

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



MINUTES OF THE JOINT MEETING
of the
SANTA MONICA MOUNTAINS CONSERVANCY
and the
SANTA MONICA MOUNTAINS CONSERVANCY
ADVISORY COMMITTEE

September 26, 2011

1. Call to order.

The 384th joint telephonic meeting of the Santa Monica Mountains Conservancy and Santa Monica Mountains Conservancy Advisory Committee was called to order by Vice Chairperson Jerome C. Daniel, at 7:33 p.m. on September 26, 2011 at the following locations:

- (a) King Gillette Ranch, 26800 Mulholland Highway, Calabasas, California.
- (b) Natural Resources Agency, 1416 9th Street, 13th Floor, Sacramento, California.

2. Administration of Oath of Office to new members.

No oath of office was administered.

The Executive Director welcomed Sean Arian to the Advisory Committee.

3. Roll Call of Conservancy.

The Conservancy roll was called and the following members were present: Elizabeth Cheadle, Linda Parks, Bryan Cash (telephonically), Craig Sap, and Jerome C. Daniel, Vice Chairperson. The following member was present subsequent to roll call: Richard Bloom. A quorum was present. The following members were absent: Woody Smeck, Irma Muñoz, and Antonio Gonzalez, Vice Chairperson.

4. Roll Call of Advisory Committee.

The Advisory Committee roll was called and the following members were present: Allison-Claire Acker, Sean Arian, Dave Brown, Elaine Freeman, Richard Gould, Jeffrey Jennings, Allen Kishbaugh, Mary Sue Maurer, Paul Rabinov, Roseann Mikos, David Ross, Wendy-Sue Rosen, Effie Turnbull Sanders, and George Lange, Vice Chairperson. A quorum was present. The following members were present subsequent to roll call: Michael Cacciotti and Anita Fromholz. The following members were absent: Sean Anderson, Caroline Brown, John Edelston, Paul Rockenstein, Nancy Stephens, Marc Stirdivant, Donald Voss, Timothy Wendler, Garen Yegparian, and Don Robinson, Chairperson.

Staff present: Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director; Rorie Skei, Chief Deputy Director; Laurie Collins, Chief Staff Counsel; Paul Edelman, Deputy Director of Natural Resources and Planning; Melissa Cartelli, Associated Government Program Analyst, and James Yeramian, Board Secretary.

5. Introduction of Legislative Participants or their staff.

The Vice Chairperson announced that Senator Fran Pavley, and Julia Juarez were present.

6. Approval of Minutes.

The minutes of August 29, 2011 were submitted for approval.

The minutes of August 29, 2011 were approved as submitted.

7. Reports:

The Conservancy received verbal reports from the Chief Staff Counsel; Mr. Sap, representing State Parks; Senator Pavley; Mr. Lange, representing the Mountains Recreation and Conservation Authority, and Mr. Gould, representing the Santa Clarita Watershed Recreation and Conservation Authority.

Questions were propounded by the Vice Chair.

Comments were made by Senator Pavley.

8. Members comments on matters not on the agenda.

Comments were made by Mr. Lange, the Vice Chairperson, Ms. Parks, Senator Pavley, Ms. Mikos, and Mr. Cacciotti.

9. Comments from members of the public on items not on the agenda and public testimony on all agenda items.

No members of the public addressed the Conservancy.

10. Consent Calendar:

- (a) Consideration of resolution authorizing a comment letter to City of Simi Valley on Simi Valley General Plan Environmental Impact Report, SCH# 2009121004.**

- (b) **Consideration of resolution confirming a comment letter to the City of Los Angeles on the Final Environmental Impact Report for the Hidden Creeks Estates project in Browns Canyon, unincorporated County of Los Angeles.**
- (c) **Consideration of resolution authorizing a comment letter to Los Angeles County on the Notice of Preparation for the Calabasas Peak Motorway Residential Development Project, Calabasas Highlands, unincorporated Los Angeles County.**

Items 10(a) and 10(c) were removed from the Consent Calendar.

A roll-call vote of the Advisory Committee was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Rabinov, duly seconded, the Advisory Committee recommended adoption of Resolution Nos. 11-69.

A roll-call vote of the Conservancy was administered.

CONSERVANCY CONSIDERATION:

On motion of Ms. Cheadle, duly seconded, the Conservancy unanimously adopted Resolution Nos. 11-69.

10(a). Consideration of resolution authorizing a comment letter to City of Simi Valley on Simi Valley General Plan Environmental Impact Report, SCH# 2009121004.

Comments were made by Ms. Mikos.

Questions were propounded by Ms. Freeman.

Comments were made by the Executive Director and the Deputy Director for Natural Resources and Planning.

A roll-call vote of the Advisory Committee was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Mikos, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-68.

A roll-call vote of the Conservancy was administered.

CONSERVANCY CONSIDERATION:

On motion of Ms. Parks, duly seconded, the Conservancy unanimously adopted Resolution No. 11-68.

10(c). Consideration of resolution authorizing a comment letter to Los Angeles County on the Notice of Preparation for the Calabasas Peak Motorway Residential Development Project, Calabasas Highlands, unincorporated Los Angeles County.

Comments were made by Ms. Maurer and Mr. Brown.

A roll-call vote of the Advisory Committee was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Rosen, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-70.

A roll-call vote of the Conservancy was administered.

CONSERVANCY CONSIDERATION:

On motion of Ms. Cheadle, duly seconded, the Conservancy unanimously adopted Resolution No. 11-70.

11. Presentation and discussion on Mountains Recreation and Conservation Authority Malibu Public Access Acceptance program.

The Conservancy received an oral report by Walt Young, representing the Mountains Recreation and Conservation Authority.

Questions were propounded by Mr. Jennings, Ms. Maurer, Ms. Rosen, and Ms. Turnbull Sanders.

Comments were made by Mr. Young.

12. Report and discussion on public access to Fossil Ridge Open Space Preserve.

The Conservancy received an oral report by the Chief Staff Counsel.

Questions were propounded by the Vice Chairperson and Mr. Kishbaugh.

Comments were made by the Executive Director and the Chief Staff Counsel.

- 13. Consideration of resolution authorizing a comment letter to City of Malibu on Trancas Highlands Water System and Utility Improvements, and Two New Single Family Residences on Anacapa View Drive, Initial Study No. 07-005, Mitigated Negative Declaration No. 07-005, and Coastal Development Permit Nos. 06-051 and 07-121, Trancas Canyon and Steep Hill Canyon watersheds, City of Malibu.**

This item was postponed to a later date.

- 14. Consideration of resolution authorizing the addition of the Elyira Canyon Park Expansion project to the Conservancy's Acquisition Workprogram, Mount Washington, City of Los Angeles.**

The staff report for this item was presented by the Deputy Director of Natural Resources and Planning.

Comments were made by Mr. Brown.

A roll-call vote of the Advisory Committee was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Fromholz, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-72.

A roll-call vote of the Conservancy was administered.

CONSERVANCY CONSIDERATION:

On motion of Ms. Cheadle, duly seconded, the Conservancy unanimously adopted Resolution No. 11-72.

- 15. Consideration of resolution authorizing a grant and advance of deposited mitigation funds (I-405 Sepulveda Pass Widening Project, Corps No. SPL-2008-464-PHT) from the Santa Monica Mountains Conservancy Fund to the Mountains Recreation and Conservation Authority for implementation of a riparian habitat restoration and creation project in the Bundy Canyon or Ballona Creek watershed.**

The staff report for this item was presented by the Deputy Director for Natural Resources and Planning.

Questions were propounded by Ms. Mikos.

Comments were made by the Executive Director.

A roll-call vote of the Advisory Committee was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Rosen, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-73.

A roll-call vote of the Conservancy was administered.

CONSERVANCY CONSIDERATION:

On motion of Ms. Parks, duly seconded, the Conservancy unanimously adopted Resolution No. 11-73.

- 16. Closed Session: (The Conservancy may hold a closed session on the following items pursuant to Section 11126 Subdivision (c)(7)(A), Section 11126.3(a), and Section 11126 Subdivision (e) of the Government Code. Confidential memoranda related to the following items may be considered during such closed session discussions.) Discussion and possible action regarding pending and/or potential litigation: Pending litigation – *Morris v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority; Ramirez Canyon Preservation Fund v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority, Case No. BS127089; Ramirez Canyon Preservation Fund v. California Coastal Commission, Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority, Case No. BS129503; City of Malibu v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority and California Coastal Commission, Case No. BS129222 Ramirez Canyon Preservation Fund v. California Coastal Commission, et al. Case No. BS 121820; Lt-WR, LLC v. Santa Monica Mountains Conservancy SC105587; Friends of Temescal Pool v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority, City of Malibu v. California Coastal Commission, Santa Monica Mountains Conservancy, Mountains Recreation and Conservation Authority Case No. BS121650, Santa Monica Mountains Conservancy v. City of Malibu, and related actions.***

Initiation of litigation. Number of cases: 1. Parties: *Santa Monica Mountains Conservancy v. Mulholland Estates Homeowner's Association, Bartlein & Company, Inc., et al.* The Conservancy may refer the following matter to the Department of Justice for potential initiation of litigation: Action to enforce public access rights to Fossil Ridge Park as recorded in the "Declaration of Covenants, Conditions & Restrictions for Mulholland Estates" recorded on August 29, 1988 as Instrument No. 88-1372488 in the Office of the Los Angeles County Recorder.

No closed session was held.

17. Announcement of future meetings and adjournment.

The Vice Chairperson announced that the next meeting would be held on October 24, 2011.

There being no further business, the Vice Chairperson adjourned the meeting at 8:43 p.m.

Respectfully submitted:

Approved:

JOSEPH T. EDMISTON, FAICP Hon. ASLA
Executive Director

JEROME C. DANIEL
Vice Chairperson