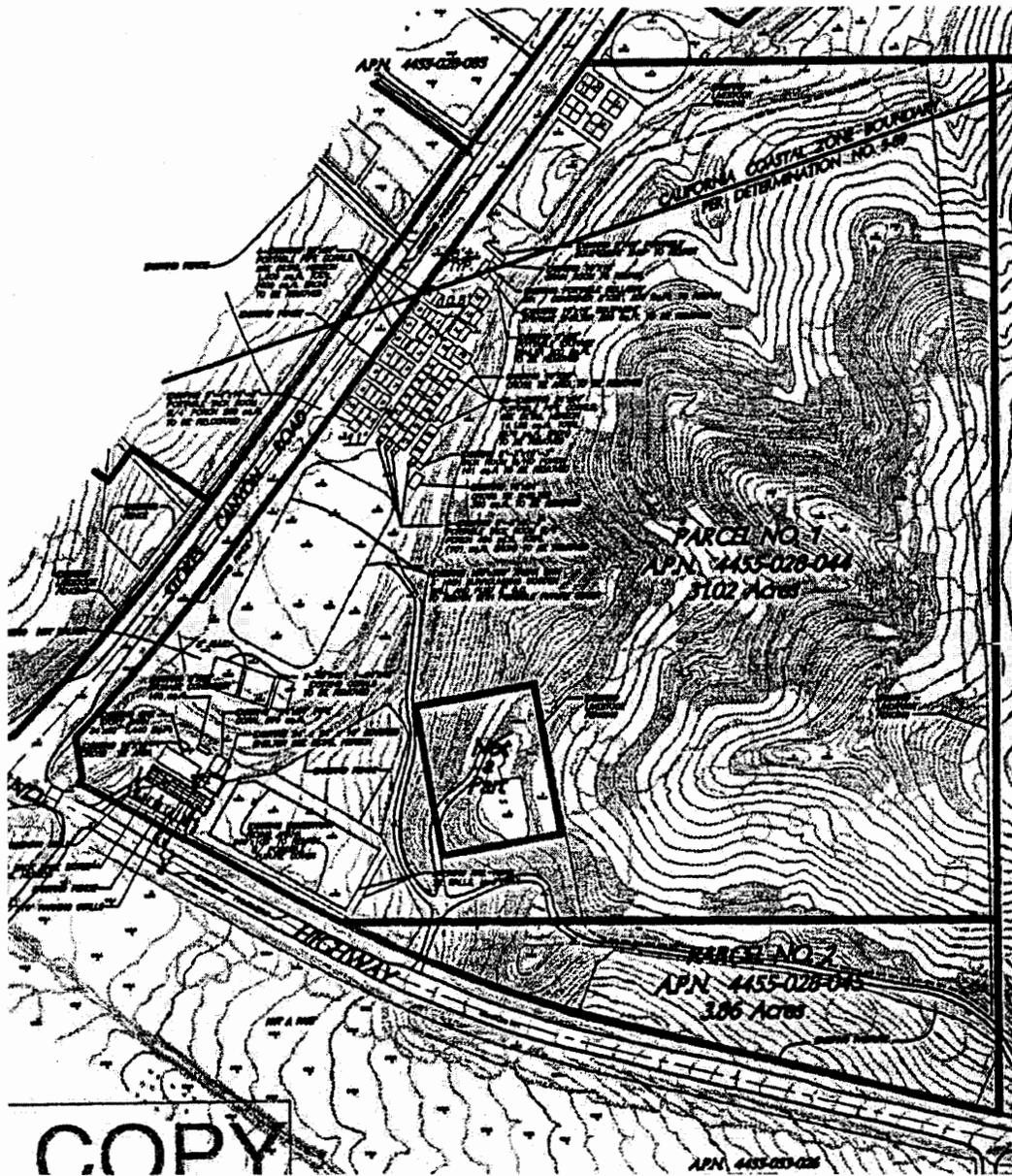


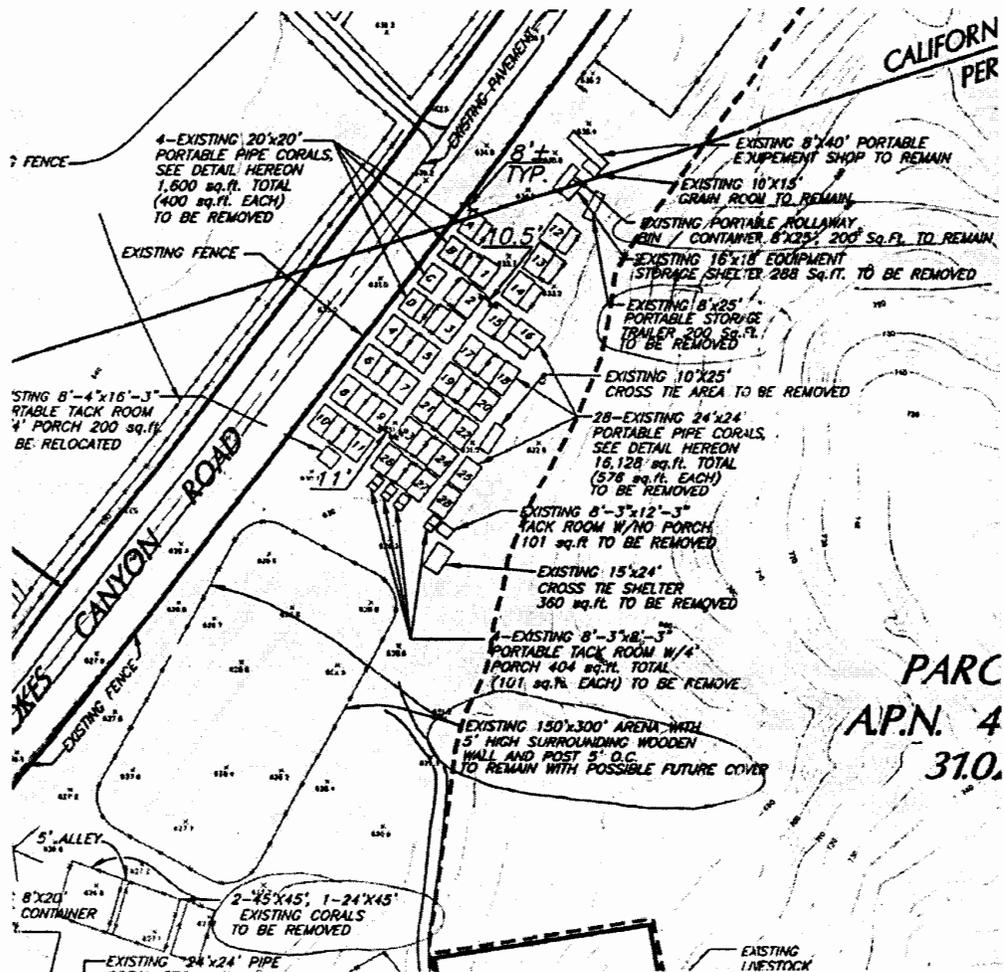
R-4-06-163
Malibu Valley Farms

Exhibits 8 – 19 of the Staff Report
Dated May 26, 2011

- Exhibit 8. Site Plans**
- Exhibit 9. Biological Resources Map**
- Exhibit 10. Plot Plan 48295 Approval In Concept**
- Exhibit 11. Correspondence from L.A. County
Department of Regional Planning**
- Exhibit 12. ERB Meeting Minutes**
- Exhibit 13. California Department Fish and Game, March
15 2005 Correspondence**
- Exhibit 14. SmartBusiness Recycling Program Award**
- Exhibit 15. MVF's Proposed Special Conditions, July 9,
2007 (including Agricultural Easement)**
- Exhibit 16. Applicant Correspondence**
- Exhibit 17. Hearing Correspondence**
- Exhibit 18. Ex Parte Communications**
- Exhibit 19. Correspondence from Staff to Applicant**



R-4-06-163
Exhibit 8
Project Plans



Site Detail-North
(Existing)

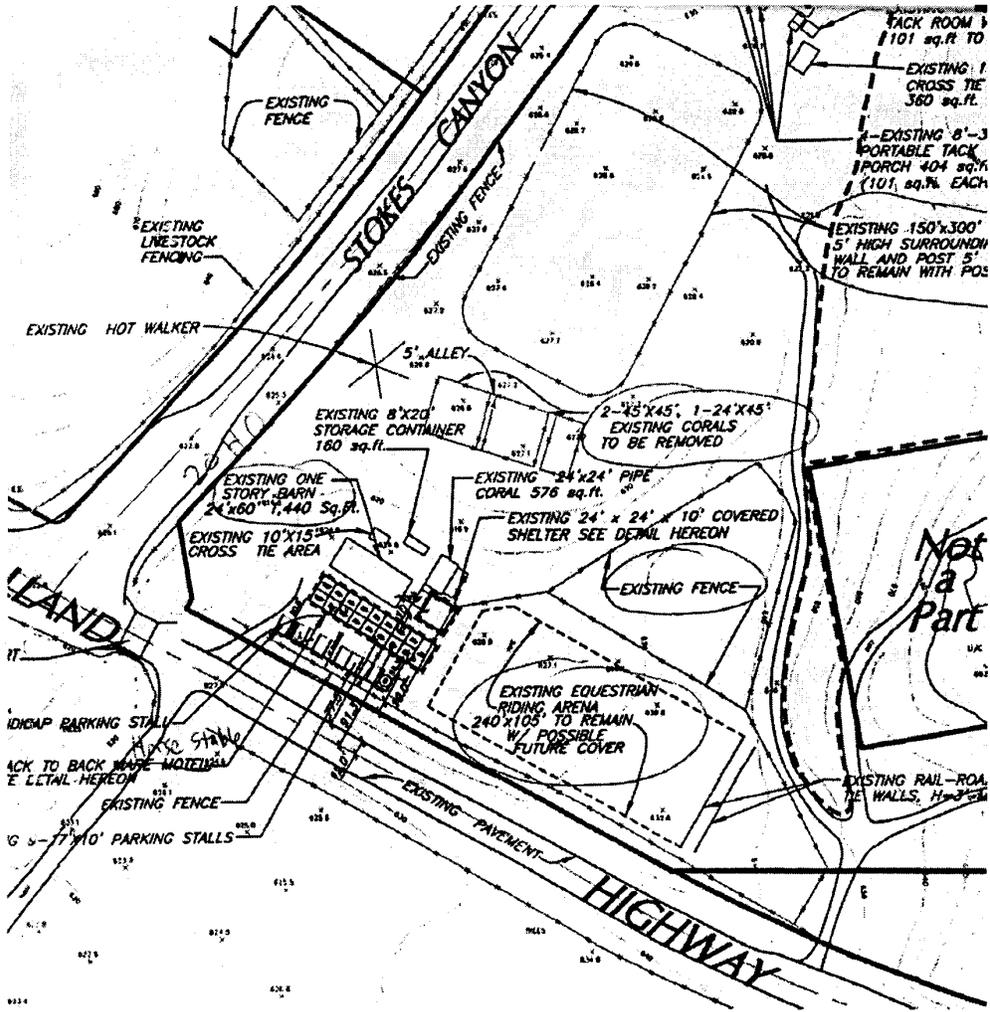
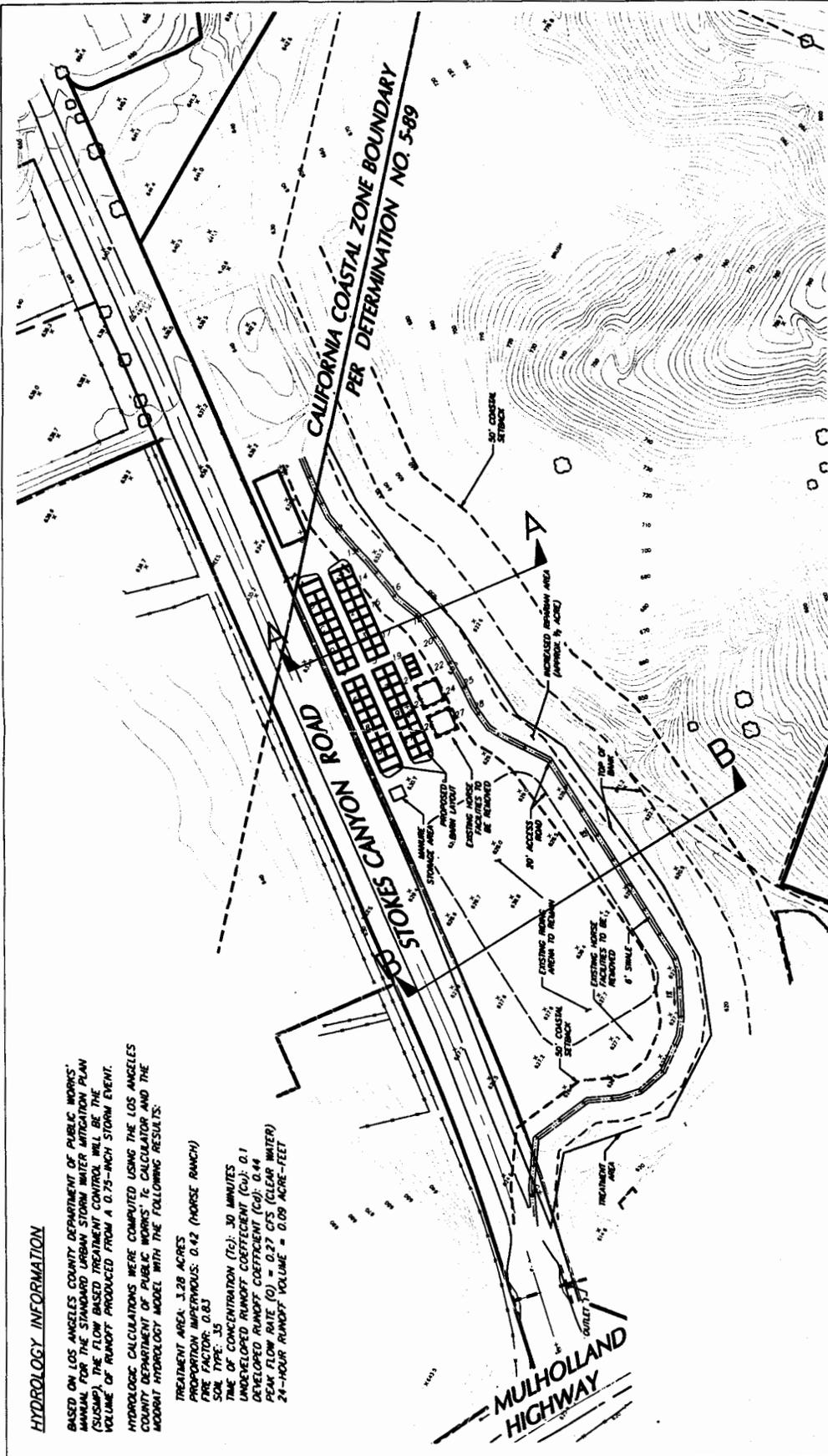


EXHIBIT 7
 Site Detail-South
 (Existing)



HYDROLOGY INFORMATION

BASED ON LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS' MANUAL FOR THE STANDARD URBAN STORM WATER MITIGATION PLAN (SUSMP), THE FLOW BASED TREATMENT CONTROL WILL BE THE VOLUME OF RUNOFF PRODUCED FROM A 0.75-INCH STORM EVENT. HYDROLOGIC CALCULATIONS WERE COMPUTED USING THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS' 16-CALCULATOR AND THE MORGAN HYDROLOGY MODEL WITH THE FOLLOWING RESULTS:

- TREATMENT AREA: 3.28 ACRES
- PROPORTION IMPERVIOUS: 0.42 (HORSE RANCH)
- FACTOR: 0.83
- SOIL TYPE: J5
- TIME OF CONCENTRATION (TC): 30 MINUTES
- UNDEVELOPED RUNOFF COEFFICIENT (C_u): 0.1
- DEVELOPED RUNOFF COEFFICIENT (C_d): 0.44
- PEAK FLOW RATE (Q) = 0.27 CFS (CLEAR WATER)
- 24-HOUR RUNOFF VOLUME = 0.09 ACRE-FEET

**MALIBU VALLEY FARMS
COMPREHENSIVE
MANAGEMENT PLAN**

**EXHIBIT A
NORTH SIDE
DRAINAGE SITE
PLAN**

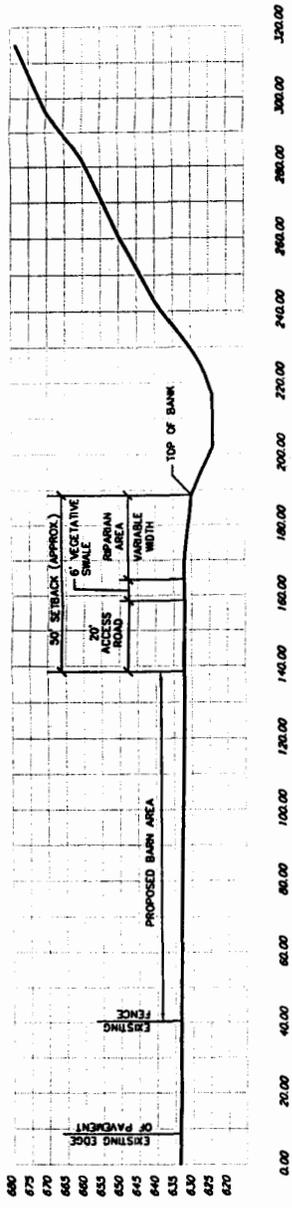
PROJECT No: 034

DIAMOND WEST
engineering a better tomorrow

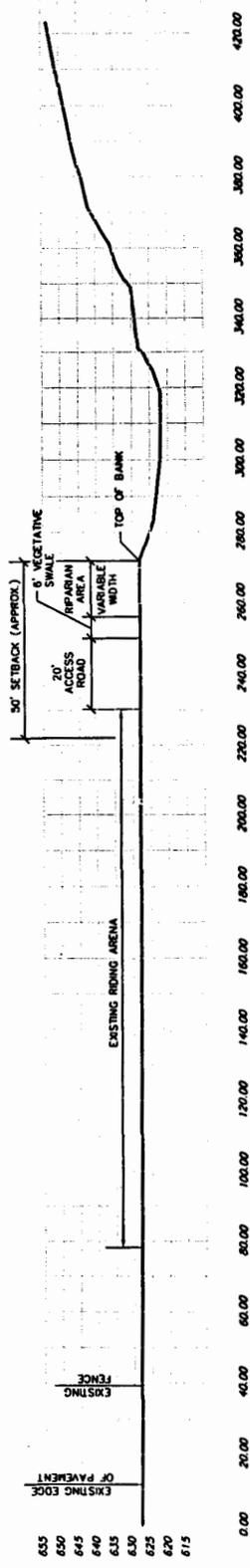
Diamond West Engineering Inc.
15000 Agoura Road, Suite 101
Calabasas, California 91301
909.882.2452 Fax: 909.882-8615
E-mail: dwe@diamondwest.net

 SCALE: 1"=100'

**Drainage Detail-
North (Proposed)**



SECTION A-A



SECTION B-B

SCALE:
HORIZONTAL: T=30'
VERTICAL: T=3'

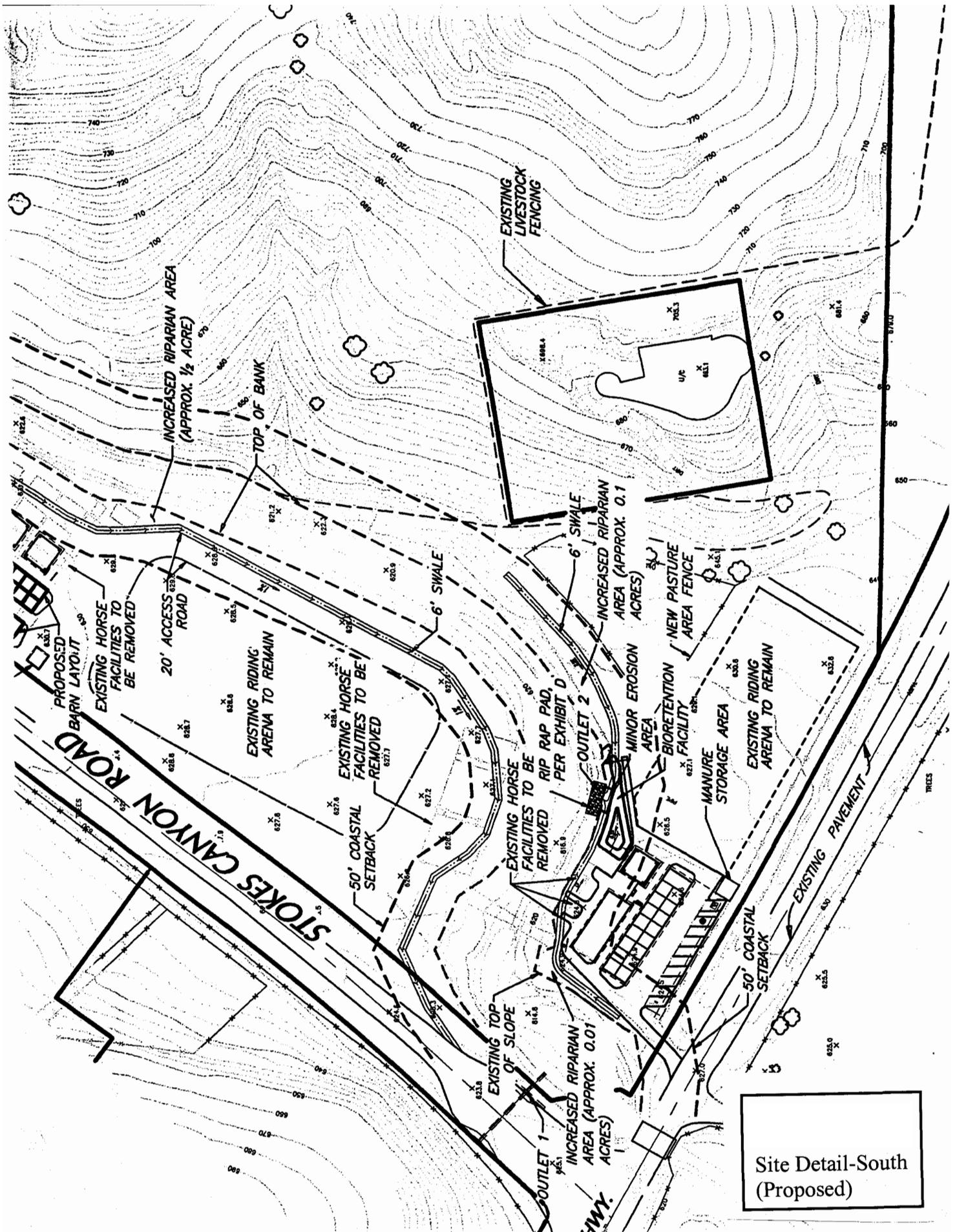
MALIBU VALLEY FARMS
COMPREHENSIVE
MANAGEMENT PLAN

EXHIBIT B
NORTH SIDE
CROSS-SECTIONS

DIAMOND WEST
engineering & better tomorrow
Diamond West Engineering, Inc.
28000 Agoura Canyon Road, Suite 8100
Agoura Hills, CA 91301
Tel: 805.322-3433 Fax: 805.322-8818
E-mail: dwe@diamondwest.net

PROJECT No: 034

Drainage Cross-section- North



Site Detail-South
(Proposed)

HYDROLOGY INFORMATION

BASED ON LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS' MANUAL FOR THE STANDARD URBAN STORM WATER MITIGATION PLAN (SUSMP), THE FLOW BASED TREATMENT CONTROL WILL BE THE VOLUME OF RUNOFF PRODUCED FROM A 0.75-INCH STORM EVENT.

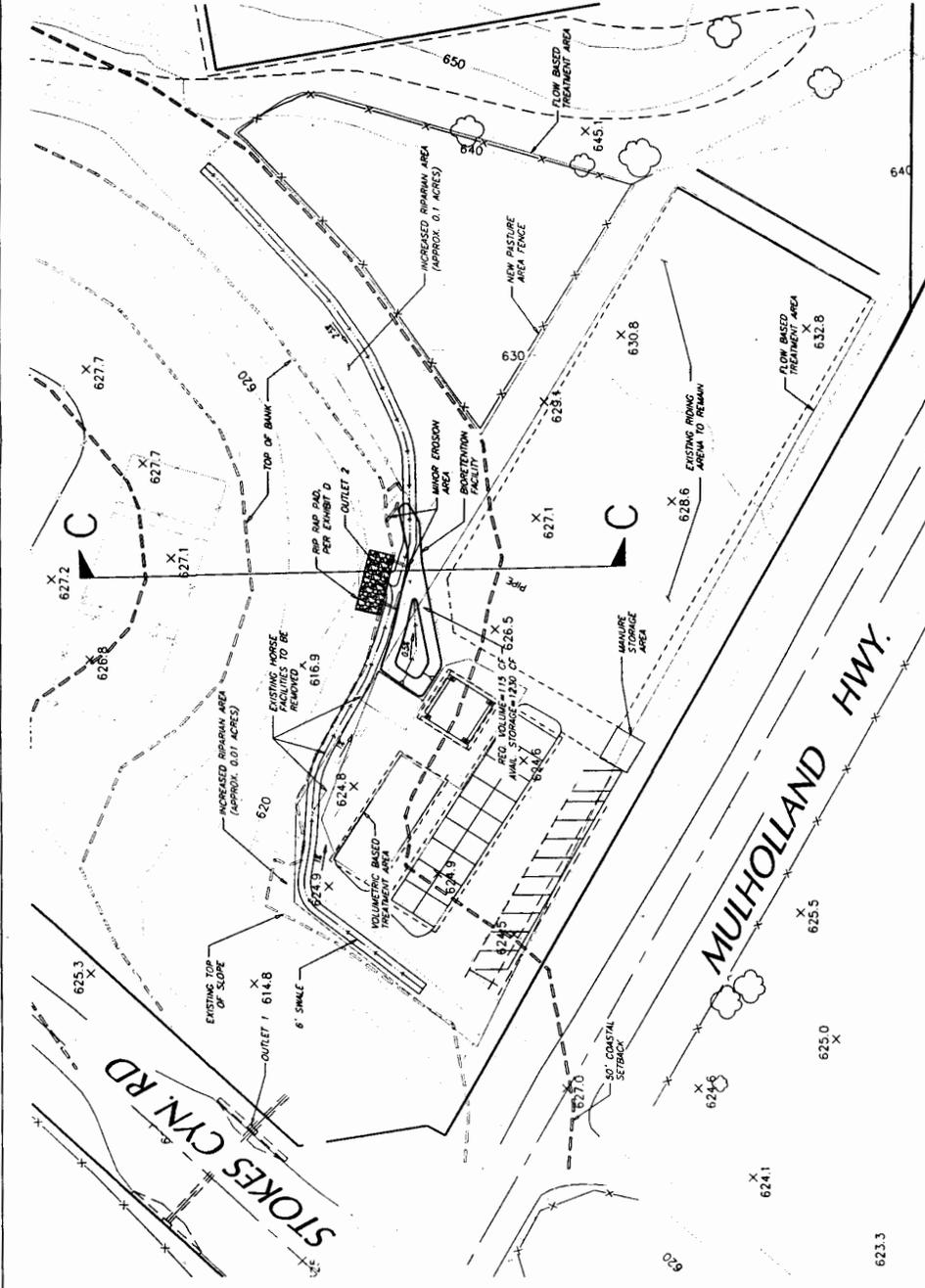
HYDROLOGIC CALCULATIONS WERE COMPUTED FOR THE DRAINAGE AREA USING THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS' SUSMP, AND THE MODERN HYDROLOGY MODEL WITH THE FOLLOWING RESULTS:

DRAINAGE AREA: 11.49 ACRES
PROPORTION IMPERVIOUS: 0.0613
FIRE FACTOR: 0.83
SOIL TYPE: S5
TIME OF CONCENTRATION (Tc): 30 MINUTES
UNDEVELOPED RUNOFF COEFFICIENT (Cu): 0.1
DEVELOPED RUNOFF COEFFICIENT (Cd): 0.44
PEAK FLOW RATE (Q) = 0.41 CFS (CLEAR WATER)
24-HOUR RUNOFF VOLUME = 0.13 ACRE-FEET

TWO SEPARATE DRAINAGE AREAS WERE CONSIDERED FOR TREATMENT PURPOSES AND WILL UTILIZE A BIORETENTION FACILITY AND VEGETATIVE SWALES. THE FOLLOWING HYDROLOGY RESULTS ARE FOR THE TREATED SUB-DRAINAGE AREA:

RANCH AREA
TOTAL TREATMENT AREA: 1 ACRE
PROPORTION IMPERVIOUS: 0.42
FIRE FACTOR: 0.83
SOIL TYPE: S5
TIME OF CONCENTRATION (Tc): 30 MINUTES
UNDEVELOPED RUNOFF COEFFICIENT (Cu): 0.1
DEVELOPED RUNOFF COEFFICIENT (Cd): 0.44
PEAK FLOW RATE (Q) = 0.23 CFS (CLEAR WATER)
24-HOUR RUNOFF VOLUME = 0.0226 ACRE-FEET

PASTURE AREA
TOTAL TREATMENT AREA: 0.33 ACRE
PROPORTION IMPERVIOUS: 0.01
FIRE FACTOR: 0.83
SOIL TYPE: S5
TIME OF CONCENTRATION (Tc): 30 MINUTES
UNDEVELOPED RUNOFF COEFFICIENT (Cu): 0.1
DEVELOPED RUNOFF COEFFICIENT (Cd): 0.44
PEAK FLOW RATE (Q) = 0.01 CFS (CLEAR WATER)
24-HOUR RUNOFF VOLUME = 0.0026 ACRE-FEET



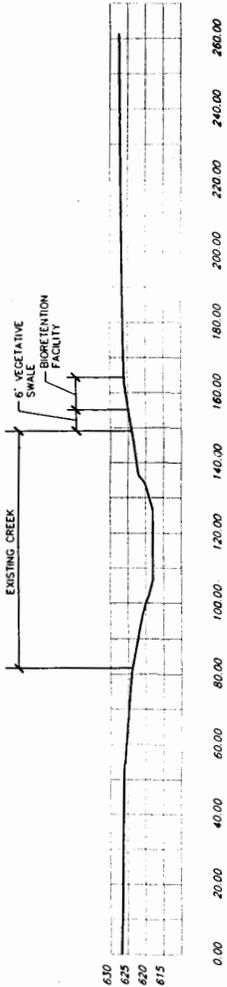
**MALIBU VALLEY FARMS
 COMPREHENSIVE
 MANAGEMENT PLAN**

**EXHIBIT C
 SOUTH SIDE
 DRAINAGE SITE
 PLAN**

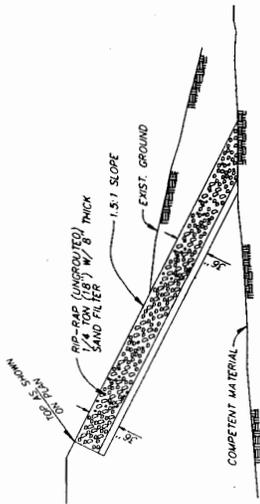
DIAMOND WEST
 engineering & better tomorrow
 Diamond West Engineering Inc.
 28800 Agoura Road, Suite 100
 Calabasas, California 91301
 Tel: 818-222-1043 Fax: 818-222-1043
 E-mail: dwe@diamondwest.com



**Drainage Detail-
 South (Proposed)**

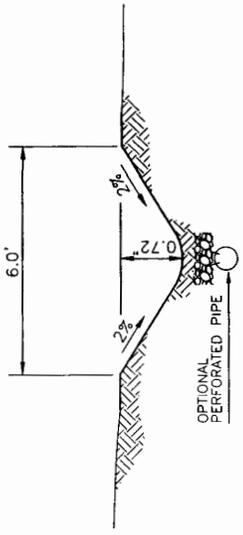


SECTION C--C
 SCALE:
 HORIZONTAL: 1"=30'
 VERTICAL: 1"=3'



NOTES:
 - BEDROCK TO BE VERIFIED BY GEOTECHNICAL ENGINEER OR ENGINEERING GEOLOGIST INSPECTION REPORT TO BE PROVIDED TO THE BUILDING OFFICIAL.

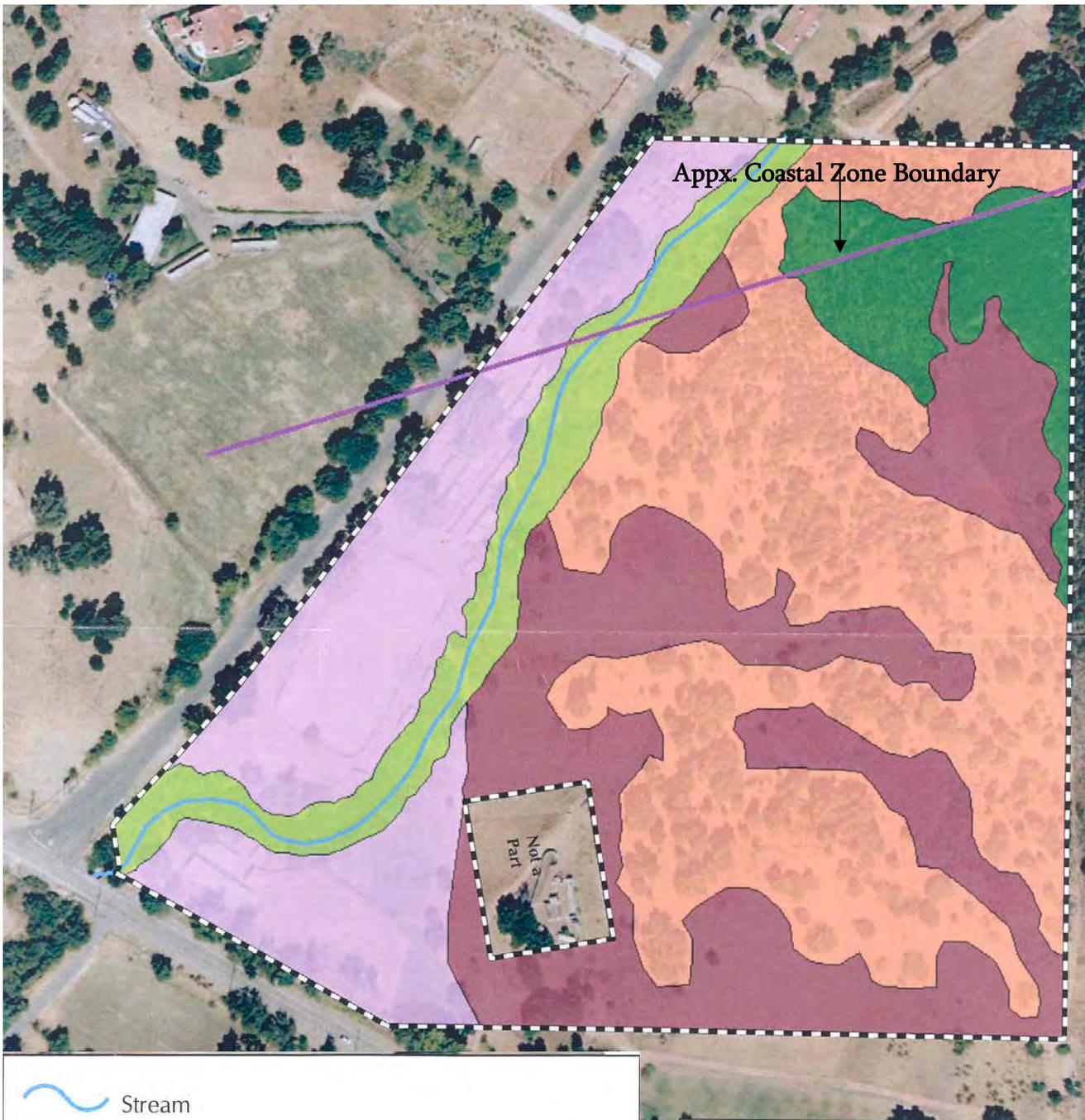
ROCK RIP RAP PAD DETAIL
 (NOT TO SCALE)



VEGETATIVE SWALE DETAIL
 (NOT TO SCALE)

| | | |
|--|--|--|
| <p>DIAMOND WEST <i>engineering a better tomorrow</i> Diamond West Engineering Inc. 26000 Agoura Road, Suite 100 Calabasas, California 91301 Phone: (818) 881-1111 E-mail: dwest@diamondwest.net</p> | <p>EXHIBIT D SOUTH SIDE CROSS-SECTION AND DETAILS</p> | <p>MALIBU VALLEY FARMS COMPREHENSIVE MANAGEMENT PLAN</p> <p>PROJECT No: 034</p> |
|--|--|--|

Drainage Cross-section- South



Appx. Coastal Zone Boundary

Not a Part

-  Stream
-  Boundary of California Coastal Zone Jurisdiction
- Vegetation Type**
-  Equestrian Facilities
-  Riparian
-  Coast Live Oak Woodland
-  Annual Grassland
-  Chamise Chaparral
-  Parcel Boundary

Excerpt from applicant's Biological Assessment (Attachment 10) prepared by Sapphos Environmental, Inc., dated October 25, 2005.

R-4-06-163
 Exhibit 9
 Biological Resources
 Map

DRP FILE COPY

ATTACHMENT C

DEPARTMENT OF REGIONAL PLANNING

APPROVAL IN CONCEPT

CASE NUMBER: 48295

SIG. AAC
DATE 2-3-04

This plot plan is APPROVED subject to the requirements of Los Angeles County Code and to the conditions noted herein. It is applicable only as specifically noted and must be used prior to any change in ordinance requirements or within two years. Such approval shall not be construed to permit the violation of any provision of any County Ordinance or State law.

PLAN CHECK NO. 48295
Per sec. 3000 et seq of the Public Resources Code and Title 14 of the Administrative Code, State of California

Signature: [Signature]

THIS IS NOT A PERMIT

Date: 2, 3, 04

and is subject to any conditions listed below

P48295 (Approval in Concept)

- Plot plan 48295 is approved for modifications to an existing equestrian facility as shown.
- The Department of Public Works shall address the hydrological issues on the site and correct the problems contributing to erosion and undercutting of structures.
- Exterior night lighting shall be directed downward, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.
- For private equestrian use, not commercial use. Not approved for boarding of horses.

RECEIVED

MAY 31 2002

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

DIAMOND WEST

ENGINEERING • LAND PLAI

4764 PARK GRV
CALABASAS, CA
Phone : (818) 222-3456

| | |
|------------------|----------|
| DATE: | |
| I.S.A. | 6000-034 |
| I.S.A. | |
| 2-9-99 | |
| 1"=100' | |
| SUPERVISED: | |
| PROJ. ENGINEER: | |
| DATE: | |
| DRAWING SCALE: | |
| DWEI JOB NUMBER: | |

SHEET NO.

R-4-06-163
Exhibit 10
L.A. County Approval In
Concept



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

July 6, 2010

California Coastal Commission
ATTN: John Ainsworth
89 South California Street Suite 200
Ventura CA 93001

**SUBJECT: REVOCATION PROCEEDINGS FOR COASTAL DEVELOPMENT PERMIT
APPLICATION NO. 4-06-163 (MALIBU VALLEY FARMS, APN 4455-028-044)**

Dear Mr. Ainsworth,

In July, 2009, the Coastal Commission considered revised findings for Application No. 4-06-163. The County of Los Angeles testified at those proceedings to provide additional information on two points and to correct an inaccuracy in the Revised Findings Staff Report for the Application. To assist the Commission in its deliberations for the Revocation hearing, the County is now providing additional information and documentation on the three issues mentioned above.

1. Commercial Activity

The Staff Report discussed commercial activities on the property, and made several references to Coastal Act sections that “encourage facilities like Malibu Valley Farms” that provide recreational access to the public. To the extent visitor-serving commercial recreation on the project site is considered positive, commercial activity is currently not allowed on the property.

- The project site lies wholly within the 5 – Rural Land III land use category of the certified 1986 Malibu Land Use Plan (LUP). The principal permitted use in this category is large-lot residential. This land use designation permits commercial and visitor recreational uses with a conditional use permit, as discussed in the LUP:

“Generally low-intensity, rural areas characterized by rolling to steep terrain usually outside established rural communities. Principal permitted land uses shall include large lot residential uses. Low-intensity commercial recreational uses, agriculture activities, the less intensively developed or open space portions of urban and rural developments, and lower cost visitor residential and recreational uses designed for short-term visitor use such as hostels, tent camps, recreational vehicle parks, and similar uses are permitted as a **conditional use**,

R-4-06-163
Exhibit 11
L.A. County Correspondence

provided that any residential use for more than short term visitor occupancy shall not exceed the intensity of use of the equivalent residential density.”
– 1986 Malibu LUP, Section 4.5 D.1.a [See Attachment A; emphasis added.]

- Zoning on the entire parcel is A-1-10 (Light Agricultural Zone, minimum 10 acres per dwelling unit).
 - Permitted uses in the A-1 Zone include light agricultural activities such as the raising, breeding and training of horses and accessory buildings and structures are allowed in this zone, provided that all buildings and structures used in conjunction with the activities are located at least 50 feet from any street or highway and from any habitable structure. This is considered approval for a private use, with the horses maintained or kept as pets for personal use. (Section 22.24.070 B, see Attachment B.)
 - Uses requiring an approved conditional use permit include riding academies and stables, with the boarding of horses. (Section 22.24.100, see Attachment B.)
- Malibu Valley Farms has never received a conditional use permit to authorize horse boarding or any other commercial activity. In fact, the Approval in Concept issued by the County for Plot Plan 48295 – the only approval requested or granted for the property – that resulted in Malibu Valley Farms’ Application No. 4-06-163 specifically conditions the facility:

“For private equestrian use, not commercial use. Not approved for boarding of horses.” (PP 48295, see Attachment C.)

2. Horse Refuge

There are several references in the Staff Report to the fire safety benefits of the Malibu Valley Farms facility. The project site is not a County-designated refuge for horses in the event of wildfire. Due to liability concerns, the County does not designate private facilities as refuges. (See Attachment D.)

3. Equestrian Waste Management Program

Regional Planning was asked about an award that the applicant claims to have received from the County of Los Angeles Department of Public Works for the Best Management Practices (BMPs) the applicant claimed to employ on the parcel’s existing equestrian facility.

Per discussion with Department of Public Works staff, the award received by Malibu Valley Farms in 2000 or 2001 was for participating in a waste reduction program to reduce the amount of waste going to landfills. While the Malibu Valley Farms waste evaluated by Public Works included horse manure, the award given to Malibu Valley Farms was strictly based on a reduction in the amount – the weight – of all waste sent to a landfill. The SmartBusiness

California Coastal Commission
July 6, 2010
Page 3

Recycling Program merely recognized waste reduction efforts and did not evaluate any BMPs related to management of horse waste. *(See Attachment E.)*

If I can be of further assistance, please call me at 213-974-6422, Monday through Thursday from 7:00 a.m. to 5:00 p.m. Our offices are closed on Fridays.

Sincerely yours,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner, Director



Gina M. Natoli, MURP, AICP
Supervising Regional Planner

GMN:gmn

- Attachments:
- A – 1986 Malibu LUP, Section 4.5 D.1.a
 - B – Part 2 of Section 22.24, Los Angeles County Zoning Ordinance (Title 22)
 - C – PP 48295 Approval in Concept cover sheet
 - D – Communication from Los Angeles County Department of Animal Care & Control concerning horse refuges in the event of wildfire
 - E – SmartBusiness Recycling Program information on Malibu Valley Farms award

LOCAL COASTAL PLAN

MALIBU



PART OF THE LOS ANGELES COUNTY LOCAL COASTAL PROGRAM

LAND USE PLAN

ATTACHMENT A

-57-

1,000 feet of shoreline.

- P263 Reduce the effects of rapid runoff on the near-shore areas through both velocity and erosion controls.
- P264 Eliminate some sources of pollution in the near shore environment by incorporation of the waste management strategies recommended by the Department of County Engineer-Facilities in Waste Treatment Management in the Malibu/Topanga Area (1978).
- P265 Propose commencement of a Fish and Game study to determine if the current gill net restriction boundary line should be extended westward to the county line.

4.4.3 AGRICULTURE

- P266 Encourage agricultural uses in non-urban areas as long as they remain economically viable.
- P267 Encourage agricultural uses with limited land requirements such as greenhouses and nurseries.
- P268 Encourage the use of reclaimed water on agricultural lands.
- P269 Community gardens should be considered as part of any proposed future urban development on prime agricultural land.
- P270 Agricultural uses should be reviewed for compatibility with resources in environmentally sensitive areas.

4.5 NEW DEVELOPMENT

D. NEW DEVELOPMENT POLICY

New development in the Malibu Coastal Zone will be guided by the LCP land use plan map and associated development standards and a program for the retirement of the development rights and mitigation of the effects of non-conforming parcels.

1. LAND USE PLAN MAP

- P271 New development in the Malibu Coastal Zone shall be guided by the Land Use Plan Map and all pertinent overlay categories. The land use plan map is inserted in the inside back pocket. All properties are designated for a specific use. These designations reflect the mandates of the California Coastal Act, all policies contained in this Local Coastal Plan, and the constraints and sensitivities of

ATTACHMENT A

-58-

resources present in the coastal zone. All existing zoning categories will be modified as necessary to conform with and carry out the LCP land use plan.

The land use plan map presents a base land use designation for all properties. Onto this are overlaid three resource protection and management categories: (a) significant environmental resource areas, (b) significant visual resource areas, and (c) significant hazardous areas. For those parcels not overlaid by a resource management category, development can normally proceed according to the base land use classification and in conformance with all policies and standards contained herein. Residential density shall be based on an average for the project; density standards and other requirements of the plan shall not apply to lot line adjustments. In those areas in which a resource management overlay applies, development of the underlying land use designation must adhere to the special policies, standards, and provisions of the pertinent designation.

a. Land Use Designation

The following describes each land use designation and its principal permitted uses:

(1) Residential

Mountain Land. Generally very rugged terrain and/or remote land characterized by very low-intensity rural development. Principal Permitted uses would include: very low-intensity residential development. Low-intensity recreational uses, the undeveloped or open space portions of rural and urban developments, and lower cost visitor residential and recreational uses designed for short-term visitor use such as hostels, tent camps, recreational vehicle parks, and similar uses are permitted as a conditional uses, provided that any residential use for more than short term visitor occupancy shall not exceed the intensity of use of the equivalent residential density. The following maximum residential density standards shall apply:

Mountain Land - one dwelling unit per 20 acres average consistent with other policies of the LCP.

Rural Land. Generally low-intensity, rural areas characterized by rolling to steep terrain usually outside established rural communities. Principal permitted land uses shall include: large lot residential uses. Low-intensity commercial recreational uses, agriculture activities, the less intensively developed or open space portions of urban and rural developments, and lower cost visitor residential and recreational uses designed for short-term visitor use such as hostels, tent camps, recreational vehicle parks, and similar uses are permitted as a conditional use, provided that any residential use for more than short term visitor occupancy shall not exceed the intensity of use of the equivalent residential density. The following maximum residential density standards shall apply:

ATTACHMENT A

-59-

Rural Land I - one dwelling unit per ten acres average, consistent with other policies of the LCP.

Rural Land II - one dwelling unit per five acres average, consistent with other policies of the LCP.

Rural Land III - one dwelling unit per two acres average, consistent with other policies of the LCP.

Residential I. Residential areas usually characterized by a grouping of housing units on gently sloping or flat terrain often within established rural communities.

Residential I - the maximum residential density standard is one dwelling unit per acre average.

Residential II. Low-density suburban residential areas.

Residential II - the maximum residential density standard is two dwelling units per acre average.

Residential III. Urban residential areas generally characterized by single-family residential homes and low-intensity planned unit developments. The following residential density standards shall apply:

Residential III(A) - 2-4 dwelling units per acre average.

Residential III(B) - 4-6 dwelling units per acre average.

Residential IV. Urban residential areas generally characterized by a mix of single-family detached and multi-family development. The range of densities encouraged the use of Residential Planned techniques which reflect the unique characteristics of each site, adjacent land uses, and environmental and infrastructure constraints. The following residential density standards shall apply:

Residential IVA - 6-8 dwelling units per acre average.

Residential IVB - 8-10 dwelling units per acre average.

Residential IVC - 10-20 dwelling units per acre average.

In Categories Residential I through IVC, the principal permitted use is residential at the indicated density.

In any single-family residential category, the maximum additional residential development

- Signs, as provided in Part 10 of Chapter 22.52.
- Solid fill projects.
- Stations—Bus, railroad, and taxi.
- Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines and similar uses for a period not to exceed one year.
- Subdivision directional signs, subject to the limitations and conditions of Part 8 of Chapter 22.56.
- Telephone repeater stations.
- Theaters, drive-in.
- Townhouses, subject to the conditions of Section 22.56.255.
- Water reservoirs, dams, treatment plants, gaging stations, pumping stations, wells, and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.
- Wineries, subject to the conditions of Section 22.56.225.
- Youth hostels.
- B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:
 - Cemeteries, as provided in Part 4 of Chapter 22.56.
 - Explosives storage, as provided in Part 5 of Chapter 22.56.
 - Mobilehomes, individual placement of a mobilehome containing one dwelling unit in lieu of a single-family residence on a lot or parcel of land, having as a condition of use the area requirement of the zone but in no case with an area of less than two and one-half acres, as provided in Part 6 of Chapter 22.56.
 - Qualified projects, as provided in Part 17 of Chapter 22.52 and Part 18 of Chapter 22.56.
 - Rehabilitation facilities for small wild animals, as provided in Part 3 of Chapter 22.56.
 - Surface mining operations, as provided in Part 9 of Chapter 22.56.
 - Temporary uses, as provided in Part 14 of Chapter 22.56.
 - Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52. (Ord. 2006-0063 § 9, 2006; Ord. 2006-0019 § 6, 2006; Ord. 2005-0055 § 3 (part), 2005; Ord. 2004-0012 § 5 (part), 2004; Ord. 2002-0043 § 4, 2002; Ord. 2000-0056 § 2, 2000; Ord. 91-0065 § 5 (part), 1991; Ord. 87-0149 § 1 (part), 1987; Ord. 87-0033 § 1 (part), 1987; Ord. 86-0170 § 3 (part), 1986; Ord. 85-0195 § 8 (part), 1985; Ord. 85-0004 § 29, 1985; Ord. 83-0007 § 2 (part), 1983; Ord. 83-0006 § 8, 1983; Ord. 82-0005 § 2 (part), 1982; Ord. 82-0003 § 9 (part), 1982; Ord. 1494 Ch. 2 Art. 2 § 233.3, 1927.)

- Mobilehomes used as a residence of the owner and his family during the construction by such owner of a permanent single-family residence, but only while a building permit for the construction of such residence is in full force and effect and in no event longer than one year in addition to that provided for in Section 22.24.090.
- Model homes, except as otherwise provided in Section 22.20.090 in those areas where such uses are specifically mentioned in the general plan.
- Museums.
- Observatories.
- Oil wells.
- Parks, playgrounds and beaches, with all appurtenant facilities customarily found in conjunction therewith.
- Plant nursery, retail, subject to the conditions of Section 22.24.060.
- Police stations.
- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare in addition to those specifically listed in this section.
- Radio and television stations and towers, but not including studios.
- The raising of horses and other equine, cattle, sheep, goats, alpacas, and llamas, including the breeding and training of such animals, not subject to the limitations of Section 22.24.070, on a lot or parcel of land having, as a condition of use, an area of not less than five acres.
- Recreation clubs, private, including tennis, polo and swimming; where specifically designated a part of an approved conditional use permit, such use may include a pro shop, restaurant and bar as appurtenant uses.
- Recreational trailer parks, as provided in Part 6 of Chapter 22.52.
- Residential caretaker's, a conditional use permit may be granted for a caretaker's residence, even though the number of existing residences on the lot or parcel of land is the maximum number permitted by Part 2 of Chapter 22.52.
- Residents, senior citizen, subject to the conditions listed in Section 22.56.235.
- Riding academies and stables, with the boarding of horses, on a lot or parcel of land having, as a condition of use, an area of not less than five acres.
- Rifle, pistol or skeet ranges on a lot or parcel of land having, as a condition of use, an area of not less than five acres.
- Road construction and maintenance yards.
- Schools through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the state of California in which no pupil is physically restrained but excluding trade or commercial schools.
- Second units located within any area described in subsection B of Section 22.52.1730, subject to the provisions of Part 16 of Chapter 22.52.
- Sewage treatment plants.

ATTACHMENT B

22.24.110

22.24.110 Development standards. A. Front, side and rear yards shall be provided as required in Zone R-1.

B. Single-family residential uses shall be subject to all development standards applying to Zone R-1, except as otherwise specified in this Title 22.

C. Premises in Zone A-1 shall provide the required area as specified in Part 2 of Chapter 22.52. (Ord. 83-0006 § 9, 1983; Ord. 1494 Ch. 2 Art. 2 § 233.6, 1927.)

Part 3

A-2 HEAVY AGRICULTURAL ZONE

Sections:

- 22.24.120 Permitted uses.
- 22.24.130 Accessory uses.
- 22.24.140 Uses subject to director's review and approval.
- 22.24.150 Uses subject to permits.
- 22.24.160 Wild animals prohibited—Exceptions.
- 22.24.170 Development standards.
- 22.24.180 Oil wells—Assignment of savings and loan certificates and shares.
- 22.24.190 Oil wells—Insurance, agreement.

ATTACHMENT B

22-92a

Supp. # 70, 11-06

- Correctional institutions, including jails, farms and camps.
- Density-controlled developments, subject to the conditions of Section 22.56.205.
- Disability rehabilitation and training centers, on a lot or parcel of land having an area of not less than one acre where sheltered employment or industrial-type training is conducted.
- Earth stations.
- Electric distribution substations and electric transmission substations, including microwave facilities used in conjunction with either.
- Fire stations.
- Gas metering and control stations, public utility, including facilities associated with underground natural gas storage.
- Golf courses, including the customary clubhouse and appurtenant facilities.
- Golf driving ranges.
- Grading projects, off-site transport, where more than 100,000 cubic yards of material is to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230.
- Grading projects, on-site, but excluding projects where the hearing officer or the board of supervisors have previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project.
- Grange halls.
- Group homes, children, having seven or more children.
- Guest ranches.
- Health retreats, subject to the conditions of Section 22.24.060.
- Heavy equipment training schools on a lot or parcel of land having, as a condition of use, an area of not less than 100 acres.
- Heliports.
- Helistops.
- Historic vehicle collection, not in full compliance with Section 22.56.1761.
- Hospitals.
- Juvenile halls.
- Land reclamation projects.
- Landing strips.
- Libraries.
- Living quarters for persons employed and deriving a major portion of their income on the premises, if occupied by such persons and their immediate families.
- Microwave stations.
- Mobilehome parks, subject to the conditions of Part 6 of Chapter 22.52.
- Mobilehomes for use by a caretaker and his immediate family, in accordance with Part 6 of Chapter 22.52.

- Historic vehicle collection, subject to the standards and conditions contained in Section 22.56.1761.
- Mobilehomes used as a residence during construction.
- Model homes.
- Parking lots, as a transitional use.
- Real estate tract offices, temporary.
- Residential care facilities.
- Riding and hiking trails excluding trails for motor vehicles.
- Shared water wells, subject to the provisions of Section 22.56.1764.
- B. The following additional uses:
 - Christmas trees and wreaths, the sale of, between December 1st and December 25th both dates inclusive, to the extent permitted by other statutory and ordinance provisions. Any structures, facilities and materials used for the sale of trees and wreaths shall be removed from the premises by December 31st of the same calendar year, and the property restored to a neat condition.
 - Meteorological towers, temporary, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.
 - Signs, as provided in Part 10 of Chapter 22.52.
- (Ord. 2005-0055 § 2 (part), 2005; Ord. 2004-0030 § 7 (part), 2004; Ord. 2002-0043 § 3, 2002; Ord. 91-0065 § 4 (part), 1991; Ord. 88-0005 § 2 (part), 1988; Ord. 85-0004 § 27, 1985; Ord. 1494 Civ. & Art. 2 § 233.2, 1927)
- 22.24.100 Uses subject to permits. Property in Zone A-1 may be used for:
 - A. The following uses, provided a conditional use permit has first been obtained as provided in Part 7 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:
 - Adult day care facilities.
 - Adult residential facilities, having seven or more persons.
 - Airports.
 - Arboreta and horticultural gardens.
 - Camps, youth.
 - Campgrounds, picnic areas, trails with overnight camping facilities, including fishermen's and hunters' camps, but not including structures for permanent human occupancy.
 - Child care centers.
 - Churches, temples or other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith.
 - Colleges and universities, including appurtenant facilities, giving advanced academic instruction approved by the State Board of Education or other recognized accrediting agency, but excluding trade or commercial schools.
 - Communication equipment buildings.
 - Convents and monasteries.

ATTACHMENT B

Part 2

A-1 LIGHT AGRICULTURAL ZONE

Sections:

- 22.24.070 Permitted uses.
- 22.24.080 Accessory uses.
- 22.24.090 Uses subject to director's review and approval.
- 22.24.100 Uses subject to permits.
- 22.24.110 Development standards.

22.24.070 Permitted uses. Premises in Zone A-1 may be used for:

- A. The following uses:
 - Adult residential facilities, limited to six or fewer persons.
 - Crops — field, tree, bush, berry and row, including nursery stock.
 - Family child care homes, large, subject to the procedures and standards provided in subsection A of Section 22.20.021.
 - Family child care homes, small.
 - Foster family homes.
 - Group homes, children, limited to six or fewer children.
 - Residences, single-family, subject to the standards provided in Section 22.20.105.
 - Second family homes, subject to the provisions of Part 16 of Chapter 22.52.
 - Small family homes, children.

B. The following light agricultural uses, provided that all buildings or structures used in conjunction therewith shall be located not less than 50 feet from any street or highway or any building used for human habitation:

1. The raising of horses and other equine, cattle, sheep, goats, alpacas, and llamas, including the breeding and training of such animals, on a lot or parcel of land having an area of not less than one acre and provided that not more than eight such animals per acre of the total ground area be kept for maintenance in conjunction with such use.

2. The grazing of cattle, horses, sheep, goats, alpacas, or llamas on a lot or parcel of land, with an area of not less than five acres, including the supplemental feeding of such animals, provided:

a. If that such grazing is not a part of a non-conducted air conjunction with any dairy, livestock feed yard, livestock sales yard or commercial riding academy located on the same premises,

b. That no buildings, structures, pens or corrals designed or intended to be used for the housing or concentrated feeding of such stock be used on the premises for such grazing other than racks (for supplementary feeding, troughs for watering, or incidental fencing).

3. Greenhouses on a lot or parcel of land having, as a condition of use, an area of not less than one acre.

4. Raising of poultry, fowl, birds, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms, and other similar animals of comparable nature, form and size, including hatcheries, marketing, sales, slaughtering, dressing, processing and packaging and including eggs, honey or similar products derived therefrom, on a lot or parcel of land having, as a condition of use, an area of not less than one acre.

ATTACHMENT B

C. Hogs or pigs, provided:

- 1. That said animals are, as a condition of use, located not less than 150 feet from any highway and not less than 50 feet from the side or rear lines of any lot or parcel of land. This condition shall not apply to pygmy pigs;
 - 2. That said animals shall not be fed any market refuse or similar imported ingredient or anything other than table refuse from meals consumed on the same lot or parcel of land, or grain;
 - 3. That not to exceed two weaned hogs or pigs are kept.
- (Ord. 2006-0019 § 5, 2006; Ord. 2004-0030 § 6 (part), 2004; Ord. 2004-0012 § 3 (part), 2004; Ord. 92-0121 § 3, 1992; Ord. 89-0004 § 27, 1985; Ord. 82-0130 § 4 (part), 1982; Ord. 1494 Ch. 2 Art. 2 § 233, 1927.)

22.24.080 Accessory uses. Property in Zone A-1 may be used for:

- A. The following accessory uses, subject to the same limitations and conditions provided in Section 22.20.080 (Zone R-1):
 - Accessory buildings and structures.
 - Animals, domestic and wild, maintained or kept as pets or for personal use as provided in Part 3 of Chapter 22.52.
 - Building materials, storage of.
 - Detached living quarters for guests and servants.
 - Home-based occupations, subject to the limitations, standards and conditions contained in Section 22.20.020.
 - Living quarters for servants, attached to such residence.
 - Room rentals.
- B. Stands for the display and sale of any products, the production of which is permitted in Zone A-1 by Section 22.24.070, and which have lawfully been produced on such lot or parcel of land, provided:
 - 1. That said stand shall be exclusively of wood-frame construction (except the floor).
 - 2. That said stand shall have a floor area of not more than 300 square feet;
 - 3. That said stand shall be located not nearer than 20 feet from any street or highway upon which such lot or parcel, front, or adjacent residences;
 - 4. That said stand will be on a parcel of land not less than one acre in area.

C. Signs, as provided in Part 10 of Chapter 22.52. (Ord. 99-0101 § 6 (part), 1999; Ord. 1494 Ch. 2 Art. 2 § 233 i, 1927.)

22.24.090 Uses subject to director's review and approval. If site plans therefor are first submitted to and approved by the director, premises in Zone A-1 may be used for:

- A. The following uses, subject to the same limitations and conditions provided in Section 22.20.090 (Zone R-1):
 - Access to property lawfully used for a purpose not permitted in Zone A-1.
 - Domestic violence shelters, subject to the standards and limitations specified in Section 22.56.1758.
 - Family child care homes, large, where the standards of subsection A of Section 22.20.021 have not been met.
 - Grading projects; off-site transport.

- B. One on-site advertising sign, having a maximum area of four square feet, may be placed facing each street abutting the residence.
- C. A maximum of two personal property sales, each not exceeding three consecutive days, may be conducted at any site in any 12-month period.
- D. Personal property sales shall not be conducted between the hours of 6:00 p.m. of one day and 7:00 a.m. of the following day.
- E. This section shall not modify the provisions for accessory uses in Section 22.24.080, regarding on-site display, advertising and sale of any products lawfully produced on the same lot or parcel of land. (Ord. 96-0005 § 1, 1996.)

- A. A person shall not keep or maintain more than three dogs over the age of four months per dwelling unit in any agricultural zone, whether kept or maintained for the personal use of such person or otherwise.
- B. A service dog, as defined in Section 10-20-090 of this Code, shall not be counted toward the number of dogs authorized to be kept or maintained pursuant to subsection A of this Section. (Ord. 2004-0048 § 2 2004; Ord. 1494 Ch. 2 Art. 2 § 232.5, 1927)

22.24.060 Conditional use permits.—Additional conditions imposed when Every conditional use permit for any use listed in this section shall be subject to additional conditions as listed herein. The hearing officer, in granting the conditional use permit, may not change or modify any of the following, which are conditions of use:

- A. Health Retreats.
 1. Such retreat shall be located on a lot or parcel of land having an area of not less than two acres.
 2. Not more than 10 persons, including staff, patrons and guests, shall be in residence at such retreat at any one time; and
 3. All activities shall be conducted as a part of a live-in healthcare program only, the providing of services for persons maintaining residence for less than 24 hours shall be prohibited; and
 4. All exercise, gymnasium, therapy and similar equipment, and areas used for sunbathing, shall be located within a building or shall be effectively screened so as not to be visible to surrounding property. Such screening shall consist of walls, screening fences or suitable landscaping; and
 5. All patrons shall be transported to and from the premises unless otherwise expressly authorized by the hearing officer; and
 6. Where visible to surrounding property, all structures housing such retreat shall be compatible with the dwellings and structures in the vicinity thereof; and
 7. No signs shall be permitted in conjunction with such use.

- B. Plant Nursery, Retail.
 1. Such plant nursery shall be located on a lot or parcel of land having an area of not less than five acres.
 2. Products offered for sale shall be limited to nursery stock and related materials incident to the planting, care and maintenance of plants, including fertilizer, pesticides, seeds and planting containers, but shall exclude general building materials, hardware or the sale and rental of tools other than for soil preparation and general landscaping.
 3. All storage, display and sale of products other than nursery stock shall be conducted within a completely enclosed building or within an area enclosed by a solid wall or solid fence and gate not less than five feet nor more than six feet in height.
 4. No storage shall be higher than the enclosure surrounding it. (Ord. 85-0195 § 9 (part), 1985; Ord. 1494 Ch. 2 Art. 2 § 246, 1927.)

22.24.065 Sale of personal property. The following supplementary standards shall apply to any person selling personal property at a yard sale, garage sale or similar event at a residence.

- A. Items offered for sale shall be limited to personal property not acquired for resale, and either owned by the resident of the dwelling where the sale is to be conducted, or owned by another person participating in the sale with the resident.

22.24.035 Keeping or parking of vehicles — Prohibited when. A. A person shall not keep, store, park, maintain or otherwise permit any vehicle or any component thereof in the front yard, corner side yard and any additional area of a lot or parcel of land situated between the road and any building or structure located thereon, except that the parking of passenger vehicles including pickup trucks, other than a motor-home or travel trailer, is permitted on a driveway.

B. A person shall not keep, store, park, maintain or otherwise permit an inoperative vehicle as defined in Section 22.08.220 in any agricultural zone. Inoperative vehicles shall be removed within 30 days from the effective date of the ordinance codified in this section.

C. Notwithstanding the above, a person may keep and maintain a historic vehicle collection, provided the director finds it to be in full compliance with Section 22.56.1761. (Ord. 2002-0095 § 4, 2002; Ord. 91-0065 § 6, 1991.)

22.24.040 Wild animals prohibited — Exceptions. A person shall not keep or maintain any wild animal in any agricultural zone, whether such wild animal is kept or maintained for the personal use of the occupant or otherwise, except that for each dwelling unit the occupant may keep for his personal use:

- A. The following wild animals:
 - Tropical fish excluding caribe.
 - White mice and rats.
 - B. The following wild animals, but in no event more than three such animals in any combination on a lot or parcel of land having an area of less than 10,000 square feet per dwelling unit:
 - Canaries.
 - Chinchillas.
 - Chipmunks.
 - Finches.
 - Gopher snakes.
 - Guinea pigs.
 - Hamsters.
 - Hawks.
 - King snakes.
 - Marmoset monkeys.
 - Mynah birds.
 - Parrots, parakeets, amazons, cockatoos, lorries, lorikeets, love birds, macaws, and similar birds of the psittacine family.
 - Pigeons.
 - Ravens.
 - Squirrel monkeys.
 - Steppe legal eagles.
 - Toucans.
 - Turtles.
 - White doves.
- (Ord. 2006-0019 § 4, 2006; Ord. 1494 Ch. 2 Art. 2 § 232.3, 1927.)

22.24.050 Dogs. Dogs may be kept or maintained in agricultural zones as follows:

Chapter 22.24

AGRICULTURAL ZONES

- 1. General Regulations
- 2. A-1 Light Agricultural Zone
- 3. A-2 Heavy Agricultural Zone
- 4. A-3 H Zone — Heavy Agriculture, Including Dog Ranches

Part 1

GENERAL REGULATIONS

Sections 22.24.010 through 22.24.065 are hereby amended to read as follows:

22.24.010 Establishment — Purpose. The agricultural zones are established to permit a comprehensive range of agricultural use in areas particularly suited for agricultural activities. Permitted uses are intended to encourage agricultural pursuits and such other uses required for, or desired by, the inhabitants of the community. An area so zoned may provide the land necessary to permit low-density single-family residential development, and outdoor recreational and needed public and institutional facilities. (Ord. 1494 Ch. 2 Art. 2 § 230, 1927.)

22.24.020 Agricultural zones designated

22.24.025 Use restrictions.

22.24.030 Home-based occupations — Regulations.

22.24.035 Keeping or parking of vehicles — Prohibited when.

22.24.040 Wild animals prohibited — Exceptions.

22.24.050 Dogs.

22.24.060 Conditional use permits — Additional conditions imposed when.

22.24.065 Sale of personal property.

22.24.010 Establishment — Purpose. The agricultural zones are established to permit a comprehensive range of agricultural use in areas particularly suited for agricultural activities. Permitted uses are intended to encourage agricultural pursuits and such other uses required for, or desired by, the inhabitants of the community. An area so zoned may provide the land necessary to permit low-density single-family residential development, and outdoor recreational and needed public and institutional facilities. (Ord. 1494 Ch. 2 Art. 2 § 230, 1927.)

22.24.020 Agricultural zones designated. As used in this title 22, "Agricultural zones" means Zone A-1, Zone A-2 of Zone A-2-H, (Ord. 1494 Ch. 2 Art. 2 § 231, 1927.)

22.24.025 Use restrictions. A person shall not use any premises in any agricultural zone except as hereinafter specifically permitted in this title 22, and subject to all regulations and conditions enumerated in this title. (Ord. 99-0107 § 4, 1999; Ord. 1494 Ch. 2 Art. 2 § 232, 1927.)

22.24.030 Home-based occupations — Regulations. Home-based occupations may be established in order that a resident may carry on a business activity which is clearly incidental and subordinate to dwelling units in an agricultural zone. The establishment of a home-based occupation shall be compatible with the surrounding neighborhood and uses, and shall not adversely change the character of the dwelling unit or detract from the character of the surrounding neighborhood. Every home-based occupation shall be subject to the limitations and standards contained in Section 22.20.020.

DRP FILE COPY

ATTACHMENT C

DEPARTMENT OF REGIONAL PLANNING

CASE NUMBER: 48295

APPROVAL IN CONCEPT

SIG. AMC
DATE 2-3-04

This plot plan is APPROVED subject to the requirements of Los Angeles County Code and to the conditions noted herein. It is applicable only as specifically noted and must be used prior to any change in ordinance requirements or within two years. Such approval shall not be construed to permit the violation of any provision of any County Ordinance or State law.

PLAN CHECK NO. 48295
Per sec. 3000 et seq of the Public Resources Code and Title 14 of the Administrative Code, State of California

Signature: Richard [Signature]

Date: 2, 3, 04

THIS IS NOT A PERMIT and

is subject to any conditions listed below

DIAMOND WEST

ENGINEERING • LAND PLAI

4764 PARK GRV
CALABASAS, CA

Phone : (818) 222-3456

DATE:

SUPERVISED: I.S.A.
PROJ. ENGINEER: I.S.A.
DATE: 2-9-99
DRAWING SCALE: 1"=100'
DWEI JOB NUMBER: 6000-034

SHEET NO.

2

P48295 (Approval in Concept)

- Plot plan 48295 is approved for modifications to an existing equestrian facility as shown.
- The Department of Public Works shall address the hydrological issues on the site and correct the problems contributing to erosion and undercutting of structures.
- Exterior night lighting shall be directed downward, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.
- For private equestrian use, not commercial use. Not approved for boarding of horses.

RECEIVED

MAY 31 2002

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

ATTACHMENT D

Natoli, Gina

From: Mary Lukins [mailto:MLukins@animalcare.lacounty.gov]
Sent: Tuesday, March 23, 2010 11:25 AM
To: Natoli, Gina
Subject: RE: Equestrian Evac Centers

Hi Gina,

Please feel free to print and distribute the flyers – our goal is to get them out to the horse owners in any way we can!

We encourage facilities such as Malibu Valley Farms and White Cloud Ranch, as well as horse owners with smaller properties, to open their properties to horses during emergency evacuations – and I know that many of them do. But Because of liability concerns our Department does not utilize privately owned facilities as Sheltering Sites.

--Mary

From: Natoli, Gina [mailto:gnatoli@planning.lacounty.gov]
Sent: Tuesday, March 23, 2010 11:16 AM
To: Mary Lukins; Scott, Cynthia
Subject: RE: Equestrian Evac Centers

Mary,

Good morning. Thank you for sending this information. If you don't mind, I'd like to take copies of the brochure/flyer with me to community events that we occasionally hold in the Santa Monica Mountains.

It makes sense that a Sheltering Site would be determined partly by the characteristics of the fire, but I'm also betting you prefer to have sites completely outside of the Santa Monica Mountains – just in case. Do you ever recall designating any place within the Mountains, such as Malibu Valley Farms or White Cloud Ranch, as a Sheltering Site?

Thanks,
Gina

From: Mary Lukins [mailto:MLukins@animalcare.lacounty.gov]
Sent: Tuesday, March 23, 2010 11:06 AM
To: Scott, Cynthia; Natoli, Gina
Subject: RE: Equestrian Evac Centers

Hi Gina,

ATTACHMENT D

As Cynthia mentioned, the Sheltering Site is determined by the location and path of the fire, so residents should listen to news reports that are broadcast during the event to find out which Sheltering Sites are open.

I would also like to stress that there are very few facilities available to be used as Large Animal Sheltering Sites and even the largest cannot possibly hold every horse that could be evacuated during even a medium sized emergency event. It is every horse owners responsibility to plan ahead for emergency sheltering for their horses and livestock that does NOT rely on Emergency Sheltering Sites – to assist with this I have attached an informational flyer we distribute to our horse owning residents called “Are You and Your Horses Prepared for an Emergency Event?”

Mary Lukins

Emergency Coordinating Officer
L.A. Co. Animal Care and Control
29525 Agoura Rd.
Agoura CA 93012
Office: (818) 706 5883
Fax: (818) 597 9818

From: Scott, Cynthia [mailto:CScott@bos.lacounty.gov]
Sent: Thursday, March 18, 2010 3:58 PM
To: Gina Natoli
Cc: Mary Lukins
Subject: RE: Equestrian Evac Centers

Depends on the direction of the fire. In my 4 years here, I have seen them mostly at Pierce but sent all over the County like Antelope Valley Fairgrounds and Hanson Dam. I defer to Mary, she is the expert!

Cynthia Scott
Field Deputy
Supervisor Zev Yaroslavsky
26600 Agoura Road, Suite 100
Calabasas, CA 91302
ph/ 818-880-9416 fx/ 818-880-9346

From: Natoli, Gina [mailto:gnatoli@planning.lacounty.gov]
Sent: Thursday, March 18, 2010 3:51 PM
To: Scott, Cynthia; Mary Lukins; Michelle Roache
Subject: RE: Equestrian Evac Centers

Thank you, Cynthia. Mary, it would also be helpful if you have any documents that show where during past emergencies we've directed people to evacuate their horses.

Thank you!

ATTACHMENT D

Gina M. Natoli, MURP, AICP
Supervising Regional Planner
Los Angeles County Dept. of Regional Planning
213/974-6422

From: Scott, Cynthia [mailto:CScott@bos.lacounty.gov]
Sent: Thursday, March 18, 2010 3:46 PM
To: 'Mary Lukins'; Michelle Roache
Cc: Natoli, Gina
Subject: Equestrian Evac Centers

Gina Natoli from County Dept of Regional Planning is inquiring about the horse sheltering status in our area. Larry Kraus, Pierce College's Assoc VP of Development and Enterprise directs this effort regarding their role as a W. Valley Emergency (Horse and Large Animal) Evacuation Center. Our group last met at Pierce in Nov and based on Larry's email in Feb we will be reconvening this month. I am attaching the LA City Animal SOP Draft, but am not sure that this has been approved at this date. Mary/Michelle, can you pls provide Gina w/ our County plan?
Thx,

Cynthia Scott
Field Deputy
Supervisor Zev Yaroslavsky
26600 Agoura Road, Suite 100
Calabasas, CA 91302
ph/ 818-880-9416 fx/ 818-880-9346

ATTACHMENT E

Natoli, Gina

From: Khachatryan, Levon [lkhachatryan@dpw.lacounty.gov]
Sent: Thursday, March 11, 2010 4:41 PM
To: Natoli, Gina
Cc: Nguyen, Dave; Fong, Wilson; Thompson, Emiko
Subject: Boudreau Trust of 1990
Attachments: lkhachatryan - 03-11-10 - LSNXKKC.pdf

RE: "Boudreau Trust of 1990" (ID# 960492015).

Hi Gina,

The SmartBusiness Recycling Program award is just a gesture of appreciation from Los Angeles County, Department of Public Works, to commend good waste reduction efforts. The award does not relieve the business from any regulatory or legal obligations with any agency.

Attached is the report from the database regarding this business. On the last page you can see the materials they generated (mostly horse manure) and the notes from the business recycling consultant. The award is not mentioned in that report, but they were awarded for waste diversion (mostly for recycling manure).

According to our BRC at that time "the business represented themselves as an equestrian center when the County gave them an award (probably in year 2000 or 2001). In 2004 our current contract BRC's looked at the business and saw it more as a private residence with horse stables, so we removed business from our active list of program participants."

Hope this helps,

Levon Khachatryan
Department of Public Works
Environmental Programs Division
(626) 458-2535
lkhachatryan@dpw.lacounty.gov

ATTACHMENT E

| | | | | | | | |
|-------------------|----------------------------|----------|------------|------------------|----------------------|--------------|--------------|
| Company Name: | Boudreau Trust of 1990 | | | Given Gender: | | ID Number: | 960492015 |
| Given Contact: | | | | Actual Gender: | | Assigned to: | Phil Perkins |
| Actual Contact: | BRIAN | BOUDREAU | | Phone(s): | 818-878-9641 | | |
| Title/Position: | CEO | | | Mailing Address: | 26885 MULHOLLAND HWY | | |
| Location Address: | 26885 Mulholland Hwy | | | City/ST/Zip: | GALABASAS | CA | 91302 1947 |
| City/ST/Zip: | Calabasas | CA | 91302 1947 | | | | |
| E-Mail: | BBOUDREAU@MALIBUVALLEY.COM | | | FAX: | | | |

Yellow Fields Are Required

REASON AUDIT NOT COMPLETED (IF APPLIES):

Reason: Private residence-Explain in Notes

ACTIVITIES AND RESULTS:

Filtered

| Date | Activity | Result |
|-----------------------------|----------------------|----------------------|
| Thursday, March 16, 2000 | Initial contact call | No answer |
| Friday, March 17, 2000 | Initial contact call | Left message |
| Friday, March 24, 2000 | Initial contact call | Agreed to site visit |
| Monday, April 10, 2000 | Site visit | Completed |
| Thursday, November 29, 2001 | Follow-up | Completed |

Print reports for this site

| | | | |
|---------------------------------|------------------------|--------------------------------|-----------------|
| Pre-Visit | Post-Visit Form | Thank You Letter | Envelope |
| All Blank Pre-Visit Form | | Site Potential Programs | |

LOCATION INFORMATION:

ATTACHMENT E

| | | | | | | | |
|---------------|---|------------------------|----------|----------------------------------|-----|-------------------|---|
| Ownership | Own | SIC | 871110 | Given Employee # | 5 | Actual Employee # | 1 |
| Location type | Free standing | NAICS | 54133014 | Given Emp. Range | B | Actual Emp. Range | A |
| Service Type | | Mon | | Size (sq ft) | 0 | Size Range | B |
| Track Results | | Tenants | | Given Sales | 790 | Actual Sales | B |
| Energy Source | <input type="checkbox"/> Gas <input type="radio"/> Hot <input type="radio"/> Medium <input checked="" type="radio"/> Cold | Visit (C) or Phone (P) | | Big (B) / Medium (M) / Small (S) | S | | |

SIC CODE BREAKDOWN:

| | | |
|------------------|------|---|
| Division | 1 | Services |
| Subpopulation | 37 | Services - Other Professional |
| SIC3 (Total) | 87 | Engineering, accounting, research, management, and related services |
| SIC4 Description | 8711 | Engineering services |

DISPOSAL INFORMATION:

Authorized party: **BRIAN BOUDREAU**
Role: **CEO**
Who pays for collection: **Business**
Collection included in unit?

ATTACHMENT E

Auth phone: **818-578-9641**
Space for additional bins?
Bin space secured?
Traction equipment in use?

HAULER INFORMATION:

Name: **Hillside Rubbish Co**
Address: **29431 Agoura Rd**
City/Zip: **Agoura, CA 91301**

Service type: **Standard**
Phone: **818-707-8800**
Contact:

REFUSE AND RECYCLING BIN BREAKDOWN:

ATTACHMENT E

| Activity | Location | Bin type | Size | Pickups | Full % | Usage% | Total wkly cy | Actual wkly cy | Annual Tons |
|--------------------------------------|------------------|----------|------|---------|------------|-------------|---------------|----------------|--------------|
| Site visit | Rear of building | Standard | 40 | 1 | 27% | 100% | 40.00 | 10.80 | 32.38 |
| Average or Total for All Bins | | | | | 27% | 100% | 40.00 | 10.80 | 32.38 |

| MATERIAL GENERATION BREAKDOWN: | | | | | | PERIOD UNITS: | | ANNUAL TONS |
|--------------------------------|-----------------|----------|----------------------------|--|--------------------|---------------|-----------|---------------|
| Activity type for visit | Current / Pot | ItemCode | Material/major | Detailed item and Measurement Method | Start Year (First) | Current | Potential | Current |
| Receipt/Restrict/Prev 90 Ton | Program | Material | Material | Measurement Method | Start Year (First) | Current | Potential | Current |
| Site visit | Current | 394 | Organic | * Horse Manure loose 1 cubic yard=1252 | W Mo Yr | 5.90 | | 192.58 |
| Unspecified | Disposal | | Manures | | | 0.00 | | 0.00 |
| Site visit | Current | 472 | Organic | * Soiled Disposable Diapers loose 1 cubic yard=540 | W Mo Yr | 4.57 | | 64.34 |
| Unspecified | Disposal | | Remainder/composite organi | | | 0.00 | | 0.00 |
| Site visit | Current | 685 | Paper | * Newspaper w/o Inserts loose 1 cubic yard=322.77 | W Mo Yr | 0.32 | | 2.69 |
| Unspecified | Disposal | | Remainder/composite paper | | | 0.00 | | 0.00 |
| Site visit | Current | 394 | Organic | * Horse Manure loose 1 cubic yard=1252 | W Mo Yr | 9.84 | | 321.19 |
| Unspecified | Recycling | | Manures | | | 0.00 | | 0.00 |
| Site visit | Current | 706 | Plastic | * Other Plastic (SPI Codes #3-7) Whole 1 cubic | W Mo Yr | 0.01 | | 0.01 |
| Unspecified | Recycling | | Durable plastic items | | | 0.00 | | 0.00 |
| Site visit | Current | 579 | Paper | * High Grade Ledger w/o CPO loose 1 cubic | W Mo Yr | 0.01 | | 0.09 |
| Unspecified | Source reductio | | Office white ledger | | | 0.00 | | 0.00 |
| Current Totals: | | | | | | | | 580.92 |
| Potential Totals: | | | | | | | | 0.00 |

Notes

THE TRUST OVERSEES SEVERAL BUSINESS BUT THIS ADDRESS IS FOR THEIR THOROUGHbred HORSE FARM. WASTE GENERATED IS PRIMARILY MANURE AND LANDSCAPE (TUMBLE WEEDS, BRUSH) ETC. THEY SELF HAUL IN A 32.59 CYD TRAILER. GH - Follow-up phone call made in August 2000 to determine validity of counting manure for diversion purposes (as per CIWMB restrictions). In 1990, approx 3.44 cy week were diverted, compared to 13.28 cy week in 2000. Therefore, the difference of 9.84 cy week will be used instead of 13.28 initially input. 5/26/04 Private House - Sign starting private.

SUMMARY INFORMATION:

WEEKLY LBS: ANNUAL TONS:

DISPOSAL:

| | | |
|-------------------|---------|--------|
| Actual Bin Full: | 1242.00 | 32.38 |
| (From Materials): | 9957.89 | 259.62 |

DIVERSION:

| | | |
|------------|----------|--------|
| Current: | 12323.81 | 321.30 |
| New: | 0.00 | 0.00 |
| Potential: | 0.00 | 0.00 |



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Jon Sanabria
Acting Director of Planning

RECEIVED
APR 16 2009

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

April 7, 2009

California Coastal Commission
ATTN: John Ainsworth
89 South California Street Suite 200
Ventura CA 93001

**SUBJECT: PLOT PLAN NUMBER 48295, AIN 4455-028-044, MALIBU VALLEY FARMS, AND
PROJECT REVIEW CONDUCTED BY THE ENVIRONMENTAL REVIEW BOARD**

Dear Mr. Ainsworth,

Per your request, we are providing the following information on entitlements for the above-referenced parcel as related to the project review conducted by the County's Environmental Review Board (ERB) for this parcel in January 2003. Only a portion of the parcel lies within the California coastal zone; and this information does not include a discussion of development or entitlements on the portion of the parcel lying outside the coastal zone.

Land Use and Zoning

The parcel contains several land use categories as designated under the certified 1986 Malibu Land Use Plan (LUP):

- 3 – Rural Land I (one dwelling unit per ten acres)
- 4 – Rural Land II (one dwelling unit per five acres)
- 5 – Rural Land III (one dwelling unit per two acres)

The project area lies wholly within the 5 – Rural Land III land use category. The LUP describes development consistent with this land used designation and the principal permitted uses as:

“Generally low-intensity, rural areas characterized by rolling to steep terrain usually outside established rural communities. Principal permitted land uses shall include large lot residential uses. Low-intensity commercial recreational uses, agriculture activities, the less intensively developed or open space portions of urban and rural developments, and lower cost visitor residential and recreational uses designed for short-term visitor use such as hostels, tent camps, recreational vehicle parks, and similar uses are permitted as a conditional use, provided that any residential use for more than short term visitor occupancy shall not exceed the intensity of use of the equivalent residential density.”

320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • Fax: 213-626-0434 • TDD: 213-617-2292

Zoning on the entire parcel is A-1-10 (Light Agricultural Zone, minimum 10 acres per dwelling unit). Light agricultural activities such as the raising, breeding and training of horses and accessory buildings and structures are allowed in this zone, provided that all buildings and structures used in conjunction with the activities are located at least 50 feet from any street or highway and from any habitable structure.

Background

Applicant Malibu Valley Farms filed a Request for Plot Plan Review in 2002 (see attached) for the following project:

“Retention of a portable equipment shop, grain room, portable rollaway bin/container, arena with 5-foot high surrounding wooden wall and post 5-foot o.c. with possible future cover, 200 sq. ft. portable tack room with 4-foot porch, three (3) roofed corals, 576 sq.ft pipe corral, covered shelter, riding arena with possible future cover, parking stalls, back to back mare motel, cross tie area, one-story barn, 160 sq. ft. storage container, 3-foot rail road tie walls, and fencing as depicted in site plan sheet 3 of 3; and Removal of storage shelter, portable storage trailer, cross tie area, twenty-eight (28) 24x24-foot portable pipe corrals, tack room with no porch, cross tie shelter, 101 sq.ft. portable tack room with 4-foot porch and four (4) 20x20-foot portable pipe corrals as depicted in site plan sheet 2 of 2.”

The project is located within 200 feet of Stokes Creek, which is designated as an environmentally sensitive habitat area (ESHA) in the LUP. Because of its proximity to ESHA, this project required review by the ERB.

ERB Review

On January 27, 2003, ERB reviewed Plot Plan 48295. Per the ERB meeting minutes (see attached), the project presented to the ERB was:

“Retain facilities on an existing equestrian operation: relocate portable tack shelter; remove storage shelter, portable storage trailer, cross tie area, twenty-eight 24' X 24" portable pipe corrals, tack room, cross tie shelter, 101 sq. ft. portable tack room with 4' porch, and four 20' X 20' portable pipe corrals”

Applicant and applicant's representatives discussed the project. ERB members then asked questions which the applicant or applicant's representatives answered. Regional Planning staff determined that the ERB had evaluated the proposed project as consistent with the LUP, after modifications. Regional Planning staff determined that ERB had made the following recommendations:

- "The Department of Public Works shall address the hydrological issues on the site and correct the problems contributing to erosion and undercutting of structures.
- Exterior night lighting shall be directed downward, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector."

Regional Planning staff made a recommendation that the project is consistent with the LUP, and made a Suggested Modification that the applicant:

"Provide a copy of the waste management program currently in use at the facility for distribution to other ERB applicants with equestrian facilities."

We can find no evidence that the waste management program was ever provided to Regional Planning.

Plot Plan 48295

Plot Plan 48295 received an Approval in Concept from the Department of Regional Planning on February 3, 2004, subject to the following conditions:

- "Plot plan 48295 is approved for modifications to an existing equestrian facility as shown.
- The Department of Public Works shall address the hydrological issues on the site and correct the problems contributing to erosion and undercutting of structures.
- Exterior night lighting shall be directed downward, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.
- For private equestrian use, not commercial use. Not approved for boarding of horses."

Plot Plan approvals are valid for two years, with the option of a one-year extension. Regional Planning has no reason to believe that the Plot Plan has expired unused.

County Awards

Regional Planning was asked about an award that the applicant claims to have received from the County of Los Angeles Department of Public Works for the Best Management Practices it employs on the parcel's existing equestrian facility.

California Coastal Commission
April 7, 2009
Page 4

Per discussion with Department of Public Works staff, the award received by Malibu Valley Farms in 2001 or 2002 was for participating in a waste reduction program to reduce the amount of office waste going to landfills.

Thank you very much for your inquiry concerning Plot Plan 48295. If I can be of further assistance, please call me at 213/974-6422, Monday through Thursday from 7:00 a.m. to 5:00 p.m. Our offices are closed on Fridays.

Sincerely yours,

DEPARTMENT OF REGIONAL PLANNING
Jon Sanabria, Acting Director



Gina M. Natoli, AICP
Supervising Regional Planner

GMN:gmn

Enclosures



August 6, 2002

Los Angeles Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Attention: Rudy Silvas

RE: PLOT PLAN REVIEW PERMIT APPLICATION FOR THE Retention of a portable equipment shop, grain room, portable rollaway bin/container, arena with 5-foot high surrounding wooden wall and post 5-feet o.c. with possible future cover, 200 sq. ft. portable tack room with 4-foot porch, three (3) roofed corals, 576 sq.ft pipe corral, covered shelter, riding arena with possible future cover, parking stalls, back to back mare motel, cross tie area, one-story barn, 160 sq. ft. storage container, 3-foot rail road tie walls, and fencing as depicted in site plan sheet 3 of 3; and Removal of storage shelter, portable storage trailer, cross tie area, twenty-eight (28) 24x24-foot portable pipe corrals, tack room with no porch, cross tie shelter, 101 sq.ft. portable tack room with 4-foot porch and four (4) 20x20-foot portable pipe corrals as depicted in site plan sheet 2 of 2.
(Malibu Valley Farms)

HAND DELIVERED

Dear Rudy:

You will find attached to this correspondence the following documents for your review in support of our Plot Plan Review permit application 17 sets of the following:

1. Completed Plot Plan Review Permit application form, signed by Brian Boudreau as president of Malibu Valley Farms, Inc, owner of record.
2. Assessor's Parcel Map
3. Approval in Concept for the County of Los Angeles Fire Department/Access

4. Site plans
5. 8½" by 11" reduction for each page of the full size plans.
6. Equestrian Center Conceptual Site Plan for Malibu Valley Farms, Inc., approved by Building and Safety Land Development Division Department of Public Works.
7. 50t. radius map and list of contiguous property owners.
8. A check made out to the Los Angeles County Department of Regional Planning in the amount of \$3771.00 the application fee.
9. A grading and drainage plan, as well as a geologic report, are not included with this application because the proposed development does not require any grading.
10. Pursuant to previous discussions with the local coastal staff, local agency review has been waived as provided for in California Code of Regulations, Title 14 §13053.

REGARDING ON SITE INSPECTION: It is important that we be contacted for an appointment to inspect the property. Please coordinate all site visits with our office at (310) 589-0773. Thank you for your cooperation.

The following is a review of compatibility of the development with the relevant policies of the coastal act.

Policies 1-27 pertain to recreational opportunities. The proposed development provides recreational opportunities in a neighboring community conducive to equestrian uses.

Policies 28-46 pertain to trails; there are no mapped trails along the subject access road or lot, not is the development significantly visible from any trails.

Policies 47-56 pertain to beach access and are not germane.

Policies 57-69 pertain to mapping of ESHA's and SEA'. The proposal is consistent with the germane policies in that there will be no significant disruption of sensitive resources and all regulatory constraints are complied with.

P71 The proposal clusters all development along the existing rights of way.

P72 The burdening of the property with an open space easement is unwarranted as the project is focused and not sprawling, and no riparian areas will be disturbed.

P73 & 96 The applicant accepts the restriction on toxic chemicals.

P74 The proposed development is located as close as feasible to existing roadways, services, and existing development.

P75 The development will not require any brush clearance on parklands.

P76-79 The development has no detrimental impact on any streams.

P80 A septic system is not proposed.

P81,86,87,154 The applicant agrees to implement a drainage plan which will not change the rate or direction of runoff.

P82 There is no proposed grading for this project.

P84 There is no proposed landscaping for this project.

Policies 97-124 pertain to marine resources and are not relevant.

P125, 126, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138b, 138e, 142, & 143 These policies deal with visual impacts to the public, which this project will minimize.

P127 pertains to turnouts on major highways and is not germane.

P128 pertains to beachfront development and is not germane.

P138 pertains to commercial structures and is not germane.

P138c pertains to beach fronting development and is not relevant.

P138d pertains to the Malibu Civic Center and is not relevant.

P138f pertains to development along PCH and is not relevant.

P139 pertains to advertising and is not relevant.

P140 Utilities are not proposed for this project.

P141 Fencing will be used as necessary for the maintenance of the equestrian facility.

P144 No grading is proposed.

P151, 152, 152b, 153, 155 The proposed development is designed in conformance with flood hazard requirements.

P156, 157, 158, 159, & 160 The project will have the requisite brush clearance around the structures should it be required by the Los Angeles County Fire Department.

P163-167 pertain to shoreline development and are not germane.

P168, 169, 170, 171, 172, 173, 174, 175, & 176 The proposed development is not located near an identified archaeological/paleontological site, nor have any artifacts ever been discovered.

P177, 178, 179, & 180 The proposed development will not disturb traditional run off patterns, and will not adversely impact ground water recharge.

P181-216c pertains to public works and are not germane.

P217, 218, 225, 227, 228, 231, & 232 A septic system is not proposed.

P 219, 220, 222, 223, 224, 227, 227b 227c & 229 These policies pertain to the development of a sewer or specific geographic locations and are not germane.

P239, 240, 241, 242, 243, 244, 245, 246, & 247 Pertain to public policies and infrastructure improvements and not germane.

P248-258 pertains to shoreline development and are not germane.

P259-265 pertains to industrial development and commercial fisheries-not germane.

P266, 267, 268, 269 & 270 The subject property has been continuously used for agricultural purposes since at least the 1930's.

P271 is voluminous- addresses general development policies, GSA formulas, etc.

P273-274 pertains to subdivisions and not germane.

Agricultural and livestock facilities have operated continuously on the subject property since at least the 1930's, more than 40 years prior to the effective date of the Coastal Act. The property is currently being operated as a facility for breeding, raising and training, stabling, exercising, boarding and rehabilitation of horses, and grazing of cattle and other livestock. The current application arises out of the equestrian portion of the operation, which has been ongoing since before the effective date of the Coastal Act. The Commission has been aware of this operation for more than 10 years.

The equestrian facility on the subject property is nationally renowned for raising thoroughbreds. The Los Angeles County Department of Public Works ("County") has recognized the facility as achieving the highest levels of best management practices. The facility recently received a County award for exemplary leadership through its participation in the County Smartbusiness Recycling Program, one of only ten facilities, out of over 2000 participating commercial facilities, that received the County award.

The applicant maintains that the equestrian facilities currently existing on the property are vested and not subject to Coastal Act jurisdiction. The applicant has an application for a vesting determination on file with the Commission, which the applicant is deferring pursuing pending the Commission's action on this application. Following discussions with staff, the applicant is submitting this application in an

attempt to resolve its dispute with the Commission regarding its vested rights. Neither this application nor anything contained herein is or should be deemed to be a waiver of any of the applicant's rights, claims, remedies or defenses, which are expressly reserved. The applicant's legal counsel, Stanley W. Lamport of Cox, Castle & Nicholson LLP, has confirmed with Ms. Goldberg that the applicant's submission and processing of this application will not be construed as a waiver of any of the applicant's vested right claims.

Thank you for your time and consideration regarding this matter. Please feel free to contact our office should you require additional information or have any questions or comments.

Sincerely,
SCHMITZ & ASSOCIATES



Stephanie Dreckmann
Managing Associate



REQUEST FOR

PLOT PLAN NO. _____

PLOT PLAN REVIEW

Los Angeles County Department of Regional Planning 320 W. Temple St. (213) 974-6411

APPLICATION FORM

RECORD OWNER

Name: Malibu Valley Farms, Inc.

Address: 2200 Stokes Canyon Road

City: Calabasas

Zip Code: 91302

Daytime Phone: (310) 5890773

Fax: ()

OWNER'S CONSENT: *I consent to the submission of this application.*

Ana Andrea, President

(Owner's Signature)

(Date)

APPLICANT:

Name: Malibu Valley Farms, Inc.

Address: 2200 Stokes Canyon Road

City: Calabasas

Zip Code: 91302

Daytime Phone: (310) 5890773

Fax: ()

APPLICANT'S AGENT:

Name: Schmitz & Associates, Inc.

Address: 29350 West Pacific Coast Highway, #12

City: Malibu

Zip Code: 90265

Daytime Phone: (310) 5890773

Fax: (310) 5890353

APPLICANT/AGENT CERTIFICATION: *I hereby certify under penalty of perjury that the information I provided herein is correct to the best of my knowledge.*

Ana Andrea, President

(Applicant or Agent's Signature)

(Date)

NOTE: When review is completed, copies are sent to the appropriate Building and Safety office and to the Applicant unless otherwise directed. Please check here if "will call" pickup is preferred:

PROJECT DESCRIPTION: (Describe fully purpose of request) SEE ATTACHED

LOCATION/ADDRESS OF SUBJECT PROPERTY: North east corner of Mulholland Highway and Stokes Canyon Road, Calabasas

LEGAL DESCRIPTION: (Attach Exhibit 'A' if legal is extensive) SEE ATTACHED

PROJECT DATA:

| | | | |
|-------------------------------------|------------------------------|-------------------|-----------------------|
| Thomas Guide Reference: | <u>page , H-4</u> | Lot Size: | <u>31.02 acres</u> |
| Assessor's Parcel Number: | <u>4455-028-044</u> | Zoning: | <u>A1-1</u> |
| Supervisory District: | <u></u> | Number of Floors: | <u>one</u> |
| Zoned District: | <u>Malibu</u> | Gross Floor Area: | <u>97,102 sq. ft.</u> |
| Building & Safety Office: | <u>Calabasas</u> | Maximum Height: | <u>15 feet</u> |
| Residential Density: | <u>1 unit per acre</u> | | |
| General/Community Plan Designation: | <u>North Area Plan ML-10</u> | | |
| Previous Cases on Subject Property: | <u></u> | | |

TYPE OF CASE:

- | | |
|--|--|
| <input type="checkbox"/> Residential Consistency | <input checked="" type="checkbox"/> Coastal Approval in Concept/Zoning Consistency |
| <input type="checkbox"/> Yard Modification | <input checked="" type="checkbox"/> Environmental Review Board |
| <input type="checkbox"/> Commercial/Industrial Consistency | <input type="checkbox"/> Hillside Management |
| <input type="checkbox"/> Sign Review | <input type="checkbox"/> Significant Ecological Area |

STAFF USE ONLY:

| | |
|--------------|-----------------|
| Fees Paid: | Receipt No.: |
| Filing Date: | Intake Planner: |

RESIDENTIAL PARKING DATA:

| | | | | | |
|-------------------------|------------|--------------------|------------|------------------|------------|
| Total Units: | <u>n/a</u> | Bachelor: | <u>n/a</u> | One Bedroom: | <u>n/a</u> |
| Two bedroom and larger: | <u>n/a</u> | Total Parking: | <u>10</u> | Covered Parking: | <u>n/a</u> |
| Guest Parking: | <u>n/a</u> | Uncovered Parking: | <u>10</u> | | |

PROJECT DESCRIPTION

Retention of a portable equipment shop, grain room, portable rollaway bin/container, arena with 5-foot high surrounding wooden wall and post 5-feet o.c. with possible future cover, 200 sq. ft. portable tack room with 4-foot porch, three (3) roofed corals, 576 sq.ft pipe corral, covered shelter, riding arena with possible future cover, parking stalls, back to back mare motel, cross tie area, one-story barn, 160 sq. ft. storage container, 3-foot rail road tie walls, and fencing as depicted in site plan sheet 3 of 3; and Removal of storage shelter, portable storage trailer, cross tie area, twenty-eight (28) 24x24-foot portable pipe corrals, tack room with no porch, cross tie shelter, 101 sq.ft. portable tack room with 4-foot porch and four (4) 20x20-foot portable pipe corrals as depicted in site plan sheet 2 of 2.

**MINUTES OF THE ENVIRONMENTAL REVIEW BOARD (ERB)
MEETING OF JANUARY 27, 2003**

(Approved as amended, February 24, 2003)

PERSONS IN ATTENDANCE:

ERB MEMBERS

Noel Davis, PhD
Suzanne Goode
Richard Ibarra
Travis Longcore, PhD
Rudi Mattoni, PhD
Bradley Yocum

REGIONAL PLANNING STAFF

Hsiao-ching Chen
Joe Decruyenaere
Daryl Koutnik

Project 02-329 Representatives and Interested Parties

| | |
|-----------------|----------------|
| Travis Cullen | (818) 879-4700 |
| Denise Goldberg | (213) 891-7829 |
| Doni Harmon | (310) 457-5994 |
| Joe Kronsberg | (310) 457-4874 |
| Lynne Kronsberg | (310) 457-4874 |
| Bruce Lackow | (310) 451-4488 |
| Steve Nelson | (949) 753-7001 |
| Ken Orgel | (310) 337-1661 |
| Francis Park | (213) 891-3786 |
| Kathy Patey | (818) 879-4733 |
| Bob Ralls | (323) 295-4555 |
| Kristin Szabo | (949) 753-7001 |
| Carl Wishner | (818) 879-4700 |

Plot Plan 48488 Representative

| | |
|---------------|----------------|
| Terry Valenti | (310) 456-8990 |
|---------------|----------------|

Plot Plan 48295 Representatives

| | |
|--------------------|----------------|
| Brian Boudreau | (818) 880-5139 |
| Frank Hovore | (661) 250-8311 |
| Stanley W. Lamport | (310) 224-2275 |
| Don Schmitz | (310) 589-0773 |

Plot Plan 39621 Representatives

James Austin
Suzanne Smith

(202) 258-2991
(310) 415-5719

**MINUTES
JANUARY 27, 2003**

AGENDA ITEMS

1. Goode moved and Ibarra seconded to approve the December 16, 2002 ERB Minutes as written
Plot Plan 48295 was moved to Item 4 on the agenda, by request of the Plot Plan Representative.

NEW BUSINESS

2. Project No. 02-329: see ERB Item 2.
3. Plot Plan 48488: see ERB Attachment 3.
4. Plot Plan 48295: see ERB Attachment 4.
5. Plot Plan 39621: see ERB Attachment 5.

NOTE: ERB MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED AS VOLUNTEERS TO SERVE IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. MEETINGS ARE ALSO RECORDED ON TAPE WHICH IS USED PRIMARILY AS A BACK-UP FOR STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE MEETING. NEW OR CLARIFIED INFORMATION PRESENTED IN BIOTA REVISIONS MAY RAISE NEW ISSUES AND REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE FOLLOWING MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

ENVIRONMENTAL REVIEW BOARD

Case No. Plot Plan 48295
Location 2200 Stokes Canyon Road, Calabasas, CA 91302
Applicant Brian Boudreau
Request Retain facilities on an existing equestrian operation; relocate portable tack shelter; remove storage shelter, portable storage trailer, cross tie area, twenty-eight 24' X 24' portable pipe corrals, tack room, cross tie shelter, 101 sq. ft. portable tack room with 4' porch, and four 20' X 20' portable pipe corrals
Resource Category Stokes Canyon ESHA

ERB Meeting Date: January 27, 2003

ERB Evaluation: Consistent Consistent after Modifications
 Inconsistent

ERB Recommendations: - The Department of Public Works shall address the hydrological issues on the site and correct the problems contributing to erosion and undercutting of structures.
- Exterior night lighting shall be directed downward, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.

Staff Recommendation: Consistent Consistent after Modifications
 Inconsistent

Suggested Modifications: - Provide a copy of the waste management program currently in use at the facility for distribution to other ERB applicants with equestrian facilities.

RECEIVED
DEC 12 2006

ERB ATTACHMENT 4
JANUARY 27, 2003

CALIFORNIA
ENVIRONMENTAL REVIEW BOARD
SOUTH CENTRAL COAST DISTRICT

Case No. Plot Plan 48295
Location 2200 Stokes Canyon Road, Calabasas, CA 91302
Applicant Brian Boudreau
Request Retain facilities on an existing equestrian operation: relocate portable tack shelter; remove storage shelter, portable storage trailer, cross tie area, twenty-eight 24' X 24' portable pipe corrals, tack room, cross tie shelter, 101 sq. ft. portable tack room with 4' porch, and four 20' X 20' portable pipe corrals
Resource Category Stokes Canyon ESHA

ERB Meeting Date: January 27, 2003

ERB Evaluation: ___ Consistent Consistent after Modifications
___ Inconsistent

ERB Recommendations: - The Department of Public Works shall address the hydrological issues on the site and correct the problems contributing to erosion and undercutting of structures.
- Exterior night lighting shall be directed downward, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.

Staff Recommendation: Consistent ___ Consistent after Modifications
___ Inconsistent

Suggested Modifications: - Provide a copy of the waste management program currently in use at the facility for distribution to other ERB applicants with equestrian facilities.

R-4-06-163
Exhibit 12
L.A. County Environmental Review
Board Meeting Minutes regarding
MVF



DEPARTMENT OF FISH AND GAME
1508 North Harding Avenue
Pasadena, CA 91104
(626) 797-3170

RECEIVED
MAR 10 2005



BY:.....

March 15, 2005

RECEIVED
DEC 12 2006



Ms. Beth Palmer
Diamond West Engineering
26800 Agoura Road, Suite 100
Carlsbad, CA 91301

Re: Lake or Streambed Alteration Notification
Notification No: 1600-2004-0539-R5
Project: Arizona Crossing
Water: Stokes Canyon Drainage
County: Los Angeles

Dear Ms. Palmer:

The Department of Fish and Game (Department) received your Notification and deemed it complete on 1/14/05.

The purpose of this letter is to inform you that the Department failed to meet our deadline for the project you described in the above-referenced notification. As a result, and as explained in greater detail below, you do not need a Lake or Streambed Alteration Agreement from the Department of Fish and Game to complete the project you described in your notification.

Under the Fish and Game Code section 1602, (a) (4) (D) the Department had a total of 60 days to act on your notification by submitting to you project conditions the Department believes are necessary to protect existing fish and wildlife resources. This means that **from the date of this letter**, by law you may go forward with your project without an Agreement from the Department.

If you decide to complete the project as described in your notification, please keep a copy of this letter and the Notification available at the project site. The project described in the Notification includes not only the project impacts, but also includes all of your proposed minimization and mitigation measures.

R-4-06-163
Exhibit 13
California Department of Fish &
Game Correspondence

Ms. Beth Palmer

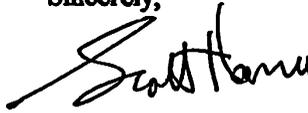
March 15, 2005

Page 2

Your project must terminate no later than 5 years from the date of this letter. Your project is described as the installment of Turf Reinforcement Mats to facilitate equestrian crossings across an existing unvegetated, soft bottomed Arizona crossing of Stokes Canyon Creek. The project is located at Malibu Valley Farms, Inc., 2200 Stokes Canyon Road in Calabasas, Los Angeles County. If the project changes so that it differs from the one described in the original notification, you will need to submit a new notification to the Department for that project.

If you have any questions regarding this matter, please contact Scott Harris, Associate Wildlife Biologist at the above address or telephone number.

Sincerely,

A handwritten signature in black ink that reads "Scott Harris". The signature is written in a cursive style with a large, sweeping initial "S".

**Scott Harris
Associate Wildlife Biologist**

000055

| For Department Use Only | | | |
|-------------------------|---------------------------------------|-----------------------------------|---------------------------------------|
| Notification Number: | | Date Received: | Date Completed: |
| Fee Enclosed? | <input type="checkbox"/> Yes \$ _____ | <input type="checkbox"/> No _____ | RECEIVED DEC 12 2006 |
| Action Taken/Notes | | | |

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

All fields must be completed unless otherwise indicated.
(See enclosures for instructions.)

| Notification Type: | |
|---|--|
| <input type="checkbox"/> Timber Harvesting Plan (No. _____) | <input type="checkbox"/> Water Application (No. _____) |
| <input type="checkbox"/> Commercial Gravel Extraction (No. _____) | <input checked="" type="checkbox"/> Other |

| Application Information | | | |
|---|---|--|---|
| | Name | Address | Telephone/FAX |
| Applicant: | Malibu Valley Farms, Inc. Brian Boudreau | 2200 Stokes Cyn., Calabasas 91302 | Business: 818-880-5139 Fax: 818-223-9215 |
| Operator: | Malibu Valley Farms, Inc. Brian Boudreau | 2200 Stokes Cyn., Calabasas 91302 | Business: 818-880-5139 Fax: 818-223-9215 |
| Contractor: (if known) | Malibu Valley Farms, Inc. Brian Boudreau | 2200 Stokes Cyn., Calabasas 91302 | Business: 818-880-5139 Fax: 818-223-9215 |
| Contact Person: (if not applicant) | Cox, Castle & Nicholson Beth Palmer | 2049 Century Park East, 28th Floor Los Angeles, CA 90067 | Business: 310-284-2206 Fax: 310-277-7889 |
| Property Owner: | Same as Applicant | | Business: Fax: |

| Project Location | | | | | |
|--|---------------------|-----------------------------------|---------------------------------|---------------------------|--|
| Location Description: | | 2200 Stokes Cyn., Calabasas 91302 | | | |
| County | | | Assessor's Parcel Number | | |
| Los Angeles | | | 4455-028-044 | | |
| USGS Map | Township | Range | Section | Latitude/Longitude | |
| Malibu Quad | | | | | |
| Name of River, Stream, or Lake: | Stokes Canyon Creek | | | | |
| Tributary To? | Malibu Creek | | | | |

000056

NOTIFICATION OF LAKE OR STREAMBED ALTERATION
(Continued)

Name of Applicant: Malibu Valley Farms, Inc.

| Project Description | | | | | | | |
|--|---------------------|------------------|----------|---------------|-----|--|--|
| Project Name: | Malibu Valley Farms | | | | | | |
| Start Date: | 02/01/05 | Completion Date: | 12/01/05 | Project Cost: | \$0 | Number of Stream Encroachments: (Timber Harvesting Plans Only) | |
| Describe project below: (Attach separate pages if necessary) | | | | | | | |
| <p>Retention of a portable equipment shop, grain room, portable rollaway bin/container, arena with 5-foot high surrounding wooden wall and post 5 feet o.c. with possible future cover, 200 sq. ft. portable tack room with 4-foot porch, three roofed corals, 576 sq. ft pipe corral, covered shelter, riding arena with possible future cover, parking stalls, back to back mare motel, cross tie area, one-story barn, 160 sq. ft. storage container, 3 ft. rail road tie walls, and fencing as depicted in site plan sheet 3 of 3, and removal of storage shelter, portable storage trailer, cross tie area, twenty eight 24X24 foot portable pipe corrals, tack room with no porch, cross tie shelter, 101 sq. ft. portable tack room with 4 foot porch and four 20X20 foot portable pipe corrals as depicted .</p> | | | | | | | |
| <input type="checkbox"/> Continued on separate page (s) | | | | | | | |

| Attachments/Enclosures | | |
|---|---|--|
| Attach or enclose the required documents listed below and check the corresponding boxes: | | |
| <input checked="" type="checkbox"/> Project Description | <input checked="" type="checkbox"/> Map showing project location, including distances and/or directions from nearest city or town | <input type="checkbox"/> Construction plans and drawings pertaining to the project |
| Completed CEQA documents: | <input checked="" type="checkbox"/> Notice of Exemption <input type="checkbox"/> Draft or Final Environmental Impact Report | <input type="checkbox"/> Negative Declaration <input type="checkbox"/> Mitigated Negative Declaration <input type="checkbox"/> Notice of Determination |
| Copies of applicable local, State, or federal permits, agreements, or other authorizations: | <input checked="" type="checkbox"/> Local. Describe: Los Angeles County Dept. of Regional Planning Plot PAn No. 48295 | |
| | <input type="checkbox"/> State. Describe: | |
| | <input type="checkbox"/> Federal. Describe: | |

I hereby certify that all information contained in this notification is true and correct and that I am authorized to sign this document. I understand that in the event this information is found to be untrue or incorrect, I may be subject to civil or criminal prosecution and the Department may consider this notification to be incomplete and/or cancel any Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand that this notification is valid only for the project described herein and that I may be subject to civil or criminal prosecution for undertaking a project that differs from the one described herein, unless I have notified the Department of that project in accordance with Fish and Game Code Section 1602.

I understand that a Department representative may need to inspect the property where the project described herein will take place before issuing a Lake or Streambed Alteration Agreement pursuant to this notification. In the event the Department determines that a site inspection is necessary, I hereby authorize the Department to enter the property where the project described herein will take place to inspect the property at any reasonable time and certify that I am authorized to grant the Department permission to access the property.

I request the Department to first contact me at (insert telephone number) _____ to schedule a date and time to enter the property where the project described herein will take place and understand that this may delay the Department's evaluation of the project described herein.

Diana Andruak President 11/12/04
Operator or Operator's Representative Date



**Lake and Streambed Alteration Program
 Project Questionnaire**

Complete the following questionnaire and submit it with your notification package. Please attach or enclose any additional information or documents that support or relate to your response.

| | Yes | Maybe/ Uncertain | No | Please explain if you responded "yes" or "maybe/uncertain" |
|---|-----|---------------------|----|--|
| 1. Will the project or activity involve work on the bank of a river, stream, or lake? | | | ✓ | |
| 2. If you answered "yes" to #1, will the project or activity involve any of the following: | | | | |
| a. Removal of any vegetation? | | | | |
| b. Excavation of the bank? | | | | |
| c. Placement of piers? | | | | |
| d. Placement of bank protection or stabilization structures or materials (e.g., gabions, rip-rap, concrete slurry/sacks)? | | | | |
| 3. Will the project or activity take place in, adjacent to, or near a river that has been designated as "wild and scenic" under state or federal law? | | | ✓ | |
| 4. Will the project or activity involve work in the bed or channel of a river, stream, or lake? | | | ✓ | |
| 5. Will the project or activity involve the placement of any permanent or temporary structure in a river, stream, or lake? | | | ✓ | |

000058

| | Yes | Maybe/ Uncertain | No | Please explain if you responded "yes" or "maybe/uncertain" |
|---|-----|---------------------|----|--|
| 6. Will the project involve the use of material from a streambed? | | | ✓ | |
| 7. Will the project or activity result in the disposal or deposition of debris, waste, or other material in a river, stream, or lake? | | ✓ | | |
| a. If you answered "yes" to #7, describe the material that will be disposed of or deposited in the river stream, or lake: | | | | |
| 8. Will any type of equipment be used in a river, stream, or lake? | | | ✓ | |
| a. If you answered "yes" to #8, describe the type of equipment that will be used: | | | | |
| 9. Does the project or activity area flood or periodically become inundated with water? | | | ✓ | |
| 10. Will water need to be diverted from a river, stream, or lake for the project or activity? | | | ✓ | |
| 11. If you answered "yes" to #10, please answer the following: | | | | |
| a. Will this be a temporary diversion? | | | | |
| b. Will water quality be affected by the deposition of silt, an increase in water temperature, a change in the pH level, or in some other way? | | | | |
| c. Will the water be diverted by means of a dam, reservoir, or other water impoundment structure? | | | | |
| 12. Will the project or activity be done pursuant to a water right application or permit? | | | ✓ | |
| 13. a. Has a wildlife assessment or study been completed for the area where or near where the project or activity will take place? (If "yes", attach or enclose a copy of the assessment or study.) | ✓ | | | SEE FH & A by Frank Hovore for Biological Resource Analysis of Proposed ESHA |

000059

| | Yes | Maybe/ Uncertain | No | Please explain if you responded "yes" or "maybe/uncertain" |
|--|-----|---------------------|----|--|
| 14. Will the project or activity affect fish, amphibians, insects, or other aquatic resources? | | | ✓ | |
| 15. Will the project or activity affect terrestrial wildlife? | | | ✓ | |
| 16. Are any endangered or rare plant species thought or known to occur in the area where the proposed project or activity will take place? | | | ✓ | |
| 17. Are any endangered or threatened fish, bird, or animal species thought or known to occur in the area where the proposed project or activity will take place? | | | ✓ | |
| 18. Have you contacted any other local, State, or federal agency regarding the project or activity? | | | ✓ | |
| a. If you answered "yes" to #18, please list the names of the agencies you have contacted: | | | | |
| 19. Have you applied for or obtained any permit, agreement, or other authorization for your project or activity from any government agency? | ✓ | | | |
| a. If you answered "yes" to #19, please list the names or describe the permit, agreement, or authorization you have applied for or obtained: | | | | California Coastal Commission # 4-02-131 |
| 20. Have any environmental documents pertaining to your project or activity been prepared? | | | ✓ | |
| a. If you answered "yes" to #20, please list the environmental documents that have been prepared: | | | | |

I hereby certify that all information contained in this form is true and correct and that I am authorized to sign this document. I understand that in the event this information is found to be untrue or incorrect, I may be subject to civil or criminal prosecution and the Department may consider my notification to be incomplete and/or cancel any Lake or Streambed Alteration Agreement issued pursuant to my notification.

Shawn Quirk President
Operator or Operator's Representative

11/12/04
Date

000060



*Project Location
2200 Stokes Canyon Road
Calabasas, California 91302*

Vicinity Map

NO SCALE

000061



THE COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

PROUDLY RECOGNIZES

BOUDREAU TRUST OF 1990

FOR EXEMPLARY LEADERSHIP IN
THE BUSINESS COMMUNITY THROUGH PARTICIPATION IN
THE SMARTBUSINESS RECYCLING PROGRAM.
THE COUNTY OF LOS ANGELES COMMENDS YOUR
CONTRIBUTION AND COMMITMENT TO PRESERVE
THE ENVIRONMENT.



James A. Noyes
JAMES A. NOYES
DIRECTOR OF PUBLIC WORKS

R-4-06-163

Exhibit 14

L.A. County Dept of Public
Works Recycling Award

00

**California Coastal Commission
July 9, 2007 - Item M13E
Application No: 4-06-163
Applicant: Malibu Valley Farms, Inc.**

SUMMARY OF RECOMMENDATION:

I recommend APPROVAL of the proposed project with the following special conditions: (1) the development is limited to that shown on the attached site plan, including set backs and fencing; (2) an agricultural easement is to be recorded affecting the portion of the site as designated on the attached site plan; (3) the applicant must provide an independent mitigation monitoring report to the Executive Director one year after the implementation of the approved Malibu Valley Farms Comprehensive Management Plan, and again five years after the implementation of such plan; (4) the applicant shall assume the risk of the proposed development; and (5) recordation of a deed restriction against the property, referencing all of the Special Conditions set forth below. As conditioned, the project can be found consistent with the Coastal Act. The applicant agrees with the recommendation.

I. Approval with Conditions

It is recommended that the Commission adopt the following resolution:

MOTION: I move that the Commission approve Coastal Development Permit No. 4-06-163 for the development proposed by the applicant, with the following conditions of approval.

RECOMMENDATION OF APPROVAL:

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

RESOLUTION: APPROVAL WITH CONDITIONS:

The Commission hereby **APPROVES** a coastal development permit for the proposed development and finds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation

measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment.

The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration.

If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation.

Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. Assignment.

The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land.

These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Conformance to Attached Site Plan.

The development approved is limited to that shown on the attached site plan, including set backs and fencing.

ex. 28

2. **Agricultural Easement.**

An agricultural easement is to be recorded affecting the portion of the site as designated on the attached site plan.

3. **Mitigation Monitoring Program.**

The applicant must provide an independent mitigation monitoring report to the Executive Director one year after the implementation of the approved Malibu Valley Farms Comprehensive Management Plan, and again five years after the implementation of such plan.

4. **Assumption of Risk, Waiver of Liability and Indemnity.**

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from wildfire; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

5. **Deed Restriction.**

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by the permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

FRED GAINES
SHERMAN L. STACEY
LISA A. WEINBERG*
REBECCA A. THOMPSON
NANCI SESSIONS-STACEY
KIMBERLY A. RIBLE
ALICIA B. BARTLEY
NOELLE V. BENSUSSEN

* a professional corporation

LAW OFFICES OF
GAINES & STACEY LLP
16633 VENTURA BOULEVARD, SUITE 1220
ENCINO, CA 91436-1872

January 7, 2009

ORIGINAL SENT BY U.S. MAIL

TELEPHONE (818) 933-0200
FACSIMILE (818) 933-0222
INTERNET: WWW.GAINESLAW.COM

RECEIVED
JAN 09 2009

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

VIA FACSIMILE (805) 641-1732

Deanna Christensen
California Coastal Commission
89 South California Street
Suite 200
Ventura, CA 93001

Re: Coastal Development Permit No. 4-06-163

Dear Ms. Christensen:

This office is in receipt of your letter dated December 30, 2008 regarding the Request for Revocation of the Coastal Development Permit referenced above that was filed with your office on December 8, 2008. We have reviewed the Request for Revocation, find it to be baseless, and request that the Director immediately find the request patently frivolous and without merit, and decline the Request pursuant to 14 Cal. Code Regs. § 13106.

As an initial matter, revocation proceedings may be initiated by “any person who did not have an opportunity to fully participate in the original permit proceeding by reason of the permit applicant’s intentional inclusion of inaccurate information...” 14 Cal. Code Regs. § 13106. In this case, the request to initiate revocation proceedings is made by Save Open Space, an organization that fully participated in the public hearing on this application, which occurred on July 9, 2007, approximately one and a half years ago. Moreover, Save Open Space participated in the Commission’s public hearing wherein it adopted the revised findings for the application on June 11, 2008. In addition, Save Open Space has had the opportunity to participate in the litigation that is currently pending relating to the project (CLEAN v. Coastal Commission, LASC Case No. BS112422), but has chosen not to do so, despite the fact that the litigation raises virtually the same issues as Save Open Space does in its Request for Revocation.

G&S\1610-001

R-4-06-163
Exhibit 16
Applicant's Correspondence

Deanna Christensen
January 7, 2009
Page 2

Under any circumstances, as Save Open Space fully participated in the original permit proceedings, wherein each of the issues raised in the Request for Revocation were previously raised, it clearly does not have the authority pursuant to 14 Cal. Code Regs. § 13106 to initiate revocation proceedings in this case.

Moreover, pursuant to 14 Cal. Code Regs. § 13107, the Director must determine that grounds exist for revocation of the permit prior to the suspension of the permit pending the revocation proceedings. Your December 30, 2008 letter indicates that the subject permit has been suspended pursuant to this Regulation. Yet it would be impossible for the Director to have made the required determination, as during our telephone conference on January 2, 2009 you indicated that the Staff had not yet even read the entirety of the 54 page Request for Revocation. Such a determination would also directly conflict with the briefing filed by the Attorney General on behalf of the Commission in the pending litigation matter, which fully supports the Commission's permit approval and specifically rejects virtually the same meritless claims included in the Request for Revocation. And, the subject permit has not yet even been issued. Clearly, "suspension" of the subject permit on December 30, 2008 was inappropriate and contrary to the controlling Regulations.

Please note that the trial in the litigation relating to this project is scheduled for January 13, 2009. If the Court denies the writ and upholds the Commission's approval of the project the propriety of our client's and the Commission's actions related to the subject permit will have been finally determined in a court of law. Save Open Space's frivolous attempt to preempt and undermine the final determination of the court regarding this matter must be rejected by the Director.

As Save Open Space clearly participated fully in the original permit proceedings, opted not to participate in the pending litigation, and failed to file its Request for Revocation, which we note is not signed or dated, for nearly a year and a half after the subject permit was approved, the Commission must deny the request to initiate revocation proceedings. No grounds exist for revocation of the permit, and Save Open Space's Request is clearly frivolous and without merit.

This letter also confirms our telephone conference on January 2, 2009, wherein you stated that the Commission Staff would continue without further delay to clear the "prior to issuance" Special Conditions of Permit Application No. 4-06-163 pending the Commission's determination of this matter.

G&SI1610-001

Deanna Christensen
January 7, 2009
Page 3

As always, please do not hesitate to contact me at any time with any questions or comments you may have.

Sincerely,

GAINES & STACEY LLP

By 
FRED GAINES

G&S\1610-001



MALIBU VALLEY FARMS

April 5, 2011

VIA OVERNIGHT DELIVERY

Chief Counsel Hope Schmeltzer
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105

Re: Revocation Request No. R-4-06-163
CDP Applicant: Malibu Valley Farms, Inc.
Entity Requesting Revocation: Save Open Space, located at
5411 Ruthwood, Calabasas, CA 91302

Dear Ms. Schmeltzer:

I am writing this letter to you as I have just received the staff report for the above-referenced revocation request. The revocation request was originally filed in December, 2008 and sent to our counsel by Deanna Christenson on December 30, 2008. On January 7, 2009, our counsel, Fred Gaines, sent a letter to Ms. Christenson requesting the Executive Director decline the Revocation Request pursuant to 14 Cal. Code Regs. §13106. We never received a response to our letter. I have attached a copy of our letter and 14 Cal. Code Regs. §13106 as Exhibit "A" for your reference.

Additionally, in my review of the staff report, which as I am sure you know, is 126 pages, plus another 290 pages for exhibits (total of 416 pages), there is no mention of our letter. It is unclear why our letter and its contents have not been addressed.

14 Cal Code Regs. §13106 states in pertinent part:

Any person who did not have an opportunity to fully participate in the original permit proceedings by reason of the permit applicant's intentional inclusion of inaccurate information or failure to provide adequate public notice as specified in Section 13105 may request revocation of a permit by application to the executive director of the commission, specifying, with particularity, the grounds for revocation. (emphasis added.)

The entity requesting the revocation is Save Open Space, with an address of 5411 Ruthwood Drive, Calabasas, CA 91302. Save Open Space, which goes by its initials SOS, fully participated in the original permit proceedings. In fact, Mary Hubbard, who lives at 5411 Ruthwood Drive, Calabasas, CA 91302, gave a 15-minute presentation on behalf of not only

Malibu Valley Farms, Inc.
26885 Mulholland Highway, Calabasas, CA 91302
(818) 880-5139 • Fax (818) 880-5414 • e-mail mvfi@malibuvalley.com

Chief Counsel Hope Schmeltzer
April 5, 2011
Page 2



MALIBU VALLEY FARMS

Save Open Space, but also Preserve Calabasas, Westside Coalition, Las Virgenes Homeowners Federation and the Malibu Canyon Community Association. I refer you to Page 40 of Exhibit 3 to the Staff Report (a copy of which I have attached as Exhibit "B"), which is the hearing transcript from the July 9, 2007 hearing. This is the beginning of Ms. Hubbard's presentation on behalf of Save Open Space. The presentation was 15 minutes and takes up 10 pages of the transcript.

Moreover, Save Open Space again participated in the July 11, 2008 hearing in which it submitted a letter to the Commission (a copy of Page 7 of the transcript of the July 11, 2008 hearing is attached as Exhibit "C").

Clearly, Save Open Space had the opportunity to fully participate in the original permit proceedings and therefore is not entitled to bring a request for revocation pursuant to 14 Cal. Code Regs. §13106. Its request should have been denied by the executive director.

While the request for revocation should have been denied, it has been placed on the agenda for April 14, 2011. We received notice that we were on the agenda yesterday and printed a copy of the staff report, which is 416 pages. While the staff recommends denial of the request for revocation, it also states that it believes Malibu Valley Farms, Inc. intentionally misrepresented at least eight facts to the Commission. This is a very serious allegation and we will be preparing a response to it. However, because of the length of the staff report and the amount of materials to review and prepare, it is impossible for Malibu Valley Farms, Inc. to be prepared for the meeting on April 14, 2011. While we believe the Code of Regulations requires the Request for Revocation to be denied as Save Open Space fully participated in both the original and subsequent proceedings, we also request a postponement of the hearing for Malibu Valley Farms to prepare a response to the very serious charges made against it.

Please feel free to contact me to discuss this matter further. Thank you.

Sincerely,

Beth Palmer
General Counsel

cc: Deputy Attorney General Jamee Patterson, California Coastal Commission
Deputy Director John "Jack" Ainsworth, California Coastal Commission

EXHIBIT “A”

FRED GAINES
SHERMAN L. STACEY
LISA A. WEINBERG*
REBECCA A. THOMPSON
NANCI SESSIONS-STACEY
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INTERNET: WWW.GAINESLAW.COM

January 7, 2009

ORIGINAL SENT BY U.S. MAIL

VIA FACSIMILE (805) 641-1732

Deanna Christensen
California Coastal Commission
89 South California Street
Suite 200
Ventura, CA 93001

Re: Coastal Development Permit No. 4-06-163

Dear Ms. Christensen:

This office is in receipt of your letter dated December 30, 2008 regarding the Request for Revocation of the Coastal Development Permit referenced above that was filed with your office on December 8, 2008. We have reviewed the Request for Revocation, find it to be baseless, and request that the Director immediately find the request patently frivolous and without merit, and decline the Request pursuant to 14 Cal. Code Regs. § 13106.

As an initial matter, revocation proceedings may be initiated by "any person who did not have an opportunity to fully participate in the original permit proceeding by reason of the permit applicant's intentional inclusion of inaccurate information..." 14 Cal. Code Regs. § 13106. In this case, the request to initiate revocation proceedings is made by Save Open Space, an organization that fully participated in the public hearing on this application, which occurred on July 9, 2007, approximately one and a half years ago. Moreover, Save Open Space participated in the Commission's public hearing wherein it adopted the revised findings for the application on June 11, 2008. In addition, Save Open Space has had the opportunity to participate in the litigation that is currently pending relating to the project (CLEAN v. Coastal Commission, LASC Case No. BS112422), but has chosen not to do so, despite the fact that the litigation raises virtually the same issues as Save Open Space does in its Request for Revocation.

G&S1610-001

Deanna Christensen
January 7, 2009
Page 2

Under any circumstances, as Save Open Space fully participated in the original permit proceedings, wherein each of the issues raised in the Request for Revocation were previously raised, it clearly does not have the authority pursuant to 14 Cal. Code Regs. § 13106 to initiate revocation proceedings in this case.

Moreover, pursuant to 14 Cal. Code Regs. § 13107, the Director must determine that grounds exist for revocation of the permit prior to the suspension of the permit pending the revocation proceedings. Your December 30, 2008 letter indicates that the subject permit has been suspended pursuant to this Regulation. Yet it would be impossible for the Director to have made the required determination, as during our telephone conference on January 2, 2009 you indicated that the Staff had not yet even read the entirety of the 54 page Request for Revocation. Such a determination would also directly conflict with the briefing filed by the Attorney General on behalf of the Commission in the pending litigation matter, which fully supports the Commission's permit approval and specifically rejects virtually the same meritless claims included in the Request for Revocation. And, the subject permit has not yet even been issued. Clearly, "suspension" of the subject permit on December 30, 2008 was inappropriate and contrary to the controlling Regulations.

Please note that the trial in the litigation relating to this project is scheduled for January 13, 2009. If the Court denies the writ and upholds the Commission's approval of the project the propriety of our client's and the Commission's actions related to the subject permit will have been finally determined in a court of law. Save Open Space's frivolous attempt to preempt and undermine the final determination of the court regarding this matter must be rejected by the Director.

As Save Open Space clearly participated fully in the original permit proceedings, opted not to participate in the pending litigation, and failed to file its Request for Revocation, which we note is not signed or dated, for nearly a year and a half after the subject permit was approved, the Commission must deny the request to initiate revocation proceedings. No grounds exist for revocation of the permit, and Save Open Space's Request is clearly frivolous and without merit.

This letter also confirms our telephone conference on January 2, 2009, wherein you stated that the Commission Staff would continue without further delay to clear the "prior to issuance" Special Conditions of Permit Application No. 4-06-163 pending the Commission's determination of this matter.

G&S1610-001

Deanna Christensen
January 7, 2009
Page 3

As always, please do not hesitate to contact me at any time with any questions or comments you may have.

Sincerely,

GAINES & STACEY LLP

By 
FRED GAINES

G&S\1610-001

2. Amendment of section and NOTE filed 9-20-99; operative 10-20-99 (Register 99, No. 39).

§ 13102. Removal of Consent Calendar Items to Regular Calendar.

The executive director may include recommended conditions in staff reports for consent calendar items which shall then be deemed approved by the commission if the item is not removed by the commission from the consent calendar. No condition of approval of any consent calendar item may be added, deleted or substantially modified after the staff report has been mailed to the public unless the commission removes the item to the regular calendar or schedules the revised item for a subsequent consent calendar.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Sections 30607 and 30621, Public Resources Code.

HISTORY

1. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).
2. Amendment of section heading, section and NOTE filed 9-20-99; operative 10-20-99 (Register 99, No. 39).

§ 13103. Public Hearings on Consent Calendar.

At the public hearing on the consent calendar items, any person may ask for the removal of any item from the consent calendar and shall briefly state the reasons for so requesting. If any three (3) commissioners request that an item be scheduled for public hearing on the regular permit calendar, the item shall be removed from the consent calendar. If any item is removed from the consent calendar, the public hearing on the item shall be continued until it can be scheduled on the regular permit calendar.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30621, Public Resources Code.

HISTORY

1. Amendment filed 1-28-81; effective thirtieth day thereafter (Register 81, No. 5).
2. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).
3. Amendment of section and NOTE filed 9-20-99; operative 10-20-99 (Register 99, No. 39).

Article 16. Revocation of Permits

§ 13104. Scope of Article.

The provisions of this article shall govern proceedings for revocation of a coastal development permit previously granted by a regional commission or the commission.

NOTE: Authority cited: Sections 30331 and 30333, Public Resources Code. Reference: Sections 30519 and 30600, Public Resources Code.

HISTORY

1. New Article 16 (Sections 13104-13108) filed 2-11-77 as an emergency; effective upon filing (Register 77, No. 7).
2. Certificate of Compliance filed 4-29-77 (Register 77, No. 18).
3. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

§ 13105. Grounds for Revocation.

Grounds for revocation of a permit shall be:

(a) Intentional inclusion of inaccurate, erroneous or incomplete information in connection with a coastal development permit application, where the commission finds that accurate and complete information would have caused the commission to require additional or different conditions on a permit or deny an application;

(b) Failure to comply with the notice provisions of Section 13054, where the views of the person(s) not notified were not otherwise made known to the commission and could have caused the commission to require additional or different conditions on a permit or deny an application.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

HISTORY

1. Amendment filed 6-10-77; effective thirtieth day thereafter (Register 77, No. 24).
2. Amendment filed 1-28-81; effective thirtieth day thereafter (Register 81, No. 5).
3. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

§ 13106. Initiation of Proceedings.

Any person who did not have an opportunity to fully participate in the original permit proceeding by reason of the permit applicant's intentional inclusion of inaccurate information or failure to provide adequate public notice as specified in Section 13105 may request revocation of a permit by application to the executive director of the commission specifying, with particularity, the grounds for revocation. The executive director shall review the stated grounds for revocation and, unless the request is patently frivolous and without merit, shall initiate revocation proceedings on his or her own motion when the grounds for revocation have been established pursuant to the provisions of Section 13105.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

HISTORY

1. Amendment filed 6-10-77; effective thirtieth day thereafter (Register 77, No. 24).
2. Amendment filed 1-28-81; effective thirtieth day thereafter (Register 81, No. 5).
3. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

§ 13107. Suspension of Permit.

Where the executive director determines in accord with Section 13106, that grounds exist for revocation of a permit, the operation of the permit shall be automatically suspended until the commission votes to deny the request for revocation. The executive director shall notify the permittee by mailing a copy of the request for revocation and a summary of the procedures set forth in this article, to the address shown in the permit application. The executive director shall also advise the applicant in writing that any development undertaken during suspension of the permit may be in violation of the California Coastal Act of 1976 and subject to the penalties set forth in Public Resources Code, Sections 30820 through 30823.

NOTE: Authority and reference cited: Section 30333, Public Resources Code.

HISTORY

1. Repealer and new section filed 6-10-77; effective thirtieth day thereafter (Register 77, No. 24).
2. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 3).

§ 13108. Hearing on Revocation.

(a) At the next regularly scheduled meeting, and after notice to the permittee and any persons the executive director has reason to know would be interested in the permit or revocation, the executive director shall report the request for revocation to the commission with a preliminary recommendation on the merits of the request.

(b) The person requesting the revocation shall be afforded a reasonable time to present the request and the permittee shall be afforded a like time for rebuttal.

(c) The commission shall ordinarily vote on the request at the same meeting, but the vote may be postponed to a subsequent meeting if the commission wishes the executive director or the Attorney General to perform further investigation.

(d) A permit may be revoked by a majority vote of the members of the commission present if it finds that any of the grounds specified in Section 13105 exist. If the commission finds that the request for revocation was not filed with due diligence, it shall deny the request.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30333, Public Resources Code.

HISTORY

1. Amendment filed 6-10-77; effective thirtieth day thereafter (Register 77, No. 24).

EXHIBIT “B”

1 The county convened the Environmental Review
2 Board, which has biologists from the National Park Service,
3 and State Parks. They are historically extremely aggressive
4 in regards to environmental protection. They found our
5 project consistent with the Land Use Plan, and we would ask
6 you, also, to do so.

7 And, with that, I will save the remainder of my
8 comments for rebuttal, unless you have any questions.

9 **CHAIR KRUER:** No, sir, that is fine. Thank you,
10 very much.

11 With that, we will ask Mary Hubbard for her
12 organized presentation -- Mary Hubbard? And, we talked, Ms.
13 Hubbard, and you requested 15 minutes, and you represent
14 several groups.

15 **MS. HUBBARD:** Yes.

16 **CHAIR KRUER:** Is that correct?

17 **MS. HUBBARD:** Yes, it is.

18 My name is Mary Hubbard. I live 5411 Ruth Wood in
19 Calabassas. I am -- I don't know who I am representing, SOS,
20 Preserve Calabassas, Westside Coalition, Las Virgenes
21 Homeowners Federation -- who else did I say on there?

22 **CHAIR KRUER:** I think you got most of them in.

23 **MS. HUBBARD:** Okay.

24 [Pause]

25 **CHAIR KRUER:** Malibu Canyon Community Association.

001638

39672 WHISPERING WAY
OAKHURST, CA 93644

PRISCILLA PIKE
Court Reporting Services
mtpris@sti.net

TELEPHONE
(559) 683-8230

EXHIBIT “C”

1 Provision 1, which refers to the reimbursement of costs and
2 fees charged by the Attorney General. Given the Commission
3 is a general fund agency, the Attorney General currently does
4 not charge the Commission for legal representation;
5 therefore, at this time, that should not be an issue. This
6 clause is included in the Commission language, in the event
7 this policy is changed for some reason, and the Attorney
8 General begins charging the Commission for its legal
9 representation.

10 The Commission has received letters from Mary
11 Hubbard, representing Save Open Space, and Marcia Hanscom,
12 representing CLEAN, arguing that the applicant did not have a
13 legal interest in the property at the time of the
14 Commission's action on this permit, because he had not
15 recorded a deed on the property. Therefore, they claim that
16 the permit is null and void, and they object to the release
17 of these revised findings.

18 The Commission did have documentation of the
19 applicant's legal interests in the property, at the time it
20 acted. The applicant had submitted an unrecorded deed as
21 evidence of legal interest in the property, and although an
22 unrecorded deed does not render the grantee the record owner
23 of the property it does effectively transfer title. There-
24 fore, the applicant was the legal owner of the property at
25 the time the Commission determined.

39672 WHISPERING WAY
OAKHURST, CA 93644

PRISCILLA PIKE
Court Reporting Services
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002481

TELEPHONE
(559) 683-8230

Received

APR 08 2011

California Coastal Commission
South Central Coast District

April 7, 2011

California Coastal Commission
89 South California Street, Suite 200
Ventura, CA 93001-2801

RE: CDP 4-06-163

To the members of the California Coastal Commission:

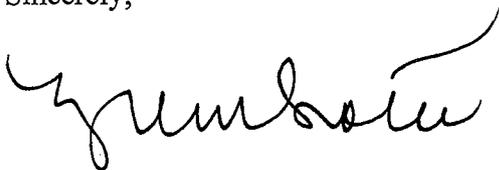
CDP 4-06-163 was granted by the Commission based on a series of misrepresentations made by the applicant.

He and his lawyers and facilitators claimed that the subject property was offered to community groups for recreation, when, in fact, the property *was not zoned* for this purpose. They misrepresented ownership of surrounding land, claiming alternative sites were not available for use in the business, when, in fact, other sites *were* available. They claimed the County's Environmental Review Board had OK'd the project, though that was patently untrue. They claimed the subject property was designated a fire refuge center, when, in fact, it is in a *severe fire hazard zone* and was never so designated.

The applicant claimed to have a plot plan approval in concept from the County, but what he had was invalid because it was granted without the required local agency zoning approval.

This strategy of misleading Commissioners for the purpose of obtaining a permit was successful—but it sets a terrible precedent. Please do the right thing and revoke this illegal permit.

Sincerely,



Mary Ellen Strote
475 Stunt Road
Calabasas, CA 91302

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| R-4-06-163 Exhibit 17 Public Correspondence |
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Shana Gray

From: Julie Reveles
Sent: Monday, April 11, 2011 12:22 PM
To: Shana Gray
Subject: FW: Exparte for Commissioner Blank: R-4-06-163 Malibu Valley Farms, Inc.
FYI

From: Vanessa Miller
Sent: Monday, April 11, 2011 10:39 AM
To: John Ainsworth; Steve Hudson; Julie Reveles; Jeff Staben
Subject: FW: Exparte for Commissioner Blank: R-4-06-163 Malibu Valley Farms, Inc.

From: Steve Blank [mailto:sblank@kandsranch.com]
Sent: Sunday, April 10, 2011 6:05 PM
To: Vanessa Miller
Subject: Exparte for Commissioner Blank: R-4-06-163 Malibu Valley Farms, Inc.

Vanessa,

Please put this in the ex parte pile for Malibu Farms.

thanks,

Commissioner Blank

Steve Blank
www.steveblank.com
twitter: sgblank

Begin forwarded message:

From: Brian Boudreau <bboudreau@malibuvalley.com>
Date: April 7, 2011 7:41:24 PM PDT
To: "sblank@kandsranch.com" <sblank@kandsranch.com>
Subject: Coastal Commission Staff Recommendation of Denial for Revocation Request R-4-06-163 Malibu Valley Farms, Inc.

Commissioner Blank:

Thank you for the time you took in allowing me to inform you of Malibu Valley Farms' concerns as to the allegations made in the staff report listed above. Even though Staff recommends denial of the Revocation Request as we discussed in our telephone conversation today, Malibu Valley Farms denies ever misleading the Commission.

We are surprised that the Executive Director has allowed Save Open Space (SOS) to bring this item

4/11/2011.

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| R-4-06-163 Exhibit 18 Ex Parte Communications |
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before the Commission as they fully participated in the hearings and therefore lack standing to bring the revocation. It is also concerning that this item would be allowed to be heard by the Commission as the findings were tried in court by CLEAN and defended by both Malibu Valley Farms and the Attorney General's office on behalf of the California Coastal Commission and upheld by the court. Even after the judge requested clarification as to one of the several findings and CLEAN appealed for its' attorney's fees, the court ruled against them a second time and in favor of the Commission.

Thank you again for taking the time to speak with me.

Brian Boudreau

4/11/2011

CALIFORNIA COASTAL COMMISSION

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



May 3, 2011

Beth Palmer
Malibu Valley Farms, Inc.
26885 Mulholland Hwy
Calabasas, CA 91302

Fred Gaines
Gaines & Stacey LLP
16633 Ventura Blvd, Suite 1220
Encino, CA 91436

Re: Save Open Space's Request for Revocation of CDP No. 4-06-163 (file no. R-4-06-163)

Mr. Gaines and Ms. Palmer,

Thank you for your letters dated January 7, 2009 ("Gaines letter") and April 5, 2011 ("Palmer letter"). The Gaines letter makes four essential arguments: (1) the above-referenced revocation request is "patently frivolous and without merit," and accordingly, should be rejected by the Executive Director; (2) the party requesting the revocation, Save Open Space ("SOS"), lacked standing to file the request, under section 13106 of the Commission's regulations; (3) the permit should not have been suspended pursuant to section 13107 of the Commission's regulations; and (4) the Executive Director should reject the revocation as an attempt to end-run the then-pending litigation. The Palmer letter focuses primarily on the second issue, states that it is "unclear why [the Gaines letter] and its contents have not been addressed [in the staff report issued for the April, 2011 hearing]," and requests postponement of that April, 2011 hearing on the revocation request.

The hearing was postponed in response to the requests of both parties, and the responses to the four numbered points listed above will be included in the revised staff report that will be issued for the June, 2011 hearing. The only remaining issue is the continued suspension of the permit in the interim.

Although Commission staff has recommended that the Commission deny SOS's request that the Commission revoke the subject permit, staff also found that SOS's alleged grounds in support of its revocation request involved serious claims, several of which were, in large part, borne out by staff's review of the record; and it is conceivable that the Commission will find that grounds exist for revocation. Moreover, as the suspension has been in effect for well over two years, staff does not feel that it would be appropriate to alter that *status quo* in the remaining few weeks before this matter is

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| R-4-06-163 Exhibit 19 Staff Correspondence |
|--|

Ms. Beth Palmer and Mr. Fred Gaines
May 2, 2011
Page 2

presented to the Commission for a review on the merits. Finally, staff notes that the suspension has no practical impact at this juncture, as the permit includes prior-to-issuance conditions that have not been satisfied. See attached "Notice of Intent to Issue Permit" for details. Accordingly, whether or not the permit is suspended, it remains ineffective until those conditions have been satisfied and the permit is issued by Commission staff. Accordingly, staff is exercising its discretion not to revoke the suspension at this time.

Sincerely,


Shana Gray
Supervisor, Planning and Regulation

cc: Alex Helperin, Staff Counsel, CCC

Encl.

CALIFORNIA COASTAL COMMISSION

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



Page 1 of 5
Date: January 9, 2009
Permit Application No. 4-06-163

CORRECTED COPY
NOTICE OF INTENT TO ISSUE PERMIT
(Upon satisfaction of special conditions)

THIS IS NOT A COASTAL DEVELOPMENT PERMIT

THE SOLE PURPOSE OF THIS NOTICE IS TO INFORM THE APPLICANT OF THE STEPS NECESSARY TO OBTAIN A VALID AND EFFECTIVE COASTAL DEVELOPMENT PERMIT ("CDP"). A Coastal Development Permit for the development described below has been approved but is not yet effective. Development on the site cannot commence until the CDP is effective. In order for the CDP to be effective, Commission staff must issue the CDP to the applicant, and the applicant must sign and return the CDP. **Commission staff cannot issue the CDP until the applicant has fulfilled each of the "prior to issuance" Special Conditions.** A list of all of the Special Conditions for this permit is attached.

The Commission's approval of the CDP is valid for two years from the date of approval. To prevent expiration of the CDP, you must fulfill the "prior to issuance" Special Conditions, obtain and sign the CDP, and commence development within two years of the approval date specified on the next page. You may apply for an extension of the permit pursuant to the Commission's regulations at Cal Code Regs. title 14, section 13169.

CORRECTED COPY
NOTICE OF INTENT TO ISSUE PERMIT
(Upon satisfaction of special conditions)

On July 9, 2007, the California Coastal Commission approved Coastal Development Permit No. 4-06-163, requested by Malibu Valley Farms, subject to the attached conditions, for development consisting of: Request for after-the-fact approval for an equestrian facility, including a 45,000 sq. ft. arena with five-foot high surrounding wooden wall with posts, 576 sq. ft. covered shelter, 25,200 sq. ft. riding arena, approximately 2,000 sq. ft. parking area, 2,660 sq. ft. back to back mare motel, 1,440 sq. ft. one-story barn approximately 15,000 sq. ft. fenced paddock, fencing, dirt access road with at-grade crossing through Stokes Creek, and a second at-grade dirt crossing of Stokes Creek. The proposed project also includes removal of twenty-eight 576 sq. ft. portable pipe corrals, four 400 sq. ft. portable pipe corrals, a 288 sq. ft. storage shelter, 200 sq. ft. storage trailer, 200 sq. ft. portable rollaway bin/container, 160 sq. ft. storage container, three-foot railroad tie walls, 101 sq. ft. tack room with no porch, four 101 sq. ft. portable tack rooms with 4-ft. porches, 200 sq. ft. portable tack room with four-foot porch, 150 sq. ft. cross tie area, 250 sq. ft. cross tie area, 360 sq. ft. cross tie shelter, two 2,025 sq. ft. covered corrals, and one 1,080 sq. ft. covered corral, and reduction in the size of the fenced paddock area by approximately 5,000 sq. ft. The proposed project also includes new construction of four 2,660 sq. ft. covered pipe barns, two 576 sq. ft. shelters, three 96 sq. ft. tack rooms, two 225 sq. ft. manure storage areas, vegetative swales totaling 1,400 feet in length, an approximately 850 sq. ft. retention basin, 250 sq. ft. riprap pad, 65.8 cu. yds. of grading (32.9 cu. yds. cut, 32.9 cu. yds. fill), and 0.5-acre riparian restoration. This permit is more specifically described in the application on file in the Commission offices. Commission staff will not issue the CDP until the "prior to issuance" special conditions have been satisfied.

The development is within the coastal zone in Los Angeles County at the northeast corner of Mulholland Highway and Stokes Canyon Road, Santa Monica Mountains.

If you have any questions regarding how to fulfill the "prior to issuance" Special Conditions for CDP No. 4-06-163, please contact the Coastal Program Analyst identified below.

Sincerely,

PETER DOUGLAS
Executive Director

Deanna Christensen
Coastal Planner

ACKNOWLEDGMENT:

The undersigned permittee acknowledges receipt of this Notice and fully understands its contents, including all conditions imposed.

Date

Permittee

Please sign and return one copy of this form to the Commission office at the above address.

CORRECTED COPY
NOTICE OF INTENT TO ISSUE PERMIT
(Upon satisfaction of special conditions)

STANDARD CONDITIONS

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

SPECIAL CONDITIONS:

NOTE: IF THE **SPECIAL CONDITIONS** REQUIRE THAT DOCUMENT(S) BE RECORDED WITH THE COUNTY RECORDER, YOU WILL RECEIVE THE LEGAL FORMS TO COMPLETE (WITH INSTRUCTIONS) FROM THE VENTURA OFFICE, AFTER YOU HAVE SIGNED AND RETURNED THE DUPLICATE COPY OF THIS FORM. WHEN YOU RECEIVE THE DOCUMENTS, IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE SOUTH CENTRAL COAST OFFICE AT (805) 585-1800.

1. Comprehensive Management Plan Implementation and Monitoring

By acceptance of this permit, the applicant agrees to implement its proposed "Malibu Valley Farms Comprehensive Management Plan" (December 2006). The applicant shall provide an independent monitoring report to the Executive Director, prepared by a qualified environmental specialist, one year after initiation of implementation of the Malibu Valley Farms Comprehensive Management Plan, and again five years after initiation of implementation of the Plan. The monitoring report shall certify whether the plan has been implemented and plan elements are operational in conformance with the terms of the plan.

If a monitoring report indicates that any plan elements are not operational or in conformance with the terms of the plan, the applicant, or successors in interest, shall submit a revised or supplemental management plan for the review and approval of the Executive Director. The revised plan must specify measures to remediate those portions of the original plan that have

CORRECTED COPY
NOTICE OF INTENT TO ISSUE PERMIT
(Upon satisfaction of special conditions)

failed or are not in conformance with the original approved plan. The Executive Director will determine whether an amendment to the permit is necessary prior to implementing the revised plan. If the Executive Director determines that no amendment is needed, the applicant, or successors in interest, shall implement the revised plan upon Executive Director approval. If the Executive Director determines that an amendment is needed, the applicant, or successors in interest, shall submit the necessary amendment application and implement the approved plan upon approval of the amendment.

2. Assumption of Risk

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from wildfire, erosion, and flooding; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

3. Indemnification by Applicant

Liability for Costs and Attorneys Fees: By acceptance of this permit, the Applicant/Permittee agrees to reimburse the Coastal Commission in full for all Coastal Commission costs and attorneys fees -- including (1) those charged by the Office of the Attorney General, and (2) any court costs and attorneys fees that the Coastal Commission may be required by a court to pay -- that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the Applicant/Permittee against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval or issuance of this permit. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission.

4. Agricultural Easement

- A. No development, as defined in Section 30106 of the Coastal Act, shall occur in the Agricultural Easement Area as shown on **Exhibit 29** except for:
1. Restoration, protection, and enhancement of native habitat and/or sensitive resources;
 2. Maintaining livestock and existing livestock fencing as shown on Exhibit 29.

AND

CORRECTED COPY
NOTICE OF INTENT TO ISSUE PERMIT
(Upon satisfaction of special conditions)

3. The following development, if approved by the Coastal Commission as an amendment to this coastal development permit:
- Agricultural production activities defined as “activities that are directly related to the cultivation of agricultural products for sale. Agricultural products are limited to food and fiber in their raw unprocessed state, and ornamental plant material,”
 - Agricultural support facilities directly related to the cultivation of food, fiber, and ornamental plants being undertaken on the site.

- B. ***Prior to issuance of the Coastal Development Permit***, the applicant shall execute and record a document in a form and content acceptable to the Executive Director, granting to a public agricultural agency or private agricultural association approved by the Executive Director an agricultural conservation easement over the “agricultural easement area” described above, for the purpose of preventing the development or improvement of the land for purposes other than agricultural production. The recorded easement document shall include a formal legal description of the entire property; and a metes and bounds legal description and graphic depiction, prepared by a licensed surveyor, of the agricultural easement area, as generally shown on **Exhibit 29**. The offer shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed.

5. Deed Restriction

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