LA COUNTY PLANNING

ENVIRONMENTAL REVIEW BOARD

BIOLOGICAL RESOURCES DESCRIPTION AND RECOMMENDATIONS

Meeting Date: April 21, 2025 – Monday

PROJECT: Randhawa Single-Family Residence

Project No.: 2017-004216
Permit No.: Major Coastal Development Permit RPPL2017006847 (Major CDP RPPL2017006847 Includes a Variance for length of driveway and building height)
APN: 4455-058-003
Address: 25531 Mulholland Highway, Calabasas, CA 91302
Location: Malibu Creek (Cold Canyon Creek) Watershed
USGS Quad: Malibu Beach
Project Applicant: Mr. and Mrs. Randhawa c/o Don Buckner
Project Biologist: Matthew South, South Environmental
Staff Planner: Tyler Montgomery
Staff Biologist: Karla Moreno

Project Description with respect to Impacts to Biological Resources:

The project consists of the construction of an approximately 5,272-square-foot, two-story, 30-foot-tall single-family residence with attached garage, 440-foot long driveway, and on-site water treatment system (OWTS). A variance is required for the project due to the request to exceed the allowed maximum height of 18 feet along a scenic highway and to exceed the allowed maximum driveway length of 300 feet. The project includes 13,291 cubic yards (cy) of grading (consisting of 12,918 cy of cut and 274 cy of fill, with 12,844 cy of export). The project directly impacts 0.96 acres of H2 Habitat and 0.03 acres of H3 Habitat. Additionally, on-site fuel modification will impact 2.15 acres of H2 Habitat and 0.13 acres of H3 Habitat. Off-site brush thinning will impact 0.78 acres of H2 Habitat and 0.57 acres of H2 habitat. The project fronts Mulholland Highway and access to the proposed development will be taken directly from that street.

The project site has multiple streams, that are part of the Malibu Creek Watershed, located across the central and north portion of the parcel. All streams are entirely outside of the project development footprint and associated fuel modification zones. There is a protected open space area managed by the Mountains Recreation and Conservation Authority (MRCA) west of but not abutting the project parcel and more than 200 ft. from the proposed residence. The surrounding parcels are all zoned R-C-20 (Rural Coastal - 1 dwelling unit / 20acres) and only the neighboring parcel to the east will be subject to off-site brush thinning requirements.

The project parcel is mapped in the LCP entirely as H2. The H2 Habitat within the project parcel consists of various native vegetation alliances identified by the National Park Service (NPS) in their 2006 Vegetation Classification of the SMMNRA report. The biological report prepared by South Environmental maps the vegetation as follows:

- Hoary Leaf Ceanothus-Laurel Sumac Shrubland Association;
- Laurel Sumac Shrubland Alliance; and
- Post-fire and Post-clearance Shrub Regeneration Mapping Unit

Roughly 97% of the parcel corresponds to “Hoary Leaf Ceanothus-Laurel Sumac Shrubland Association,” and the remainder of the habitat areas along the south end of the parcel abutting Mulholland Highway corresponds to habitat areas “Laurel Sumac Shrubland Alliance” and “Post-fire and Post-clearance Shrub Regeneration Mapping Unit.” The "Post-fire and Post-clearance shrub Regeneration Mapping Unit" is present along the proposed driveway and the area south of the driveway in the debris basin along Mulholland Highway where "shrubs have begun to re-vegetate after a fire, grading or clearing, resulting in short and/or sparse vegetation."[1] In addition, there are four mapped Laurel Sumacs, three are entirely outside of the fuel modification area and will not be impacted and one multi-stem Laurel Sumac of protected size is proposed for removal as it currently exists within the proposed construction footprint. Removal of the one multi-stem Laurel Sumac will be mitigated with 10 tree replacement plantings.

The location of the proposed residence is situated on the east end of the parcel with a proposed long driveway that exceeds the allowable length of 300 feet and therefore a variance is required. Alternatively, shortening the driveway to less than 300 feet would put the property within the scenic protection setback and would trigger the need for a variance for this encroachment. However, situating the property closer to Mulholland Highway would increase the overall biological impact of the project by resulting in non-overlapping brush thinning zones, which the proposed design manages to avoid.

Proposed Changes to Habitat Categories: The LCP maps the entire parcel as H2 habitat, however, the ground-truthed vegetation mapping found the debris basin area south of the proposed residence be re-categorized to H3 habitat. This area is dominated by mustards, thistles, and other non-native ruderal species and is a basin maintained by the Flood Control District.

Landscape and Fuel Modification: The biological assessment indicates the following impacts based on LCP mapping of habitat categories. The development footprint including driveway would affect 0.96 acres of H2 and 0.03 acres of H3. Non-irrigated fuel-modification would affect 1.37 acres of H2 and 0.12 acres of H3. New off-site brush thinning would affect 0.78 acres of H2. Off-site brush thinning would affect 0.57 acres of H3. Mitigation for impacts to 3.79 acres of H2 habitat will be subject to a Habitat Impact Fee, per LIP Section 22.44.1950.

[1] Aerial Information Systems, Inc. 2007. Final USGS-NPS Vegetation Mapping Program, Santa Monica Mountains National Recreation Area Photo Interpretation Report. Prepared for Santa Monica Mountains National Recreation Area.

Habitat category	On-site impacts [acres]					Off-site impacts [acres]		
	Construction	Fuel-modification zones			Total	Construction	New brush thinning	Total
		A	B	C				
H1	0.00	0.00	0.00	0.00	**0.00**	0.00	0.00	**0.00**
H2	0.96	0.05	0.63	1.37	**3.01**	0.00	0.78	**0.78**
H2HS	0.00	0.00	0.00	0.00	**0.00**	0.00	0.00	**0.00**
H3	0.03	0.00	0.01	0.12	**0.16**	0.00	0.57	**0.57**
Total	**0.99**	**0.05**	**0.64**	**1.49**	**3.17**	**0.00**	**1.35**	**1.35**

No landscaping is proposed but landscaping shall be consistent with the LIP Section 22.44.1240.B and the Fire Department requirements. The Landscape Plan shall include planting sites for the 10 Laurel Sumac mitigation trees within the non-irrigated fuel modification zone or appropriate on-site location.

ADEQUACY OF THE BIOLOGICAL REPORT

The biological assessment originally mapped the entire parcel as H2 which was consistent with the County's LIP mapping of the parcel. The County directed an updated vegetation map to re-categorize the debris basin that directs flows under Mulholland Highway as H3 habitat as regular maintenance of the debris basin by Flood Control District is permitted. That revision was made, and the report is complete.

PROJECT SPECIFIC RECOMMENDATIONS

A landscaping plan that includes landscaping of irrigated fuel modification zones with locally-indigenous drought tolerant species, revegetation of areas disturbed by construction grading, and planting locations of the 10 laurel sumac trees required as mitigation, shall be submitted for review and approval prior to project approval.

ERB PROJECT GENERAL RECOMMENDATIONS

1. **Landscaping—**In addition to the requirements of §22.44.1240.B.3 (emphasize the use of native plant palettes in fuel-modification Zones A and B; use exclusively native plant palettes in Zone C; prohibit invasive non-natives species in all zones), the plant palette shall avoid the use of ornamental cultivars and selections, including those of California native species, that have potential to hybridize with local wild plant populations or escape into adjacent natural habitat areas.
2. **Fuel Modification**
    a. Retain as many non-sprouting species as possible. These usually have a single trunk. Do not cut off the trunk in pruning, as this kills the plant.
    b. Choose multiple-trunked, resprouting species for removal over non-sprouters. The remaining multi-trunked shrubs should be pruned in a staggered, clumped pattern on an alternating schedule, allowing 2 – 3 years between prunings for any one clump. Re-sprouting species can be pruned to near ground level.
    c. It is recommended that locally-indigenous plants thinned for fuel modification be chipped and used as native plant mulch. SMM native plant mulch is not widely available in stores, but is an excellent addition to the landscape to retain soil moisture and reduce growth of invasive weeds.

   d. Disking and indiscriminate clearing is not allowed in any Fuel Modification Zone.
   e. For trees to have fuel ladders removed: prune lower branches up to 1/3 of tree height or up to 6 ft. maximum for trees 18 ft. and taller, per County fire requirements. Consult with LA County Planning (County Planning) or Forestry before pruning protected oaks or native trees.
   f. Include provisions for irrigation, both permanent for Zones A and B, and temporary for establishment of native plants in Zone C and outside of Fuel Modification Zones.
3. **Permanent Runoff Control/Drainage Plan—**The Applicant shall provide a grading plan and drainage report, including proposed site design and source control best management practices to minimize post-construction runoff and infiltrate at minimum the first 0.75-inches of stormwater. This plan should show all proposed drainage improvements, such as locations of infiltration basins, measures to convey runoff from impervious surfaces into permeable areas of the property (e.g., raingardens or bioswales) in a non-erosive manner, measures to maximize the ability of native substrates to retain and infiltrate runoff, and placement of cisterns or rain barrels for stormwater capture.
4. **Glass** should be least reflective or have frit patterns that will promote energy conservation and prevent bird strikes caused by the bird mistaking a reflection of habitat for available flight space, per §22.44.1320.
5. **Lighting** should carefully follow provisions of §22.44.1270 for exterior lighting. Avoid trespass of light into the night sky and onto natural areas both on and off the project parcels.
6. **Biological Monitor—**Prior to the issuance of a grading permit, a qualified biologist shall be retained by the Applicant as the lead biological monitor subject to the approval of County Planning. That person shall ensure that impacts to all biological resources are minimized or avoided, and shall conduct (or supervise) pre-grading field surveys for species that may be avoided, affected, or eliminated as a result of grading or any other site preparation activities. The lead biological monitor shall ensure that all surveys are conducted by qualified personnel (e.g., avian biologists for bird surveys, herpetologists for reptile surveys, etc.) and that they possess all necessary permits and memoranda of understanding with the appropriate agencies for the handling of potentially-occurring special-status species. The lead biological monitor shall also ensure that daily monitoring reports (e.g., survey results, protective actions, results of protective actions, adaptive measures, etc.) are prepared, and shall make these monitoring reports available to County Planning and CDFW at their request.
7. **Staking of Grading Limits—**The Applicant's contractor shall delineate the proposed grading limits of the building site or the extents of the proposed development area, whichever is greater, the driveway, and the extents of the fuel modification zones before any of the measures outlined below are implemented. The contractor shall not remove any native vegetation during staking and shall set the stakes so that they are clearly visible. The locations of the stakes within the fuel modification zones shall be recorded using GPS and provided to the project biologist.
8. **Nesting Bird Survey & Protection Plan—**Initial staging, grubbing, grading, and construction shall be scheduled to occur outside the nesting season of birds as

defined by the CDFW, if feasible. Regardless of timing, breeding bird surveys shall be conducted before any activities are scheduled to occur and before installation of any protective fencing (see below), as follows:

a. If initial grubbing, grading, and construction activities are scheduled to occur outside CDFW defined nesting season (generally February 1 – August 31), a qualified biologist with experience in conducting breeding bird surveys in the Santa Monica Mountains shall conduct a survey within 7 days prior to and again within 3 days of the date that activities are scheduled to begin. The biologist should focus efforts within the grading area, development area, the fuel modification zones, the driveway area, and areas within 50 ft. of them. The biologist should also survey 300 ft. beyond these areas, as access allows.
b. If avoidance of the avian breeding season is not feasible, a qualified biologist with experience in conducting breeding bird surveys in the Santa Monica Mountains shall conduct weekly bird surveys beginning thirty days prior to the initiation of project activities, to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 500 ft. of the disturbance area. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities. If a protected native bird is found in suitable nesting habitat, all project activities within 300 ft. of on- and off-site suitable nesting habitat (within 500 ft. for suitable raptor nesting habitat) may be delayed until August 31. Alternatively, the qualified biologist may continue the surveys in order to locate any active nests. If the biologist determines that there are active nests within or adjacent these areas, they should establish appropriate buffer zones, as defined in “c” below.
c. If an active nest is found, regardless of time of year, project activities within 300 ft. of the nest (within 500 ft. for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate the inside boundary of the buffer of 300 ft. (or 500 ft.) between the project activities and the nest. Project personnel, including all contractors working on site, shall be instructed on the sensitivity of the area.
d. The qualified biologist shall provide County Planning with a brief report summarizing the results of the surveys, as well as a description and assessment of implemented protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.
e. If the qualified biologist determines that a narrower buffer between the project activities and observed active nests is warranted, he/she shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds’ habituation to them; and the terrain, vegetation, and birds’ lines of sight between the project activities and the nest and foraging areas) to County Planning and CDFW. Based on the submitted information, County Planning (in consultation with CDFW) will determine whether to allow a narrower buffer.

   i. In circumstances when activities are scheduled to occur between an original buffer and a reduced buffer, a qualified biologist should monitor the nest before, during, and after the activities, to determine if it is being affected.
   ii. The only activities that shall be allowed between the original buffer and the reduced buffer are those that generate noise levels less than 60 dBA as measured at the resource. The biologist shall record noise levels every hour and must have the authority to stop any activities that exceed 60 dBA if they determine that it is affecting, or has the potential to affect the outcome of a nest.
   iii. The biologist shall send weekly monitoring reports to County Planning and, upon request, to CDFW, documenting the status of monitored nests, and shall notify County Planning immediately if project activities damage active avian nests.

9. **Temporary wildlife fencing** shall be utilized to reduce the potential for wildlife being harmed by or moving into the work site. The project proponent's contractor shall delineate the grading limits/approved development area and shall fence the area in its entirety with green screen before beginning removal of any vegetation, as follows:
   a. To install the screen, laborers will remove a 5-foot strip of vegetation at the limits of the grading limits/development area using hand-held tools to allow wildlife, including special status species, a chance to escape and reduce the potential of them being crushed by heavy machinery.
   b. The green screen shall be partially buried, or fitted with silt fence that is partially buried, in a manner that reduces the potential for wildlife moving back in.
   c. Laborers installing the fence shall remain within the cut areas and any paths leading to it.
   d. A biologist shall monitor fence installation so that they can capture and relocate wildlife as necessary, and to ensure that no protected trees or special status plants are impacted during installation.
   e. The biologist must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.
   f. A gated entrance shall allow ingress and egress. The gates shall remain open until after the project biologist conducts a pre-construction survey and shall be closed only after vegetation is cleared from within the fenced area (see below).
10. **Pre-Construction Biological Resources Survey & Site Clearance—**A pre-construction biological resources survey shall be conducted within the area that is screened and within areas adjacent the driveway the day after screening.
   a. The project proponent's contractor shall plan to remove vegetation from within the screened area no more than 1 day after completion of the Pre-Construction Biological Resources Survey.
   b. Laborers shall use hand-held tools to remove the vegetation. Using hand-held tools will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery.
   c. A biologist shall monitor vegetation removal so that they can capture and relocate wildlife as necessary.

   d. The biologist must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.

11. **Initial Grubbing & Grading—**Initial grubbing and grading shall occur 3 to 7 days after vegetation has been cleared from the proposed development area/grading limits. The delay between vegetation clearance and the grubbing and grading activities will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery.
    a. A biologist shall monitor initial grading and grubbing so that they can capture and relocate wildlife as necessary.
    b. The biologist must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.
12. **Initial Fuel Modification—**The site shall only be fuel-modified after the construction phase of the proposed project has been completed or as otherwise directed by the Fire Department.
    a. A qualified biologist shall implement the Nesting Bird Survey & Protection Plan before fuel modification occurs.
    b. A qualified biologist shall be present during initial fuel modification activities and shall stake the limits of fuel modification and flag any areas or plants to be excluded from fuel modifications.
    c. The stakes shall remain in place until after fuel modification activities have been completed.
    d. A qualified biologist shall be present during initial fuel modification activities to ensure that no protected trees or special-status species are damaged by the fuel modification activities.

CONSISTENCY

The following findings are required to be made in order to satisfy the requirements of the Santa Monica Mountains LIP:

1) That the requested development is sited and designed to avoid H1 Habitat and areas within 100 feet of H1 Habitat except as permitted by Sections 22.44.1800 through 22.44.1950;
   The Project does not propose development within mapped H1 Habitat or within 100 feet of mapped H1 Habitat.
2) That the requested development is sited and designed to avoid the 100-foot Quiet Zone except as set forth herein;
   The Project does not propose development within the H1 Habitat 100-foot Quiet Zone.
3) That the requested development is sited and designed to avoid H2 "High Scrutiny" and H2 Habitat to the maximum extent feasible. Where avoidance is not feasible and it Is necessary to allow the owner a reasonable economic use of the property, the requested development is sited and designed to minimize and mitigate the significant adverse impacts in conformance with the policies and provisions of the LCP;
   While the biological assessment originally mapped the entire parcel as H2 which is consistent with the County's LIP mapping of the parcel, an updated vegetation map, the creation of which was directed by the County, re-categorized the debris basin that directs flows under Mulholland Highway as H3 habitat as regular

maintenance of the debris basin by Flood Control District is permitted. Although the location of the proposed residence is situated beyond 250 feet of Mulholland Highway, which is a scenic highway with setback requirements per LIP Section 22.44.2040, the County agrees that the proposed location is the least impactful location for the proposed residence. An alternative location would create completely new biological impacts as a result of the on-site fuel modification and off-site brush thinning requirements. Alternative locations would likely be situated southwest along the driveway and would require development amongst two hillsides with slopes greater than 25% and would result In more habitat disturbance.

4) And that the requested development is sited and designed to avoid wildlife movement corridors (migratory paths) to the maximum extent feasible, to ensure these areas are left in an undisturbed and natural state. Where avoidance is not feasible and it is necessary to allow the owner a reasonable economic use of the property, the requested development is sited and designed to minimize significant adverse impacts in conformance with the policies and provisions of the LCP;

   No known wildlife corridors will be affected by the Project, and no direct development Is proposed In H1 Habitat, H1 Habitat 100-foot Buffer, H1 Habitat Quite Zone, or H2 High Scrutiny Habitat. No fencing Is proposed for the project site, the project will be conditioned to be finished In colors and materials that reduce potential Impacts to wildlife and no reflective glazings will be permitted.

5) And the roads and utilities serving the proposed development are located and designed so as to avoid H1 Habitat, H1 Habitat 100-foot Buffer, and to avoid or minimize significant adverse impacts to H2 High Scrutiny Habitat, H2 Habitat, and migratory paths.

   The placement of the driveway, which loner than 300 linear feet and requires a Variance, has been analyzed and It has been determined that the current configuration Is the one that results In the fewest Impacts to sensitive resources. While the driveway is placed in mapped H2 Habitat, he driveway has been situated In a way to avoid all direct Impacts to H1 Habitat, H1 Habitat 100-foot buffer, and H2 High Scrutiny Habitat.

With recommended updates regarding landscape plan updates, the project meets the findings.

Staff Recommendation:	**__ Consistent**	**_X_ Consistent after Modifications & Bio Report Completion**
	__ Inconsistent	**__ No decision**