

SANTA MONICA MOUNTAINS CONSERVANCY

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Glenn Michitsch
City of Calabasas
100 Civic Center Way
Calabasas, California 91302

**Recirculated Draft Environmental Impact Report
West Village at Calabasas Project -- SCH No. 2017091009**

Dear Mr. Michitsch:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the recirculated Draft Environmental Impact Report (DEIR) for the West Village at Calabasas Project. The project now consists of 15 three-story multi-family housing buildings for a total of 180 living units. The Conservancy incorporates its February 18, 2019 letter on the project by reference.

The applicant's move to ignore extensive expert testimony by its own geotechnical and geologic consultants in the record and find a new expert to make claims about the ancient onsite landslide should concern all. That prior, 2019 applicant-funded, expert testimony and non-applicant funded expert testimony, concluded that a non-landslide remediation project could be safely constructed as represented by Alternative 4.

The DEIR remains defective because it does not refute the prior expert geologic and geotechnical testimony and conclusions with substantial evidence. The landslide is not expected to change, has not changed since 2019, nor has it changed for a thousand years per expert testimony on the record. The landslide slid and released its energy long ago - thus mapped as an ancient landslide not a landslide waiting to happen or reactive. There is a huge difference between these conditions.

The DEIR remains defective because it rejects Alternative 4 the only non-landslide remediation alternative from consideration. The Planning Commission voted to only approve Alternative 4 in 2019 and the applicant did not like it. As stands, rejected Alternative 4 with minor modifications meets every current DEIR Project Objective except for remediating the landslide. However, that project objective also includes mitigating the landslide. The abovereferenced expert testimony in the record clearly stated that adverse

effects of the landslide could be fully mitigated by moving the development approximately 25 from the edge of the approximate 7-acre development area as is shown in Alternative 4. What new substantial evidence is in the record to change that conclusion or is it just a new opinion from another expert?

The current range of project development alternatives is inadequate because they all have the same disturbance footprint. That range provides no alternatives for decision makers to look at less earth, watershed, and biological resource damaging alternatives. The DEIR shall remain deficient until it includes an alternative without unavoidable significant adverse impacts. There is no reason for a project in this location to remove 45 oak trees with 24 of them being heritage trees. There is no reason way a non-landslide remediation alternative needs to export dirt. The pad(s) for the development can just be higher and thus further enhance vertical separation from the toe of the ancient landslide.

Remediating the landslide with 2,406,971 cubic yards of fill alone cannot be characterized per the City's open space zone conditions as "limited landform alteration to prevent slope failure and other similar hazards." Actually it would be the largest grading project in the Santa Monica Mountains in over 29 years. The site constraints simply dictate a seven-acre project with less than 500,000 cubic yards of grading rather than an 11-acre project with almost 2,500,000 cubic yards of grading.

The DEIR correctly concludes that all of the project alternatives would result in unavoidable significant adverse visual impacts. There is no overriding consideration why the City would approve a Gateway to the Santa Monica Mountains National Recreation Area project with endless three story apartment buildings crammed together and crowned by a 28-acre v-ditch and down drain-littered mega-manufactured-slope. The proposed total length of concrete v-ditches on the remediated slide slope can be measure in miles. The 28-acre slope cannot be adequate habitat mitigation with the drainage ditches and the required level of earth compaction.

For further comparison of the proposed structure visual impacts, translate 10-15 of the nearby currently under construction three-story hotels at the mouth of the subject canyon. The street, residential, and commercial lighting and noise impacts will spill for thousands of feet onto protected Mountains Recreation and Conservation Authority (MRCA) open space.

The DEIR is deficient because the project would establish a new trailhead next to MRCA open space accessible to an anticipated 500 residents and their dogs without any consideration of ecological impacts or strain on public (MRCA) services.

Alternative 4 which was deemed feasible in the 2019 DEIR had 50 more housing units as the proposed project. Thus no argument can be made that the City cannot supply its SCAG dictated quota of new housing with a seven-acre development footprint.

The DEIR is further deficient because it fails to analyze how the project and the development alternatives could have an adverse impact on mountain lion habitat. The DEIR biology section must be recirculated for the following reason. The California Department of Fish and Wildlife (CDFW) is conducting a one year status review of a proposed evolutionarily significant unit (ESU) of mountain lions in southern and central coast California pursuant to Fish and Game Code section 2074.6. The status review is a result of the Fish and Game Commission's decision to accept for consideration the petition to list mountain lion populations within the proposed ESU under the California Endangered Species Act (CESA). Therefore, mountain lion populations in the proposed ESU are now a candidate species under CESA.

As a candidate species, mountain lions within the proposed ESU receive the same legal protection afforded to an endangered or threatened species under CESA (Fish and Game Code Section 2085). For locations where development impacts could have deleterious effects on a candidate species, CDFW moves from being a CEQA Trustee agency to a Responsible agency. The project will have a direct adverse effect on mountain lion habitat.

The project description references an upstream retention basin that is never depicted in the DEIR so its impacts next to MRCA land can be analyzed.

Please direct any questions or correspondence to Paul Edelman, Deputy Director of Natural Resources and Planning, at King Gillette Ranch, 26800 Mulholland Highway, Calabasas, California 91302.

Sincerely,

IRMA R. MUÑOZ
Chairperson