

SANTA MONICA MOUNTAINS CONSERVANCY

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January 11, 2021

Alan Como, AICP
City of Los Angeles, Department of City Planning
221 North Figueroa Street, Suite 1350
Los Angeles, California 90012

Notice of Preparation Comments
Berggruen Institute Project - ENV-2019-4565-EIR

Dear Mr. Como:

Under the California Environmental Quality Act (CEQA), a Notice of Preparation (NOP) is required to inform agencies and the public that an Environmental Impact Report (EIR) is necessary and will be prepared. Responsible and trustee agencies must submit comments to the lead agency within 30 days or an extended review period at the discretion of the lead agency. Responses must provide specific details about the scope and content of the environmental information related to the responsible agency's jurisdiction to be included in the EIR. The lead agency must include in the EIR any appropriate information requested in response to the NOP (Guidelines § 15082). Although not required, the lead agency should send the NOP to all parties that may be interested in the project, including neighboring landowners and special districts.

The Santa Monica Mountains Conservancy (Conservancy) currently holds the fee interest to multiple open space parcels immediately adjacent or proximate to the Specific Plan Area (Project Site). The Project Site contains the entirety of a 425-acre open space easement held by the Mountains Recreation and Conservation Authority (MRCA) which also owns and manages several open space parcels immediately west of the Project Site in Mandeville Canyon. Under a Reciprocal Services Agreement, the MRCA acts as the managing agency for all Conservancy land. The most notable of these Conservancy open space holdings comprise of two parcels totaling 135 acres immediately south of Ridge II. These open space parcels provide a direct connection to the Project Site via the Lower Canyonback Trail and fire road connecting to Canyonback Road. Given the direct connection to several Conservancy fee and conservation easement interests, it is imperative that the potential for direct and indirect impacts to visual resources, trail network connections, and fire road access be considered for analysis in the DEIR.

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As such, the Conservancy offers the following comments on the Notice of Preparation for the Berggruen Institute Project.

Both the design and footprint proposed in the initial study do not go far enough to protect the biological, recreational, and visual resource values of the 20,000-acre Big Wild habitat area. The Big Wild is a contiguous core habitat area that encompasses Topanga State Park and is not bisected by a single paved road. As the crow flies, an animal in one corner can travel over eight miles to an opposing corner without crossing a paved road.

The Big Wild is the conduit for wildlife to reach existing crossing structures both under, and over, the 405 freeway to reach the most eastern part of the Santa Monica Mountains including Griffith Park. The subject property is the primary habitat linkage that leads to the Bel Air Road undercrossing under the 405 freeway. This is the only viable freeway under-crossing.

The main proposed project site (Ridge I) is visible from public viewing areas including the onsite single-track trail maintained by the Mountains Recreation and Conservation Authority (MRCA), the East Sepulveda fire road originating at the northern terminus of Casiano Road, and the Kenter fire road that courses north-south through the MRCA's onsite open space easement.

Any scale project adjacent to preserved biological resources--as the current project site is situated--should minimize direct impacts to native vegetation which include annual brush clearance and fuel modification. A reduced project footprint or development perimeter directly translates into a decreased number of habitat acres that must be cleared annually - a practice that clearly leads to habitat type conversion. Fuel modification zones are visually difficult to disguise in a natural landscape. Any project on a prominent ridgeline (even if disturbed from prior grading activity) in the Santa Monica Mountains should be designed to be as invisible as possible including for lighting impacts. Lighting along the length of the serpentine access road would adversely affect approximately a hundred acres of habitat in the MRCA's open space easement.

There are multiple ways potential impacts to biological and visual resources can both be avoided and reduced both via design and adjustments to the project footprint.

The Conservancy recommends that the Draft Environmental Impact Report (DEIR) include

a project alternative with a reduced scale and footprint to reduce the potential for adverse impacts to these resources. This recommended “reduced scale and reduced footprint alternative” would eliminate all development and improvements that could potentially impact public access from Canyonback Road (Ridge II). The maximum height of any structures on Ridge I (including water tanks and auditoriums) would be limited to two stories, 33 feet. For the Institute Building only, no portion of the building structure could be located within 75 feet of the edge of the graded pad to reduce permanent fuel modification impacts and minimize both the daytime and nighttime visibility of the main structure. Courtyards could be created with permanent perimeter fire proof shade structures situated on the exterior sides of the institute building. Dedication of a conservation easement should be incorporated to limit future expansion of the project that would necessitate additional Fire Department-required fuel modification. Any scale project should prioritize a balanced grading budget on site as much as is feasibly possible. To better work with natural land forms and to minimize the creation of green house gases during construction, particularly exporting earth to distant landfills, the alternative could allow a maximum of 50,000 cubic yards of cut and 25,000 cubic yards of export. Lighting along the length of the main access road should be designed to include a light source that is downcast and fully shielded with a quantity reduced to the maximum extent feasible while maintaining road safety standards.

This recommended alternative provides for the bulk of the proposed project elements and greatly reduces biological, visual, and green house gas impacts. These recommendations do not necessarily reduce the potential for all significant impacts and would need to be analyzed in the full scope of the final project design alternative in the DEIR and proposed mitigation measures for potential impacts that could rise to a level of significance. In accordance with CEQA (Guidelines § 15126.4) the DEIR should detail specific mitigation measures for each significant environmental effect identified in the analysis for the preferred project alternative.

The DEIR must better define what the term “Chaparral Edge - regenerative landscape - minimal interventions” means for biological impact analysis purposes.

A major design question not answered in the Initial Study does not address a critical design feature. How would the applicant build a minimum 26-foot-wide road with Fire Department turnouts in the 20-foot-wide only access easement that was granted to the City

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in the recorded tract map? The road itself and extensive grading impacts would have to occur in the MRCA's open space easement.

The DEIR must address and analyze how the MTA's proposed rail line alternative over the Sepulveda Pass would cross through the MRCA's existing 425-acre open space easement paralleling Sepulveda Boulevard. What would be the cumulative biological impacts of this rail line combined with the proposed project relative to the future viability of a new freeway wildlife over pass originating just north of the access road entrance to the Metropolitan Water District facility? In accordance with CEQA(Guidelines § 15130) the DEIR should consider and analyze the potential impacts of the proposed project in conjunction with other developments that affect or could affect the project area as mentioned above.

Please direct all future correspondence to Joseph T. Edmiston at the above letterhead address and by email to edmiston@smmc.ca.gov.

Sincerely,

Chairperson