

SANTA MONICA MOUNTAINS CONSERVANCY

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August 17, 2015

Ms. Talyn Mirzakhanian
Planning Division
Community Development Department
City of Calabasas
100 Civic Center Way
Calabasas, California 91302

**Draft Environmental Impact Report Comments - Canyon Oaks Project
4790 Las Virgenes Road (APNs 2069-078-009 and 011)
SCH No. 2015021008**

Dear Ms. Mirzakhanian:

The Santa Monica Mountains Conservancy (Conservancy) appreciates that the Draft Environmental Impact Report (DEIR) considered two alternatives that did not require the massive job of remediating the onsite ancient landslide. However the DEIR remains inadequate for rejecting both such alternatives and not analyzing even one of them. However that process of rejecting all no landslide repair alternatives, revealed that there is a substantial area that could be built on under that scenario.

The fundamental flaws of the DEIR impact analysis are the conclusions that grading 2,191,082 cubic yards of earth at the gateway to the Santa Monica Mountains National Recreation Area and along the scenic 101 freeway corridor would not result in unavoidable significant adverse biological and visual impacts.

Remediating the ancient landslide must be avoided to avoid significant adverse impacts to habitat and public viewsheds.

The entire remaining alternatives analysis is flawed because it does not analyze a project that would reduce impacts to a level below significant. Every alternative analyzed has essentially the project footprint. Even if the project objectives include fixing the landslide, it nonetheless is an action that would result in unavoidable significant adverse ecological impacts. Just because an action is part of an applicant's DEIR project objectives, it does not ordain that the applicant must receive entitlement of a project with all or most of those objectives. Likewise just because a General Plan defines that a maximum amount of

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development can occur on a property, or that a certain blend of uses occur, does not provide carte blanche to create significant impacts that are avoidable.

The DEIR makes the case that a 7.5-acre area is physically and safely available for building without having to touch or repair the landslide. At a ratio of 2.5 homes per acre, the applicant could construct at least 19 homes. With the current market rate of housing and the significantly less infrastructure improvement necessary, a no landslide repair project appears economically feasible. Until the applicant provides definitive written proof of what they paid for the property, there is no substantial evidence in the record that a 19 single family home project on minimum 12,500 square foot lots is not economically feasible.

The DEIR is flawed for not addressing how a series of developers have walked away from the site because of the landslide. The applicant had to full well know the constraints when they acquired the land. The City is under no obligation to bail out a developer who bought a massive landslide covered with high quality chaparral, coastal sage scrub, and oak woodland in one of the most visible public viewsheds in the Santa Monica Mountains. A 19 home estate project must be analyzed for the DEIR to be adequate.

Please address any questions and send all correspondence to Paul Edelman of our staff at the (310) 589-3200 ext. 128 and at the above letterhead address.

Sincerely,

LINDA PARKS
Chairperson