LA COUNTY PLANNING

ENVIRONMENTAL REVIEW BOARD

BIOLOGICAL RESOURCES DESCRIPTION AND RECOMMENDATIONS

Meeting Date: February 23, 2026 – Monday

PROJECT: Topanga Elementary Violation Abatement

Project No.: PRJ2022-003851-(3)
Permit No.: RPPL2024000580
APNs: 4438-029-900, 4438-029-901, 4445-004-900, 4445-004-901, 4445-004-903, 4445-005-902
Address: 141 N. Topanga Canyon Blvd., Topanga CA 90290
Location: Topanga Creek Watershed
USGS Quads: Topanga
Project Applicant: Los Angeles Unified School District
Project Biologists: Rosi Dagit and Daniel S. Cooper, Ph.D., Resource Conservation District of the Santa Monica Mountains
Staff Planner: Tyler Montgomery
Staff Biologist: Joe Decruyenaere

GENERAL PROJECT DESCRIPTION

The project is mitigation of approximately 4.75 acres of impacts to H1, H2, and H3 habitats that resulted from unpermitted vegetation clearing and grading activities beyond the approved fuel-modification and off-site brush thinning zones of Topanga Elementary Charter School.

SITE BIOLOGICAL RESOURCES & HABITAT MAPPING

Biological Resources

- The affected area is located on portions of six parcels that total 74.55 acres, within the Topanga Canyon watershed. Topanga State Park borders the school to the northeast and northwest. Remaining adjacent parcels are mostly developed with residential uses, with the exceptions of a County-owned water tank parcel and undeveloped parcels to the west and southwest.
- The affected area is mapped in the LCP as H1, H2, and H3. These designations correspond to National Park Service (NPS) mapped vegetation polygons as follows:
    - LCP-mapped H1 includes coast live oak woodland/forest superassociation, California sycamore-coast live oak south coastal woodland/forest association, and California grassland/herbland alliance.

- LCP-mapped H2 includes chamise shrubland association, greenbark ceanothus-big pod ceanothus shrubland association, and laurel sumac shrubland alliance.
- LCP-mapped H3 includes urban buffer shrubs mapping unit, urban coast live oak mapping unit, and urban California sycamore mapping unit.

Native plant communities identified in NPS mapping are generally named for their dominant species. "California annual grassland/herbland alliance" includes continuous stands of grassland, sometimes with an emergent shrub or tree layer. "Urban buffer shrubs", "urban coast live oak", and "urban California sycamore" mapping units are used to map the transitional areas between relatively undisturbed natural vegetation and built-up areas that can be classified as non-vacant and nonagricultural land use. They are composed of sparse to intermittent native or exotic shrubs and trees, sometimes with herbaceous vegetation and emergent native or non-native species[1].

Survey Findings

Based on the results of site investigations by the Project Biologists, vegetation was mapped as coast live oak forest alliance, urban/disturbed coast live oak forest, *Ceanothus spinosus* chaparral alliance, coastal sage scrub alliance, disturbed scrub, grassland, and ruderal. Woodland and chaparral types largely correspond in type and distribution with those identified by NPS. Herbaceous, scrub, and disturbed types were found to be more varied than NPS mapping, with much of the area originally mapped as "urban shrub" resolvable into separate disturbed scrub, urban/disturbed coast live oak, coastal sage scrub, and ruderal communities.

Multiple mature individuals of Fish's milkwort (*Rhinotropis cornuta* var. *fishiae*, CRPR 4.3) were detected in previously cleared oak woodland in the northwest portion of the site.

Catalina mariposa lily (*Calochortus catalinae*) was also detected and reported as sensitive (CRPR 4.2) in the report. This species has since been removed from the CNPS Inventory of Rare and Endangered plants, and is no longer considered sensitive.

Protected coast live oak (*Quercus agrifolia*) and western sycamore (*Platanus racemosa*) are present throughout the study area.

Proposed changes to habitat categories:

The Project Biologists generally agreed with the County mapping of habitat designations over most of the project site, with the exception that the area in the north of the developed school and mixed oak/pine forest should be considered H1. This distinction was made because the oak woodland and coast live oak forest that remains over much of that area is outside the 200 ft fuel modification zone for existing buildings.

[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.

PROJECT IMPACTS TO BIOLOGICAL RESOURCES

At least two mature coast live oak trees were removed without a permit, and an additional 14 coast live oaks and 1 western sycamore sustained greater than 30% damage to their protected zones, for a total of 17 impacted native trees.

Approximately 0.7 acres of moderately disturbed oak woodland canopy was lost between 2020 and 2021.

0.24 acres of grassland, 0.17 acres of ruderal, 0.54 acres of coastal sage scrub, and 1.89 acres of urban forest communities were affected by the clearing, as was the stand of Fish's milkwort.

MITIGATION & MINIMIZATION MEASURES

The LAUSD Topanga Elementary Charter School Slope Restoration plan depicts the plant palette and restoration areas where native species will be seeded and installed to mitigate for the unpermitted clearing. A palette of locally-indigenous native species is proposed throughout the impact area. Plantings within fuel modification zones A – C will be subject to spacing and thinning requirements of the Los Angeles County Fire Department. A permanent irrigation system will be installed in fuel-modification zones A and B; irrigation in zone C will be operational only through the establishment period of mitigation plantings.

Non-native Chinese juniper (*Juniperus chinensis*), Canary Island pine (*Pinus canariensis*), Allepo pine (*P. halepensis*), Torrey pine (*P. torreyana*), and California pepper (*Schinus molle*) will be removed within fuel-modification zones, and these will be replaced with native oak trees.

Based on the required mitigation ratio of 10:1 for individual tree impacts, a minimum of 160 mitigation oak trees and 10 mitigation sycamore trees is required. One hundred twenty-four existing seedlings have been identified and mapped, and where these are retained within fuel modification zones they may count towards meeting the mitigation requirements for individual tree impacts.

In addition to mitigation for individual tree impacts, the LIP also requires mitigation of H1 oak woodland at a ratio of 3:1. Therefore 2.10 acres of woodland must be restored. Based on prior studies, the Project Biologists recommend a tree-planting density of 200 – 300 trees per acre to achieve 10% oak woodland cover.

A total mitigation effort of 300 trees, inclusive of 124 existing seedlings and 176 plantings, is proposed to satisfy the mitigation requirements for both individual tree and H1 oak woodland impacts. Fifty additional acorns will also be planted to compensate for the likely mortality of some plantings and seedlings.

LOCAL COASTAL PROGRAM CONSISTENCY

i. 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; and

   The project consists of restoration, revegetation, and replacement of nonnative plants with native plants. A portion of the restoration would take place within H1

Habitat. Habitat restoration is a permitted use within H1 Habitat, per the Santa Monica Mountains Local Implementation Program ("LIP").

ii. That the requested development is sited and designed to avoid the 100-foot Quiet Zone except as set forth herein; and

The project consists of restoration, revegetation, and replacement of nonnative plants with native plants. A portion of the restoration would take place within H1 Habitat Quiet Zone. Habitat restoration is a permitted use within H1 Quiet Zone, per the Santa Monica Mountains Local Implementation Program ("LIP").

iii. 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 significant adverse impacts in conformance with the policies and provisions of the LCP; and

The project consists of restoration, revegetation, and replacement of nonnative plants with native plants. A portion of the restoration would take place within H2 Habitat. Habitat restoration is a permitted use within H2 Habitat, per the Santa Monica Mountains Local Implementation Program ("LIP").

iv. 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; and

The project consists of restoration, revegetation, and replacement of nonnative plants with native plants. Wildlife movement will be enhanced by this restoration.

v. That roads and utilities serving the proposed development are located and designed so as to avoid H1 Habitat, H1 buffer, and to avoid or minimize significant adverse impacts to H2 "High Scrutiny," and H2 Habitat, and migratory paths.

No new roads or utilities are proposed as part of the project.

PROJECT SPECIFIC RECOMMENDATIONS

None

ERB PROJECT GENERAL RECOMMENDATIONS

All projects shall comply with the ERB General Recommendations (see, *Attachment 1*).

Staff Recommendation:	**_X_ Consistent**	**__ Consistent after Modifications & Bio Report Completion**
	__ Inconsistent	

(Attachment 1)
ERB 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.