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May 14, 2021  
Project No. 17-03980

Glenn Michitsch, Senior Planner  
City of Calabasas  
100 Civic Center Way  
Calabasas, California 91302

**Subject: Summary of Project Impacts Related to Wildfire for the West Village Project,  
Calabasas, CA**

Dear Mr. Michitsch:

Rincon Consultants, Inc. has prepared this letter to provide a summary of the impacts of the proposed West Village project (proposed project or project) related to wildfire in response to concerns raised by members of the community and Planning Commissioners at the Planning Commission public hearings on the West Village project on April 15 and April 21, 2021. As discussed below, the analysis contained in the Amended Final Environmental Impact Report (EIR)<sup>1</sup> addresses the project's impacts on the environment as they relate to wildfire in compliance with the California Environmental Quality Act (CEQA).

## Existing Setting

As disclosed in Section VIII, *Hazards and Hazardous Materials*, of the Initial Study prepared for the West Village project in 2018 (included as Appendix A to the Amended Final EIR)<sup>2</sup>, the entire City of Calabasas, including the project site, is located in the Los Angeles County Consolidated Fire District's Very High Fire Hazard Severity Zone. This zone includes wildland fire hazard areas, which are defined as watershed lands that contain native growth and vegetation (Calabasas Municipal Code Section 17.20.130). The California Department of Forestry and Fire Protection also classifies the entire city of Calabasas as in the Very High Fire Hazard Severity Zone.<sup>3</sup> As noted in the Initial Study and further discussed in Topical Response E of the 2019 Original Final EIR, any development in this zone, including the proposed project, is subject to various standards and restrictions to both limit the potential for property damage and loss of life due to wildfire and to avoid causing or exacerbating the potential for wildfires to occur.

## Purpose of the California Environmental Quality Act

CEQA Guidelines Section 15002(a) states that the purposes of CEQA are as follows:

1. Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities

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<sup>1</sup> Calabasas, City of. 2021. Amended Final Environmental Impact Report for the West Village Project. April 2021. Available at: <https://www.cityofcalabasas.com/our-city/current-projects/west-village-at-calabasas>

<sup>2</sup> Ibid.

<sup>3</sup> California Department of Forestry and Fire Protection. 2021. "FHSZ Viewer." Available at: <https://egis.fire.ca.gov/FHSZ/>



2. Identify the ways that environmental damage can be avoided or significantly reduced
3. Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible
4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved

Pursuant to the ruling for *California Building Industry Association v. Bay Area Air Quality Management District (CBIA v. BAAQMD)*, the California Supreme Court has determined that CEQA addresses the impacts of a project on existing environmental hazards or conditions, such as wildfire, only insofar as the project would exacerbate such hazards or conditions. CEQA does not address the effects of existing environmental hazards on the residents of a proposed project. In other words, CEQA focuses on the analysis of the impacts of a project on the environment and not analysis of the environment's impacts on a project. As such, although the project site is potentially subject to the effects of future wildfires (like all of Calabasas), the CEQA analysis focuses exclusively on the project's potential to exacerbate such hazards.

## CEQA and Wildfire

The Notice of Preparation, Initial Study, and Original Draft EIR were published prior to December 28, 2018. At that time, the Appendix G checklist of the CEQA Guidelines included wildfire-related questions (g) and (h) in Section VIII, *Hazards and Hazardous Materials*, which respectively asked:

“Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?; and

“Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?”

The project's potential impacts related to wildfire were disclosed and analyzed in response to these questions in the Initial Study. Although the project would potentially be subject to existing wildfire hazards, the Initial Study determined that the project would not exacerbate the potential for wildfire hazards. As a result, the project's impact was found to be less than significant and further analysis in the EIR was determined not to be warranted. The Initial Study was circulated along with a Notice of Preparation (NOP) on August 31, 2017. In response to the NOP, the County of Los Angeles Fire Department submitted a letter stating the fuel modification and building construction requirements and requesting an evaluation of project impacts related to the requisite fuel modification zone. Similarly, the California Native Plant Society requested that the evaluation of project impacts to special status plant species include the entirety of the project footprint, including the requisite fuel modification zones. Luresa Poe Byrne and Cynthia McNeil expressed concern about the increased risk of wildfires associated with the project. However, the City did not receive any NOP responses suggesting that additional analysis of wildfire impacts beyond that contained in the Initial Study was necessary. Therefore, the Draft EIR prepared by the City and circulated for public review from December 21, 2018 to February 19, 2019 did not include additional analysis of wildfire impacts.

A number of commenters on the Draft EIR did suggest that further analysis of the project's potential impacts related to wildfire was needed. In response to those comments, City staff prepared Topical



Response E as part of the Response to Comments on the Original Final EIR, outlining the reasoning behind the conclusion that the proposed project would not exacerbate the potential for wildfire or significantly affect emergency evacuation in the event of a wildfire. That response was presented to the Planning Commission in July 2019 as part of the Final EIR. Although some commenters at the Planning Commission public hearings on July 10, 11, and 18, 2019 commented on the wildfire issue, this was not a subject of substantial discussion by the Planning Commission and additional analysis of potential wildfire impacts was not requested. Thus, the Amended Final EIR that was recirculated for public review from September 22, 2020 through November 13, 2020 did not include additional wildfire analysis, instead focusing on the geotechnical issues and alternatives analysis for which the Planning Commission specifically requested additional information.

It should be noted that on December 28, 2018, updates to the CEQA Guidelines became effective, which included the addition of Section XX, *Wildfire*, to the Appendix G checklist of the CEQA Guidelines with four additional questions regarding a project's impacts related to wildfire. The addition of Section XX to the CEQA Guidelines Appendix G environmental checklist does not affect the adequacy of the Original Draft EIR or Amended Final EIR under CEQA because the environmental document met the content requirements in effect when the Notice of Preparation (NOP) of a Draft EIR was published on August 31, 2017 and when the Draft EIR was circulated for public review on December 21, 2018. CEQA Guidelines Section 15007(c) states, "If a document meets the content requirements in effect when the document is set out for public review, the document shall not need to be revised to conform to any new content requirements in guideline amendments taking effect before the document is finally approved." Regardless, the four new questions in Section XX, *Wildfire*, of the Appendix G checklist cover the same environmental resource of wildfire as the questions previously included in Section VIII, *Hazards and Hazardous Materials* under which the proposed project was evaluated in the Initial Study and Topical Response E.

## Regulatory Compliance

As detailed in Section VIII, *Hazardous and Hazardous Materials*, of the Initial Study, the proposed project would be required to comply with all applicable building code standards (including the California Building Standards Code and the Calabasas Municipal Code) and fuel modification requirements established by the Los Angeles County Fire Department (LACFD). The California Building Standards Code and Calabasas Municipal Code include minimum requirements for driveway widths, the creation and maintenance of wildfire buffers, sprinklers, and alarms. Fuel modification plans dictate permanent vegetation management standards that require the following in Los Angeles County:

- **Zone A (outer edge of structure to 30 feet):** Zone A is cleared defensible space. Limited vegetation is allowed in Zone A including small herbaceous or succulent plants less than two to three feet in height and sparing use of woody plants. If present, lawns must be regularly irrigated and mowed.
- **Zone B (edge of Zone A to 100 feet from structure):** Zone B is the fuel reduction area. Vegetation at a slightly higher density may be planted in Zone B as compared to Zone A. Larger shade trees may be planted provided that canopies are not continuous. Woody plant species larger than three feet in height at maturity should not be planted beneath tree canopies.



- **Zone C (edge of Zone B to 200 feet from structure or to the property line):** Zone C is the perimeter fuel management area. Zone C is not required to be landscaped, but if landscaping is desired, plant density should not exceed that of Zone B.<sup>4</sup>

Plant characteristics must be appropriate for each zone. The LACFD must review and approve the proposed plantings and maintains a list of prohibited species that may not be planted in Zones A through C.<sup>5</sup> The applicant would be required to obtain fuel modification approval, clearance for construction, and a certificate of occupancy by LACFD, which would ensure that the project is designed and constructed in accordance with all applicable fuel modification requirements. If updated or new requirements are adopted prior to the issuance of permit approvals, the project would also be subject to those requirements.

In summary, the Amended Final EIR<sup>6</sup> addresses the project's impacts on the environment as they relate to wildfire in the Notice of Preparation and Initial Study (Appendix A) and Topical Response E of the 2019 Original Final EIR in compliance with CEQA.

Sincerely,  
**Rincon Consultants, Inc.**

Lindsey Sarquilla, MESM  
Senior Environmental Planner

Joe Power, MA  
Principal

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<sup>4</sup> Los Angeles County Fire Department. 2020. "Plant Selection Guidelines." Available at: <https://fire.lacounty.gov/wp-content/uploads/2020/05/Plant-Selection-Guidelines.pdf>

<sup>5</sup> Ibid.

<sup>6</sup> Calabasas, City of. 2021. Amended Final Environmental Impact Report for the West Village Project. April 2021. Available at: <https://www.cityofcalabasas.com/our-city/current-projects/west-village-at-calabasas>