Malibu, facilitating the invasion of exotic grasses and forbs that further exacerbate fire frequency." Thus, simply increasing fire frequency from about once every 22 years (the historical frequency) to about once every 12 years (the current frequency) can completely change the vegetation community. This has cascading effects throughout the ecosystem.

### Fuel Clearance

The removal of vegetation for fire protection in the Santa Monica Mountains is required by law in "Very High Fire Hazard Severity Zones"<sup>86</sup>. Fuel removal is reinforced by insurance carriers<sup>87</sup>. Generally, the Santa Monica Mountains are considered to be a high fire hazard severity zone. In such high fire hazard areas, homeowners must often resort to the California FAIR Plan to obtain insurance. Because of the high risk, all homes in "brush areas" are assessed an insurance surcharge if they have less than the recommended 200-foot fuel modification zone<sup>88</sup> around the home. The combination of insurance incentives and regulation assures that the 200-foot clearance zone will be applied universally<sup>89</sup>. While it is not required that all of this zone be cleared of vegetation, the common practice is simply to disk this zone, essentially removing or highly modifying all native vegetation. For a new structure not adjacent to existing structures, this results in the removal or modification of a minimum of three acres of vegetation<sup>90</sup>. While the directly impacted area is large, the effects of fuel modification extend beyond the 200-foot clearance area.

### Effects of Fuel Clearance on Bird Communities

The impacts of fuel clearance on bird communities was studied by Stralberg who identified three ecological categories of birds in the Santa Monica Mountains: 1) local and long distance migrators (ash-throated flycatcher, Pacific-slope flycatcher, phainopepla, black-headed grosbeak), 2) chaparral-associated species (Bewick's wren, wren-tit, blue-gray gnatcatcher, California thrasher, orange-crowned warbler, rufous-crowned sparrow, spotted towhee, California towhee) and 3) urban-associated species

<sup>85</sup> Davis, Steven. Effects of fire and other factors on patterns of chaparral in the Santa Monica Mountains, Coastal Commission Workshop on the Significance of Native Habitats in the Santa Monica Mountains. CCC Hearing, June 13, 2002, Queen Mary Hotel.

<sup>86</sup> 1996 Los Angeles County Fire Code Section 1117.2.1

<sup>87</sup> Longcore, T and C. Rich. 2002. Protection of environmentally sensitive habitat areas in proposed local coastal plan for the Santa Monica Mountains. The Urban Wildlands Group, Inc., P.O. Box 24020 Los Angeles, CA 90024. Vicars, M. (ed.) 1999. FireSmart: protecting your community from wildfire. Partners in Protection, Edmonton, Alberta.

<sup>88</sup> Fuel Modification Plan Guidelines. Co. of Los Angeles Fire Department, Fuel Modification Unit, Prevention Bureau, Forestry Division, Brush Clearance Section, January 1998.

<sup>89</sup> Longcore, T and C. Rich. 2002. Protection of environmentally sensitive habitat areas in proposed local coastal plan for the Santa Monica Mountains. The Urban Wildlands Group, Inc., P.O. Box 24020 Los Angeles, CA 90024.

<sup>90</sup> Ibid.

(mourning dove, American crow, Western scrub-jay, Northern mockingbird)<sup>91</sup>. It was found in this study that the number of migrators and chaparral-associated species decreased due to habitat fragmentation while the abundance of urban-associated species increased. The impact of fuel clearance is to greatly increase this edge-effect of fragmentation by expanding the amount of cleared area and "edge" many-fold. Similar results of decreases in fragmentation-sensitive bird species are reported from the work of Bolger et al. in southern California chaparral<sup>92</sup>.

### Effects of Fuel Clearance on Arthropod Communities

Fuel clearance and habitat modification may also disrupt native arthropod communities, and this can have surprising effects far beyond the cleared area on species seemingly unrelated to the direct impacts. A particularly interesting and well-documented example with ants and lizards illustrates this point. When non-native landscaping with intensive irrigation is introduced, the area becomes favorable for the invasive and non-native Argentine ant. This ant forms "super colonies" that can forage more than 650 feet out into the surrounding native chaparral or coastal sage scrub around the landscaped area<sup>93</sup>. The Argentine ant competes with native harvester ants and carpenter ants displacing them from the habitat<sup>94</sup>. These native ants are the primary food resource for the native coast horned lizard, a California "Species of Special Concern." As a result of Argentine ant invasion, the coast horned lizard and its native ant food resources are diminished in areas near landscaped and irrigated developments<sup>95</sup>. In addition to specific effects on the coast horned lizard, there are other Mediterranean habitat ecosystem processes that are impacted by Argentine ant invasion through impacts on long-evolved native ant-plant mutualisms<sup>96</sup>. The composition of the whole arthropod community changes and biodiversity decreases when habitats are subjected to fuel modification. In coastal sage scrub disturbed by fuel modification, fewer arthropod

<sup>91</sup> Stralberg, D. 2000. Landscape-level urbanization effects on chaparral birds: a Santa Monica Mountains case study. Pp. 125-136 in Keeley, J.E., M. Baer-Keeley, and C.J. Fotheringham (eds.). *2nd interface between ecology and land development in California*. U.S. Geological Survey, Sacramento, California.

<sup>92</sup> Bolger, D. T., T. A. Scott and J. T. Rotenberry. 1997. Breeding bird abundance in an urbanizing landscape in coastal Southern California. *Conserv. Biol.* 11:406-421.

<sup>93</sup> Suarez, A.V., D.T. Bolger and T.J. Case. 1998. Effects of fragmentation and invasion on native ant communities in coastal southern California. *Ecology* 79(6):2041-2056.

<sup>94</sup> Holway, D.A. 1995. The distribution of the Argentine ant (*Linepithema humile*) in central California: a twenty-year record of invasion. *Conservation Biology* 9:1634-1637. Human, K.G. and D.M. Gordon. 1996. Exploitation and interference competition between the invasive Argentine ant, (*Linepithema humile*), and native ant species. *Oecologia* 105:405-412.

<sup>95</sup> Fisher, R.N., A.V. Suarez and T.J. Case. 2002. Spatial patterns in the abundance of the coastal horned lizard. *Conservation Biology* 16(1):205-215. Suarez, A.V. J.Q. Richmond and T.J. Case. 2000. Prey selection in horned lizards following the invasion of Argentine ants in southern California. *Ecological Applications* 10(3):711-725.

<sup>96</sup> Suarez, A.V., D.T. Bolger and T.J. Case. 1998. Effects of fragmentation and invasion on native ant communities in coastal southern California. *Ecology* 79(6):2041-2056. Bond, W. and P. Slingsby. Collapse of an Ant-Plant Mutualism: The Argentine Ant (*Iridomyrmex humilis*) and Myrmecochorous Proteaceae. *Ecology* 65(4):1031-1037.

predator species are seen and more exotic arthropod species are present than in undisturbed habitats<sup>97</sup>.

Studies in the Mediterranean vegetation of South Africa (equivalent to California shrubland with similar plant species) have shown how the invasive Argentine ant can disrupt the whole ecosystem.<sup>98</sup> In South Africa the Argentine ant displaces native ants as they do in California. Because the native ants are no longer present to collect and bury seeds, the seeds of the native plants are exposed to predation, and consumed by seed eating insects, birds and mammals. When this habitat burns after Argentine ant invasion the large-seeded plants that were protected by the native ants all but disappear. So the invasion of a non-native ant species drives out native ants, and this can cause a dramatic change in the species composition of the plant community by disrupting long-established seed dispersal mutualisms. In California, some insect eggs are adapted to being buried by native ants in a manner similar to plant seeds<sup>99</sup>.

### Artificial Night Lighting

One of the more recently recognized human impacts on ecosystem function is that of artificial night lighting as it effects the behavior and function of many different types of organisms<sup>100</sup>. For literally billions of years the only nighttime sources of light were the moon and stars, and living things have adapted to this previously immutable standard and often depend upon it for their survival. A review of lighting impacts suggests that whereas some species are unaffected by artificial night lighting, many others are severely impacted. Overall, most impacts are negative ones or ones whose outcome is unknown. Research to date has found negative impacts to plants, aquatic and terrestrial invertebrates, amphibians, fish, birds and mammals, and a detailed literature review can be found in the report by Longcore and Rich<sup>101</sup>.

### **Summary**

In a past action, the Coastal Commission found<sup>102</sup> that the Santa Monica Mountains Mediterranean Ecosystem, which includes the undeveloped native habitats of the Santa Monica Mountains, is rare and especially valuable because of its relatively pristine

<sup>97</sup> Longcore, T.R. 1999. Terrestrial arthropods as indicators of restoration success in coastal sage scrub. Ph.D. Dissertation, University of California, Los Angeles.

<sup>98</sup> Christian, C. 2001. Consequences of a biological invasion reveal the importance of mutualism for plant communities. *Nature* 413:635-639.

<sup>99</sup> Hughes, L. and M. Westoby. 1992. Capitula on stick insect eggs and elaiosomes on seeds: convergent adaptations for burial by ants. *Functional Ecology* 6:642-648.

<sup>100</sup> Longcore, T and C. Rich. 2002. Protection of environmentally sensitive habitat areas in proposed local coastal plan for the Santa Monica Mountains. The Urban Wildlands Group, Inc., P.O. Box 24020 Los Angeles, CA 90024.

<sup>101</sup> Ibid, and Ecological Consequences of Artificial Night Lighting, Conference, February 23-24, 2002, UCLA Los Angeles, California.

<sup>102</sup> Revised Findings for the City of Malibu Local Coastal Program (as adopted on September 13, 2002) adopted on February 6, 2003.

character, physical complexity, and resultant biological diversity. The undeveloped native habitats within the Santa Monica Mountains that are discussed above are ESHA because of their valuable roles in that ecosystem, including providing a critical mosaic of habitats required by many species of birds, mammals and other groups of wildlife, providing the opportunity for unrestricted wildlife movement among habitats, supporting populations of rare species, and preventing the erosion of steep slopes and thereby protecting riparian corridors, streams and, ultimately, shallow marine waters.

The importance the native habitats in the Santa Monica Mountains was emphasized nearly 20 years ago by the California Department of Fish and Game<sup>103</sup>. Commenting on a Draft Land Use Plan for the City of Malibu, the Regional Manager wrote that, "It is essential that large areas of land be reclassified to reflect their true status as ESHAs. One of the major needs of the Malibu LUP is that it should provide protection for entire drainages and not just stream bottoms." These conclusions were supported by the following observations:

"It is a fact that many of the wildlife species of the Santa Monica Mountains, such as mountain lion, deer, and raccoon, have established access routes through the mountains. They often travel to and from riparian zones and development such as high density residential may adversely affect a wildlife corridor.

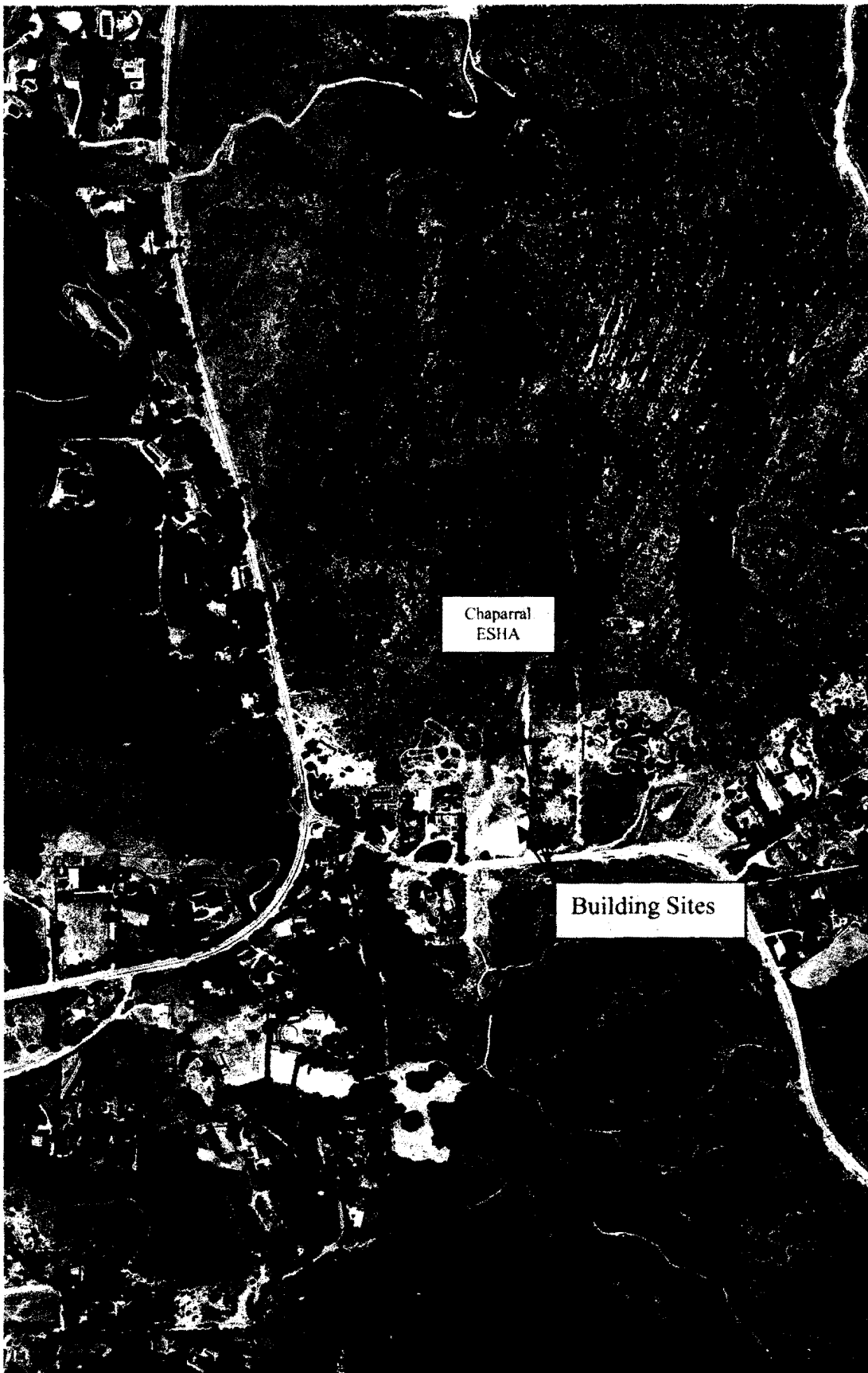
Most animal species that exist in riparian areas will, as part of their life histories, also be found in other habitat types, including chapparal (sic) or grassland. For example, hawks nest and roost in riparian areas, but are dependent on large open areas for foraging. For the survival of many species, particularly those high on the food chain, survival will depend upon the presence of such areas. Such areas in the Santa Monica Mountains include grassland and coastal sage scrub communities, which have been documented in the SEA studies as supporting a wide diversity of plant and animal life."

This analysis by the Department of Fish and Game is consonant with the findings of the Commission in the case of the Malibu LCP, and with the conclusion that large contiguous areas of relatively pristine native habitat in the Santa Monica Mountains meet the definition of ESHA under the Coastal Act.

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<sup>103</sup> Letter from F. A. Worthley, Jr. (CDFG) to N. Lucast (CCC) re Land Use Plan for Malibu dated March 22, 1983.





Chaparral  
ESHA

Building Sites

Exhibit 22  
4-03-10, 11 & 12  
2001 Air Photo of Site

11/10/12

