

**SANTA MONICA MOUNTAINS CONSERVANCY**

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June 27, 2016

Travis Seawards  
Department of Regional Planning  
Los Angeles County  
320 West Temple Street  
Los Angeles, California 90012

**Mitigated Negative Declaration Comments**  
**2397 Stokes Canyon Road Project PN R20013-00475**  
**SCH No. 2016061007**

Dear Mr. Seawards:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments and recommendations on the above-referenced project and its Mitigated Negative Declaration the (MND) in the central Stokes Canyon watershed.

The MND does not directly state that the project would violate the significant ridgeline provisions of the North Area Plan. The subject parcel contains a flat, non-ridgeline site for a modest house in the southeastern corner of the property abutting Stokes Canyon Road. This area contains a minimum 50-foot by 75-foot building site that factors in all required setbacks. A 40-foot by 60-foot single story house contains 2,400-square-feet. A two story house increases that square footage. With the ample yard space present, such a housing siting requirement would not seem to constitute a taking at all. Although it is an inferior site compared to the existing graded pad on the ridgeline, the MND is deficient for not addressing the viability of this alternative non-ridgeline location that could entirely avoid a North Area Plan ridgeline variance and the clear permanent visual impacts.

The subject graded pad happens to stick out like a sore thumb with a backdrop of hundreds of acres of untainted open space and there appears to be a viable alternative site. The proposed house at 3,500-square-feet and 17 feet in height would have a considerable presence on a ridgeline with a skirt of fuel modification. To earn the variance to build a house on the existing graded pad, any approval must be tightly conditioned to minimize visual impacts and maximize habitat protection by all conceivable means. The public deserves nothing less for such a major variance within the National Recreation Area.

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The most important condition is to guarantee that one hundred percent of the property beyond the house pad would be permanently protected from all impacts other than annual fuel modification. The applicant must voluntarily request the County's inclusion of a project condition to require a conservation easement to a government entity to be recorded prior to the issuance of any permits. Such a voluntary request for added conditions must also include all public costs and services required to deliver and record the conservation easement. The attached figure shows how tightly the Conservancy recommends configuring the conservation easement boundary around the proposed housing pad. The final easement boundary should precisely reflect this exhibit unless there is a fundamental development constraint that makes it prohibitive, in which case a minor adjustment would be made. Anything less than a maximum easement area would not be sufficient mitigation.

The conservation easement must prohibit all uses except Fire Department-required fuel modification (nothing more for insurance requirements) and the cultivation of native Santa Monica Mountains plant species. Any existing fencing in the conservation easement must be removed prior to the issuance of any permits.

The applicant must prepare and submit a satisfactory recordable metes and bounds legal description and plot map of the conservation easement. The applicant must also supply a complete title report from a commonly used title company to the County or the agency accepting the conservation easement. Said title report should not be older than two months. The conservation easement must absolutely not be subordinate to any loans or liens that could negate its long-term conservation efficacy.

The applicant must also provide the designated agency accepting the easement with \$1,500 to cover title review, easement preparation and recording, and miscellaneous associated legal staff time. The Mountains Recreation and Conservation Authority (MRCA) is the obvious entity to accept the conservation easement.

The project must also be conditioned to plant at least 20 oak trees and bond for their survival in the conservation easement area for a minimum of five years. Oaks are acceptable in fuel modification zones and they hide structures and lighting. If the house is not located in the flat area along Stokes Canyon Road, that area is an excellent tree planting location.

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

Sincerely,

IRMA MUNOZ  
Chairperson