

NORMAN R. HAYNIE
22741 PACIFIC COAST HIGHWAY, STE. 400
MALIBU CA 90265
310-456-5515

September 24, 2008

Mr. Paul Edelman
Santa Monica Mountains Conservancy
5810 Ramirez Canyon Road
Malibu CA 90265

Email: edelman@smmc.ca.gov

Dear Mr. Edelman:

As we have discussed, the California Coastal Commission has approved a program for permitting the creation of an additional parcel within the coastal zone in the Santa Monica Mountains by recording a parcel map provided that the following conditions are satisfied.

1. The division of the parcel is in an area where the division is consistent with the Coastal Commission approved land use map and the County's north area plan.
2. The division will not impact any Environmentally Sensitive Habitat Areas ("ESHAS") before and after the division.
3. The infrastructure for the additional house is substantially in place currently.
4. The new house that will be built on the new parcel will satisfy all development standards imposed by the Coastal Commission and the City or County's development standards in the area in which the parcel map is located. This includes the dedication of desired trail easements, wildlife corridors, and any other easements that may be beneficial to the public.
5. The owner must provide one Transfer Development Credit ("T.D.C.") for each newly created parcel.

The fifth condition is the condition that is the subject of this letter. The Coastal Commission does not want certain existing parcels of land to be developed because of the unpreventable impacts that the development of the parcels would have on the environment. These impacts include the following:

1. Major land form alteration due to required grading for the access drive and/or the building site.
2. Inevitable modification in natural drainage patterns including increased runoff due to paving, roofs and decks.

MRCA
Attachment
10-1-08; Item VI

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3. Degradation to ESHA due to the development itself and the Los Angeles County Fire Department fuel modification requirements. The fuel modification zone extends 200 feet beyond the outside walls of any structure except structures that are not inhabitable and cannot burn. The impact on an area that is predominantly ESHA is very great. For example, a one story house that is 50 feet wide and 50 feet long will occupy an area that is 2,500 square feet; however, the fuel modification zone that will substantially eliminate or significantly impact ESHA is over 165,000 square feet, or 3.8 acres of ESHA.

The T.D.C Program requires that the applicant for a subdivision that will create a new parcel provide one T.D.C. for each newly created parcel. The T.D.C. is created when the applicant acquires a parcel that is located in an area where there would be substantial degradation of ESHA if the parcel were developed with a house. The parcel is then deed restricted with an offer to dedicate an open space easement preventing any development of the parcel in perpetuity. Once the offer to dedicate an open space easement has been recorded the parcel has to be transferred to an adjacent property owner and combined with the adjacent parcel and/or the parcel is transferred to a public entity.

The Coastal Commission has designated 32 parcels which are very close to Topanga State Park and which would have a substantial negative impact on the park's environment if developed. Not only would the required fuel modification encroach onto State Parkland but the State would have to pay for the vegetation removal. Accordingly, the Coastal Commission has designated these parcels as potential T.D.C parcels.

Most of the parcels adjacent to the subject 32 parcels have already been acquired by the County of Los Angeles and/or the State of California so it is important that a governmental agency accept title to these parcels when they are used as T.D.C.s or they will not be able to be used as T.D.C.s.

I am requesting that the Santa Monica Mountains Conservancy or the Mountain Recreation & Conservation Authority accept title to one or more of these parcels at such time as they are used for T.D.C.s. The person that needs the T.D.C.s is willing to pay the SMMC or the MRCA one thousand dollars for each parcel that is transferred to either of these entities to provide for the administrative costs and/or expense.

A list of the parcels is provided on the California Coastal Commission letters qualifying each parcel for T.D.C. use.

If you have any questions please do not hesitate to call me at any time.

Sincerely yours,
Digitally signed by Norman R. Haynie
DN: cn=Norman R. Haynie, c=US,
email=norm@blueonyxdesign.com
Date: 2008.09.24 15:06:25 -07'00'
Norman R. Haynie

NRH/cek

CALIFORNIA COASTAL COMMISSION

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



September 5, 2008

Submittal 2-08

Mr. Norman Haynie
22761 Pacific Coast Highway
Malibu, CA 90265

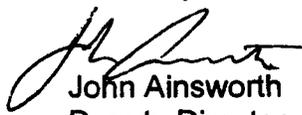
RE: *Request for Evaluation of Transfer of Development Credit (TDC) Value for twenty- three (23) parcels in the Santa Monica Mountains. APNs: 4442-029-001; 4442-029-002; 4442-029-006; 4442-029-007; 4442-029-008; 4442-029-009; 4442-029-010; 4442-029-011; 4442-029-019; 4442-029-020; 4442-029-021; 4442-029-024; 4442-029-025; 4442-030-001; 4442-030-002; 4442-030-004; 4442-030-006; 4442-030-009; 4442-030-010; 4442-031-001; 4442-031-008; 4442-031- 016; & 4442-031-020 .*

Dear Mr. Haynie,

This letter is in response to your June 18, 2008 letter requesting TDC eligibility for the twenty- three parcels referenced above. The subject parcels are located within an area considered to be environmentally sensitive habitat and adjacent to public parklands. Therefore, pursuant to the Coastal Commission's TDC program each parcel qualifies for one TDC for a total of twenty-three (23) TDCs.

This certification does not attest to the legal disposition of the parcels with regard to any existing deed restrictions that may affect the properties qualification for TDCs. Final eligibility as to the legal qualifications of the lots shall be determined by the Commission's legal division located in San Francisco. To complete the TDC recordation process please contact Pat Sexton in our legal division at (415) 904-5200. If you have any questions regarding this determination please call me at the above number.

Sincerely,


John Ainsworth
Deputy Director

cc. Pat Sexton

CALIFORNIA COASTAL COMMISSION

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



June 21, 2006

Submittal 1-06

Mr. Norman Haynie
22761 Pacific Coast Highway
Malibu, CA 90265

RE: Request for Evaluation of Transfer of Development Credit (TDC) Value for nine (9) parcels in the Santa Monica Mountains. APNs: 4438-035-005; 4438-035-009; 4438-035-010; 4438-035-012; 4438-035-022; 4438-035-023; 4438-035-015; 4438-035-020; & 4438-035-021.

Dear Mr. Haynie,

This letter is in response to your June 15, 2006 letter requesting TDC eligibility for the nine (9) parcels referenced above. The nine parcels are located within an area considered to be environmentally sensitive habitat and adjacent to public parklands. Therefore, pursuant to the Coastal Commission's TDC program each parcel qualifies for one TDC for a total of nine (9) TDCs.

This certification does not attest to the legal disposition of the parcels with regard to any existing deed restrictions that may affect the properties qualification for TDCs. Final eligibility as to the legal qualifications of the lots shall be determined by the Commission's legal division located in San Francisco. To complete the TDC recordation process please contact Pat Sexton in our legal division at (415) 904-5220. If you have any questions regarding this determination please call me at the above number.

Sincerely,

A handwritten signature in black ink, appearing to read "John Ainsworth".

John Ainsworth
South Central Coast District Director

cc. Pat Sexton