

MEL MALKOFF

Kingston, WA
(714) 357-7333 mel@malkoff.com

REAL ESTATE / LAND USE PROJECTS

Project Development & Management ■ Permitting & Entitlement Facilitation

Extensive experience in project management, program development, permitting and entitlement processing, environmental studies, land use planning, and conflict resolution. Developed a variety of commercial, industrial, residential, mixed use, and religious/educational projects – representing both public and private sector clients along the west coast and throughout the western U.S.

Served as a principal consultant and project manager on projects involving land use and coastal zone planning, government (agency) and community liaison, water and environmental quality studies, wetlands restoration planning, and mediation/negotiation strategies. Work expediently with regulatory agencies, municipalities, real estate developers, realtors, private sector stakeholders, investors, educational authorities, community/special interest groups, and the public at large.

Range of Expertise & Hands-On Management

Staff Management & Training	Assessment of Development Potential	Phased Project Implementation
Strategic & Long-Range Planning	Property Rights & Entitlements	Permit Processing
Mitigation Measures & Banking	Plan Development & Documentation	Legal & Regulatory Approvals
Site & Land Use Assessments	Scope & Transaction Structuring	Inter-agency Issue Resolution
Planning & Scheduling	Contract Negotiation	Community & Public Relations

Diversity of Projects & Management Engagements

Developer/Project Manager for Commercial, Industrial, Visitor-serving & Non-Profit Developments, including “Turn-Key” services from Feasibility through Project Construction and Certification

- Expedited real estate feasibility and environmental studies; planned mitigation measures and/or habitat credits; conducted all aspects of RE acquisitions and RE dispositions; negotiated lease and contracted-use area terms; secured development financing; interfacing with communities, special interest groups, and regulatory agencies; assembled and managed design/construction teams; conducted project facilitation, entitlement & permitting for development of single and multi-phase construction projects pursuant to land use permits, zone changes, specific plans, and general plan amendments; served as Owner's Representative and/or Construction Manager for new buildings/renovations, and campus construction, including all public and private infrastructure (roads, utilities, stormwater, helipads)

Manager of land and coastal development projects involving imminent domain, land swaps, conflict resolution, and complex multi-party development agreements, including public agencies and/or private stakeholders

- Prepared state and federal environmental documentation, mitigation measures and processing of land use permits, zone changes, and general plan amendments; developed and conducted water quality programs, fisheries surveys, and community outreach for the Port of Seattle, along with the requisite SEPA documentation
- Researched, documented and/or facilitated negotiations on these limitations on, or constraints to, land developments, open space/parks, and transportation corridors

Designated Representative for the U.S. Environmental Protection Agency at the Port of Everett, WA in a port-community-industry-public dispute involving pulp mill waste and environmental impacts

- Facilitated multi-interest dialogue, meetings, and interactions with numerous stakeholders; facilitated conflict resolution of pollution- and access-related port issues; conducted water quality and biotic sampling programs as part of the conflict resolution process

Manager of planning and environmental programs for port facilities development, including marina projects, public and visitor recreational amenities, fisheries fleet support, dockside-and-backland facilities, shipyards, and Ro-Ro and container facilities modeling

- Conducted water quality studies in harbor/bay areas, around port facilities and within dry-dock operations; interfaced and negotiated with regulatory agencies regarding port operations and programs, including wildlife, water quality/runoff, and regional planning

Project Manager on a multi-disciplinary consultant team involved in the planning, processing, and development entitlement of a 1,700-acre coastal zone mixed-use \$1.2 billion project on the coast of Orange County, with marinas, commercial, visitor and residential uses, and new navigable channels

- Facilitated community workshops, agency negotiations, environmental compliance and permitting activities; participated on the development planning team to maximize habitat values while preserving development potential; negotiated with local, state and federal agencies; conducted conflict resolution and facilitated settlements; provided project management and oversight of a team of 32 local, state and national consultants, lawyers and lobbyists; was the Principal author of the *Bolsa Chica Specific Plan*, the *Bolsa Chica Local Coastal Program*, and the *Bolsa Chica Wetlands Restoration Plan and Implementation Program*

Prepared Property rights, entitlements, ownerships, and development potential assessments for the U.S. Internal Revenue Service

- Researched historic/current property data, to ascertain the original/underlying conditions that existed on subject properties; reviewed all pertinent entitlement efforts over subject properties, and assessed the likely future potential land uses, given the passage of time and related environmental and regulatory factors; reviewed title reports, easements and other land encumbrances (local and regional) to evaluate their impacts/limitations on probable development; formalized the assessments of probable use or lack thereof, and evaluated financial aspects in terms of benefits/costs; provided documentation for IRS negotiations

Manager/Mediator of various air and water pollution, and OSHA violations by heavy industry clientele, with responsibilities for issue evaluation studies, resolution strategies and negotiations

- Managed projects involving a wide range of water quality, air pollution and safety-related problems associated with shipyards and marinas in various West Coast ports, steel production facilities, a Superfund site, oil-and-gas terminaling and storage facilities, and their environmental impacts

Project Coordinator and Consultant to the Gateway Cities Council of Governments on the California High Speed Rail Project

- Developed extensive research materials and reports on technical, planning, regulatory, financial and programming elements of the HSR Project and its potential benefits to and impacts on affected cities and county areas for the Los Angeles-to-Anaheim Section and Los Angeles-to-San Diego via the Inland Empire Section, as it relates to member cities and others within the sphere of GCCOG

Education & Affiliations

Master of Arts, University of Washington, Seattle, Oceanography
Bachelor of Science, University of California - Los Angeles, Zoology

Guest lecturer on environmental planning and regulation at UCLA-Law School, Harvard-Graduate School of Design, USC-Law School, California State University-Long Beach, and several other colleges

Worked at: Port of Seattle - Environmental Program Management Consultant
U.S. Environmental Protection Agency - Environmental Analysis Staff
and Designated Study Representative (*for* Port of Everett, WA)

FAA Licensed Pilot ■ SCUBA Certified Diver ■ Real Estate Agent ■ Expert Witness

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Professional Skills and Management

Mr. Malkoff has prepared and managed numerous development activities, planning programs, environmental studies and construction for a wide variety of project types. These have ranged from coastal port and development plans/projects; to oil and gas facilities and programs; to heavy industry consultation, permitting and violation mediation work; and, to traditional land development in the areas of commercial, residential, visitor-serving, religious, and industrial projects.

Given the ever more challenging setting in which planning and development processes occur today, it has been necessary to remain current with ever-changing regulatory practices, programs, submittal requirements and documentation. The following is a sampling of the areas of experience Mr. Malkoff has gained through his agency work & consulting practice, as well as work products prepared for his clientele:

Real Estate, Environmental, Construction & Other Work Tasks

- Project Management
 - Project Scheduling
 - Consultant Team Assembly / Budgeting
 - Project Loan Packaging
 - Construction Management
 - RE: Pre-acquisition Studies
 - RE: Feasibility Studies/Assessments
 - RE: Purchases/Sales transactions
 - Financial Projections & *pro forma*'s
 - Agency & Community Outreach
 - Consensus Building Programs
 - Facilitation Processes
 - Fiscal Impact Reports
 - Staff & Employee Safety Training
 - Administrative Staff Management
 - Biological Surveys
 - Oceanographic Studies
 - Aesthetics & Viewshed Analyses
 - Air Quality Studies
 - Superfund Site Evaluations
 - Methane Gas Studies
 - Noise Studies
 - Light & Glare Studies
 - Environmental Reviews / IS / EA
 - Program EIRs
 - NEPA: EIS, SEIS, AEIS
 - SEPA (WA): EIS
 - CEQA (CA): EIR, SEIR, ADEIR
 - Mitigation Monitoring Plans
 - Media Briefings/Management
 - Mediation Services
 - Expert Witness Services
 - Litigation Support Services
 - Bibliographic Services
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Entitlement / Permitting / Facilitation

- Conditional & Special Use Permits
- Site Development Permits
- Building Permits
- SWPPP's
- BMP's
- OSHA Testing & Compliance
- WQCB Discharge Permits
- USACE 404 Permits
- General Plans, GP Amendments
- Specific Plans, Area Plans
- Zone Changes and Variances
- City-wide Mission Statements
- Endangered Species Act - §7 Consultations
- CA 1600 Streambed Alteration Agreements
- Clean Air Act, incl. Stationary Source Violations
- Clean Water Act, incl. 316(b) Violations
- NPDES Permits
- SPCC Plans
- SMARA Plans/Permits
- Methane Gas Control Systems
- Wetlands Restoration Plans
- Wetlands Mitigation Banks & Programs
- Coastal Zone/Commission Permits
- Local Coastal Programs

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Experience with Public Agencies and First Nations / Native American Tribes

The following information has been included here to highlight Mr. Malkoff's experience working for, and/or with, various public agencies and districts, including First Nations / Native American tribes.

Initially, work began as a field biologist and project representative for coastal development projects in southern California. In the State of Washington, in conjunction with graduate studies, provided services to U.S. EPA and the Ports of Seattle and Everett. The practice returned to California and expanded in terms of project type as well as geographic areas served.

Concurrently, taught courses on public agency project development practices; the agencies' role in dealing with the public, other agencies, and the media; and, classes on environmental planning and mitigation strategies.

Extensive work with a wide variety of public agencies in various roles, including public-sector staff, mediator or consultant, and private-sector project manager, consultant, facilitator and/or representative. Expert Witness services are provided on land use and environmental issues. The following is a Partial List of Agencies and/or Entities with which Mr. Malkoff has worked:

<u>Federal Agencies</u> US Army Corps of Engineers US Environmental Protection Agency US Fish & Wildlife Service US Internal Revenue Service National Marine Fisheries Service <u>California State Agencies</u> Cal/OSHA Coastal Commission Coastal Conservancy Dept. of Boating & Waterways Dept. of Conservation (Mines/Geology) Dept. of Fish & Game Dept. of Forestry and Fire Protection Dept. of Parks – Historic Preservation Dept. of Toxic Substances Control Dept. of Transportation (Caltrans)	State Lands Commission Regional Water Quality Control Boards Santa Monica Mountains Conservancy SoCoast Air Quality Management District <u>Washington State Agencies / Entities</u> Department of Ecology Department of Fisheries City of Everett City of Sammamish Port of Everett Port of Seattle <u>Native American / First Nations Tribes</u> Duwamish Tribe Gabrielino/Tongva Tribe Juaneno Band of Mission Indians Pechanga Band of Luiseño Indians
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In addition, Mr. Malkoff has prepared and processed numerous projects through counties, cities and ports throughout California, including the following (*partial list*):

<u>California Counties</u> Contra Costa El Dorado Imperial Los Angeles Marin Napa Orange Placer Riverside San Bernardino San Diego Sacramento Solano Sonoma Sutter Yolo	<u>California Cities</u> Anaheim Bell Buena Park Carlsbad Carson Chino Commerce Costa Mesa Cypress Diamond Bar El Cajon Escondido Fontana Fullerton Hawthorne Hermosa Beach Huntington Beach Irvine La Cañada Flintridge	Laguna Beach Lake Elsinore Lake Forest La Mirada Lancaster Loma Linda Long Beach Los Alamitos Los Angeles Manhattan Beach Montebello Moreno Valley Newport Beach Norwalk Orange Palmdale Perris Pico Rivera Ridgecrest Riverside	San Bernardino San Clemente San Diego SanJuan Capistrano Santa Fe Springs Santee Signal Hill Solano Beach Temecula Torrance Vernon Vista Walnut West Covina Yorba Linda <u>California Ports</u> Long Beach Los Angeles
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