

**SANTA MONICA MOUNTAINS CONSERVANCY**

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September 22, 2014

Maureen Tamuri  
Community Development Director  
City of Calabasas  
100 Civic Center Way  
Calabasas, California 91302

**Broadway Trust Residence - 3121 Old Topanga Canyon Road**  
**Draft Environmental Impact Report Comments**  
**File No. 130000405 - SCH No. 2014061010**

Dear Ms. Tamuri:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the Draft Environmental Impact Report (DEIR) for 3121 Old Topanga Canyon Road. The Conservancy's January 26, 2014 scoping letter expressed three project objectives. Those objectives were to maximize the quality of the trail user experience, keep development off the City General Plan-designated significant ridgeline, and reduce required permanent brush clearance impacts on State (Conservancy) parkland. The proposed project fails abjectly to meet any of these beneficial public objectives.

The Conservancy disagrees with the DEIR conclusion that the proposed project is the environmentally superior alternative. This letter provides substantial evidence that the house site for Alternative 1 is the environmentally superior alternative under every possible scenario. This letter provides substantial evidence that all of the reasonable project objectives can be better achieved in the Alternative 1 building location. Two project objectives to use an existing ridgeline pad require first cutting and exporting 2500 cubic yards of earth from the existing pad and then placing the house on the newly formed topography. If a project necessary to meet these two project objectives requires a variance, the City can easily deny the application and not certify the DEIR unless appropriately amended.

Alternative 1 meets or exceeds all of the project applicant's objectives to construct a 7,000-square-foot house. The Conservancy hopes that the City of Calabasas stands with Conservancy and the local community in the way of this ill-conceived ridgeline development.

### **Project is Part of a Larger Project**

The DEIR is deficient for analyzing the subject house and driveway as a standalone project within a four-lot subdivision served by a common road, common drainage system, and future common utilities. There also multiple easements benefitting the collection of four parcels. Clearly there is extensive cooperation and communication with the owners of Lots 2, 3 and 4. The cumulative impact analysis fails to consider the probable impacts of the development of at least two of the other lots in the subdivision. Specifically when those two additional houses are built, the south-facing slope with the access road will have multiple structures, acres of fuel modification, and dozens of indoor and outdoor lighting elements. That is precisely why the Conservancy recommended the DEIR Alternative 1 to cluster the proposed development with these other two lots on the south-facing slope.

Many of the DEIR arguments to locate the proposed house on the prominent ridgeline, instead of the south-facing slope, are based on the projected impacts for just the development footprint proposed in DEIR Alternative 1. The analysis supporting those arguments is incomplete at best because it omits the near-certain impacts of two additional 7,000-square-foot homes with pools. The DEIR will remain deficient until both the cumulative impact analysis and the analysis of alternatives includes the near certain impacts of two addition houses on the existing pads (Lots 1 and 2) served by the same driveway and drainage system. The DEIR project description and impact analysis otherwise piecemeals the effects of multiple projects.

The proposed project would also bring electrical and water service to Lot 4 which appears to have no graded building pad. Any development of Lot 4 would require extensive grading and drainage work of unknown scope and location. A fourth house on the subject south-facing slope would also further degrade the multiple DEIR arguments that development in the Old Topanga Canyon Road Scenic Corridor is more visually damaging than on the proposed Lot 1 ridgeline pad.

The alternatives analysis that says the visual impacts of the Alternative 1 house would be more damaging than the proposed ridgeline house is an incomplete analysis that does not adequately disclose the full range and severity of potential visual impacts.

### **No Permanent Open Space Protection**

Neither the proposed project or any of the DEIR development alternatives include any permanent land protection in an extremely visually sensitive area of the Santa Monica Mountains National Recreation Area. There are no prohibitions to the applicant or subsequent owners stripping additional vegetation for vineyards, orchards, or equine facilities. Without DEIR mitigation measures that require permanent deed restrictions on all land not disturbed by the proposed project (including all fuel modification areas), the DEIR is inadequate. Without permanent deed restrictions the disturbance footprint could triple and exacerbate already potential significant adverse impact on biological resources.

### **Inadequate Analysis of Impacts on Adjacent Conservancy Parkland**

The DEIR is fatally flawed for its near total ignorance of Conservancy-owned parkland less than 50 feet from the proposed ridgeline house and tens of feet from large lawns. The DEIR acknowledges the existence of the parkland, but it is totally deficient on analyzing or quantifying viewshed and brush clearance impacts, respectively. The DEIR also does not address brush clearance impacts from the proposed house on vacant Lot 2.

A rough analysis shows that 200 feet of variable fuel modification from the proposed house would put one-half-acre of Conservancy parkland into a permanent fuel modification zone. This permanent loss of parkland resources is a potentially significant biological impact. It can be avoided by moving the house off of the ridgeline to the Alternative 1 location.

That half-acre of fuel modification zone includes a public trail that leads directly to an elevated land feature that looks down approximately 10 feet on the proposed house. The DEIR is deficient for not addressing the viewshed impact of the proposed 30-foot-tall house on this public trail resource and experience.

### **Inadequate Impact Analysis and Mitigation for San Diego Coast Horned Lizard**

All of the subject development area and all of the adjacent Conservancy land are shown in the California Department of Fish and Wildlife's CNDDB as known prime locations for sightings and habitat for a species of special concern – the San Diego coast horned lizard. Horned lizard populations have plummeted in the past four decades. The DEIR analysis of potential coast horned lizard impacts is inadequate. The species likes disturbed road beds/trails adjacent to intact chaparral and sage scrub habitat. The subject pad-adjacent trail on Conservancy land and portions of the subject Lot 1 ridgeline pad contain high quality horned lizard habitat. The DEIR concludes that there is a high probability of horned lizard presence but provides no analysis or mitigation measures.

The proposed project will put irrigated areas deep into prime horned toad habitat. That irrigation will foster Argentine ant populations that will eliminate the ants that horned rely on almost exclusively for food. The proposed project would permanently eliminate over three acres of horned toad habitat based on a 400 foot radius of Argentine ant populations from irrigation sources. Much of that impact to horned toads and their habitat would be on State-owned Conservancy parkland. This is a potentially significant biological impact.

This analysis further militates to the impact avoidance and reduction characteristics of the Alternative 1 building site. Alternative 1 would cause no impacts to public parkland and habitat.

The DEIR shall remain deficient until it includes an analysis that shows the cumulative brush clearance impacts of Alternative 1 combined with homes on the pads of Lots 2 and 3 compared against the proposed project combined with homes on the pads of Lots 2 and 3.

The DEIR shall further remain deficient until it includes an analysis that shows the cumulative irrigation radius impacts on horned toads of Alternative 1 combined with homes on the pads of Lots 2 and 3 compared against the proposed project combined with homes on the pads of Lots 2 and 3.

### **Unusable Trail Easement**

The proposed project erases a popular and unique trail on the City's General Plan and substitutes a trail easement with inferior views and ambience with no eastern connection. The DEIR is deficient for not addressing the potential topographic and ecological functionality of the trail easement on the two adjacent properties including a Conservancy parcel.

We hope that the City of Calabasas concurs with the Conservancy that the erasure of this fully functional trail is not a public benefit as concluded in the DEIR. The trail benefits the citizens of Calabasas. If the private property owners do not want the trail that objective should be on their plates and not helped along by the City.

### **Flawed Visual Analysis**

We hope the City concurs with the Conservancy that the DEIR conclusion that a ridgeline shaped 7,000-square-foot house does not restore a ridgeline that was lowered from 1991

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grading activity. The DEIR visual analysis is flawed because it shows simulations of the ridgeline house tucked behind existing chaparral and omits the 200-foot-wide brush clearance zone.

Please contact Paul Edelman, Deputy Director of Natural Resources and Planning, at 310-589-3200, ext. 128 with any questions and future correspondence.

Sincerely,

LINDA PARKS  
Chairperson