

SANTA MONICA MOUNTAINS CONSERVANCY

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July 23, 2012

Richard Claghorn
Department of Regional Planning
Los Angeles County
320 West Temple Street
Los Angeles, California 90012

**Notice of Consultation Comments
25066 and 25080 Mulholland Highway
R2012-00803 R201200800 R2012-00802**

Dear Mr. Claghorn:

The Santa Monica Mountains Conservancy offers the following comments on the above referenced Notice of Consultation regarding two adjacent homes along Mulholland Highway in the Cold Creek watershed. Any project both in the Cold Creek Significant Ecological Area (SEA) and that directly buffers the Cold Creek riparian corridor warrants detailed analysis and mitigation measures that guarantee permanent protection of said upland buffer area. The absence of such mitigation measures leaves open the potential for significant biological impacts from future permitted and un-permitted project additions such as fencing, lighting, agriculture, and horse keeping facilities.

We can only concur with the County's initial analysis that the project should not require an Environmental Impact Report if the final approved mitigation measures in a Mitigated Negative Declaration (MND) require the following permanent protections and elements.

The most essential mitigation measure must require a permanent deed restriction that encompasses all portions of both properties located more than forty feet from the outer limits of grading that are clearly shown in the grading plans attached to the Notice of Consultation. That deed restriction boundary must be clearly depicted on all approved plan sheets. The subject deed restriction on each property must prohibit all fencing, lighting, irrigation (including temporary), grading, animal keeping, storage of materials, utilities, and brush clearance more than 200 feet from habitable structures within the deed restricted area. To achieve an adequate level of protection, the deed restrictions must be recorded prior to the issuance of any permits that could result in ground or vegetation disturbance. Because both parcels are part of the same CEQA project, both deed restrictions must be recorded prior any such disturbance on either parcel.

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This deed restriction on the 25080 Mulholland Highway property will permanently provide a north-south wildlife movement path through the eastern portion of the property from habitat on the north side of Mulholland Highway into the Cold Creek riparian corridor. The Initial Study analysis is deficient for not addressing this connectivity potential.

The grading plan for the 25080 Mulholland Highway property shows a substantial-sized street drain funneling off the highway and picking up considerable drainage, if not all, drainage from the proposed house. The plan shows a standard grouted-rock energy dissipator at the terminus of a pipe. That dissipator feeds directly into an ephemeral drainage leading into Cold Creek. We urge that the County require an ungrouted dissipator using large quantities of large boulders that will adequately slow the water down and allow for vegetation to grow between them. The design, shape, scale and boulder size of the dissipator must be adequate to assure the County that it will meet all of its requirements but in a more sustainable manner that is far less likely to substantially increase the sediment load in Cold Creek.

We urge the County not to permit any development in the existing or new requested County Road rights-of-ways other than the ground level driveway. All walls, pilasters, and lighting should be located outside of all public rights-of-ways.

Please address any future correspondence to Paul Edelman of our staff at the above address and by phone at (310) 589-3200 ext. 128.

Sincerely,

ELIZABETH A. CHEADLE
Chairperson