

**SANTA MONICA MOUNTAINS CONSERVANCY**

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California Coastal Commission  
South Central Coast District Office  
89 South California Street, Suite 200  
Ventura, California 93001-2801

**Coastal Permit Application for the Cameron Property  
Puerco Canyon Road, Puerco Canyon Watershed**

Dear Chairperson Caldwell and Commissioners:

It is atypical for the Conservancy to comment on a coastal development project prior to there being a scheduled hearing date and accompanying staff report. However, the subject project comprises a major swath (750 acres) of the southern flank of the Santa Monica Mountains and has moved through the Los Angeles County approval process with no conditions for either public trail dedications or deed restricted open space. It is imperative that the Conservancy go on record with its concerns in a manner that ensures timely submission of a letter to your Commission.

The subject property is adjacent to, and upstream of Corral Canyon Park, owned by the Santa Monica Mountains Conservancy (Conservancy). The Conservancy is primarily concerned with (1) the biological impacts associated with the permanent intrusion of the development into a large block of undeveloped open space with sensitive resources, and the resulting fragmentation and degradation, (2) the need to ensure mapped and planned trail connections, and (3) the need to avoid potentially significant visual impacts. The Commission staff report should summarize the visual analysis and explicitly state whether whether, and to what extent, the proposed development (including the road, the six homes and fuel modification) would be visible from public viewing areas, including Malibu Creek State Park trails, the Mesa Peak Trail, proposed Coastal Slope Trail, and Pacific Coast Highway.

Although we have not yet seen the applicant's application to the California Coastal Commission, it is our understanding that the proposed project shall include a lot line adjustment for six contiguous parcels, the development of six homes on the newly reconfigured parcels, and the development of an approximately 4,500-foot-long driveway to the two most-northerly proposed homes.

Unfortunately, the project was considered in stages and pieces by Los Angeles County and was ultimately approved last month by Los Angeles County Regional Planning Commission for a long driveway and two units. First the County approved a lot line adjustment for six parcels without a public hearing or California Environmental Quality Act (CEQA) review.

After many tries at defining a project description, the County then issued a Mitigated Negative Declaration (MND) for a project filed under an Oak Tree Permit (OTP). That project description included the long driveway for two of the most northerly houses. The MND did not address the fact that the driveway provides the access to all six lots. The remaining four lots (that have not yet been addressed under CEQA or by the Regional Planning Commission) will not be subject to any additional CEQA analysis, public hearings, or discretionary review other than typical plot plan review by the Planning Director. This staggered strategy of developing multiple units under common ownership is legal but affords the public no opportunity to exact meaningful mitigation for regionally significant objectives such as the Coastal Slope Trail or adding additional permanently protected land to the greater Malibu Creek State Park core habitat area. At the Planning Commission hearing, County Counsel stated that an OTP does not afford sufficient nexus to exact trail dedications, conservation easements, or deed restrictions. On a similar note, the minutes of the County's March 15, 2004 Environmental Review Board (ERB) state, "the ERB feels there will be significant effects resulting from the development ...despite there being no discretionary review required by the County Zoning Code."

Given the size of the project (six units spread over 750 acres), its prominent coastal location in the Santa Monica Mountains National Recreation Area, and its importance to two County General Plan-designated trails, the nexus for such exactions is unquestionable. Essentially, the Commission has a one time opportunity to evaluate this important project in its entirety and to tie together meaningful trail and open space protection conditions. If this defined six home project is brought to Commission in a piecemeal fashion, based on the following rationale, we urge the Commission apply the following eight conditions to each application to ensure complete trail linkages.

There are two County-General Plan-designated trail alignments on the property (the Coastal Slope Trail [CST] and the Mesa Peak Trail). The National Park Service-Santa Monica Mountains National Recreation Area (NPS-SMMNRA) is in the process of developing a Trails Management Plan with several agencies, and specifically has been planning for, and trying to develop, a Coastal Slope Trail (~~CST~~) to eventually connect both ends of the Santa Monica Mountains, near the coast. The conceptual alignment of the CST passes through the subject parcels in the vicinity of the proposed southerly residence.

Specifically, this alignment is considered a conceptual *first priority* CST route in this multi-agency Trails Management Plan effort, and would connect the southwest part of the subject property directly to Corral Canyon Park. This is a slightly different alignment than the Los Angeles County-mapped CST in this area. The segment crossing the property would connect the Pepperdine University trail section to Corral Canyon.

According to a representative for the applicant, the applicant will offer, as part of the Coastal Development Permit (CDP) application process, a proposed realignment of the CST crossing the northern portion of the property (see figure). This alignment differs from the County's mapped CST, and we have several concerns regarding this proposed alignment. The greatest deficiency of this alignment is that it provides no connection to the ~~existing Corral Canyon spur of the CST~~ NPS-proposed first priority CST in this area, which This spur leads to the Corral Canyon trailhead on Pacific Coast Highway (PCH) and can be continued west to Corral Canyon Road. Whereas, the applicant offered CST realignment just provides a western connection to the CST alignment through Brian Sweeney's many LLC holdings in Corral Canyon. In addition, this applicant-proposed realignment is interrupted by passing through a short stretch of Mr. Sweeney's property in the northwest portion of the subject property to be developed. It could be a decade or longer before adequate trail Offers to Dedicate (OTDs) can be exacted from this matrix of LLC parcels across Corral Canyon to Corral Canyon Road. For example, unforeseen geological issues could arrest development on a key parcel in Corral Canyon and frustrate the whole process. Furthermore, there is no guarantee that adequate trail OTDs can be exacted from all of the necessary LLC parcels.

On the other hand, if the Commission requires the applicant to provide an OTD for the existing (County-designated) CST alignment and ~~a short Corral Canyon spur~~ the short connection directly to Corral Canyon Park (part of the NPS-proposed first priority CST), then the trail will reach an existing dirt road in Corral Canyon Park and can be continued on public land both to PCH and Corral Canyon Road.

### **Requested Conditions**

1. Require an offer(s) to dedicate (OTDs) for a trail easement over the approximate Coastal Slope Trail (CST) mapped by both Los Angeles County and the NPS (see figure).

2. Require an offer(s) to dedicate (OTDS) for a trail easement over the short stretch on the applicant's property, "NPS proposed first priority/Conservancy Contingency Corral Canyon Spur CST" (see figure).

In the spirit of maximizing distance between trails and the applicant's proposed primary residence, this OTD for a trail easement over ~~the~~ this short stretch, "NPS proposed first priority/Conservancy Contingency Corral Canyon Spur CST," should immediately expire if upon securing a complete set of OTDS for a trail easement in the alignment of the "NPS/Conservancy Preferred Corral Canyon Spur CST" is secured within five years. Otherwise, this OTD for this short stretch of the "NPS proposed first priority/Conservancy Contingency CST on the applicant's land would last its typical 21-year life.

3. Require an offer(s) to dedicate (OTDS) for a trail easement over the proposed Mesa Peak Trail Connector (see figure). This would implement the Mesa Peak Trail (identified by the County), connecting to the trail system to the north (Malibu Creek State Park and Backbone Trail).
4. Require an offer(s) to dedicate (OTDS) for a trail easement over the CST alignment proposed by the applicant, "Applicant's proposed Coastal Slope Trail" (see figure). This is a driveable, historic dirt road with every day public use.
5. Require a condition that prohibits fences or walls closer than three feet from the edge of any of the above required trails once constructed.
6. Require an OTD for a conservation easement over the area shown on the attached figure in favor of a park and open space agency such as NPS or MRCA.

The subject conservation easement would help offset the significant adverse impacts to biological and visual resources associated with this project. Such an easement is critical to avoid future degradation of the open space by subsequent owners. The easement must prohibit development, structures, new roads, grading, mineral extraction, grazing, vineyards, planting of non-native vegetation, fencing (other than used for habitat restoration), utilities (other than what is allowed under current utility easements), and brush clearance. Uses that should be allowed in this conservation easement include trails and habitat restoration.

7. Minimize or prohibit lighting along the driveways.

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8. Prohibit any development that is sited such that fuel modification is required on adjacent parkland.

With respect to other potential CST alignments in this area, the Conservancy notes that there are topographical constraints with trying to create a CST connection below (south of) the subject property. Creating a CST connection from the existing Puerco Canyon Road westward to Corral Canyon Park would require a difficult crossing across unfavorable terrain, which includes a tributary of Puerco Canyon. Thank you for your serious consideration of these comments. If you have any questions, or would like to discuss further, please contact Paul Edelman, Deputy Director of Natural Resources and Planning by phone at (310)-589-3200, ext. 128.

Sincerely,

ELIZABETH CHEADLE  
Chairperson