CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

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STAFF REPORT: REGULAR CALENDAR

APPLICATION NO: 4-05-026

APPLICANT: Armand Riza

AGENTS: Alan Block, Esq.; David Ready, AIA; Miguel San Miguel, AIA, R& D Architects; Gigi Goyette; and Erin Tucker

PROJECT LOCATION: 33165 Decker School Road, Los Angeles County

PROJECT DESCRIPTION: Partial demolition of a 1,500 sq. ft. portion of an unpermitted 1,900 sq. ft., 19 ft. high, single family residence on an unpermitted graded pad; reconstruction/remodeling of the 400 sq. ft. remainder structure; and construction of a new 4,383 sq. ft. addition to the 400 sq. ft. remainder structure in order to construct a 4,783 sq. ft., 35 ft. high, three-story single family residence with an attached 860 sq. ft. garage; 2,500 sq. ft. of decking, 946 sq. ft. of balconies, a solar panel system, improve existing driveway, upgrade/replace as-built septic system, landscaping, retaining walls, a temporary construction trailer, an unspecified amount of revegetation of a portion of the site, and a new 418 ft. long, 6 ft. high Fire Wall along 206 lineal ft. of northern property boundary (adjacent to National Park Service land) and 212 lineal ft. along eastern property boundary. In addition, the project includes the request for after-the-fact approval of: the 400 sq. ft. remainder of the existing residence, an as-built swimming pool/spa with patio area; an as-built septic system, an as-built water well and tank; an unpermitted residential trailer with a concrete pad and chain link fencing; and an unknown quantity of grading for the construction of the approximately 7,000 - 8,000 sq. ft. as-built flat pad where the existing residence is located, a second as-built flat pad area approximately 18,000 sq. ft. area where the existing trailer is located, and a large disturbed area where the former sheds and corrals were located, and an approximate 440 ft. long as-built road extension to the existing residence.

Lot area:	**5 acres**
Building Pad Area:	**2,748 sq. ft.**
Building coverage:	**2,748 sq. ft.**
Pavement coverage:	**5,250 sq. ft.**
Ht above fin grade:	**35 ft.**

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **DENIAL** of the proposed project. The applicant requests approval to demolish 1,500 sq. ft. of an existing unpermitted 1,900 sq. ft. single family residence on an unpermitted graded pad and construct a new 4,783 sq. ft. residence with an attached 860 sq. ft. garage in the same location on a five acre parcel located near Decker School Road.

Staff discovered during the processing of this application that the existing residence, in addition to several other unpermitted improvements, was constructed between 1991 and 1993 without the required coastal development permit. As proposed, the project includes the demolition of approximately 80 percent of the existing unpermitted structure, including the existing foundation. In addition, the applicant is proposing substantial reconstruction/remodeling of the remaining 400 sq. ft. portion of the structure that is proposed to remain in order to incorporate it into the new proposed 4,783 sq. ft single family residence with an attached below grade 860 sq. ft. garage.

The site has been subject to previous Commission action. The Commission previously approved an approximate 3,100 sq. ft. residence, attached garage and detached workshop in 1979 (Coastal Permit No. 78-4453). Coastal Permit No. 78-4453 was extended by the previous property owner 10 times before the permit expired. Although construction of the existing residence on site was commenced in 1991, prior to the expiration of Coastal Permit No. 78-4453 in 1992; the residence that was constructed was built in a substantially different location, design, size, and configuration than originally approved by the Commission in 1979. This unpermitted 1,900 sq. ft. residence (and the location for the new proposed residence) is located more than 80 feet northeast of the previously approved building site and approximately 50 feet from the northern property boundary with the adjacent National Park Service property, which is part of the Santa Monica Mountains National Recreation Area (SMMNRA). Due to the failure to construct the unpermitted residence with an adequate setback from the adjacent public park land, it appears that a significant amount of sensitive chaparral vegetation has been removed on the adjacent park land, without the consent of the National Park Service, in order to provide for a 200 ft. radius fuel modification zone for the existing unpermitted residence on the subject site. In response to the unpermitted vegetation clearance, SMMNRA in a letter (Exhibit 13) dated March 7, 2006, states: “The original approved residential development was sited to avoid fuel modification on adjacent property, and therefore, fuel modification currently occurring on the adjacent National Park Service property to the north is in violation of federal law. We recommend that any new construction or reconstruction on the subject parcel be sited at least 200 feet from the northern boundary shared with National Park Service to accommodate Los Angeles County’s 200-foot fuel modification zone within the privately owned parcel.”

In this case, although the applicant is proposing to construct a new 206 ft. long, 6 ft. high “fire wall” located along this northern property boundary with SMMNRA lands, staff notes that the use of a fire wall does not eliminate the need for vegetation clearance to provide adequate safety for structures in high-fire hazard areas, such as the subject site. In past permit actions, in order to ensure that the normally required 200 ft. fuel modification zones around new structures would not encroach onto public park lands, the Commission has required, when feasible, that new structures be located at least 200 ft. from the boundary with such park lands. In this case, the proposed residence would be located approximately 50 ft. from the property line with National Park land and would not provide an adequate setback to ensure that vegetation clearance for the proposed structure would not occur on public park land.

Further, in this case, there are alternative building sites on the subject parcel located more than 200 feet from the northern property boundary where a new residence could feasibly be

located (including on either of the other two unpermitted graded flat pads on site). Although the majority of the existing residence is proposed to be demolished, the applicant has indicated that they wish to reconstruct the new residence only in the location where the previous unpermitted residence was located and that they are unwilling to consider constructing the new proposed residence in any of these other feasible locations more than 200 ft. from the adjacent park land.

In addition the existing residence, other unpermitted development has occurred on site including, but not limited to, the construction of a pool/spa, a water storage tank/well, a residential trailer on a concrete pad, and an unknown quantity of grading to construct the approximate 7,000 - 8,000 sq. ft. flat pad for the unpermitted residence, a second approximate 18,000 sq. ft. pad, a third large disturbed area for the former sheds and corrals, and an approximate 440 ft. long road extension to service the unpermitted residence. In addition, various unpermitted equestrian and animal facilities, which were constructed on site by a previous property, have already been removed by the applicant. Prior to unpermitted development that occurred on site, the subject parcel was primarily vegetated with chemise ceanothus chaparral that constituted an Environmentally Sensitive Habitat Area (ESHA). The unpermitted development on site resulted in the removal of the sensitive vegetation on site from the majority of the parcel and a significant portion of the adjacent SMMNRA land within the 200 foot fuel modification area around the existing residence.

In this case, there are feasible alternative locations on the project site that would allow for the construction of a single family residence, of the same size as proposed in this application, and which would be located more than 200 ft. from the adjacent National Park land in order to eliminate the potential for vegetation clearance to occur on National Park property for the purpose of fuel modification. Therefore, Staff is recommending denial of the proposed project because there are feasible alternatives to the proposed project that would result in fewer adverse impacts to ESHA.

IMPORTANT PROCEDURAL NOTE:

DUE TO PERMIT STREAMLINING ACT REQUIREMENTS, THE COMMISSION MUST ACT ON THIS PERMIT APPLICATION AT THE APRIL 2006 COMMISSION HEARING.

LOCAL APPROVALS RECEIVED: Los Angeles County approval in concept, conceptual septic system approval, preliminary fuel modification plan approval, and preliminary road access approval.

SUBSTANTIVE FILE DOCUMENTS: Preliminary Soils and Engineering Geologic Investigation, dated October 6, 2004, by Geosystems, Inc.; Biological Study, dated April 22, 2005 by Andrew McGinn Forde; Coastal Permit No. 78-4453, Coastal Permit Time Extension Nos. 5-81-591 through E10; Coastal Permit No. 4-04-118, Zimmerman; Coastal Permit No. 4-04-122, Lau.

I. STAFF RECOMMENDATION:

MOTION: ***I move that the Commission approve Coastal Development Permit No. 4-05-026 for the development proposed by the applicant.***

STAFF RECOMMENDATION OF DENIAL:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY THE PERMIT:

The Commission hereby denies a coastal development permit for the proposed development on the ground that the development will not conform with the policies of Chapter 3 of the Coastal Act and will prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

II. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND SITE HISTORY

The applicant proposes partial demolition of a 1,500 sq. ft. portion of an unpermitted 1,900 sq. ft., 19 ft. high, single family residence on an unpermitted graded pad; reconstruction/remodeling of the 400 sq. ft. remainder structure; and construction of a new 4,383 sq. ft. addition to the 400 sq. ft. remainder structure in order to construct a 4,783 sq. ft., 35 ft. high, three-story single family residence with an attached 860 sq. ft. garage; 2,500 sq. ft. of decking, 946 sq. ft. of balconies, a solar panel system, improve existing driveway, upgrade/replace as-built septic system, landscaping, retaining walls, a temporary construction trailer, an unspecified amount of revegetation of a portion of the site, and a new 418 ft. long, 6 ft. high Fire Wall along 206 lineal ft. of northern property boundary (adjacent to National Park Service land) and 212 lineal ft. along eastern property boundary. In addition, the project includes the request for after-the-fact approval of: the 400 sq. ft. remainder of the existing residence, an as-built swimming pool/spa with patio area; an as-built septic system, an as-built water well and tank; an unpermitted residential trailer with a concrete pad and chain link fencing; and an unknown quantity of grading for the construction of the approximate 7,000-8,000 sq. ft. as-built flat pad where the existing residence is located, a second as-built flat pad

area approximately 18,000 sq. ft. in area where the existing trailer is located, a third large disturbed area for the former sheds and corral, about 4.75 acres of unpermitted vegetation removal, and an approximate 440 ft. long as-built road extension to the existing residence. (Exhibits 1 – 12, 19 and 20).

The proposed project site is located on north side of Decker School Road, northwest of its intersection with Decker Road (Exhibits 1 and 2). The subject parcel is 5 acres in size, and is characterized in topography by the presence of two small knolls separated by a flat area on the eastern portion of the parcel. On the northernmost knoll, an unpermitted flat pad, approximately 7,000 - 8,000 sq. ft. in size, and a 440 foot long access road have been previously graded and an unpermitted 1,900 sq. ft. residence, pool/spa, and water storage tank have been constructed on the northernmost knoll. In addition, a second large unpermitted flat pad (approximately 18,000 sq. ft. in size) has been previously graded on the northwest area of the parcel (down slope from the existing unpermitted residence) by a previous property owner and an unpermitted residential trailer, concrete pad, and chain link fence enclosure has been installed by the current property owner/applicant. A third large disturbed areas has been graded and vegetation removed below and south of the residence where the former animal sheds and corrals were located, but recently removed by the current owner/applicant.

The subject site is located immediately adjacent to a large holding of National Park Service land to the north, which is undeveloped and vegetated with a large contiguous community of chaparral that constitutes an environmentally sensitive habitat area. Various unpermitted development has occurred on the subject site including the existing residence. Commission staff has reviewed historic aerial photographs of the site. A natural drainage course crosses the western portion of the property from north to south. The applicant has submitted a Biological Report dated April 5, 2005 by Forde Biological Consultants that indicates that the previously existing dense chaparral vegetation has been removed from most of the subject property as result of development on site and for the purpose of fuel modification. Although the majority of the 5-acre site was previously covered with native vegetation prior to the unpermitted development, the report indicates that native vegetation is now present on less than 0.25 acres along the natural drainage on the western portion of the parcel (Exhibit 14). This native vegetation along the drainage area consists of chemise–ceanothus chaparral. There are no oak trees on the property. On the adjoining property to the north, owned by the National Parks Service as part of the Santa Monica Mountains National Recreation Area (SMMNRA) an area of native chaparral has been removed in a radius of about 200 feet from the existing unpermitted residence. The existing unpermitted residence is located approximately 50 feet south of the northern property boundary with the SMMNRA. In a letter dated March 7, 2006, Woody Smeck, Superintendent, of the SMMNRA notes that fuel modification currently occurring on the adjacent National Park Service property is in violation of federal law (Exhibit 13).

1. Site History

This property was the subject of previous Commission action. Coastal Permit No. 78-4453 (Cassidy) was issued by the Commission in 1979 for the construction of a new 3,100 sq. ft., one-story, single-family dwelling with an attached two-car garage, and a detached workshop (Exhibits 15 and 24). This project was approved on January 15, 1979, with a special condition requiring a recorded deed restriction limiting the use of the structure to a single-family dwelling. The approved Coastal Permit No. 78-4453 identified the location of this residence on the northwest portion of the property approximately 120 ft. from the northern boundary of the subject site with the adjacent public park land (in approximately the same location as where the existing unpermitted trailer is now located). This Coastal Permit was extended to January 15, 1992, through 10 Time Extensions (Coastal Permit Time Extensions No.5-81-591-E1 through 5-81-591-E10). However, the residence approved by this coastal development permit was never constructed.

In addition, a review of historic aerial photographs and the plans submitted by the applicant indicate that although the previously approved residence was not constructed, a different 1,320 sq. ft. new single family residence with a 201 sq. ft. deck was constructed in 1991 in a significantly different location on the north east portion of the subject site on top of natural knoll area where an unpermitted flat pad was graded. The unpermitted residence was constructed with a different size, different design, and more than 80 ft. to the east of the previously approved building location and approximately 50 ft. from the northern property line abutting National Park Land (Exhibit 16). In addition, although a second large, graded, flat pad area was constructed in the same location as for the previously approved residence, staff notes that the pad was not graded in conformance with the approved project plans. The previously approved pad was approximately 10,000 – 12,000 sq. ft. in area while the as-built flat pad was apparently constructed significantly larger in area, approximately 18,000 sq. ft. in size.

Further review of historic aerial photographs by staff confirmed that a large unpermitted structure, apparently a horse facility was constructed on the large 2nd lower graded pad area between 1977 and 1986 which has since been removed. In addition, a third developed area (east of the lower graded pad and south of the unpermitted residence) was cleared of vegetation and several unpermitted horse corrals and sheds were also constructed on site sometime between 1986 and 2005 without the required coastal development permits. Although the previous property owner apparently obtained a Los Angeles County Building Permit in 1991 for the residence that was constructed on site, the property owner did not apply for, or obtain, either the required amendment to the previously approved coastal permit or a new coastal permit for the substantially different residential development project. In this case, because the previous property owner failed to construct any of the development previously approved by Coastal Permit No 78-4453 and since none of the currently existing development on site has occurred in compliance with the approved plans (including the residence, septic system, water tank/well, vegetation removal, or grading), the Commission finds that Coastal Permit No. 78-4453 expired on January 15, 1992.

On February 3, 2005, the applicant submitted this application for Coastal Permit No. 4-05-026. The application included copies of Los Angeles County Building Permits for the residence, pool, deck, a horse shelter and hay storage, fire sprinkler system, and other various electrical, plumbing and heating systems. The application also included a copy of the Coastal Permit No. 78-4453 for a residence on site. In addition, the applicant submitted an undated letter to Building and Safety (Exhibit 16) signed by Suzanne Correll, who is listed as the applicant on the Building Permit for the residence (Exhibit 17). This letter from Correll indicates that the house was designed by Ms. Correll as a 1,320 sq. ft. house and the original size was 3,116 sq. ft. Interestingly, the letter indicates that "the location of the new design is approximately 65' west of the original location (which was better suited geologically for the leach field." However, staff notes that the unpermitted residence is actually located more than 80 ft. to the northeast of the previously approved residence and significantly closer about 50 ft. from the adjoining property line with National Park Service property. Further, although the submitted letter from Correll confirms that the existing development was constructed in non-conformance with the originally approved project plans, a review of Commission records by staff has also confirmed that no Coastal Permit or Amendment was ever applied for or approved for such relocation or redesign of development on the subject site.

On March 3, 2005 and June 27, 2005, staff requested the applicant to submit evidence of any coastal development permits that had been issued for any of the existing development on site, including the swimming pool and patio near the residence, and multiple animal sheds and corrals. The applicant was unable to provide evidence of any Coastal Permits for the above development on the subject parcel. This application was filed on July 28, 2005.

In addition, although not part of this application, the applicant removed several existing unpermitted sheds and corrals from the site. Staff conducted a site visit on December 1, 2005 to confirm that the residence, pool/spa, water tank/well, residential trailer on a concrete pad existed on site and that the sheds and corrals had been removed. In addition, in order to assist the applicant in researching the history of development on site, Staff requested the original file for Coastal Permit No. 78-4453 from the Sacramento State Records Center on December 2, 2005. Staff met with the applicant's architect and representative on December 8, 2005 to discuss the pending project. However, at this time, the State Records Center had not been able to yet locate the original file in its archives.

On December 15, 2005, Staff received Coastal Permit No. 78-4453 and time extensions for Coastal Permit No. 78-4453. A review of the approved/stamped plans for the approved residence in Coastal Permit No. 78-4453 indicated that the residence was approved on the northwest portion of the parcel more than 80 feet southwest of the existing unpermitted residence, which is located on the small knoll on the northeast portion of the parcel. The approved residence was located about 120 feet from the northern property boundary with National Park Service (SMMNRA) (Exhibit 24). Staff contacted the applicant's representatives on December 19 and 20, 2005, and informed

them that the underlying permit file was available for their review. In addition, staff emailed the applicant on December 20, 2005 (Exhibit 18) digital photographs of the Commission's stamped/approved plans confirming that the existing residence is a different size, design, and configuration than previously approved and is not located on the approved building site.

In discussion with the applicant's representatives, Staff requested that the applicant withdraw the pending application for which had originally been characterized by the applicant as an "addition to an existing residence" and resubmit a new application for a coastal permit for a new residence and garage located no closer than 200 feet from National Park Service property to ensure that no vegetation clearance for fuel modification would occur on the National Park Service property. In addition, staff requested the applicant to address all other unpermitted development on site through the coastal development permit application including the removal of the existing unpermitted residence and other unpermitted development and regrade, revegetate/restore all disturbed areas on site outside the approved development area. Although the applicant did not wish to withdraw the subject application at that time, on December 20, 2005, the applicant requested a postponement from the Commission's January hearing and extended the Commission's review under the Permit Streamlining Act to April 24, 2006, in order to further evaluate the matter.

Since that time, Staff has met with the applicant's representatives to discuss the matter on March 14, 2006. Staff identified additional locations on the site where the proposed residence could be feasibly relocated in an appropriate location, including on the lower unpermitted pad in the approximately same location where a residence was previously approved pursuant to Coastal Permit No. 78-4453. However, in this case, because the Permit Streamlining Act deadline to act on this application is April 24, 2006, which would not allow the applicant adequate time to prepare revised project plans and obtain local approval to implement such changes, staff recommended the applicant withdraw this pending application and resubmit a new application that would address all unpermitted development on site while still allowing for the construction of a new residence in a location no closer to National Park Service property than 200 feet.

Although staff had previously informed the applicant's representatives that the construction of a "fire" wall along the northern property line is not relevant to the issue regarding the inadequate setback from National Park Service lands, since such walls do not eliminate the need or potential for vegetation clearance to occur on the adjacent park lands, on February 10, 2006, the applicant submitted a new revised Preliminary Fuel Modification Plan with a six foot high "fire" wall located along the northern and eastern property boundaries (Exhibits 19 and 20). On March 14, 2006, Staff met with the applicant's representatives to discuss the matter, including the new revised plans to construct a "fire" wall along the northern and eastern property boundaries. During that meeting, the applicant's representatives informed staff that the intent of the "fire" wall is to reduce the normally required 200 ft. vegetation clearance for fuel modification on the adjoining National Park Service property located to the north and the private property located to the east. The applicant's representatives further asserted to staff that

because the County's approved Fuel Modification Plan for the subject parcel does not show any offsite clearance of vegetation for fuel modification (including beyond the property line to the north approximately 50 ft. beyond the proposed residence) that; therefore, no such vegetation clearance would be required or performed. Staff informed the applicant that this assertion was incorrect since the County approved Fuel Modification Plan did not show any offsite areas at all regardless of whether vegetation clearance would actually occur offsite or not (including vegetation clearance within the typical 200 ft. clearance zone which occurred offsite). In this case, given the close proximity of the proposed residence to the National Park Service Land property line (approximately 50 ft.) staff again recommended that the applicant withdraw this application and resubmit a new application to construct the new proposed residence in a location at least 200 feet from the northern property boundary with the National Park Service (SMMNRA). At this time, the applicant has not revised the project as previously requested by staff and the applicant has requested that the Commission hold a public hearing on this subject application as originally proposed.

B. ENVIRONMENTALLY SENSITIVE RESOURCES

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 the memo "Designation of ESHA in the Santa Monica Mountains, dated March 25, 2003 by John Dixon (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[1].

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

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

undeveloped and otherwise relatively pristine? Third, is the habitat part of a large, contiguous block of relatively pristine native vegetation?

The applicant proposes to partially demolish about 1,500 sq. ft. of existing 1,900 sq. ft. unpermitted single family residence on an unpermitted graded pad, demolish an unpermitted patio and wall, construct a new 4,783 sq. ft. 35 ft. high, partial three-story single family residence with attached 860 sq. ft. partially below grade garage, 2,500 sq. ft. of decking, 946 sq. ft. of balconies, an as-built pool and spa, as-built courtyard, solar panel system, improve existing driveway as an as-built road extension, upgrade as-built septic system, as-built water storage tank/well, landscaping, retaining walls, install a temporary as-built residential trailer and a new construction trailer, and conduct an unspecified amount of restorative grading and revegetation in areas where some of the prior unpermitted vegetation removal occurred. The new residence would incorporate the remaining 400 sq. ft. portion of the existing unpermitted residence. In addition, the project would also include the construction of a new 6' high Fire Wall along 206' of the northern property boundary (with SMMC parkland) and 212' along the eastern property boundary with other private property. (Exhibits 1 – 12, 19 and 20).

A review of the Commission's historic aerial photographs taken in 1977 indicate that the subject 5 acre parcel was covered with chaparral vegetation with only a narrow dirt road to the proposed residential building site which was partially cleared of vegetation and undeveloped at that time. The Commission's 1986 aerial photograph (Exhibit 22) identifies the same dirt road to the existing building site that was not improved at that time. A large building existed on the northwestern portion of the parcel on an unpermitted graded pad; however, this structure is not in the same location as the residence that was previously approved in January 1979 by the Commission. This unpermitted structure has been previously removed and does not exist today. In 1986, over half of this 5 acre parcel was cleared of native vegetation without the required coastal development permit, including a portion of the National Park Service property located to the north. Vegetation along the drainage existed at this time on the subject property and adjoining properties located to the west and south.

As noted above, this parcel was the subject of Coastal Permit No. 78-4453 (Cassidy) for the construction of a one-story, three bedroom plus office single-family dwelling (approximately 3100 sq. ft.) with an attached two-car garage and detached workshop. This project was approved January 15, 1979 with a condition requiring a recorded deed restriction limiting the use of the structure to a single-family dwelling. The approved Coastal Permit identified the location of this residence on the northwest portion of the property near the where the existing unpermitted trailer is now located. This Coastal Permit was extended to January 15, 1992 through 10 Time Extensions (Coastal Permit Extension Nos.5-81-591-E1 through 5-81-591-E10). The previous property owner did not construct the approved residence but instead obtained a Los Angeles County Building Permit on December 5, 1991 for a new different 1,320 sq. ft new residence and 201 sq. ft. deck on a different part of the property. This smaller residence was constructed on the small knoll at the northeast portion of the parcel about 80 feet northeast from the approved residence location . Construction of the foundation was

signed off by the County Building Inspector on 12-18-1991 with the final signoff for the residence on 8-31-1993. This existing residence does not have the required coastal permit and is not only in a different location than that approved by the Commission but also is of a different size and design.

Commission staff visited the subject property on December 1, 2005, and confirmed that the existing residence was located on the northeast portion of the parcel on an unpermitted graded pad. In addition, staff confirmed that the previously existing unpermitted structure located on the unpermitted graded pad on the northwest portion of the site and the numerous previously existing unpermitted animal sheds and corrals located on the eastern portion of the parcel had been removed. Staff observed that a new unpermitted habitable trailer had been recently installed on a new unpermitted concrete pad with a new chain link fence enclosure on the existing unpermitted graded pad on the northwest portion of the site (in the same approximate vicinity of the previously approved residence). A significant portion of the previously existing native chaparral on the subject site and the adjoining parcel to the north owned by the SMMNRA had been cleared. The remaining and former chaparral vegetation is part of a large contiguous area of chaparral habitat that extends relatively undisturbed to the north, northwest, and east of the subject parcel and to National Park Service properties beyond to the north (Exhibit 14).

The applicant submitted a Biological Report dated April 5, 2005 by Forde Biological Consultants which indicates that most of the subject property has previously cleared of vegetation and is now dominated by non-native annual grasses and other non-native species including oleander, a pine tree and pepper tree. Native vegetation is now present on less than 0.25 acres exists along the drainage on the southwest portion of the parcel (Exhibit 14). This native vegetation along the drainage area consists of chemise–ceanothus chaparral. There are no oak trees on the property. Due to the important ecosystem role of chaparral, coastal sage scrub, and oak woodland in the Santa Monica Mountains (detailed in Exhibit 21), and the fact that the subject parcel was relatively undisturbed (with the exception of the access road and a small cleared area where the existing residence is located) prior to the unpermitted development that occurred on site and part of a large, unfragmented block of habitat, the Commission finds that the chaparral, sage scrub and oak woodland on and surrounding the subject site meets the definition of ESHA under the Coastal Act.

On the adjoining property to the north, owned by the National Park Service, and part of the Santa Monica Mountains National Recreation Area (SMMNRA), an area of native chaparral has been removed in a radius of about 200 feet from the existing unpermitted residence on the subject property. This residence is located about 50 feet south of the northern property boundary with the SMMNRA. In a letter dated March 7, 2006, Woody Smeck, Superintendent, of the SMMNRA notes that fuel modification currently occurring on the adjacent National Park Service property is in violation of federal law.

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 100 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 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 200 feet. This zone would primarily retain existing native vegetation, with the exception of high fuel species such as chemise, 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. However, in this case, the typical fuel modification zone on this parcel would extend from the approved structures up to 200 feet into the former chaparral ESHA located to the west and to the south of the building pad. The applicant has submitted a Preliminary Fuel Modification Plan dated 2/9/06, which shows the required fuel modification zones on the applicant's property. The Fuel Modification Plan does not show all of the off site land area that would be affected by the location of fuel modification Zones A, B and C around the proposed development. However, it is clear from the plan that only Zone A could be located entirely on the applicant's property. The northern portion of Zone B would extend onto the neighboring parkland and the northern portion of Zone C would be located entirely on parkland. The Fuel Modification Plan purports to address fire risk by using a combination of Zone A and a fire wall rather than the full fuel modification zones. However, a fire wall and a 50 foot clearance area next to native chaparral vegetation is not sufficient to protect a residential structure from a wildfire. The Commission typically considers such fire walls and minimal clearance as inappropriate where there are alternative building sites available on the property that would allow the full 200 foot radius of fuel modification to adequately protect a residential structure without affecting adjacent parkland. In this case, the Fire Department review of the Fuel Modification Plan was based on the inaccurate assumption that the residence was a legally permitted structure rather than a proposed new residence. As a practical matter, the County of Los Angeles has no authority to

require the National Park Service (SMMNRA) to remove native vegetation on Federal property for the purpose of fuel modification.

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, all located within and beyond the applicant's parcel.

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)[2]. 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[3].

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[4]. The Argentine ant competes with native harvester ants and carpenter ants displacing them from the habitat[5]. 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[6]. 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[7]. 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

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[2] 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.

[3] 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.

[4] 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.

[5] 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.

[6] 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.

[7] 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[8].

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.[9] 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[10].

In a letter (Exhibit 13) dated March 7, 2006, Woody Smeck, Superintendent, of the SMMNRA notes that (Exhibit SMMNRA):

> ***"Public laws governing National Park System administration (16USC Sec. 1-4a) and the Santa Monica Mountains National Recreation Area (16 USC Sec. 460kk) do not allow native vegetation and wildlife habitat removal on federal parkland to accommodate adjacent private development. Circumstances describing the current residential development on the subject property would not offer any exception to the federal laws. The original approved residential development was sited to avoid fuel modification on adjacent property, and therefore, fuel modification currently occurring on the adjacent National Park Service property to the north is in violation of federal law. We recommend any new construction or reconstruction on the subject parcel be sited at least 200 feet from the northern boundary shared with National Park Service to accommodate Los Angeles County's 200-foot fuel modification zone within the privately owned parcel."***

The proposed project to construct a new residence approximately 50 ft. from the adjacent public park land will result in direct and indirect impacts to plant and wildlife habitat as a result of constructing the project and the modification of native vegetation surrounding the project for fuel clearance purposes. Although the applicant has submitted a Preliminary Fuel Modification Plan with a six foot high "fire" wall (Exhibit 19 and 20) along the northern and eastern property boundaries as an attempt to minimize the need to conduct vegetation clearance for fuel modification purposes, the Commission finds that a fire wall is not adequate fire protection for the structures. Therefore, as proposed, the development is inconsistent with Coastal Act Section

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[8] Longcore, T.R. 1999. Terrestrial arthropods as indicators of restoration success in coastal sage scrub. Ph.D. Dissertation, University of California, Los Angeles.

[9] Christian, C. 2001. Consequences of a biological invasion reveal the importance of mutualism for plant communities. Nature 413:635-639.

[10] 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.

30253, which requires that new development minimize risks to life and property in areas of high fire hazard. Furthermore, adequate fire protection, which is a 200-foot wide radius clearance (offsite) is not permitted by the adjacent property owner, i.e, the National Park Service, and would be inconsistent with Coastal Act section 30240. Therefore, the Commission finds that in order to ensure that approved residential development on the site is consistent with section 30253 and will not result in adverse impacts to ESHA and public park land due to fuel modification, residential development should be located no less than 200 ft. from the adjacent park land. Further, the Commission notes that there are other feasible building sites on the applicant's property that would allow for all new development to be located at least 200 feet from the northern property boundary with SMMNRA and that would not result in potential removal of ESHA on public park land (Exhibit 23). Its important to note that the approved location for the residence in CDP 78-4453 was about 120 feet from the northern property boundary when the property to the north was not owned by the SMMNRA and the County Fuel Modification requirements were less than 200 feet as it is currently required. Therefore, as proposed, the project is not consistent with the environmentally sensitive resource protection policies of the Coastal Act.

1. <u>Feasible Alternative Building Sites</u>

The Commission notes that development, limited to a maximum 10,000 sq. ft. building pad including cut and fill slopes, may be allowed on this subject parcel since the majority of the site included chemise chaparral which is considered ESHA. There are three unpermitted graded pads where vegetation removal has occurred totaling 15,775 sq. ft. of area. As explained in detail in the preceding section, the project site (prior to the unpermitted development that resulted in the removal of chaparral vegetation on site) and the surrounding area constitute 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. A portion of the development is proposed to be located on an existing unpermitted graded area immediately adjacent to National Park Service land which also supports ESHA. By proposing the new residence in the same location as the unpermitted residence, the applicant is effectively requesting after-the-fact approval for the unpermitted graded pad. The unpermitted grading to construct the building pad required the direct removal of ESHA.

In addition, fuel modification for the unpermitted residence on the subject site has extended approximately 150 ft. onto the adjacent public park land and resulted in the removal of sensitive habitat. 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.

Although the applicant has proposed to cease the unpermitted vegetation clearance operations on the adjacent park land, as explained above, in past permit actions, the Commission has required new development to be located at least 200 ft. from National Park Service land, when feasible, in order to ensure that fuel modification of park land would not occur. Therefore, the proposed project could not be found consistent with Section 30240 if feasible alternatives existed which would reduce or eliminate adverse impacts to ESHA, including the potential removal of ESHA on adjacent parkland.

In this case as identified on (Exhibit 23), the Commission finds that there are feasible alterative building sites on the property , including the site about 80 feet further or a total of 200 feet from the parkland near where the originally approved residence was to be located (immediately south of the existing unpermitted trailer) that would ensure that the development is consistent with section 30240 to the maximum extent feasible while avoiding a taking and meeting Section 30253. The second potential alternative location for a residence is the area south of the existing unpermitted residence on the eastern portion of the parcel where several unpermitted horse facilities have been previously removed. Both of these sites are located at least 200 feet from the northern property boundary and would eliminate the potential for unpermitted vegetation clearance to occur on the adjacent park land as a result of residential development on the subject site.

The Commission notes that locating a residence and garage on a maximum 10,000 sq. ft. building pad including the area of the cut and fill slopes at one of these two alternative building sites is a feasible alternative to the proposed project that would allow for a reasonable size, bulk and scale, residential development to occur on the applicant's property while eliminating the potential for fuel modification on the adjoining SMMNRA property located to the north of the subject parcel. Therefore, the Commission finds that there are feasible alternatives to the proposed project that would further minimize adverse impacts to coastal resources and, thus, the proposed project is inconsistent with Sections 30231, 30240 and 30107.5 of the Coastal Act. However, Staff has informed the applicant that if the applicant wishes to submit a new permit application for residential development on site, staff may be available to work with the applicant to redesign/relocate the proposed development in a manner that would reduce adverse impacts to ESHA and would comply with the Chapter 3 policies of the Coastal Act.

C. VIOLATION

Development has occurred on the subject site without the required coastal development permit including, but not limited to, the construction of a residence, pool/spa, water storage tank/well, a habitable trailer on a concrete pad, a chain link fence enclosure, various horse/animal facilities including stalls, corrals, and sheds, grading of unknown quantities of earthen material to construct two large flat pad areas and a third large disturbed area, the removal of about 4.75 acres of chaparral vegetation all on the subject five acre parcel and the removal of chaparral within an approximate 200 foot radius from the existing unpermitted residence on the adjoining National Park Service

(SMMNRA) property located immediately to the north of the subject parcel. The applicant purchased this property in October 2003 with the majority of the unpermitted development. The applicant installed the unpermitted habitable trailer, concrete pad, and chain link fence enclosure on the lower unpermitted pad. No evidence could be found that these developments identified above received a coastal permit from this Commission. The applicant has already removed the above referenced unpermitted horse/animal facilities; however, these areas remain highly disturbed due to unpermitted grading and vegetation clearance which has occurred. Regardless of the fact that staff is recommending denial of this application, the applicant has still not proposed to resolve all of these unpermitted development on site. In addition, the proposed development and the existing unpermitted residence, pool/spa, water storage tank, trailer on a concrete pad, and the unknown quantity of grading to construct the as-built pads and road extension are inconsistent with the Coastal Act. The Commission's staff enforcement division will evaluate further actions to address these matters.

Although construction has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act.

D. 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 that conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will not be in conformity with the provisions of Chapter 3. The proposed development will create adverse impacts and is found to be inconsistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will 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).

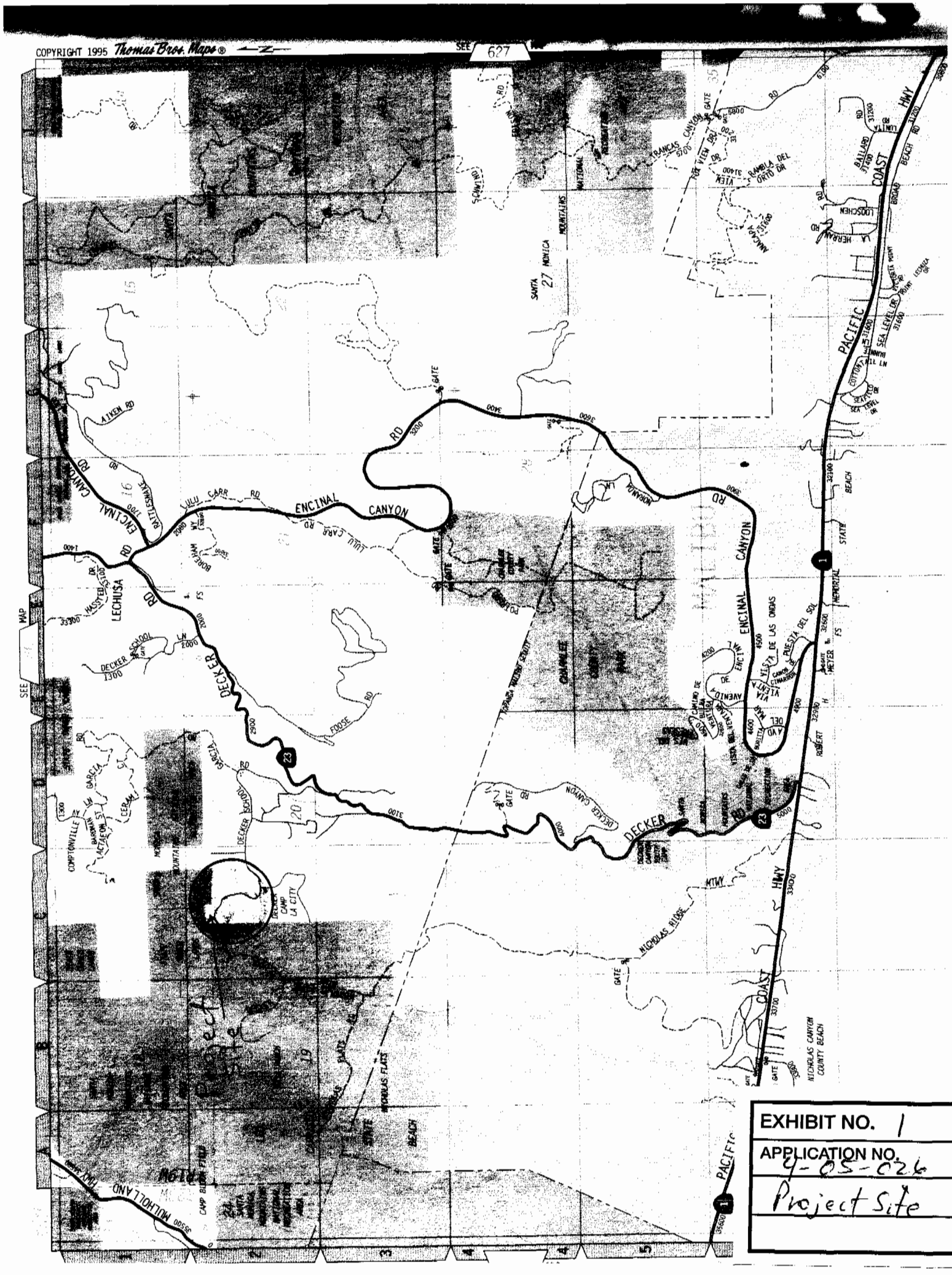
E. CEQA

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 is 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 that would not require fuel modification on adjoining parcel located to the north owned by the Santa Monica Mountains National Recreation Area.

The Commission finds that the proposed project will have significant adverse effects on the environment within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project has not been adequately mitigated and is determined to be inconsistent with CEQA and inconsistent with the policies of the Coastal Act.

405026 riza staff report final


COPYRIGHT 1995 Thomas Bros. Maps®
SEE 627
ENCINAL CANYON RD
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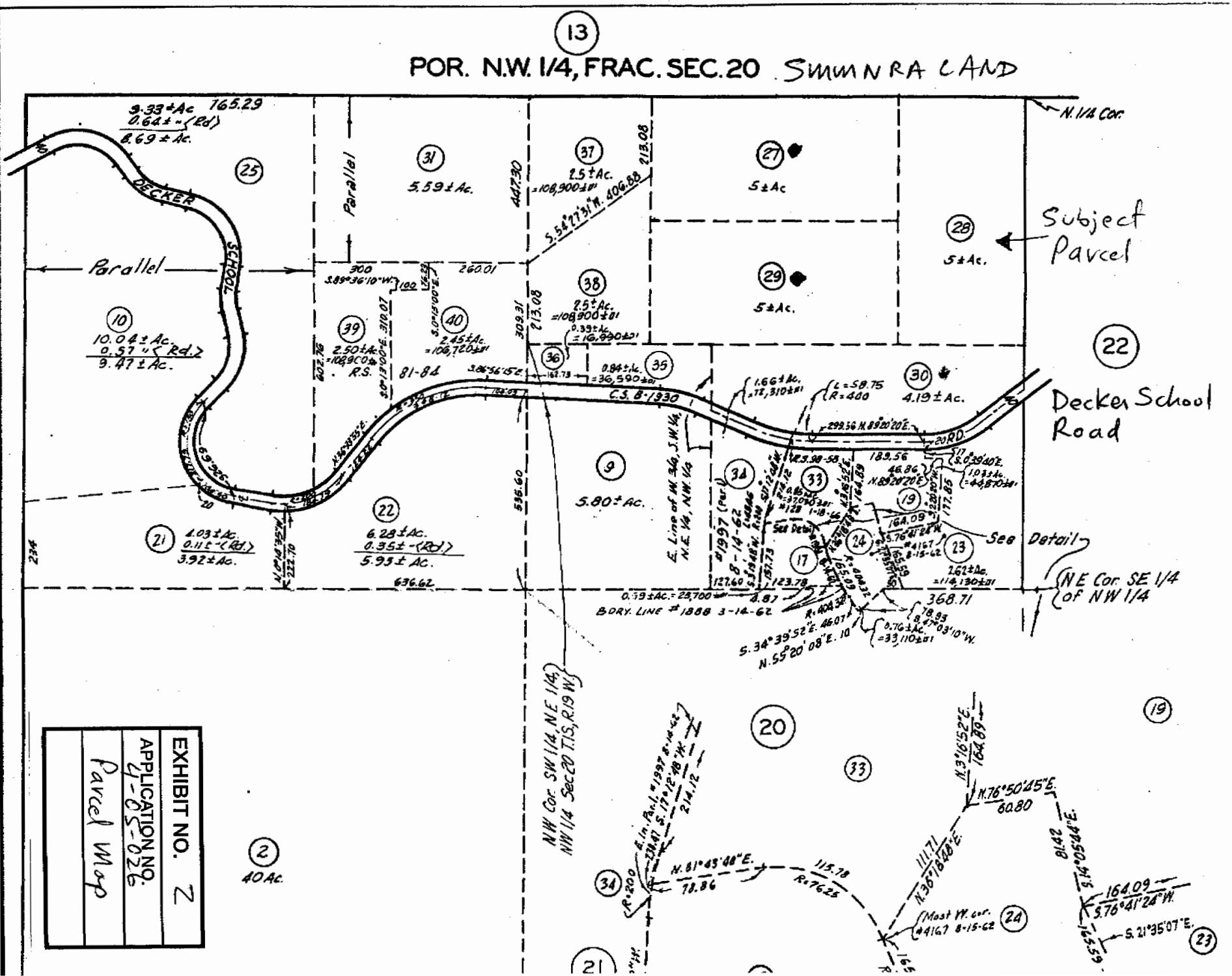
ENCINAL CANYON
DECKER
SANTA MONICA MOUNTAINS
NICHOLAS CANYON COUNTY BEACH
NICHOLAS FLATS
CAMP LA CITY
MULHOLLAND HWY
EXHIBIT NO. 1
APPLICATION NO. 4-05-026
Project Site


13
POR. N.W. 1/4, FRAC. SEC. 20
SUMNRA LAND
N. 1/4 Cor.
Subject Parcel
Decker School Road
DECKER SCHOOL
Parallel
Parallel
9.33±Ac 765.29
0.64±-(Rd)
8.69±Ac.
10.04±Ac.
0.57 +/-(Rd.)
9.47±Ac.
4.03±Ac.
0.11±-(Rd.)
3.92±Ac.
6.28±Ac.
0.35±-(Rd.)
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5.59±Ac.
2.5±Ac.
=108,900±SI
2.50±Ac.
=108,900±SI
2.45±Ac.
=106,720±SI
0.33±Ac.
=14,390±SI
0.84±Ac.
=36,590±SI
1.66±Ac.
=72,310±SI
5.80±Ac.
5±Ac.
5±Ac.
5±Ac.
4.19±Ac.
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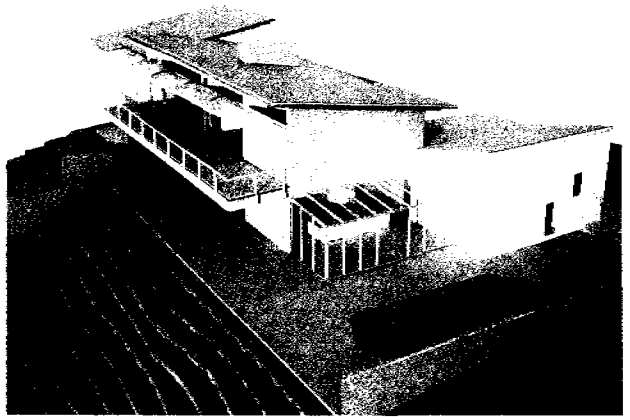
=114,130±SI
0.59±Ac.=25,700
0.76±Ac.
=33,110±SI
40 Ac.
C.S. 8-1930
BDRY. LINE # 1888 3-14-62
#1997 (Par.) 8-14-62
NW Cor. SW 1/4, NE 1/4, NW 1/4 Sec 20 T.1S., R.1W.
E. Line of W 3/4, S.W 1/4, N.E 1/4, NW 1/4
See Detail
NE Cor. SE 1/4 of NW 1/4
S. 54°27'31" W. 406.88
N. 89°20'20" E.
S. 89°36'10" W.
S. 54°39'40" E.
N. 89°20'20" E.
S. 34°39'52" E. 46.07'
N. 55°20'08" E. 10'
S. 03°03'10" W.
N. 81°43'48" E.
R=200
R=76.25
N. 36°18'48" E.
N. 3°16'52" E.
N. 76°50'45" E.
S. 14°05'14" E.
S. 76°41'24" W.
S. 21°35'07" E.
Most W. cor. #4167 8-15-62
EXHIBIT NO. 2
APPLICATION NO. 4-05-026
Parcel Map

33165 DECKER SCHOOL ROAD
MALIBU, CA 90265-2301



R&D

438 SOUTH VENICE BLVD. NO. 6
VENICE, CA. 90291
O. 310.450.7409 F. 310.450.9081
www.RandDarchitects.com

PROPOSED ADDITION & REMODEL
FOR EXISTING RESIDENCE
33165 DECKER SCHOOL ROAD
MALIBU, CA. 90265-2301

ABBREVIATIONS

B.O.	BOTTOM OF	G.M.	GAS METER	SHT	SHEET
BLDG.	BUILDING	G.S.	GROUND ELEVATION	SIM.	SIMILAR
BLK.	BLOCK	GYP. BD.	GYPSUM WALLBOARD	SLAB.	TYP. CONCRETE SLAB
BM.	BEAM	H.H.	HEAD HEIGHT	S.L.P.B.	STREET LIGHT PULLBOX
CLR.	CLEAR FINISH DIMENSIONS	HDR	HEADER	STL	STEEL
COL.	COLUMN	HT	HEIGHT	STRUCT.	STRUCTURAL
CONC.	CONCRETE	INT.	INTERIOR	S.	STUD
DEMO.	DEMOLITION	LT. WT.	LIGHT WEIGHT	SQ.	SQUARE
DIM.	DIMENSION	MIN	MINIMUM	T.B.D.	TO BE DETERMINED
ELEV.	ELEVATION	MAX.	MAXIMUM	T.O.C.	TOP OF CURB
EQ.	EQUAL	MECH.	MECHANICAL	T.F.F.	TOP OF FINISH FLOOR
(E)	EXISTING	MFR	MANUFACTURER	TR.	TREADS
E.M.	ELECTRIC METER	MTL	METAL	T&G	TONGUE AND GROOVE
EXT.	EXTERIOR	N.I.C.	NOT IN CONTRACT	T.O.	TOP OF
F.	FACE	NO.	NUMBER	TYP.	TYPICAL
FIN.	FINISH	O.C.	ON CENTER	U.N.O.	UNLESS NOTED OTHERWISE
F.H.	FIRE HYDRANT	OPP. HAND	OPPOSITE HAND	V.I.F.	VERIFY IN FIELD
F.G.	FINISH GRADE	PLA.	PLASTER	WD.	WOOD
F.L.	FLOW LINE	PLYWD.	PLYWOOD	W.M.	WATER METER
FLR.	FLOOR	PTD.	PAINTED		
FNC.	FENCE	R.	RISER		
F.S.	F-N SHED SURFACE	R.O.	ROUGH OPENING		
FT.	FOOT	R.R.	RESEARCH REPORT		
FTG.	FOOTING	REQ.	REQUIRED		
GALV.	GALVANIZED	REV.	REVISION		

CONSULTANT / MISC. INFORMATION

STRUCTURAL ENGINEERS:
C.W. HOWE ASSOCIATES
3947 MOTOR AVENUE, SUITE 200
LOS ANGELES, CA 90034
T. 310.836.0363
F. 310.836.5353

MECHANICAL ENGINEERS:
THE SULLIVAN PARTNERSHIP, INC.
529 HAHN AVENUE, SUITE 201
GLENDALE, CA 91230
T. 818.240.8873
F. 818.240.2455

GEOTECHNICAL ENGINEERS:
GEOSYSTEMS, INC.
1545 VICTORY BOULEVARD, 2ND FLOOR
GLENDALE, CA 91201-6242
T. 818.500.8533
F. 818.500.0134

CIVIL ENGINEERS:
JOHN M. CRUIKSHANK CONSULTANTS, INC.
411 N. HARBOR BOULEVARD SUITE 201
SAN PEDRO, CA 90731
T. 310.241.8550
F. 310.328.8851

ELECTRICAL ENGINEERS:
NIKOLAKOPULOS & ASSOCIATES
2780 SKYPARK DRIVE, SUITE 260
TORRANCE, CA 90505
T. 310.530.7277
F. 310.530.7283

SOILS REPORT:
GS 04-523
DATED:
OCT 05, 2004

LEGEND

- SECTION REFERENCE
- ELEVATION REFERENCE
- DATUM MARKER
- NORTH ARROW
- ALIGN
- CENTERLINE OF

PROJECT DESCRIPTION

PROPERTY ADDRESS
33165 DECKER SCHOOL ROAD MALIBU, CA 90265-2301

LEGAL DESCRIPTION:
TRACT: N/A
BLOCK: N/A
LOT: N/A
MAP REF. # FOR TRACT RECORDATION: 138-013
ASSESSOR'S PARCEL #: 4472-019-026

ZONING / OCCUPANCY / MAX. ALLOWABLE HEIGHT / F.REZONE
A-1-1 (R-3 & U-1) / 35'-0" / F.REZONE 4

LOT SIZE
331.6' x 661.5' = 219,307.3 SQ. FT. 5 ACRES±
LOT COVERAGE = 20%

CONSTRUCTION TYPE / BUILDING TYPE / STORIES
TYPE V-NR / SINGLE FAMILY RESIDENCE / 2 + BASEMENT

PROJECT DATA (IN SQ. FT.)	CONDITIONED AREA	GROSS AREA
BASEMENT LEVEL	170	858
GROUND FLOOR (E) TO REMAIN	398	436
GROUND FLOOR	1914	2314
UPPER FLOOR	1316	2054
TOTAL CONDITIONED AREA	3400 + 398 (E) TO REMAIN =	3798 SQ. FT.
TOTAL GROSS AREA	5156 - 458 (E) TO REMAIN =	5994 SQ. FT.

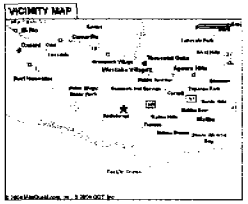
PARKING PROVIDED
2 COVERED STANDARD PARKING SPACES (8.5' x 18')

APPLICABLE CODES
2002 COUNTY OF LOS ANGELES BUILDING CODE
2002 COUNTY OF LOS ANGELES MECHANICAL CODE
2002 COUNTY OF LOS ANGELES ELECTRICAL CODE
2002 COUNTY OF LOS ANGELES PLUMBING CODE
2001 NEC W/ STATE OF CALIFORNIA AMENDMENTS

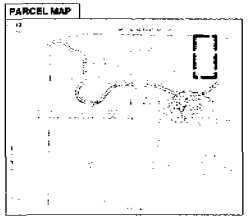
OWNER: ARMAND R.2.A
18904 PACIFIC COST HIGHWAY
MALIBU, CA 90265
T. 310.459.6557

DRAWING LIST

VICINITY MAP



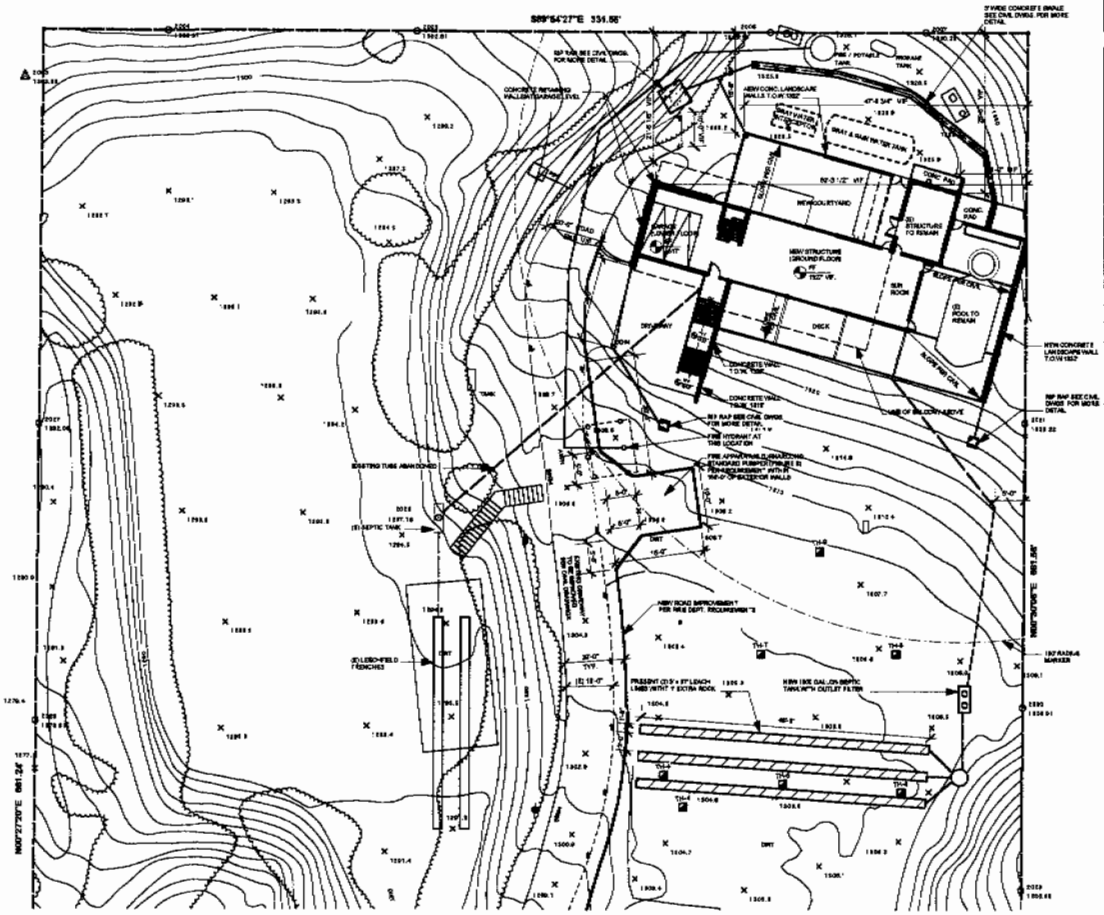
PARCEL MAP



NO.	DATE
PRELIMINARY PLANNING APPROVAL	10.12.04
PLAN CHECK SUBMITTAL	01.20.05
PLAN CHECK RE-SUBMITTAL #1	XX.XX.05

OCT 05, 2004
N.T.S.
BEH.,JS
0409
PROJECT INFO.
A0.0.1

EXHIBIT NO. 3
APPLICATION NO. 4-05-026
Project Model



NOTE: THIS IS A PARTIAL SITE PLAN, FOR FULL SITE SURVEY REFERENCE SHEET A1.0.2

LEGAL DESCRIPTION:
A.P.N. 4472-019-028
. MEETS & BOUNDS DESCRIPTION SEE DEED OF TRUST

N

1 SITE PLAN
Scale: 1/16" = 1'-0"

NOTES

1. SOME ITEMS NOT SHOWN FOR CLARITY, REFERENCE ALL OTHER DRAWINGS FOR ADDITIONAL INFORMATION.
2. STANDARD PARKING STALL IS 8'-6" x 18'-0".
3. REFERENCE CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
4. SEPARATE PERMIT IS REQUIRED FOR GRADING AND RETAINING WALLS.
5. SURVEY BY A LICENSED SURVEYOR OR CIVIL ENGINEER AUTHORIZED TO PERFORM SURVEY WORK IS REQUIRED TO VERIFY ELEVATION OF LOWEST FINISHED FLOOR, & V.I.F. LOCATION OF FOUNDATION DRAIN PIPES AND SURFACE STORMWATER DRAINAGE.
7. ALL FENCED AREAS WITHIN AREAS OF IMPROVEMENT TO BE DEMOLISHED.

VERBATIM NOTES

1. PROVIDE A MINIMUM, UNOBSTRUCTED 20' WIDTH CLEAR TO THE SKY VEHICULAR ACCESS TO WITHIN 150' OF ALL PORTIONS OF THE EXTERIOR WALLS.
2. THE REQUIRED FIRE FLOW FOR PUBLIC HYDRANTS AT THIS LOCATION IS 1250 GALLONS PER MINUTE AT 20 PSI FOR A DURATION OF 2 HOURS, OVER AND ABOVE THE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 903.2
3. ALL ROOF COVERINGS SHALL BE CLASS "A" AS SPECIFIED IN TITLE 24,1504.1. WOOD SHINGLE AND WOOD SHAKE ROOFS ARE PROHIBITED REGARDLESS OF CLASSIFICATION UNDER UBC STANDARD 15-2. BUILDING CODE 6403.2
4. TILE ROOFS SHALL BE FIRE-STOPPED AT EAVE ENDS TO PRECLUDE ENTRY OF FLAME OR EMBERS UNDER THE TILE. BUILDING CODE 6403.2
5. WALLS FORMING THE ENCLOSURES OF A BUILDING SHALL BE OF ONE-HOUR FIRE-RESISTIVE CONSTRUCTION ON THE EXTERIOR SIDE AS APPROVED BY THE BUILDING OFFICIAL. BUILDING CODE 6405.3
6. EXTERIOR WINDOWS, CURTAIN AND WINDOW WALLS, SKYLIGHTS, AND EXTERIOR DOORS SHALL UTILIZE MULTI-GLAZED PANELS. BUILDING CODE 6403.4
7. OPENING INTO ATTICS, FLOORS, OR OTHER ENCLOSED AREAS SHALL NOT EXCEED 144 SQUARE INCHES EACH. SUCH OPENINGS SHALL BE COVERED WITH CORROSION-RESISTANT WIRE MESH OPENINGS OF 1/4 INCH. BUILDING CODE 6403.5
8. PROVIDE SPARK ARRESTORS IN CHIMNEY USED WITH FIREPLACES OR HEATING APPLIANCES IN WHICH SOLID OR LIQUID FUEL IS USED WITH OPENINGS NOT TO EXCEED 1/2 INCH. FIRE CODE 1118.12, BUILDING CODE 3102.3.8
9. UNDER-FLOOR AREAS SHALL BE ENCLOSED TO THE GROUND WITH CONSTRUCTION AS REQUIRED FOR EXTERIOR WALLS. BUILDING CODE 6403.3
10. ACCESSORY STRUCTURES SUCH AS CARPORTS, DECKS, OR PATIO COVERS WHICH ARE ATTACHED TO OR WITHIN 20 FEET OF A RESIDENTIAL BUILDING, MUST BE ONE-HOUR FIRE-RESISTANT CONSTRUCTION, SHALL UTILIZE LUMBER NOT LESS THAN 2 INCHES NOMINAL IN WIDTH AND DEPTH. BUILDING CODE 6403.7 & 6403.9
11. DETACHED PATIO COVERS, DECKS, CARPORTS, TRELLISES AND OTHER SIMILAR ACCESSORY STRUCTURES LOCATED WITHIN 20 FEET OR MORE FROM A HABITABLE STRUCTURE, AND OF WOOD CONSTRUCTION, SHALL UTILIZE LUMBER NOT LESS THAN 2 INCHES NOMINAL IN WIDTH AND DEPTH. BUILDING CODE 6403.9
12. A FINAL FUEL MODIFICATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE FORESTRY DIVISION PRIOR TO APPROVAL OF BUILDING PLANS. IMPLEMENTATION OF THE APPROVED FINAL FUEL MODIFICATION PLAN AND INSPECTION SHALL BE COMPLETED PRIOR TO FINAL APPROVAL FOR OCCUPANCY. SUBMIT THREE COPIES OF THE COMPLETED FUEL MODIFICATION PLAN TO THE FUEL MODIFICATION UNIT, FIRE STATION 32, 605 N. ANGELENO AVE., AZUSA, CA 91702-3904, 626-969-5205 FIRE CODE 1117.2.1
13. CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 1117.2.2
14. COMPLY WITH TITLE 24, 310.9.1 REGARDING FIRE WARNING SYSTEMS. SMOKE DETECTORS TO BE HARD WIRED WITH A BATTERY BACKUP. WHEN MORE THAN ONE SMOKE ALARM IS INSTALLED, THEY SHALL BE ARRANGED SO THAT THE OPERATION OF ANY SMOKE CAUSES THE ALARM IN ALL SMOKE ALARMS WITHIN THE DWELLING UNIT TO SOUND (CALIFORNIA ALARM CODE). PROVIDE NOTE ON SITE PLAN AND INDICATE ON FLOOR PLAN).
15. PROVIDE ONE-HOUR FIRE RESISTIVE OCCUPANCY SEPARATION BETWEEN THE R-3 DWELLING AND THE U-1 GARAGE. (INDICATE ON THE FLOOR PLAN)
16. EXIT DOORS SHALL BE OPENABLE FROM THE INSIDE WITHOUT USE OF A KEY OF ANY SPECIAL KNOWLEDGE OR EFFORT. FIRE CODE 1207.3
17. WIDTH AND HEIGHT OF REQUIRED EXIT DOORWAYS SHALL COMPLY WITH TITLE 24, (INDICATE ON DOOR SCHEDULE)
18. BUILDING ADDRESS NUMBERS TO BE PROVIDED ON FRONT OF ALL BUILDINGS AND SHALL BE VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY. NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. FIRE CODE 901.4.4 2000
19. ALL NEW SWIMMING POOLS, 5000 GALLONS OR MORE IN CAPACITY, LOCATED IN FIRE ZONE MAY REQUIRE AN AUXILIARY OUTLET. CONTACT THE FIRE PREVENTION OFFICE FOR SPECIFIC REQUIREMENTS.

FIRE PROTECTION SYSTEM NOTES

1. PROVIDE AN APPROVED FIRE SPRINKLER SYSTEM. SUBMIT PLANS FOR APPROVAL PRIOR TO INSTALLATION.
2. FIRE SPRINKLER SYSTEM SHALL BE CALCULATED PER NFPA 13, 13D, 13R 231 OR 231C, WHICHEVER IS APPLICABLE.
3. SUBMIT PLANS SHOWING UNDERGROUND PIPING OF ON-SITE HYDRANTS AND SPRINKLER SYSTEMS FOR APPROVAL PRIOR TO INSTALLATION.
4. ON-SITE PROTECTION FACILITIES (HYDRANTS, SPRINKLERS SYSTEMS, ETC.) SHALL BE APPROVED PRIOR TO OCCUPANCY.
5. THE INSPECTION, HYDROSTATIC TEST AND FLUSHING OF THE HYDRANT AND/OR SPRINKLER SYSTEM SHALL BE WITNESSED BY THE PROPER FIRE DEPARTMENT REPRESENTATIVE. NO UNDERGROUND PIPING SHALL BE COVERED OR HIDDEN FROM VIEW UNTIL THE FIRE DEPARTMENT REPRESENTATIVE HAS BEEN NOTIFIED AND GIVEN NOT LESS THAN 48 HOURS IN WHICH TO INSPECT SUCH INSTALLATIONS.

LEGEND

NEW CONCRETE WALL

EXISTING OUTBUILDING DEMO. WHERE NOTED

EXISTING FENCE

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PROPOSED ADDITION & REMODEL
FOR EXISTING RESIDENCE
33165 DECKER SCHOOL ROAD
MALIBU, CA. 90265-2381
ASSESSOR'S IDENTIFICATION NUMBER
4472019028

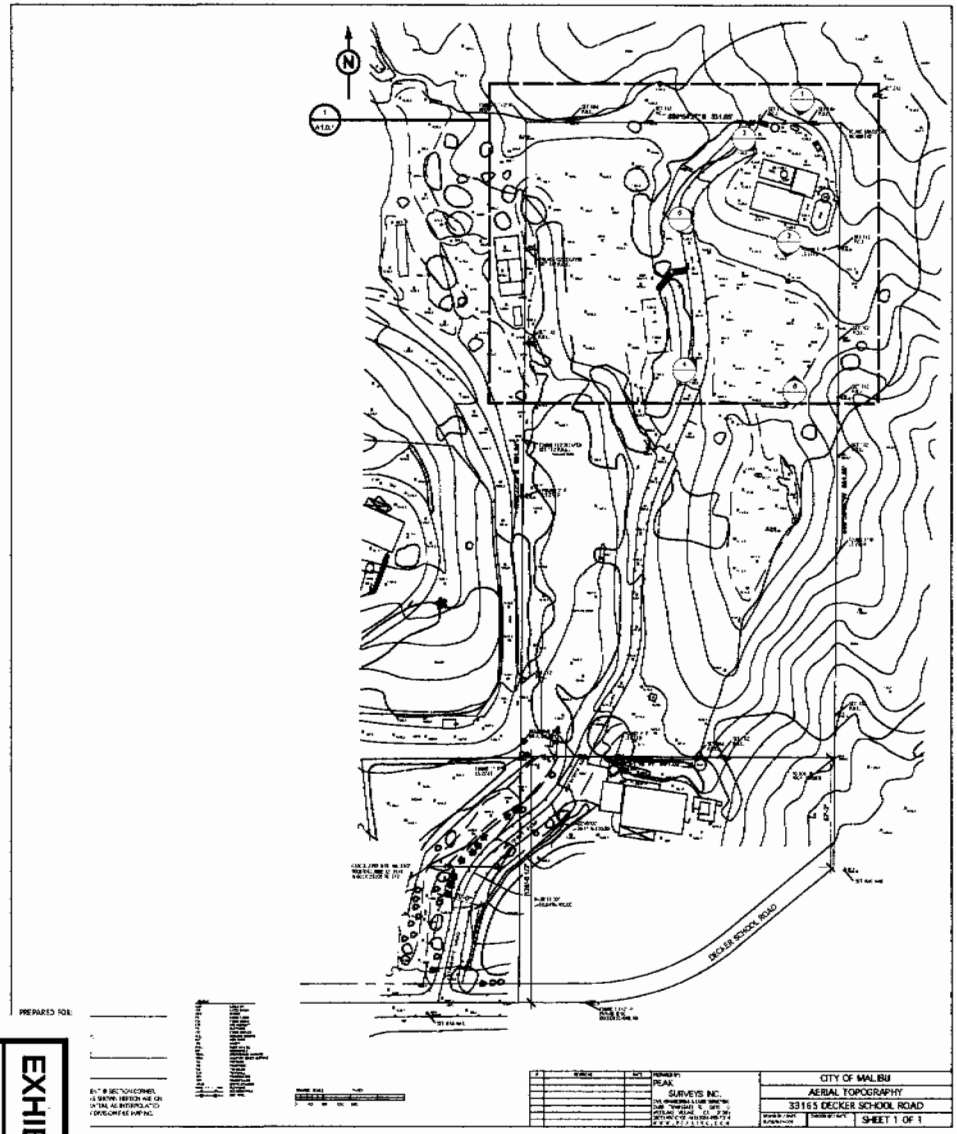
NO.	DATE
PRELIMINARY PLANNING APPROVAL	10.12.04
PLANCHECK SUBMITTAL	01. 05

JAN 06, 2005
1/16"=1'
BEH,MSM,JSS
0409

SITE PLAN

A1.0.1

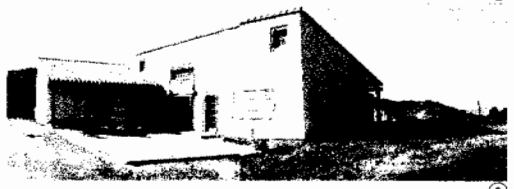
EXHIBIT NO. 4
APPLICATION NO. 4-05-026
Partial Site Plan



PREPARED FOR:

PEAK SURVEYS INC.

CITY OF MALIBU
AERIAL TOPOGRAPHY
33165 DECKER SCHOOL ROAD
SHEET 1 OF 1



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PROPOSED ADDITION & REMODEL
FOR EXISTING RESIDENCE
33165 DECKER SCHOOL ROAD
MALIBU, CA. 90265-2301

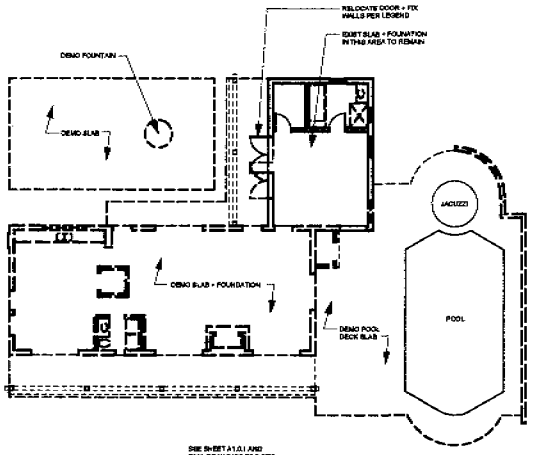
NO.	DATE
PRELIMINARY PLANNING APPROVAL	12.12.04
PLAN CHECK SUBMITTAL	01.20.05
PLAN CHECK RE-SUBMITTAL #*	XX.XX.05

OCT 06, 2004
1" = 50'
BY OTHERS
0409

SURVEY

A1.0.2

EXHIBIT NO. 5
APPLICATION NO. 4-05-026
Existing Site Plan



SEE SHEET A1.0.1 AND CIVIL DRAWINGS FOR SITE IMPROVEMENTS.

NOTES

1. SOME ITEMS NOT SHOWN FOR CLARITY. REFERENCE ALL OTHER DRAWINGS FOR ADDITIONAL INFORMATION.
2. REFERENCE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
3. REFERENCE ELEVATIONS FOR ADDITIONAL INFORMATION.
4. RELOCATE NEW DOORS PER PLAN IN EXISTING AREA TO REMAIN
5. DEMO POOL DECK SLAB AND PREPARE FOR REGRADING AND RESURFACING.
6. POOL AND JACUZZI TO REMAIN. DO NOT DISTURB POOL OR JACUZZI FOUNDATIONS WHILE CONDUCTING POOL DECK DEMOLITION.

LEGEND

- WALLS TO BE DEMOLISHED
- NEW WALL CONSTRUCTION
- EXISTING WALLS TO REMAIN
- NEW CONCRETE WALL
- HARDSCAPE

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PROPOSED ADDITION & REMODEL
FOR EXISTING RESIDENCE
33165 DECKER SCHOOL ROAD
MALIBU, CA. 90265-2301

NO.	DATE
PLAN CHECK SUBMITTAL	01.20.05
PLAN CHECK RESUBMITTAL #1	XX.XX.05

JAN 05, 2005
1/8"=1'
BEH,JS
0409

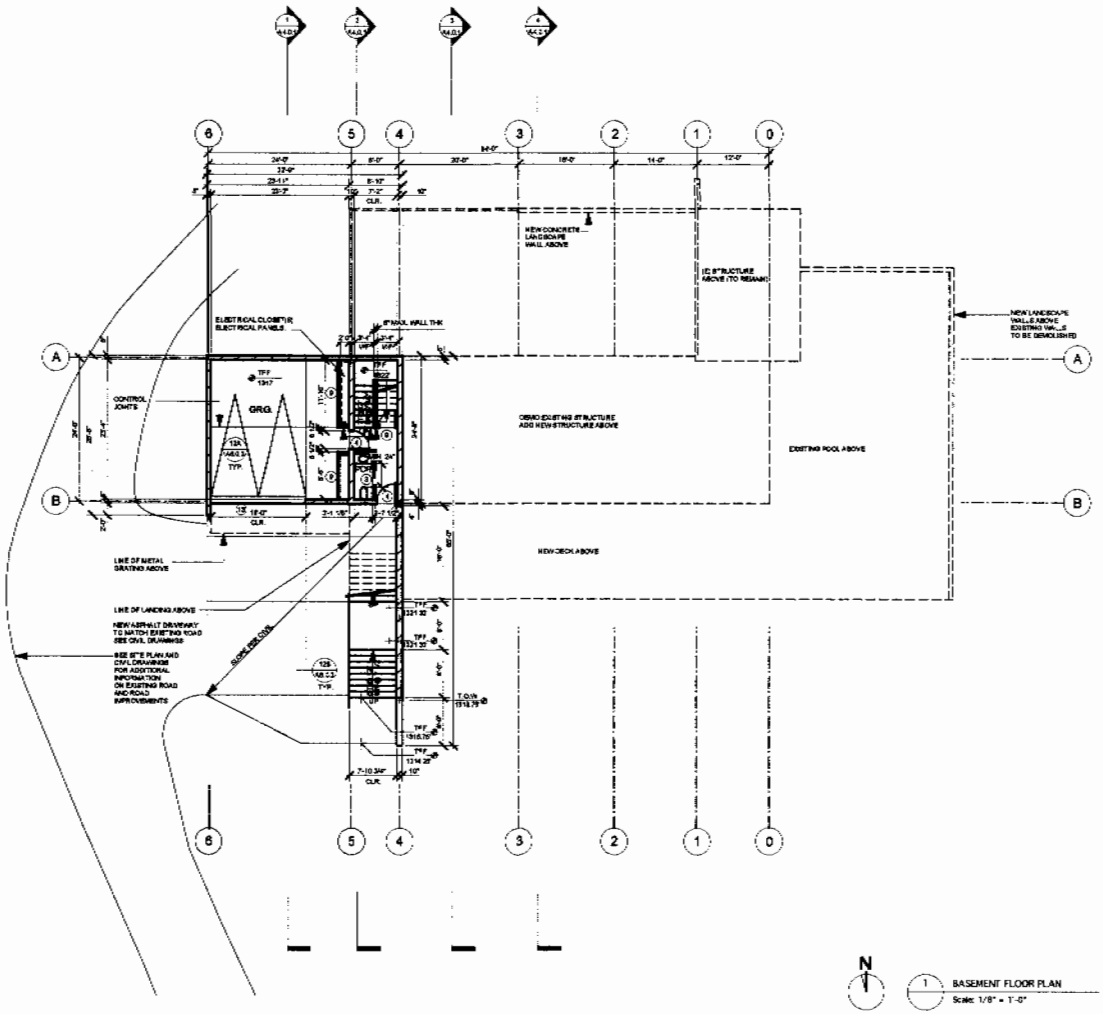
DEMOLITION PLAN

A1.0.3

N

1 DEMOLITION PLAN
Scale: 1/8" = 1'-0"

EXHIBIT NO. 6
APPLICATION NO. 4-05-026
Demolition Plan



N

1 BASEMENT FLOOR PLAN
Scale: 1/8" = 1'-0"

NOTES

1. SOME ITEMS NOT SHOWN FOR CLARITY. REFERENCE ALL OTHER DRAWINGS FOR ADDITIONAL INFORMATION
2. REFERENCE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION
3. REFERENCE ELEVATIONS FOR ADDITIONAL INFORMATION
4. USABLE SPACE UNDER STAIRS SHALL BE 1-HR. RATED CONSTRUCTION.
5. MINIMUM 5'-0" CLR. LANDING REQUIRED AT STAIRS
6. GARAGE CEILINGS AND WALLS SHALL BE 1-HR. RATED CONSTRUCTION.
7. ALL GRID DIMENSIONS ARE LOCATED AT CENTERLINE OF WALLS OR COLUMN U.N.O.
8. ALL DIMENSIONS FOR INTERIOR ST., STUD WALLS ARE TO FACE OF FRAMING U. N. O.

LEGEND

- WALLS TO BE DEMOLISHED
- NEW WALL CONSTRUCTION
- EXISTING WALLS TO REMAIN
- NEW CONCRETE WAL...
- HARDSCAPE

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PROPOSED ADDITION & REMODEL
FOR EXISTING RESIDENCE
31458 DECKER SCHOOL ROAD
MALIBU, CA. 90265-2301

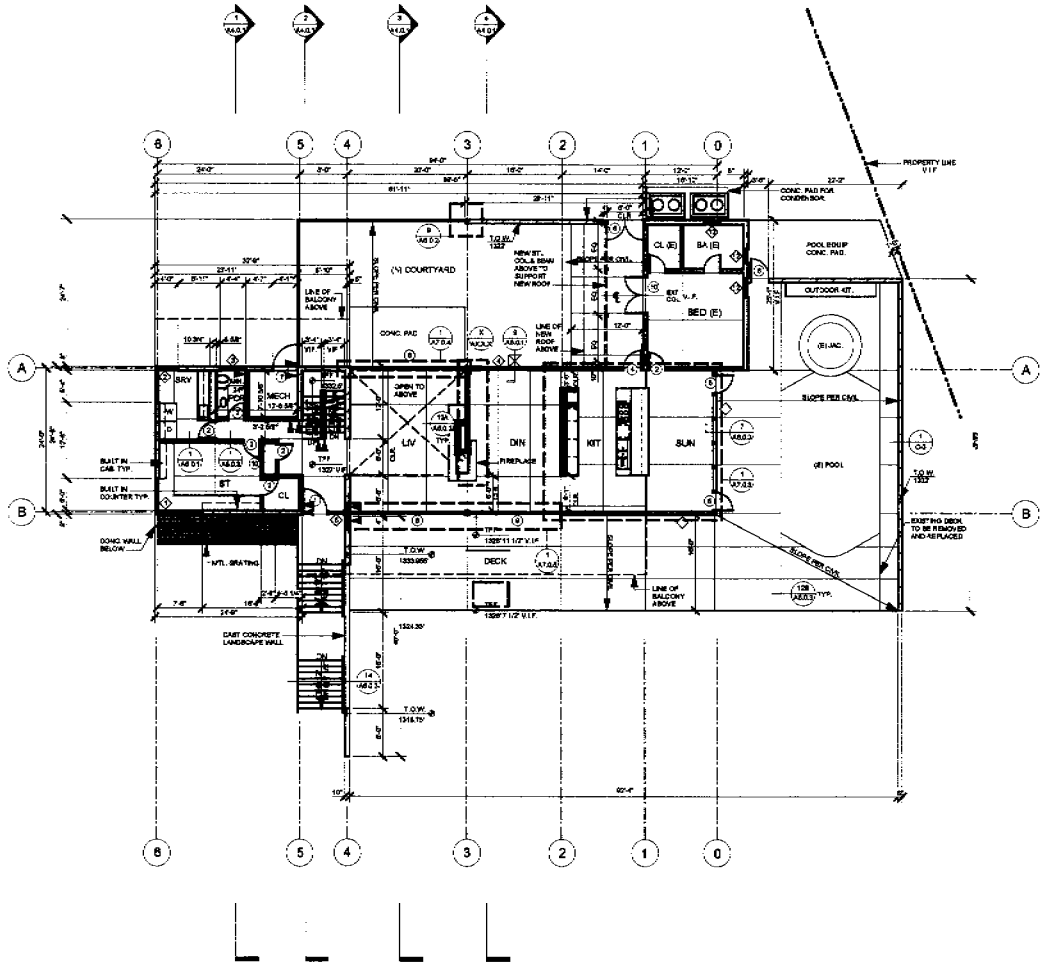
NO.	DATE
PRELIMINARY PLANNING APPROVAL	10.12.04
PLAN CHECK SUBMITTAL	01.30.06
PLAN CHECK RE-SUBMITTAL #1	XX.XX.06

JAN 06, 2006
1/8"=1'
BEHJSS
0409

BASEMENT PLAN

A2.0.1

EXHIBIT NO. 7
APPLICATION NO. 4-05-026
Basement/ Garage Plan



N

1 GROUND FLOOR PLAN
Scale: 1/8" = 1'-0"

NOTES

1. SOME ITEMS NOT SHOWN FOR CLARITY. REFERENCE ALL OTHER DRAWINGS FOR ADDITIONAL INFORMATION.
2. REFERENCE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
3. REFERENCE ELEVATIONS FOR ADDITIONAL INFORMATION.
4. USABLE SPACE UNDER STAIRS SHALL BE 1-HR. RATED CONSTRUCTION.
5. MINIMUM 3'-0" CLR. LANDING REQUIRED AT 5"A RIS.
6. GARAGE CEILINGS AND WALLS SHALL BE 1-HR. RATED CONSTRUCTION.
7. ALL GRID DIMENSIONS ARE LOCATED AT CENTERLINE OF WALLS OR COLUMNS U.N.O.
8. ALL DIMENSIONS FOR INTERIOR ST., STUD WALLS ARE TO FACE OF FRAMING U.N.O.

LEGEND

- WALLS TO BE DEMOLISHED
- NEW WALL CONSTRUCTION
- EXISTING WALLS TO REMAIN
- NEW CONCRETE WALL
- HARDSCAPE

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PROPOSED ADDITION & REMODEL
FOR EXISTING RESIDENCE
33165 DECKER SCHOOL ROAD
MALIBU, CA. 90265-2301

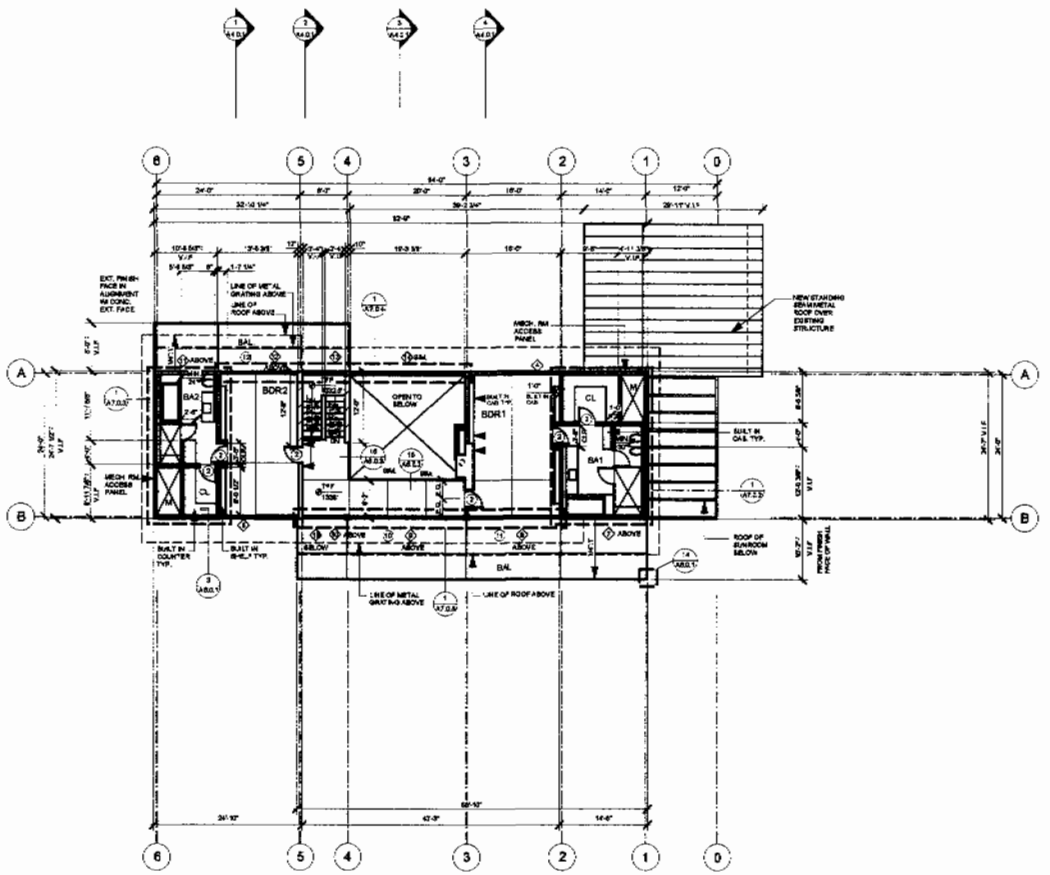
NO.	DATE
PRELIMINARY PLANNING APPROVAL	10.13.04
PLAN CHECK SUBMITTAL	01.30.05
PLAN CHECK RE-SUBMITTAL #1	XX.XX.05

JAN 05, 2005
1/8"=1'
BEH_JSS
0409

GROUND FLOOR PLAN

A2.0.2

EXHIBIT NO. 8
APPLICATION NO. 4-05-026
Ground Floor Plan



N

1 UPPER FLOOR PLAN
Scale: 1/2" = 1'-0"

NOTES

1. SOME ITEMS NOT SHOWN FOR CLARITY. REFERENCE ALL OTHER DRAWINGS FOR ADDITIONAL INFORMATION.
2. REFERENCE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
3. REFERENCE ELEVATIONS FOR ADDITIONAL INFORMATION.
4. USABLE SPACE UNDER STAIRS SHALL BE 1-HR. RATED CONSTRUCTION.
5. MINIMUM 3'-0" CLR. LANDING REQUIRED AT STAIRS.
6. GARAGE CEILINGS AND WALLS SHALL BE 1-HR. RATED CONSTRUCTION
7. ALL GRID DIMENSIONS ARE LOCATED AT CENTERLINE OF WALLS OR COLUMN U.N.O.
8. ALL DIMENSIONS FOR INTERIOR STL. STUD WALLS ARE TO FACE OF FRAMING U.N.O.
9. ROOFING COVERING SHALL BE CLASS A FIRE RETARDANT ASSEMBLY OR MATERIAL.

LEGEND

- WALLS TO BE DEMOLISHED
- NEW WALL CONSTRUCTION
- EXISTING WALLS TO REMAIN
- NEW CONCRETE WALL
- HARDSCAPE

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PROPOSED ADDITION & REMODEL
FOR EXISTING RESIDENCE
33165 DECKER SCHOOL ROAD
MALIBU, CA. 90265-2301

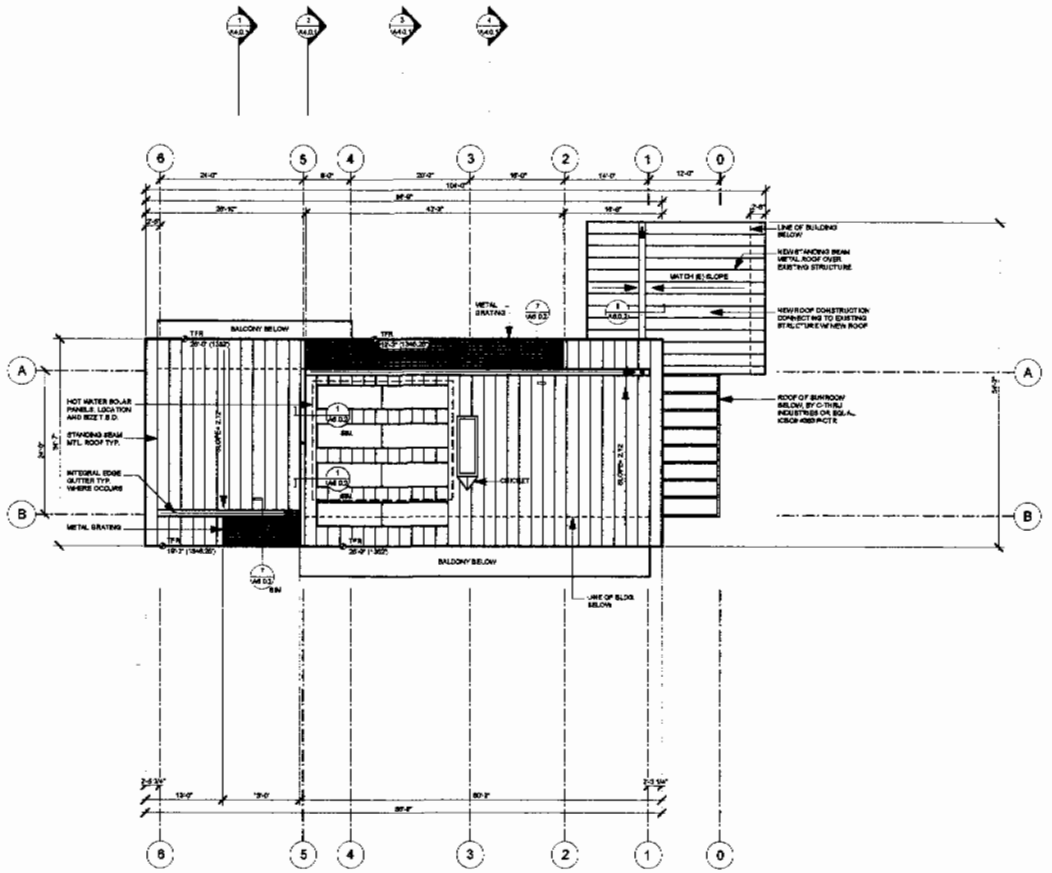
NO.	DATE
PRELIMINARY PLANNING APPROVAL	10.12.04
PLAN CHECK SUBMITTAL	01.20.05
PLAN CHECK RESUBMITTAL #1	XX.XX.05

JAN 06, 2005
1/8"=1'
BEHJSS
0409

UPPER FLOOR PLAN

A2.0.3

EXHIBIT NO. 9
APPLICATION NO. 4-05-026
Upper Floor Plan



N

1 ROOF PLAN
Scale: 1/8" = 1'-0"

NOTES

1. SOME ITEMS NOT SHOWN FOR CLARITY. REFERENCE ALL OTHER DRAWINGS FOR ADDITIONAL INFORMATION.
2. REFERENCE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
3. REFERENCE ELEVATIONS FOR ADDITIONAL INFORMATION.
4. USABLE SPACE UNDER STAIRS SHALL BE 1-HR RATED CONSTRUCTION
5. MINIMUM 3'-0" CLR. LANDING REQUIRED AT STAIRS
6. GARAGE CEILINGS AND WALLS SHALL BE 1-HR RATED CONSTRUCTION.
7. ALL GRID DIMENSIONS ARE LOCATED AT CENTERLINE OF WALLS OR COLUMN U.N.O.
8. ALL DIMENSIONS FOR INTERIOR STL. STUD WALLS ARE TO FACE OF FRAMING U.N.O.
9. ALL PENETRATIONS SHOULD BE FULL SEALED AND FLASHED, WHERE OCCURS.

LEGEND

- WALLS TO BE DEMOLISHED
- NEW WALL CONSTRUCTION
- EXISTING WALLS TO REMAIN
- NEW CONCRETE WALL
- HARDSCAPE

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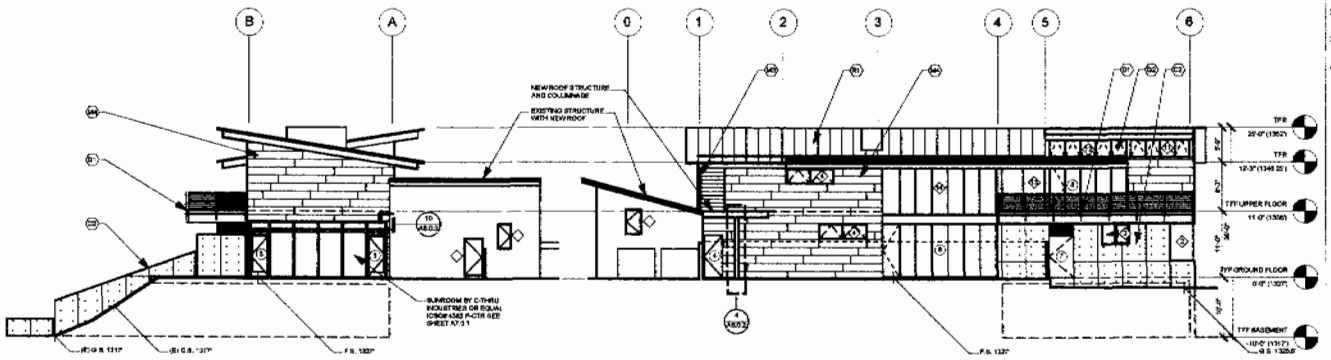
PROPOSED ADDITION & REMODEL
FOR EXISTING RESIDENCE
33185 DECKER SCHOOL ROAD
MALIBU, CA. 90265-2301

NO.	DATE
PRELIMINARY PLANNING APPROVAL	10.12.04
PLAN CHECK SUBMITTAL	01.20.05
PLAN CHECK RE-SUBMITTAL #	XX.XX.05

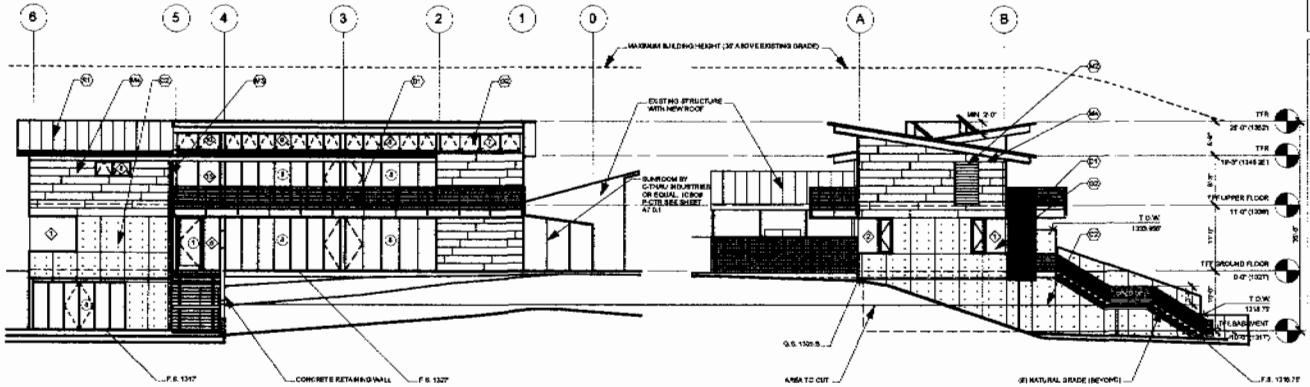
JAN 05, 2005
1/8"=1'
BEH/JBS
0409
ROOF PLAN
A2.0.4

EXHIBIT NO. 10
APPLICATION NO. 4-03-026
Roof Plan



4 EAST ELEVATION
Scale: 1/8" = 1'-0"

2 NORTH ELEVATION
Scale: 1/8" = 1'-0"



3 SOUTH ELEVATION
Scale: 1/8" = 1'-0"

1 WEST ELEVATION
Scale: 1/8" = 1'-0"

NOTES

1. SOME ITEMS NOT SHOWN FOR CLARITY. REFERENCE ALL OTHER DRAWINGS FOR ADDITIONAL INFORMATION.
2. ANY NEW CONTOURS TO COMPLY WITH COUNTY OF LOS ANGELES SLOPE REQUIREMENTS.
3. CHIMNEY SHALL HAVE SPARK ARRESTORS WITH OPENINGS OF 1/2 INCH IN DIMENSION MAXIMUM.
4. ROOF COVERING SHALL BE CLASS A FIRE RETARDANT ASSEMBLY OR MATERIAL

LEGEND

METAL FLASHING	M1
METAL EXHAUST GRILL	M2
CATCH BASIN / RAIN WATER LEADER	M3
METAL PANEL	M4
CONCRETE MASONRY UNIT	C1
CAST CONCRETE	C2
TRANSLUCENT GLASS ENTRY DOOR	W1
DOUBLE GLAZED WINDOW	W2
SOLAR PHOTOVOLTAIC PANELS	S1
SOLAR HOT WATER PANELS W RACK MOUNTING	S2
STANDING SEAM METAL ROOF	R1
CEMENT PLASTER, ELASTOMERIC PAINTED	P1
EXTERIOR DECK	D1

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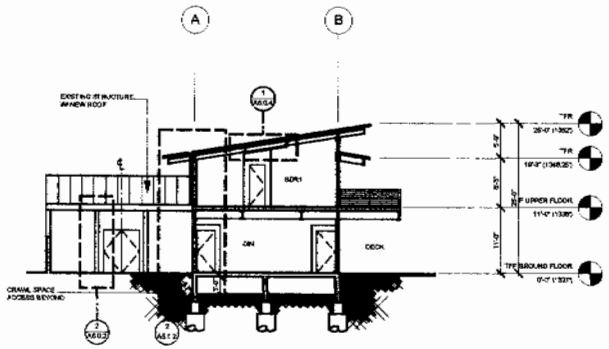
PROPOSED ADDITION & REMODEL FOR EXISTING RESIDENCE
33185 DECKER SCHOOL ROAD
MALIBU, CA 90265-2301

NO.	DATE
PRELIMINARY PLANNING APPROVAL	10.12.04
PLAN CHECK SUBMITTAL	01.20.05
PLAN CHECK RE-SUBMITTAL #	XX.XX.05

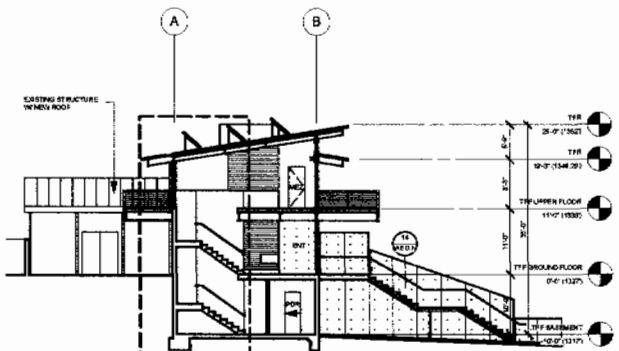
OCT 06, 2004
1/8"=1'
BEH,JSS
0409

ELEVATIONS
A3.0.1

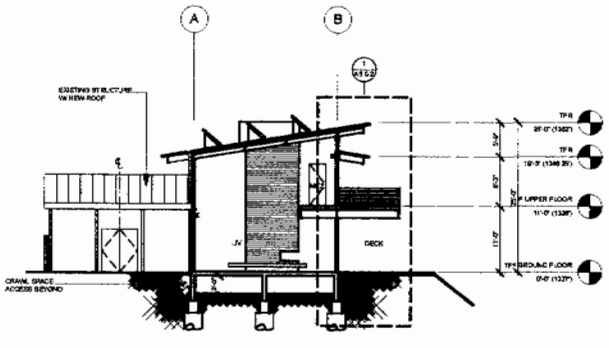
EXHIBIT NO. 11
APPLICATION NO. 4-05-029
Elevations



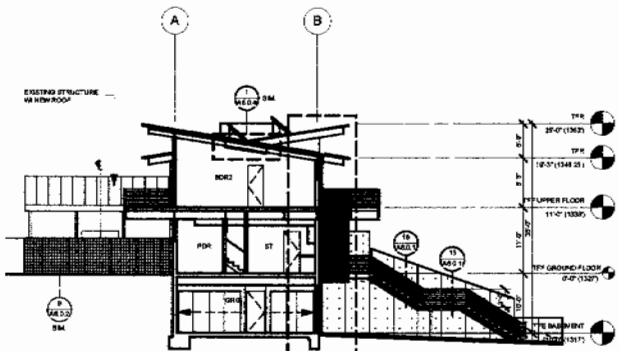
4 TRANSVERSE SECTION
Scale: 1/8" = 1'-0"



2 TRANSVERSE SECTION
Scale: 1/8" = 1'-0"



3 TRANSVERSE SECTION
Scale: 1/8" = 1'-0"



1 TRANSVERSE SECTION
Scale: 1/8" = 1'-0"

NOTES

1. SOME ITEMS NOT SHOWN FOR CLARITY. REFERENCE ALL OTHER DRAWINGS FOR ADDITIONAL INFORMATION
2. ALL WALLS TO CONTAIN INSULATION WHERE APPLICABLE REFERENCE SHEET A.5.0* AND A.5.0.2 FOR INTENT

LEGEND

METAL FLASHING, PAINTED	(M1)
METAL EXHAUST GRILL, PAINTED	(M2)
CATCH BASIN / RAIN WATER LEADER	(M3)
METAL PANEL	(M4)
CONCRETE MASONRY UNIT	(C1)
CAST CONCRETE	(C2)
TRANSLUCENT GLASS ENTRY DOOR	(G1)
DOUBLE GLAZED WINDOW	(G2)
SOLAR PHOTOVOLTAIC PANELS	(P1)
SOLAR HOT WATER PANELS W/ RACK MOUNTING	(P2)
STANDING SEAM METAL ROOF	(R1)
CEMENT PLASTER, ELASTOMERIC PAINTED	(P1)
EXTERIOR DECK	(D1)

R&D
438 SOUTH VENICE BLVD. NO. 6
VENICE, CA. 90291
O. 310.450.7409 F. 310.450.9081
www.RandDarchitects.com

PROPOSED ADDITION & REMODEL FOR EXISTING RESIDENCE
33185 DECKER SCHOOL ROAD
MALIBU, CA. 90265-2301

NO.	DATE
PRELIMINARY PLANNING APPROVAL	10.12.04
PLAN CHECK SUBMITTAL	01.30.05
PLAN CHECK RE-SUBMITTAL #:	XX.XX.05

OCT 06, 2004
1/8"=1'
BEH/JSS
0409

BUILDING SECTIONS

A4.0.1

EXHIBIT NO. 12
APPLICATION NO. 4-05-026
Sections

United States Department of the Interior

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

In reply refer to:
L76 (SAMO/110-26)

March 7, 2006

James Johnson, Coastal Analyst
California Coastal Commission
South Central Coast Area
89 S. California St., Suite 200
Ventura, CA 93001

Dear Mr. Johnson:

The National Park Service has been informed of residential development located at 33165 Decker School Road, Malibu (APN 4472-019-028) that is causing fuel modification to occur on adjacent National Park Service property. Per your request to our staff, we are providing this letter to clarify our policy regarding fuel modification on federal property at the subject location. The National Park Service provides comments on the effects of private and public land development in the Santa Monica Mountains at the invitation of state and local units of government with authority to prevent or minimize adverse uses (16 U.S.C. 460kk). We respect the rights of land owners to develop their properties consistent with federal, state, and local laws. In providing comments, we assume a neutral position and do not support or oppose land development. To this end, we offer the following comments on the proposed project.

Public laws governing National Park System administration (16 USC Sec. 1-4a) and the Santa Monica Mountains National Recreation Area (16 USC Sec. 460kk) do not allow native vegetation and wildlife habitat removal on federal parkland to accommodate adjacent private development. Circumstances describing the current residential development on the subject property would not offer any exception to the federal laws. The original approved residential development was sited to avoid fuel modification on adjacent property, and therefore, fuel modification currently occurring on the adjacent National Park Service property to the north is in violation of federal law. We recommend any new construction or reconstruction on the subject parcel be sited at least 200 feet from the northern boundary shared with National Park Service to accommodate Los Angeles County's 200-foot fuel modification zone within the privately owned parcel.

Thank you for the opportunity to comment. If you have questions, please call Ray Sauvajot, Chief of Planning, Science, and Resource Management, at (805)370-2339.

Sincerely,

Woody Smeck

Woody Smeck
Superintendent

EXHIBIT NO. 13
APPLICATION NO. 4-05-026
Simi NAA
Letter

Exhibit 14
Application No. 4-05-026
6/28/2001 Aerial Photo

STATE OF CALIFORNIA — EDMUND G. BROWN JR., Governor

CALIFORNIA COASTAL COMMISSION
SOUTH COAST REGIONAL COMMISSION
666 E. OCEAN BOULEVARD, SUITE 3107
P.O. BOX 1450
LONG BEACH, CALIFORNIA 90801
(213) 590-5071 (714) 846-0648

COASTAL DEVELOPMENT PERMIT

Application Number: P-12-6-78-4453

Name of Applicant: Mr. and Mrs. Michael K. Cassidy

231 No. Mayflower Avenue, Monrovia, CA 9101

Permit Type:
- ☐ Emergency
- ☒ Standard
- ☐ Administrative

Development Location: 33165 Decker School Road, Malibu, CA

Development Description: Construction of a one-story, three-bedro n plus office single-family dwelling with attached two-car garage and 1 uncovered parking spaces and detached 484 sq. ft. workshop 60 feet above c nterline of frontage road with conditions.

I. The proposed development is subject to the following conditions mposed pursuant to the California Coastal Act of 1976:

Prior to issuance of permit, applicant shall submit a deed restr :tion for recording limiting the use of the structure to a single-fami dwelling.

Condition/s Met On _____ By KPI

EXHIBIT NO. 15a
APPLICATION NO. 4-05-026
CDP 78-4453
page 1

II. The South Coast Commission finds that:

A. The proposed development, or as conditioned:

1. The developments are in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 and will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976.

2. If located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.

3. There are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available for imposition by this Commission under the power granted to it which would substantially lessen any significant adverse impact that the development, as finally proposed may have on the environment.

III. Whereas, at a public hearing, held on January 15, 1979 at Torrance by a unanimous ~~xx~~ vote permit application number P-12-6-78-4453 is approved.

IV. This permit may not be assigned to another person except as provided in Section 13170, Coastal Commission Rules and Regulations.

V. This permit shall not become effective until a COPY of this permit has been returned to the Regional Commission, upon which copy all permittees or agent(s) authorized in the permit application have acknowledged that they have received a copy of the permit and have accepted its contents.

VI. Work authorized by this permit must commence within two years from the date of the Regional Commission vote upon the application. Any extension of time of said commencement date must be applied for prior to expiration of the permit.

VII. Issued on behalf of the South Coast Regional Commission on February 14, 1979.

M. J. Carpenter
Executive Director

I, _____, permittee/agent, hereb receipt of Permit Number P-12-6-78-4453 and have ac contents.

_____ _____

EXHIBIT NO. 15 6
APPLICATION NO. 4-05-026
CDP 78-4453
page 2

I her affirm that I have a certificate of consent to self insure, or a certificate of Workers' Compensation Insurance, or a certified copy thereof (Sec. 3800, Lab. C.)

Policy No. _____ Company _____

☐ Certified copy is hereby furnished.

☐ Certified copy is filed with the county building inspection department.

Date _____ Applicant _____

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

(This section need not be completed if the permit is for one hundred dollars ($100) or less.)

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws.

Date _____ Applicant _____

NOTICE TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Number _____ Lic. Class _____

Contractor _____ Date _____

☐ I am exempt under Sec. _____

B.&P.C. for this reason _____

_____ Date: _____

Signature _____

OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Section 7031.5, Business and

property, or my employees with compensation, will do the work and ...ended or offered for sale (Section ...rofessions Code.)

...perty, am exclusively contracting ...tors to construct the project (Sec... ...nd Professions Code.)

...N LENDING AGENCY

...a construction lending agency for ...rk for which this permit is issued

_____

_____

I certify that I have read this application and state that the above information is correct. I agree to comply with all County ordinances and State laws relating to building construction, and hereby authorize representatives of this County to enter upon the above-mentioned property for inspection purposes.

Elliot White 12/5/91

Signature of Applicant or Agent Date

EXHIBIT NO. 15a
APPLICATION NO. 4-92-226
Ca. Bldg. Permit
page 1

APPLICATION FOR BUILDING PERMIT

COUNTY OF LOS ANGELES — BUILDING AND SAFETY

FOR APPLICANT TO FILL IN

BUILDING ADDRESS 3365 Decker Sch Rd

BUILDING ADDRESS 3365 Decker Sch Rd

SIZE OF LOT Sec 7 NO. OF BLDGS. NOW ON LOT N/A

TRACT BLOCK LOT NO.

OWNER ELLIOT WHITE TEL NO. 457-9665

ADDRESS 6280 Paseo Dr.

CITY Malibu ZIP 90265

ARCHITECT OR ENGINEER S. Correll TEL NO. 456-9639

ADDRESS P.O. Box 2274

CONTRACTOR TEL NO.

ADDRESS LIC. NO.

CITY LIC. CLASS

SQ. FT. SIZE 1320 NO. OF STORIES 1 NO. OF FAMILIES 1

CHECK ONE: NEW ☒ ADD ☐ ALTER ☐ REPAIR ☐ DEMOL ☐

DESCRIPTION OF WORK NEW SFR

201 ☒ deck

USE OF EXISTING BLDG.

APPLICANT (PRINT) Suzanne Correll TEL NO. 456-9639

ADDRESS P.O. Box 2274 Malibu

PRESENT BUILDING ADDRESS

LOCALITY

MOVING CONTRACTOR TEL NO.

ADDRESS

REQUIRED SET BACK	YARD	HWY	TOTAL SETBACK FROM PROP. LINE	EXIST. WIDTH
FRONT P.L.	20	30	50	40
SIDE P.L.				

P.C. Fee $	715.28	Permit Fee	1081.26
Addt	190.78	Issuance Fee	16.50
Investigation Fee Total	906.06	Total Fee	1097.76

LDMA 60. LDMA 25.

SEE REVERSE FOR EXPLANATORY LANGUAGE

Geo/soil 350 Co/O 60.

BUILDING ADDRESS 3365 Decker Sch Rd

LOCALITY Malibu

NEAREST CROSS ST. Decker Cyn

ASSESSOR MAP BOOK 4472 PAGE 19 PARCEL 28

USE ZONE A11 MAP NO. 138 13

SPECIAL CONDITIONS CC1066 School 20056

Coastal 5-81-591

DISTRICT 9.1 GROUP R3 TYPE CONST. V FIRE ZONE IV PROCESSED BY BR

STATISTICAL CLASSIFICATION CLASS NO. 01 DWELL. UNITS +1 APT. CONDO.

SEWER MAP BK. PG.

VALUATION $ [illegible]

$ 153,000.00

FINAL DATE 8-31-92

FINAL By

LDMA Ref. # 0888 2 CL

LDMA P/C NO. 12-05-91 1

LDMA Perm. # 19078 1

CK TL

VALIDATION

#23
01* *71528
*71528
2d 1 ***
2303
#109-12-91
01* *109776
*109776
2d 1 ***
4087
12-05-91
$0

01* #23 *19078

PLANS TO APPLICANT				
To:		Returned		Approved
No.	Date	No.	Date	

Approvals	Required Yes	Required No	Date Received or Approved
Water Certificate			
Health Department			
Fire Department			
Grading			
Geological			
Pedestrian Protection (Fence) (Canopy)			
Special Inspection (Conc.) (Masonry) (Welding)			
Lot Drainage			
Parking			

Approvals	Date	Inspector's Signature
Location (Setback & Yards)		
Foundations	12-18-91	
Slab	2-6-92	
Frame	6-14-93	
Energy Insulation	6-14-93	
Lath/Drywall—Interior	6-23-93	
Lath—Exterior	6-21-93	
House Number—Correct & Posted		
Final—Enter on Front		

INSPECTOR'S NOTES

1-29-93 - A34 AT BOTH RIDGES OK - Ken S.

2-3-93 1ST LAYER OF PLYWOOD OK, SHEAR OK EXCEPT AT SERVICE PANEL - Ken S.

2-17-93 INSULATION OK; 2nd LAYER PLYWOOD FELTED DUE TO RAIN BUT I ASKED CONTRACTOR TO OPEN IN FEW PLACES TO VERIFY NAILING - Ken S.

3-5-93 DRAINAGE PIPE BEHIND HOUSE OK TO DRIVEWAY. Ken S.

4-12-93 OK TO WRAP - Ken S.

SOILS APPROVED BY GEO-SOILS ON 12/12/91 BY A. HILDENBRANDT.

OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason: (Sec. 7031.5 Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or the applicant for such permit to file a signed statement that he is licensed pursuant to the provisions of the Contractor's License Law (Chapter 9) (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars ($500):

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he did not build or improve for the purpose of sale).

☒ I, as (owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044) Business and Professions Code. The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law).

☐ I am exempt under Sec. _____, B.&P.C. for the reason _____

Date 12/8/91 Owner: Edward White

INSPECTOR'S NOTES

EXHIBIT NO. 16
APPLICATION NO. 4-92-026
Co. Bldg. Permit
page 2

Suzanne Correll
P. O. Box 2274
Malibu, California 90265

To Building & Safety

re: Permit # 3303
Coastal Permit P.E. 80-4453
Foundation to be in by Jan ___ 1992.

Address: 23165 Decker School Rd.

The house designed by me is 1320 ft
the original was 3116 ft The height
is the same 19'. The construction is
Stucco with tile roof. The original
was shingle and wood. The location
of the redesign is approx. 65' west
of the original location (which was
better suited geologically for the leach
field.

Sincerely
Suzanne Correll

EXHIBIT NO. 17
APPLICATION NO. 4-05-026
Letter to
Building & Safety

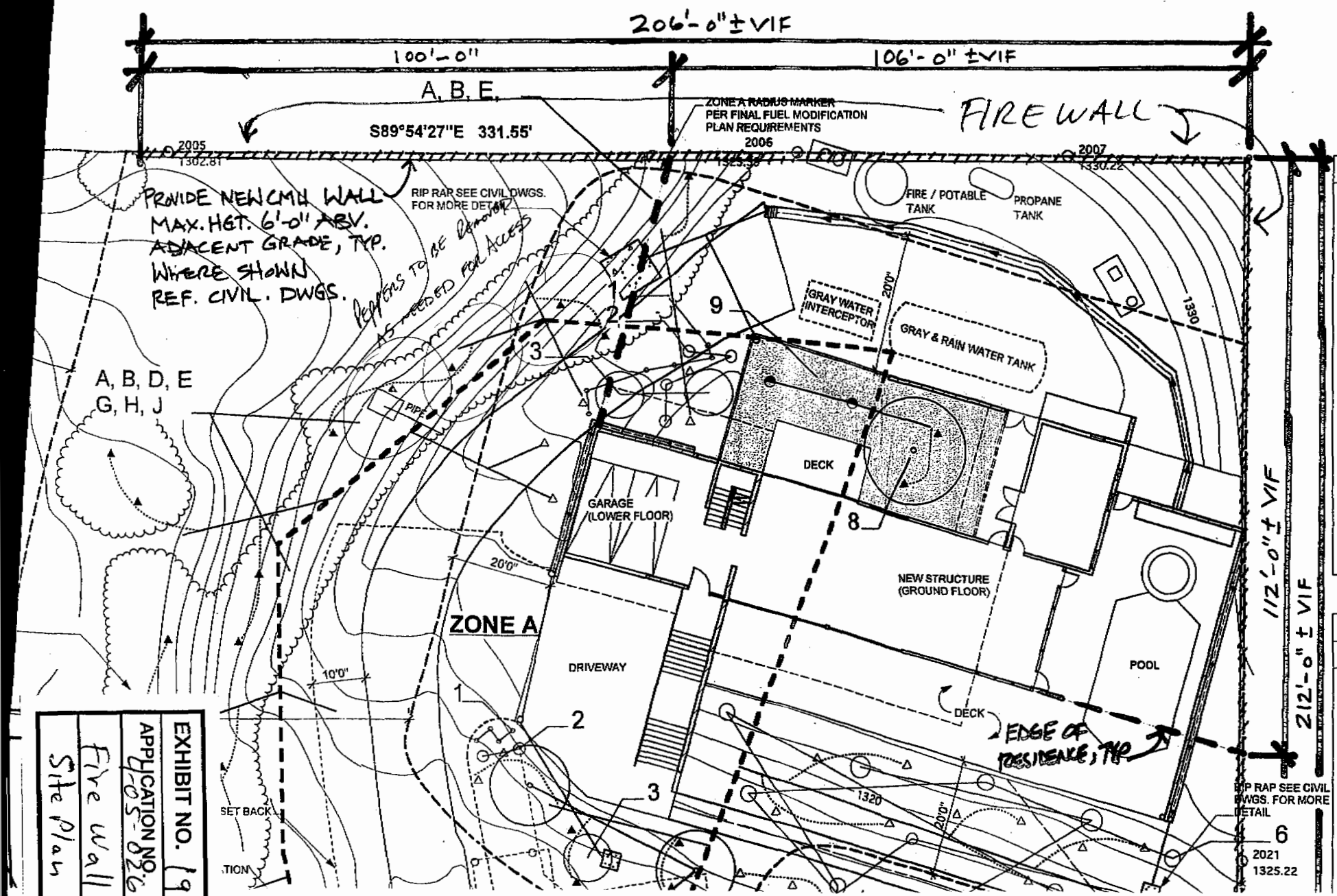
James Johnson

From: James Johnson
Sent: Tuesday, December 20, 2005 12:26 PM
To: 'david reddy'
Cc: James Johnson
Subject: 33165 decker school road

david,
i called yesterday leaving a message that we received the files and that the existing residence is not located in the commission approved location. the approved location is on the pad where the trailer is now located with a setback of 120 feet from northern property boundary.
attached are copies of the commission approved stamped plans from 1978-79. as a result, do you and your client wish to withdraw this application from commission consideration? you may wish to resubmit a new county planning department approved application with the new residence and garage in a location no closer than 200 feet from the northern property boundary with the national park service (thereby allowing all of the fuel modification to occur on the applicant's property). the new application should also include the removal of the existing unpermitted residence in addition to its site and vegetation restoration and the other site and vegetation restoration previously discussed. you may also wish to relocate the water storage tank and pool equipment away from the northern property boundary. if you do not wish to withdraw this application by mid-day wednesday december 21, staff will prepare a recommendation for denial to be presented to the commission at the january 11-13, 2006 meeting. please let us know what you and your client wish to do as soon as possible.
james
ps, the plans will be sent in separate emails.

IMG_2445.JPG

EXHIBIT NO. 18
APPLICATION NO. 4-05-026
Email to Appl's
Architect



GENERAL NO

1. SOME ITEMS NO
2. INFORMATION O OTHER DRAWIN
3. A FINAL FUEL M APPROVAL OF B INSPECTION SHA
4. CLEARANCE OF I
5. INSTALL ALL PR POSSIBLE. (ITEM
6. SELECT AND INS DETAILS.
7. FOR SYMBOL DES
8. WHERE PRESSUR DRAWINGS.
9. ADJUST ALL SYS SPRINKLER HEAD
10. DEFINE AREAS A
11. PIPING AND WIRE UNDER PAVING VARIOUS TRADE DAMAGED TO A
12. THE IRRIGATION COVERAGE WIT THE BEST DEGR VARIABLE ARC RADIUS TO FIT

IRRIGATION M

SYMBOL	MA
	HUN
	HUN
	HUN
	HUN
	HUN
	RAIN
	P.O.C
	WAT
	WILK

EXHIBIT NO. 19
APPLICATION NO. 4-05-026
Fire wall
Site Plan

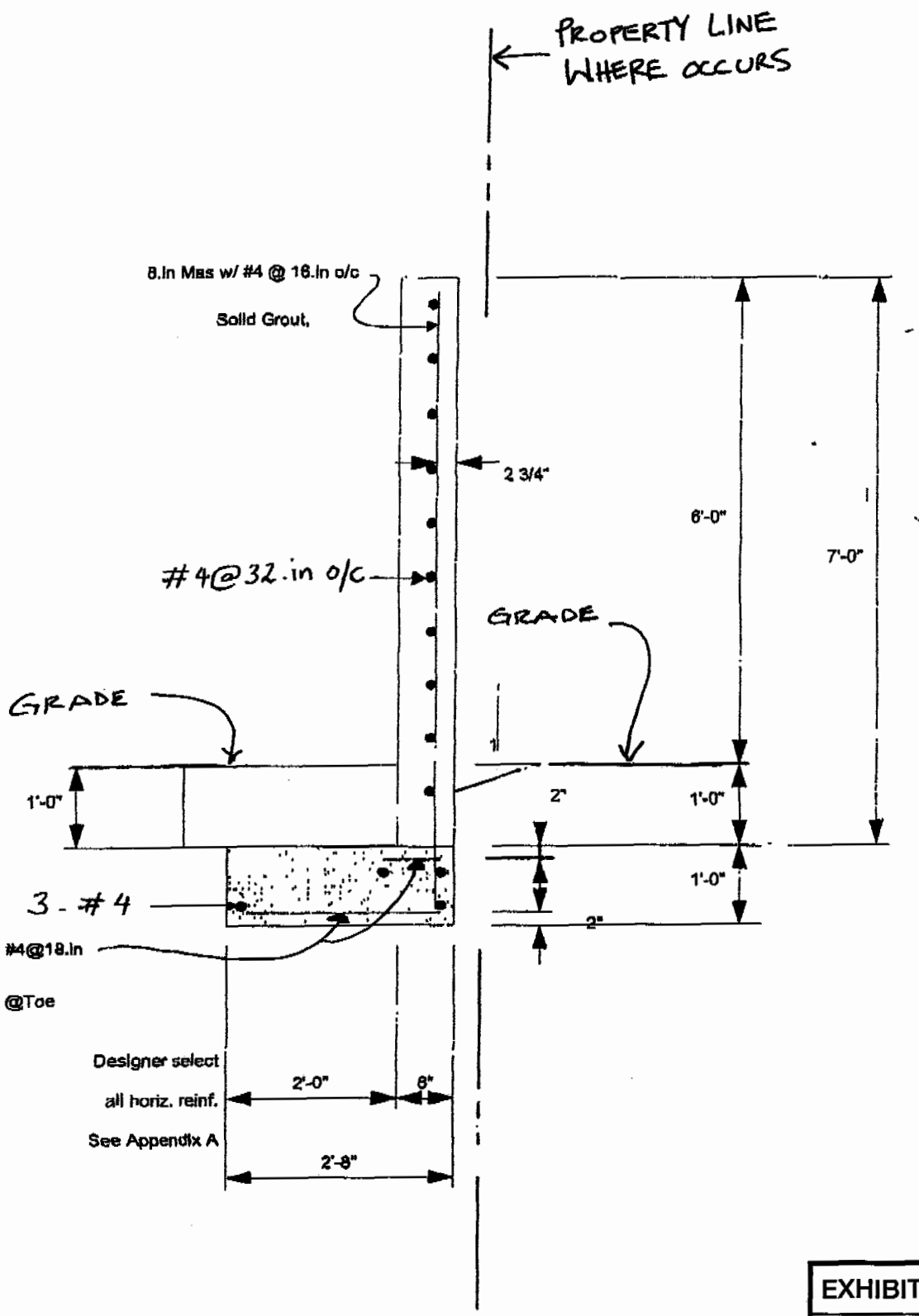


EXHIBIT NO. 20
APPLICATION NO. 4-05-026
Fire Wall
Elevation

STATE OF CALIFORNIA—THE RESOURCES AGENCY GRAY DAVIS, GOVERNOR

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
APP NO. 4-05-026
ESHA Memo

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[1]. 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[2]. Therefore, this relatively pristine area is both large and mostly unfragmented, which fulfills a fundamental tenet of conservation biology[3]. The need for large contiguous areas of natural habitat in order to maintain critical ecological processes has been emphasized by many conservation biologists[4].

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[5]. 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[6] 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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[1] National Park Service. 2000. Draft general management plan & environmental impact statement. Santa Monica Mountains National Recreation Area -- California.

[2] Ibid.

[3] 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.

[4] 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), 2nd 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), 2nd 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.

[5] 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).

[6] 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[7]. 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[8].

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[9]. Large terrestrial predators are particularly good indicators of habitat connectivity and of the general health of the ecosystem[10]. 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[11]. Sightings of cougars in both inland and coastal areas of the Santa Monica Mountains[12] 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[13]. Beyond simply destabilizing the ecosystem, fragmentation and disturbance

---

[7] Letters received and included in the September 2002 staff report for the Malibu LCP.

[8] Schoch, D. 2001. Survey lists 300 pathways as vital to state wildlife. Los Angeles Times. August 7, 2001.

[9] 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.

[10] 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. Conerv. Biol. 10: 949-963. Noss, R. F. 1995. Maintaining ecological integrity in representative reserve networks. World Wildlife Fund Canada.

[11] 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.

[12] 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.

[13] Gause, G. F. 1934. The struggle for existence. Balitmore, 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)[14].

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[15]. 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[16] 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[17].

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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[14] Scheffer, M., S. Carpenter, J. A. Foley, C. Folke and B. Walker. 2001. Catastrophic shifts in ecosystems. Nature 413:591-596.

[15] NPS. 2000. op.cit.

[16] 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.

[17] 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[18]. 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[19]. 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[20] 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[21]. 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

[18] 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.
[19] 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.
[20] 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.)
[21] 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[22]. 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[23], 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[24] 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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[22] 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.

[23] 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.

[24] 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[25]. 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[26]. 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[27]. Writing at the same time as Faber, Bowler asserted that, *"[t]here is no question that riparian habitat in southern California is endangered."*[28] 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[29]. Human-caused increased fire frequency has resulted in increased sedimentation rates, which exacerbates the cannibalistic predation of adult newts on the larval stages.[30] 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[31]. 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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[25] Testimony by R. Dagit, Resource Conservation District of the Santa Monica Mountains at the CCC Habitat Workshop on June 13, 2002.

[26] Dr, Lee Kats, Pepperdine University, personal communication to Dr J. Allen, CCC.

[27] 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.

[28] 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.

[29] 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.

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

[31] 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.[32] 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[33]. 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."[34] Several other researchers have noted the replacement of chaparral by coastal sage scrub, or coastal sage scrub by chaparral depending on fire history.[35] In transitional and other settings, the mosaic of chaparral and coastal sage

[32] Cooper, W.S. 1922. The broad-sclerophyll vegetation of California. Carnegie Institution of Washington Publication 319. 124 pp.
[33] 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).
[34] Hanes, T.L. 1965. Ecological studies on two closely related chaparral shrubs in southern California. Ecological Monographs 41:27-52.
[35] 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[36]. New growth of chaparral evergreen shrubs takes place about four months later than coastal sage scrub plants and it continues later into the summer[37]. For example, in coastal sage scrub, California sagebrush flowers and grows from August to February and coyote bush flowers from August to November[38]. 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[39]. The insects in turn are followed by insectivorous birds such as the blue-gray gnatcatcher[40], 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

[36] 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, 2nd Edition. Calif. Native Plant Soc. Spec. Publ. #9.
[37] Schoenherr, A. A. 1992. A natural history of California. University of California Press, Berkeley. 772p.
[38] Dale, N. 2000. Flowering plants of the Santa Monica Mountains. California Native Plant Society, 1722 J Street, Suite 17, Sacramento, CA 95814.
[39] Ballmer, G. R. 1995. What's bugging coastal sage scrub. Fremontia 23(4):17-26.
[40] Root, R. B. 1967. The niche exploitation pattern of the blue-gray gnatcatcher. Ecol. Monog.37:317-350.

the Santa Monica Mountains[41]. Five species of hummingbirds also follow the flowering cycle[42].

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[43].

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[44]."

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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[41] 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.

[42] 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

[43] Borchert, M. I., F. W. Davis, J. Michaelsen and L. D. Oyler. 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.

[44] 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[45].

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[46] found that the ash-throated flycatcher, Bewick's wren, wrentit, 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[47] 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[48]. 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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[45] 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.

[46] 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), 2nd Interface Between Ecology and Land Development in California, U.S. Geological Survey Open-File Report 00-62.

[47] 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.

[48] 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[49], 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[50], 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 the 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

[49] 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.

[50] 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[51]. 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."[52]

Coastal sage scrub in southern California provides habitat for about 100 rare species[53], many of which are also endemic to limited geographic regions[54]. In the Santa Monica Mountains, rare animals that inhabit coastal sage scrub[55] 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[56]. 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[57]. A total of 32 sensitive species of reptiles, birds and mammals have been identified in this community by the National Park Service.[58]

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

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[51] Westman, W.E. 1981. Diversity relations and succession in Californian coastal sage scrub. Ecology 62:170-184.

[52] Ibid.

[53] 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 9th St., Sacramento, CA 95814.

[54] Westman, W.E. 1981. op. cit.

[55] 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.

[56] 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.

[57] 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.

[58] 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.[59] 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.[60] 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[61]. 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[62]. 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[63]. The rare red shank chaparral plant community also occurs in the Santa Monica Mountains. Although included within the category "northern mixed chaparral" in

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[59] Dr. John O'Leary, SDSU, personal communication to Dr. John Dixon, CCC, July 2, 2002
[60] Westman, W.E. 1981. op. cit.
[61] Dr. Stephen Davis, Pepperdine University. Presentation at the CCC workshop on the significance of native habitats in the Santa Monica Mountains. June 13, 2002.
[62] 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.
[63] 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[64].

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[65]. 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.[66]

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[67]. 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

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[64] Ibid.
[65] 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.
[66] Ibid.
[67] 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[68], so chaparral literally holds the hillsides together and prevents slippage.[69] 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[70]. Thus, the erosion from a 2-inch rain-day event drops from 5 yd^3/acre of soil one year after a fire to 1 yd^3/acre after 4 years.[71] 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^3/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

[68] 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.

[69] 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.

[70] 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.

[71] Ibid.

tolerant of salt-laden fog than other oaks and is generally found nearer the coast[72]. 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[73]. These habitats support a high diversity of birds[74], and provide refuge for many species of sensitive bats[75]. 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

[72] NPS 2000. op. cit.
[73] 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.
[74] 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
[75] 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[76]. Mixed with these native needlegrasses are many non-native annual species that are characteristic of California annual grassland[77]. Native perennial grasslands are now exceedingly rare[78]. In California, native grasslands once covered nearly 20 percent of the land area, but today are reduced to less than 0.1 percent[79]. The California Natural Diversity Database (CNDDB) lists purple needlegrass habitat as a community needing priority monitoring and restoration. The CNDDB 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[80].

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

[76] 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.
[77] 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.
[78] 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.
[79] NPS 2000. op. cit.
[80] 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[81], 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[82], and computer simulation studies of the development patterns over the next 25 years predict a serious increase in habitat fragmentation[83]. 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[84]. 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

[81] 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.
[82] 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.
[83] 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.
[84] NPS, 2000, op. cit.

Workshop stated[85] "*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"[86]. Fuel removal is reinforced by insurance carriers[87]. 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[88] around the home. The combination of insurance incentives and regulation assures that the 200-foot clearance zone will be applied universally[89]. 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[90]. 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, wrentit, blue-gray gnatcatcher, California thrasher, orange-crowned warbler, rufous-crowned sparrow, spotted towhee, California towhee) and 3) urban-associated species

[85] 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.

[86] 1996 Los Angeles County Fire Code Section 1117.2.1

[87] 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.

[88] Fuel Modification Plan Guidelines. Co. of Los Angeles Fire Department, Fuel Modification Unit, Prevention Bureau, Forestry Division, Brush Clearance Section, January 1998.

[89] 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.

[90] Ibid.

(mourning dove, American crow, Western scrub-jay, Northern mockingbird)[91]. 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[92].

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[93]. The Argentine ant competes with native harvester ants and carpenter ants displacing them from the habitat[94]. 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[95]. 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[96]. 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

[91] 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.
[92] 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.
[93] 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.
[94] 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.
[95] 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.
[96] 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[97].

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.[98] 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[99].

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[100]. 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[101].

Summary

In a past action, the Coastal Commission found[102] 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

[97] Longcore, T.R. 1999. Terrestrial arthropods as indicators of restoration success in coastal sage scrub. Ph.D. Dissertation, University of California, Los Angeles.
[98] Christian, C. 2001. Consequences of a biological invasion reveal the importance of mutualism for plant communities. Nature 413:635-639.
[99] 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.
[100] . 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.
[101] Ibid, and Ecological Consequences of Artificial Night Lighting, Conference, February 23-24, 2002, UCLA Los Angeles, California.
[102] Revised Findings for the City of Malibu Local Coastal Program (as adopted on September 13, 2002) adopted on February 6, 2003.

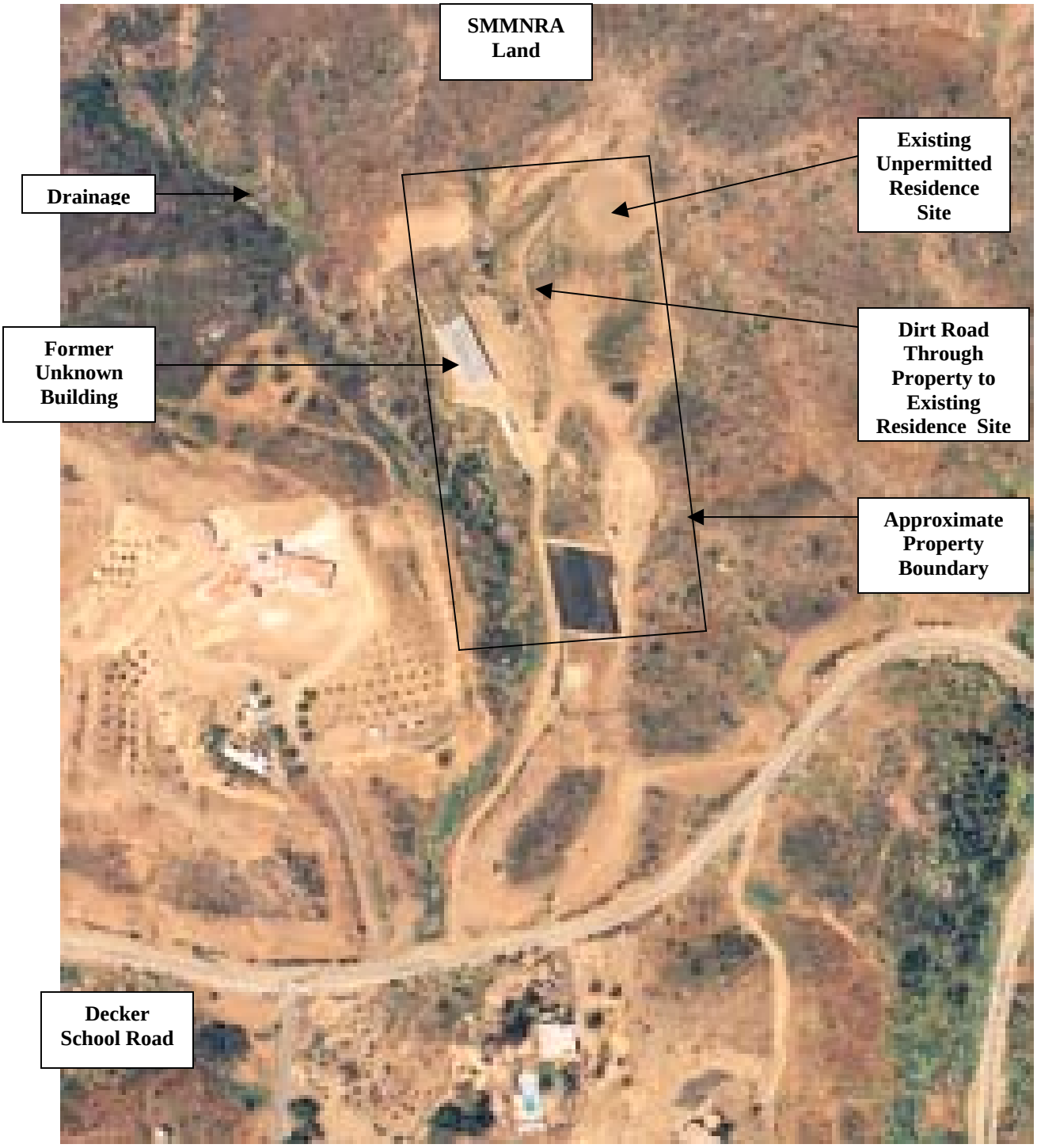
character, physical complexity, and resultant biological diversity. The undeveloped native habitats within the Santa Monica Mountains that are discussed above are ESHA because of their valuable roles in that ecosystem, including providing a critical mosaic of habitats required by many species of birds, 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[103]. 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.

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



5 10 1986 aerial no. 559

Exhibit 22
Application No. 4-05-026
1986 Aerial Photograph

Exhibit 23
Application No. 4-05-026
Alternative Building Sites

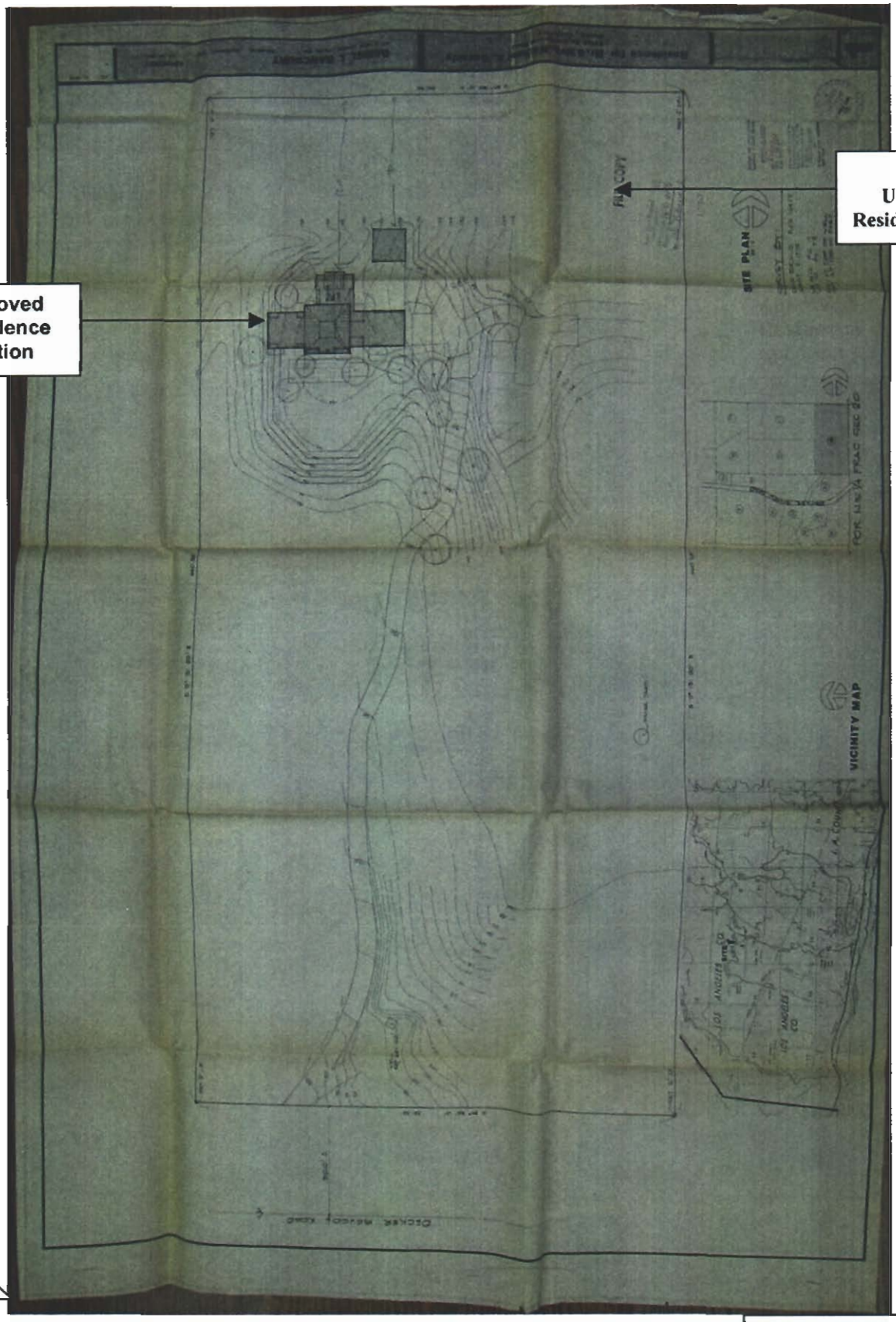


Exhibit 24
Appl. No. 4-05-026
CDP 78-4453
Site Plan