

SANTA MONICA MOUNTAINS CONSERVANCY

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September 23, 2019

Ms. Erin Strelch
Major Projects Section
Department of City Planning
City of Los Angeles
221 North Figueroa Street, Suite 1350
Los Angeles, California 90012

ENV-2016-4180-EIR, SCH NO. 2018041016, 3003 Runyon Canyon Project

Dear Ms. Strelch:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the Draft Environmental Impact Report (DEIR) for the proposed 3003 Runyon Canyon Project located on a prominent ridgeline half a mile interior to Runyon Canyon Park. The Conservancy is the principal State planning agency in the Santa Monica Mountains Zone.

Runyon Canyon Park is a significant and heavily used open space recreation area in the City of Los Angeles and the Santa Monica Mountains National Recreation Area. The current applicant has acquired property and elected to seek entitlements on a property surrounded with regionally significant public resources and values and located within the Mulholland Scenic Parkway. The City should not grant a single discretionary action unless the proposed project meets every test of minimizing harm to public resources and maximizing the full retention of such values.

Runyon Canyon Park combined with the Mountains Recreation and Conservation Authority's Trebek Open Space is the most easterly core habitat block in the Santa Monica Mountains west of the Cahuenga Pass. The DEIR is deficient for not addressing the importance of this core habitat block to the sustainability of medium and large-sized mammals in the range both between the 101 and 405 freeways but also east of the 101 freeway in Griffith Park and subsequently within the Los Angeles River and the North East Los Angeles hilltop areas.

The DEIR is further deficient for not addressing the Conservancy's adopted *Eastern Santa Monica Mountains Habitat Linkage Planning Map*. The attached figures show how Runyon Canyon Park, the Trebek Open Space, and private open space combine to form 353-acre Habitat Block No. 42 on that planning map. Since the map was adopted in 2017 our staff has determined through field verification that there are now no known viable large mammal movement routes from the Cahuenga Pass (Habitat Block No. 38) westward along the north

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slope of the range until reaching Habitat Block 35 that is anchored by the MRCA's Oakshire Open Space area. That means that the only adequate travel route for medium and large mammals to reach Habitat Block 38 and the Mulholland Drive bridge over the 101 freeway is through the northeastern one third of Runyon Canyon Park where the proposed project is located. The habitat linkage/wildlife corridor analysis in the DEIR is totally inadequate because it does not address how in particular the northern portion of Runyon Canyon is critical to maintain adequate habitat connectivity to the Mulholland Drive -101 freeway overpass and on to the Griffith Park core habitat area.

Runyon Canyon Park is unique because it combines multiple trails, interesting terrain, and native vegetation communities proximate to the densely populated Hollywood area. The DEIR tries hard to downplay the permanent significant adverse visual and biological impacts of a three-story 13,306-foot-development area, with a 3-acre permanent brush clearance zone (partly on parkland), parallel 305-foot-long ten-foot-high retaining walls, and a special one-acre fill site to stash a minimum of 14,000 cubic yards of mountainside cut.

The project description is deficient because it does not address this approximately one-acre fill area and its relationship to the proposed 14,000 cy of cut material. It is further deficient because it does not include the proposed private onsite wastewater treatment system, any improvements to North Runyon Road, and either the temporary or permanent impacts of trenching to provide utilities to the project site.

Project Alternatives

Because of the ecological, recreational, and visual public values of Runyon Canyon Park, the City's and the public's interest must be to aggressively shape development on the subject inholding parcel to absolutely maximize the retention of every aspect of these public values. None of DEIR alternative projects comes even close to retaining these public values. None of DEIR alternative projects shows any creative attempt to place an additional residence on the site without it sticking out like a sore thumb. The DEIR range of alternatives is thus deficient to provide decision makers with an adequate range of options to reduce and minimize impacts to public resource and values.

The Alternatives section of the DEIR thus analyzes only two feasible project alternatives with regard to reduced project size (Alternative B), and alternate project placement (Alternative C). Even a cursory look at the topography of the subject property makes it clear that many additional feasible project alternatives are possible. The limited scope of the Alternatives considered in the DEIR constitutes deficient analysis under CEQA.

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The proposed project and the DEIR's proclaimed Environmentally Superior Alternative (Alternative B - Reduced Project) both require an exception to the Mulholland Specific Plan to build/grade with 50 feet of a prominent ridgeline. For the City to grant such an exception it should demand nothing less than a smaller-scale project that makes all efforts to minimize visual and biological impacts to public resources and values. Alternative B is a disingenuous feign of an attempt to provide decision makers with a less damaging project. The 30 percent size reduction only applies to the 8,990 sf house and does not address reductions to the proposed 6,454 sf of covered patio area, 2,475 sf of mechanical/electrical area, and 5,207 sf of basement. Nor does it address the approximately one-acre fill slope and its parallel 300-foot-long and ten-foot-tall retaining walls.

The DEIR states that the project applicant currently lives in the existing onsite 2,018 sf house. The DEIR shows a nice functional pool and thousands of square feet of level landscaped attached grounds with million dollar city views. The applicant clearly receives substantial economic benefit and residency from the property. The applicant has rights for a second habitable structure but the size, views, location, and orientation of such a structure are not determined by-right by the applicant.

In its correspondence to the City, the Conservancy has repeatedly emphasized that any new habitable structures must be moved much closer to the existing house to adequately reduce impacts. Potential new house locations closer to the existing house means northward away from nose of the prominent ridge. All impacts are significantly reduced by such re-siting. The existing house is 24 feet tall. A new, 2,500 sf, single-story, 18-foot-tall house could be carefully sited on the flat pads on the ridgeline within approximately 40 feet of the existing house. The pool area, driveway, and thousands of square feet of landscaping could be maintained in their current juxtaposition. There could potentially be a 2,000 sf basement below the new house. Views of the house from public viewing areas could be reduced placing earthen berms in key areas. The public and all immediate neighbors would be getting a far better deal out granting a Specific Plan exception with a house designed within these parameters.

The key issue is that the City has the full authority to limit the project to such a well-sited, approximately 2,500 sf house. There is no legal basis to successfully challenge the City's desire to reduce impacts to a crown jewel park in an era of population growth and increasing usage pressure on existing parkland. There are a myriad other new house footprints that would achieve the same level of impact reduction and meet all of the qualifications of not substantially disrupting the values of the existing historic residence. All such footprints would thoroughly fulfill all four of the DEIR Project Objectives.

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To begin, the City should not certify the DEIR for reasons stated in this letter and the remainder of the public record. The City should not consider any project that requires a Zoning Administrator Determination for retaining wall variances. Any project on the site should work with the existing topography. Retaining walls are indicative of not working with the topography. There is great hypocrisy in the DEIR conclusions that mass grading in every compass direction of the existing historic residence will maintain its required minimum historic characteristics.

Compatibility with Mulholland Specific Plan

A second house appears to be approvable on subject ridgeline without a Specific Plan exception if the required grading volume is less than 1,000 cubic yards. The Specific Plan allows the Planning Director to approve up to 1,000 cubic yards of grading on a prominent ridge if five findings can be made. Those findings are easily made for the 2,500 sf re-sited second house alternative projects addressed above. The DEIR shall remain deficient until it includes at least two such alternatives.

The unsubstantiated DEIR analysis of how the project meets the Specific Plan requirements for visual character is deficient because the analysis only addresses a fraction of the park area and scenic resources.

The DEIR shall remain deficient until analyzes the findings by the Planning Director that are necessary per the Specific Plan to develop within 200 feet of parkland.

Additional Biological Impact

Because the DEIR did not address the importance of Runyon Canyon Park as part of a habitat block in the larger connected Eastern Santa Monica Mountains ecosystem or the role that the northeastern corner of the park plays in facilitating wildlife movement to the Mulholland Drive - 101 freeway overpass, it shall remain deficient.

As proposed the project has no protections against wildlife blocking or ugly fencing or further development expansion. The DEIR has no measurable or enforceable standards or locations for indoor or outdoor lighting. In addition the DEIR is deficient for not addressing that the City does not have, nor has ever demonstrated the capacity to have, adequate enforcement for lighting or landscaping conditions in the Mulholland Specific Plan area.

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Both the proposed project and Alternative B would introduce a substantially greater total amount of light into the Runyon Canyon Park habitat area no matter how well a project of that size is mitigated shy of having no windows. In addition cars and delivery vehicles potentially using high beams would use the public road through the park at night. There are no vehicle trip limitations in either the day or nighttime. An area that is now quite dark would experience substantial irreversible change in regard to all night illumination. The DEIR fails to quantify this additional light and its potential deleterious impacts on wildlife from insects to mammals to birds. Reptiles lie on hot roads at night during the summer too.

These light impacts are exacerbated because they would be in the northeastern corner of the park which is the only adequate movement corridor out of the park eastward towards Cahuenga Pass. As proposed the project and all of its development DEIR alternatives would result in unavoidable significant adverse impacts to the sustainability of many species in the eastern Santa Monica Mountains ecosystem. The DEIR conclusion that the project would not result in such significant impacts just because wildlife movement is not blocked and because there are no special status species is flawed and fails to consider evidence provided in the Conservancy's Notice of Preparation comments.

The DEIR is further deficient because it does not address potential implications of permanent habitat conversion for fuel modification on public land. Annual fuel modification zones (particularly on the drier south face of the range) inevitably lead to a habitat type conversion that favors non-native annual weeds. Those directly impacted zones can then adversely affect proximate areas thus increasing the impact footprint. In essence the proposed project would permanently degrade approximately two acres of existing public chaparral habitat. The conversion of two acres of habitat in the sensitive eastern Santa Monica Mountains ecosystem is a significant impact. That impact must be avoided in this case by siting the project to result in no additional fuel modification on public land and to maximize the overlap of any newly required fuel modification perimeter with the existing fuel modification zone of the existing onsite house.

The DEIR is further deficient for not addressing the footprint expansion of the park's Argentine ant population with the extension irrigation that would be necessary to both establish and maintain vegetation on the proposed new two acres of manufactured slopes adjacent to parkland. If such slopes are not irrigated the vegetation cover would be insufficient to prevent high levels of erosion into public parkland.

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Addition Visual Impact

The DEIR is further deficient for totally failing to address visual impacts from the West Ridge Hiking Trail in the park. Over a quarter-mile of continuous trail at a substantially higher elevation looks directly down on the proposed development area. That view is directly onto the west side of the development area where the proposed house is sited. The DEIR fails to address that public agencies just invested over \$7 million to buy the land that holds this section of existing public trail. That trail includes destination points that are scenic vistas. The DEIR does not adequately analyze potential impacts to these scenic vistas.

The proposed project places over 13,000 square feet of development and two acres of fill slopes on prominent terrain that is flanked by heavily-used public trails. The dry south facing chaparral slopes do not exhibit much green or dark color in the summer and fall months. Irrigated grass and succulent roofs and glass windows provide imagery in direct contrast to the existing dry season landscape. In addition the project would be surrounded by a distinct band of cleared chaparral (2.88 acres) for fire protection. In no way can such a project be aesthetically integrated into the park viewshed. The degree of contrast is too great. The project would thus substantially degrade the existing visual character and quality of public views of the site and its surroundings. Why would the City even contemplate such visual degradation when so many less damaging feasible alternatives have been described in this letter?

The DEIR fails to address the fact that the shown fuel modification perimeter extends eastward beyond North Runyon Road. The fuel modification area is a permanent change in visual appearance that is recognizable from distance most times of year and increasingly so due to global warming effects. The DEIR visual impact analysis must explore if that east facing fuel modification zone is visible from public locations in the Mulholland Scenic Corridor.

Although the park is closed at night, it is a public resource, and by permission, researchers and groups can take night and full moon hikes in the park. Both the proposed project and Alternative B would introduce a substantially greater total amount of light into the Runyon Canyon Park habitat area no matter how well a project of that size is mitigated shy of having no windows. In addition cars and delivery vehicles potentially using high beams would use the public road through the park at night. There are no vehicle trip number or time limitations in either the day or nighttime. An area that is now quite dark would experience substantial irreversible change in regard to all night illumination and thus result in substantial dark sky impacts and nighttime enjoyment of the park. For the above reasons

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both the proposed project and all of its development alternatives would result in unavoidable significant adverse visual impacts.

Miscellaneous DEIR Deficiencies

The DEIR fails to adequately explain how the project disturbance footprint could change between the two scenarios of retaining 14,000 cy of cut on site or exporting it offsite. For example do the parallel 305-foot-long retaining walls remain in the dirt export scenario?

The applicant has cut an extensive network of trails on slopes exceeding 35 percent with some leading directly to parkland. The DEIR must address if these trail would remain with any approved project and if their impacts should be considered cumulatively in the DEIR.

North Runyon Road is a not a public street. How does the proposed project avoid the City requirement that new development must be on parcels that abut a Public street? The existing road is a paved fire road that is closed to public motor vehicle access per the DEIR.

To ensure that North Runyon Canyon Road is never lit, the DEIR must include a mitigation measure that prohibits lighting of the road to benefit the proposed project property.

The DEIR is flawed in its analysis of public services. The proposed project site is surrounded by at least 650 feet of downslope chaparral on every side and is at least one half mile from any non-wildland terrain. It is doubtful if Runyon Canyon was on fire that a City fire truck would enter the park to protect the subject houses.

The DEIR is deficient because it bases multiple impact analysis on the premise that just one couple (the existing couple) will permanently occupy both houses. The DEIR analysis on traffic in regards to biological, visual, and recreation impacts does not address the probable scenario that the house will host parties and larger families in the near term. Thus all of the mitigation measures that address these issues are flawed because the traffic and visitor volumes cannot be controlled or enforced by the lead agency. Some such limits must be established to make impact analysis conclusions.

Another example of an unenforceable mitigation measure is the proposed green roofs covered with grass and succulents. Those roofs are key visual mitigation measures in the DEIR. However the City cannot enforce the maintenance and appearance of those green roofs. A derelict owner or mandatory water use cutbacks could result in brown roofs with shedding plant materials thus exposing underlying metal. The project must be designed to not be visually intrusive by re-siting it and cutting the house size by 75 percent.

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The DEIR is further flawed because it provides no detail about the proposed onsite wastewater treatment plant. Has the site perked?

The DEIR is further flawed because there is no analysis of how the project's drainage and runoff will be handled when it hits parkland. Will the City require V-ditches on the approximately one-acre fill slope? Will the City require energy dissipaters where onsite drainage contacts parkland? There are multiple potential biological, geological, recreational, and visual impacts that could result from the handling of onsite runoff. This is a major and fatal omission in the DEIR.

Further correspondence and notice regarding this project should be sent to the attention of Paul Edelman, Deputy Director of Natural Resources and Planning, at King Gillette Ranch, 26800 Mulholland Highway, Calabasas, California 91302.

Sincerely,

IRMA R. MUÑOZ
Chairperson