

SANTA MONICA MOUNTAINS CONSERVANCY

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March 27, 2006

Item 18 Attachment

SMMC

11-4-2013

Jimmy C. Liao, City Planner
Environmental Review Section
Department of City Planning
200 North Spring Street, Room 750
Los Angeles, California 90012

**Notice of Preparation Comments
Hidden Creeks Estates - ENV-2005-6657-EIR**

Dear Mr. Liao:

The proposed project on 259 acres located just north of the confluence of Browns and Mormon Canyon creeks would result in numerous unavoidable significant environmental impacts. The subject portion of the Santa Susana Mountains contains the highest quality core habitat and is adjacent to over 10,000 acres of open space owned by the Mountains Recreation and Conservation Authority (MRCA) and the Rancho Simi Recreation and Park District to the west. The importance of this unique high elevation plateau occupied by the site with mixed oak, coastal sage scrub, chaparral, riparian and locally unparalleled gentle terrain grassland must be fully represented in the Environmental Impact Report.

The Conservancy does not see even a remote public policy justification for the City taking any action that fosters high density development in this unique high elevation plateau area. This agency opposes the City's annexation of this land and the proposed Citywide General Plan and Community Plan. The need for high end housing and a small developed public park and equestrian facility does not warrant a major new road penetrating the Santa Susana Mountains and permanently altering over 150 acres of habitat (including fuel modification zones). The public benefits (open space, viewshed, watershed, wildlife, limiting public service expenses) of not extending Mason Avenue beyond the existing City limits (Porter Ranch Specific Plan boundary) far outweigh these minimal amenities. The City does not have the grounds to issue a Statement of Overriding Considerations to offset the significant environmental impacts of the proposed project or that of any project dependent on the extension of Mason Avenue to the subject property.

City Discretion on Extension of Mason Avenue Across Gas Company Land

The subject 259 acre property is approximately 1500 feet from the current right-of-way alignment for Mason Avenue at the northern boundary of the Porter Ranch Specific Plan.

The proposed Hidden Creeks residential development area is located an additional 1000 feet away across two USGS blue line tributary streams of Mormon Creek. The City has no obligation to approve a collector street to a development one-half-mile from a road stub and across another landowners property.

The Draft Environmental Impact Report (DEIR) must fully disclose what the City is, and is not, obligated to do relative to the applicant's request for the extension of a City street into environmentally significant habitat. The DEIR must analyze and disclose what the Porter Ranch Specific Plan, Porter Ranch Specific Plan EIR, relevant Community Plan, and General Plan state about the intent and limitations for the future extension of Mason Avenue beyond the Specific Plan boundaries. Prior to any plan amendments how consistent is the proposed Mason Avenue extension with those documents?

Extension of Mason Avenue Across Mormon Canyon and Tributaries

The extension of Mason Avenue across Mormon Canyon by itself would result in unavoidable significant biological and visual impacts. Although we remain opposed to any extension of Mason Avenue to the subject Hidden Creeks project site, if such a road is contemplated, the California Environmental Quality Act (CEQA) requires that significant impacts be avoided to the extent feasible. In such case the DEIR must include (based on the applicant's economics) an economically feasible DEIR development alternative that is serviced by a two-lane Mason Avenue with no median and the minimum allowable street lighting intensity and spacing. In addition, this alternative must include a clear span bridge over all sizable tributaries of Mormon Canyon such that no Streambed Alteration Agreement or Section 404 is required for its construction.

The DEIR must also address the potential growth-inducing impacts of both extending Mason Avenue into the Gas Company land and creating a secondary access to Browns Canyon.

Uncompleted Open Space Dedications and Grading Violations in Mormon Canyon

The Final EIR and Supplemental EIR for the massive, adjacent Porter Ranch project required the dedication of a minimum of 30.2 acres encompassing the entire reach of Mormon Creek within the Specific Plan boundary. This dedication to a public agency never occurred. A second required dedication with a net acreage of not less than 20.1 acres in the lower Browns Canyon portion of the Specific Plan area also did not occur. All permitting within the Porter Ranch project should be held in abeyance until that land (free of any and all subsequent-post EIR easements and encumbrances) is dedicated to the Mountains Recreation and Conservation Authority (MRCA) or the Department of Recreation and Parks. The extension of Mason Avenue should not be considered until this land is transferred to a public park agency because the original EIR conditions for the Specific Plan have not been fulfilled.

Aerial photographs from 2003 show approximately three acres of grading and auxiliary structures on what should be the public fee simple open space dedication in Mormon Canyon. Those impacts are related to land use activities within the adjacent, proposed Hidden Creeks project site. The DEIR must disclose the exact nature and extent of this degradation and propose a detailed mitigation plan. That mitigation should be required to be installed prior to the City issuing any grading or building permits of any nature. The applicant should post an adequate bond to insure the success of the mitigation.

Inclusion of a No-Mason Avenue Extension Alternative

The extension of Mason Avenue to the proposed development area is one of the most destructive project elements. A low density project can be built on the project site with its sole access from Browns Canyon Road. Such a project will not meet the applicant's project objectives, but it must be considered in the DEIR to provide a reasonable range of alternative projects. The attached graphic shows the proposed maximum impact boundaries of such an alternative. The boundary includes a minimum of ten legal parcels based on 2003 City of Los Angeles parcel data.

This alternative provides over 40 acres of grading disturbance area that could be combined with deed restricted surrounding areas to create numerous 10-acre, or larger, lots that are free of most County infrastructure requirements. The economic value of such an alternative is substantial given the absence of any water source, sewer line, easement, Community Facilities District, street lighting, or substantial road development costs.

Growth-Inducing Impacts of Water Tanks and Browns Canyon Sewerage

The proposed project would require a large Department of Water and Power water tank at the northern, high elevation part of the development area that currently is not served by any water district. That tank(s) could ultimately provide water to other parcels in the area. The DEIR must address the growth-inducing impacts of this water infrastructure including mainlines to near the property boundaries.

It is not clear where sewer lines would run. Based on elevation, it appears that some sewerage must be piped down some alignment in Browns Canyon. The DEIR must address what rights the applicant has to construct such a sewer line in Browns Canyon and whether or not the City is in any way obligated to accommodate such infrastructure if it could result in substantial biological and/or growth-inducing impacts. The DEIR must address the growth-inducing impacts of this potential infrastructure.

The DEIR must address if the above referenced, Porter Ranch EIR-required open space dedication that was never conveyed in lower Browns Canyon is proposed to be reduced in size to allow a sewer line associated with the subject Hidden Creeks project. Did the Porter

Ranch CEQA review contemplate sewer lines across this fee simple open space dedication and along the western boundary of Tentative Tract No. 50506?

Impacts to Parkland Viewsheds and City-owned Trail Easement in Porter Ranch

The MRCA owns every parcel of land contiguous to the projects' western boundary. A small triangle of land on the eastern side of both Browns Canyon Road and Creek is required to be dedicated to the MRCA as a condition of the Deerlake Ranch project approval. Essentially hundreds of acres of MRCA parkland abut and overlook into the project area. The Porter Ranch project approval also included a long trail easement along the eastern side of Mormon Canyon. The City owns this easement. The DEIR must provide a thorough analysis of the proposed project's visibility, and of each relevant DEIR alternative project's visibility from this parkland and the existing City trail easement.

Need for Analysis of Wildlife Permeability

The proposed project, and likely many DEIR alternatives, would create an impenetrable barrier for wildlife movement across the only gentle terrain in the subject cross section the Santa Susana Mountains. The DEIR must analyze the potential for wildlife movement both around and through the project on non-steep terrain between the headwaters of Mormon Canyon and the central portion of Browns Canyon.

Need for a Clustered- Fifty Percent Reduction Project Alternative

The DEIR must include at least one project alternative that maintains the same proposed lot sizes but reduces the number of units by 50 percent. The reduction of biological impacts from such an alternative over the proposed project would be significant.

Water Quality Impacts from Proposed Equestrian Center

The DEIR must analyze the potential water quality impacts of a large horse concentration directly adjacent to Browns and Mormon Creeks.


Fee Open Space Dedication and Permanent Maintenance Funding Source

Any project that requires anything other than emergency-only road access from any portion of the Porter Ranch Specific Plan area, including Mason Avenue, should include a large, fee simple open space dedication of not less than 190 acres. That dedication should be required to be transferred to a public agency prior to, or simultaneously with, map recordation. The conditions of approval and the EIR mitigation conditions must include a permanent, irrevocable open space maintenance funding source to guarantee the protection of natural resources and continued safe public enjoyment of that land.

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Please direct any additional documents and comments to Paul Edelman of staff at the above address and at (310) 589-3200 ext. 128.

Sincerely,


ELIZABETH A. CHEADLE
Chairperson