City of Malibu
Environmental Review Board Handout & Checklist

What is the ERB?

The Environmental Review Board (ERB) serves as a technical advisory board to the City of Malibu Planning Director regarding matters of environmental concern. The ERB members are selected by the Planning Director and the board is comprised of qualified professionals with technical expertise in biological resources (marine/coastal; wetland/riparian protection and restoration, upland habitats and connectivity), geology (coastal protection devices, slope stability, onsite wastewater treatment), architecture or civil engineering (siting of structures in hillside areas), landscape architecture (fuel modification, planting of wildland edges), and the California Environmental Quality Act (CEQA). The purview of the ERB is limited to biological resource issues, geological issues, siting of structures on hillsides, fuel modification issues, and planting of wildland edges, unless otherwise directed by the Planning Director/City Biologist.

Can members of the public attend an ERB meeting?

Yes. Though the ERB is a non-Brown Act body, City staff welcomes public comments at these meetings. The chair of the board, the City Biologist, reserves the right to determine the length of public comments at each meeting. Members of the public are also welcomed to submit letters and additional materials to the board at or before the meeting.

What types of projects may require ERB review?

Your project may require ERB review for one or more of the following reasons:

- ❒ The project is located in an Environmentally Sensitive Habitat Area (ESHA) or within one hundred (100) feet of an ESHA, Resource Protection Areas (RPA), or other areas determined to support sensitive resources; or
- ❒ The project includes a subdivision or land division; or
- ❒ The project requires an initial study or environmental impact report; or
- ❒ If the Planning Director or City Biologist determines a project may have the potential to significantly impact the following resources either individually or cumulatively: archaeological resources, sensitive species or habitats, parkland, geology, landforms and watersheds, and/or shoreline resources.

What will the ERB consider?

The ERB will consider the individual and cumulative impacts of the proposed project, make recommendations for the least environmentally damaging alternative, and recommend modifications and/or mitigation measures where necessary to ensure conformance with the Malibu Local Coastal Program (LCP) and Malibu Municipal Code (M.M.C.). The ERB will only consider information presented by City staff such as public correspondence, photos, and presentations. Prior to each meeting, the ERB receives an agenda packet which includes: an agenda, staff report, a set of 11x17 inch project plans, and a CD of all attachments: such as geological reports, biological studies, and the project plans.

When will my project be considered by the ERB?

ERB review takes place before the City makes a decision on your project (e.g. Planning Director decision or Planning Commission hearing). Your Case Planner will coordinate with you regarding when your project is ready to be reviewed by the ERB. In general, all agency approvals must be completed and story poles, if required, must be placed onsite prior to the ERB meeting. ERB meetings take place on the 4th Wednesday of each month at 9:00 a.m. in the Large Conference Room at City Hall. The ERB agenda packet will be distributed to the ERB, staff, and the applicant/owner no less than seven (7) days prior to the meeting date.

What do I need to do before my project is reviewed by ERB?

First and foremost, story poles, if required, must be approved by the Planner and placed onsite. Then, the Case Planner will review the project application and records on file with the City, and will determine which additional documents are required to complete the ERB submittal package. The Case Planner will submit the below checklist directly to the project applicant. See the submittal checklist on the next page for details.

What happens after ERB's review?

Following ERB review, your Case Planner will compile the board's recommendations into one document, called "ERB Recommendations". The Planning Director and/or Planning Commission have the ability to accept or reject recommendations. This is primarily based on the feasibility of carryout the recommendation. If accepted by the Planning Commission or Planning Director, all applicable ERB recommendations shall be incorporated as Conditions of Approval. Depending upon the recommendations, your Case Planner may request that additional materials be submitted to meet the ERB's recommendations.

ERB Submittal Checklist (TO BE COMPLETED BY CASE PLANNER):

- ❒ ERB Analysis Fee (see fee schedule)
- ❒ Hardcopies - Ten (10) sets of 11x17 inch plans for architectural, site, grading, drainage, erosion, slope, fuel modification, onsite wastewater treatment system, and landscaping.

****PDF versions of these plans must be provided on a CD as well.**

After reviewing your project application and records on file with the City, the Case Planner determined that additional documents are required to complete the ERB submittal package.

Please submit only the selected documents below in PDF on a CD.

- ❒ Agency Referral Sheets
- ❒ Total Grading Yardage Verification Certificate
- ❒ Los Angeles County Waterworks District 29 Will Serve Letter
- ❒ City of Malibu Water Quality Checklist
- ❒ Site photos with a photo location key
- ❒ Aerial photograph at a scale suitable to illustrate the subject property and at a minimum, all immediately adjacent properties
- ❒ A site plan with existing topography to include the following:
- ❒ The total allowable buildable area with all required or anticipated roads, easements, driveways, and structures;
- ❒ A conceptual plan for all grading and drainage which would be required for slopes, pads, roads, and driveways;
- ❒ The required fire clearance zones around all structures;
- ❒ Mature trees with a diameter of 6 inches or greater as measured from 4 ½ feet from the ground; and
- ❒ If applicable, approved Fire Department Fuel Modification Plan
- ❒ Geological and Soils Report(s) and Associated Addenda
- ❒ Onsite Wastewater Treatment System (OWTS) Report(s)
- ❒ Standard Urban Stormwater Mitigation Plan (SUSMP), Stormwater Management Plan (SWMP), or Local Stormwater Pollution Prevention Plan (SWPPP)
- ❒ Erosion Control Reports
- ❒ Hydrology / Hydraulic Report(s)
- ❒ Environmental Site Assessment(s)
- ❒ Wave Action / Uprush Report(s)
- ❒ State Lands Commission Determination Letter
- ❒ Biological Resource Report(s)
- ❒ Protected Tree Report
- ❒ Dune Restoration / Enhancement Plan
- ❒ ESHA Delineation Map

Additional documents: _____
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