

SANTA MONICA MOUNTAINS CONSERVANCY

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

December 5, 2011

1. Call to order.

The 385th joint 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 7:42 p.m. on December 5, 2011 at King Gillette Ranch, 26800 Mulholland Highway, Calabasas, California.

2. Roll Call of Conservancy.

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

3. Roll Call of Advisory Committee.

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

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.

4. Introduction of Legislative Participants or their staff.

The Chairperson announced that Louise Rishoff and Rebekah Rodriguez Lynn were present.

5. Approval of Minutes.

The minutes of September 26, 2011 were submitted for approval.

The minutes of September 26, 2011 were approved as submitted.

6. Reports:

The Conservancy received verbal reports from Mr. Smeck, representing the National Park Service; Mr. Sap, representing State Parks; the Executive Director, and Mr. Lange, representing the Mountains Recreation and Conservation Authority.

Questions were propounded by Ms. Fromholz, Ms. Mikos, Mr. Lange, the Chair, and Mr. Yegparian.

Comments were made by Mr. Smeck, Ms. Parks, Mr. Cash, Ms. Rosen, and the Executive Director.

7. Members comments on matters not on the agenda.

Comments were made by Messrs. Lange, Daniel, Bloom, and Brown.

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

The following member of the public addressed the Conservancy:

Mr. James Rasmussen, member of the public, on item 11.

9. Consent Calendar:

- (a) **Consideration of resolution authorizing a comment letter to the National Park Service on the San Gabriel Watershed and Mountains Draft Special Resource Study and Environmental Assessment.**
- (b) **Consideration of resolution authorizing a comment letter to Los Angeles County Department of Regional Planning on Preliminary Draft Significant Ecological Area and Hillside Management Area Conditional Use Permit Ordinance.**

- (c) **Consideration of resolution authorizing a comment letter to Bureau of Land Management on Draft South Coast Resource Management Plan and Environmental Impact Statement.**
- (d) **Consideration of resolution authorizing support letter for City of Los Angeles Proposition O application for Verdugo Hills Storm Water Project encompassing the Verdugo Hills Golf Course and Blanchard Creek Flood Control Channel.**
- (e) **Consideration of resolution authorizing a comment letter to Los Angeles County on Notice of Consultation for 1809 Tuna Canyon Road, adjacent to Rocky Ledge open space, unincorporated Topanga Canyon.**

Item 9(b) was removed from the agenda.

Item 9(d) was removed from the Consent Calendar.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Cacciotti, duly seconded, the Advisory Committee recommend adoption of Resolution Nos. 11-74, 11-76, and 11-78.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution Nos. 11-74, 11-76, and 11-78.

- 9(d). Consideration of resolution authorizing support letter for City of Los Angeles Proposition O application for Verdugo Hills Storm Water Project encompassing the Verdugo Hills Golf Course and Blanchard Creek Flood Control Channel.**

Comments were made by Mr. Stirdivant.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Yegparian, duly seconded, the Advisory Committee recommend adoption of Resolution No. 11-77 upon amending the comment letter.

CONSERVANCY CONSIDERATION:

On motion of Ms. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 11-77, as amended.

10. Presentation by Dr. Seth Riley of the National Park Service on wildlife movement issues and the 405 Freeway.

The Conservancy received an oral report from Dr. Seth Riley, representing the National Park Service.

Questions were propounded by Messrs. Brown and Yegparian, and Ms. Rosen.

Comments were made by Dr. Riley.

11. Consideration of resolution authorizing a comment letter to City of Malibu on Notice of Proposed Project for new single-family residence at 6050 Murphy Way (Coastal Development Permit No. 11-046), between Escondido and Ramirez canyons.

Comments were made by Ms. Freeman.

Questions were propounded by Ms. Mikos and Mr. Yegparian.

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

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Brown, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-78, upon amending the comment letter.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 11-78, as amended.

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

12. Consideration of resolution authorizing a budget augmentation and modification of scope for grant SMM-50-1108 to the Mountains Recreation and Conservation Authority, for Project Planning and Design services for the Lechuza Beach Public Access Improvements Project, City of Malibu.

The staff report for this item was presented by the Executive Director.

Questions were propounded by Mr. Yegparian.

Comments were made by the Executive Director.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Yegparian, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-79.

CONSERVANCY CONSIDERATION:

On motion of Mr. Cash, duly seconded, the Conservancy unanimously adopted Resolution No. 11-79.

13. Consideration of resolution authorizing approval of an access agreement for groundwater monitoring well replacement on the Conservancy Bluffs property, City of Malibu.

The staff report for this item was presented by the Chief Staff Counsel.

Questions were propounded by Messrs. Yegparian and Robinson.

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

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Yegparian, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-80.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 11-80.

14. Consideration of resolution authorizing a budget augmentation for grant SMM-0605 to the Mountains Recreation and Conservation Authority.

The staff report for this item was presented by Ms. Barbara Romero, Chief of Urban Parks, representing the Mountains Recreation and Conservation Authority.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Yegparian, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-81.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 11-81.

15. Consideration of resolution authorizing a grant of Proposition 84 funds to the Los Angeles River Revitalization Corporation, a non-profit organization, for project planning and design of the Piggyback Yard site, Upper Los Angeles River Watershed.

The Chairperson announced that he would recuse himself from this item.

The staff report for this item was presented by the Executive Director.

Questions were propounded by Mr. Brown.

Comments were made by the Executive Director.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Brown, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-82.

CONSERVANCY CONSIDERATION:

On motion of Ms. Cheadle, duly seconded, the Conservancy unanimously adopted Resolution No. 11-82.

16. Consideration of resolution authorizing the FY 2010/2011 Santa Monica Mountains Conservancy Annual Report pursuant to Sec. 33208 of the Public Resources Code.

The staff report for this item was presented by the Executive Director.

Comments were made by Ms. Cheadle and Mr. Smeck.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Yegparian, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-83.

CONSERVANCY CONSIDERATION:

On motion of Mr. Cash, duly seconded, the Conservancy unanimously adopted Resolution No. 11-83.

17. **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 – *Kruells v. La Vina Homeowners Association, Case No. GC035668; 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; 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.

18. **Announcement of future meetings and adjournment.**

The Chairperson announced that the next meeting would be held on January 23, 2012.

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There being no further business, and by motion of Mr. Kishbaugh, duly seconded, the Chairperson adjourned the meeting at 9:30 p.m., in memory of Eldon Hughes.

Respectfully submitted:

Approved:

JOSEPH T. EDMISTON, FAICP Hon. ASLA
Executive Director

ANTONIO GONZALEZ
Chairperson