

SANTA MONICA MOUNTAINS CONSERVANCY

LOS ANGELES RIVER CENTER & GARDENS
570 WEST AVENUE TWENTY-SIX, SUITE 100
LOS ANGELES, CALIFORNIA 90065
PHONE (323) 221-8900
FAX (323) 221-9001
WWW.SMMC.CA.GOV



June 29, 2020

Board of Public Works
c/o Dr. Fernando Campos

Ms. Shana M. M. Bonstin, Deputy Director of Planning
Department of City Planning

Ms. Catherine Nuezca-Gaba, Permit and Engineering Bureau Chief
Department of Building and Safety

Mr. Timothy Tyson, Chief Forester
Urban Forestry Division, Bureau of Street Services

Mr. Arnoldo Avila, Investigator
Investigation and Enforcement Division, Bureau of Street Services

Environmental Review Required

**Tree Removal Permit Nos. 1-1643801951 and 1-961997361, 9650 Cedarbrook Drive
(Building and Safety Permit No. 16010-40000-01001)**

Dear Commissioners, Ms. Bonstin, Ms. Nuezca-Gaba, Mr. Tyson, and Mr. Avila:

The Santa Monica Mountains Conservancy (Conservancy) urges coordination between your respective agencies within the City of Los Angeles to ensure that the subject requested actions for the proposed project at 9650 Cedarbrook Drive receive the environmental review required by the California Environmental Quality Act (CEQA). The Conservancy is the principal State planning agency in the Santa Monica Mountains Zone.

The subject hillside property is adjacent to portions of Franklin Canyon Park owned by the National Park Service. The subject project involves ongoing grading and earthwork for a single-family residence of nearly 75,000 square feet. This is unprecedented in size and scale for the Santa Monica Mountains on a narrow ridgeline. The project as whole will undeniably result in significant adverse impacts to biological and visual resources, which, as of this letter, would go entirely unmitigated. The project site is part of mountain lion habitat. The subject South Coast sub-population of mountains lions is now a Candidate species for protection under the California Endangered Species Act.

CEQA requires for such a proposed project with potential significant adverse impacts that an Initial Study and Mitigated Negative Declaration (MND), at minimum, be prepared and circulated for public comment. The removal of protected trees alone prevents the subject

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project from qualifying for a Categorical Exemption. The visibility of the project from numerous public locations provides ample substantial evidence.

The proposed removal of Coast Live Oak trees (*Quercus agrifolia*) and California Black Walnut Trees (*Juglans californica*) are potentially significant biological impacts that must be addressed in an MND. The requirement to plant replacement trees, which is a mitigation measure required under the City's Protected Tree Ordinance, should serve to demonstrate that such an action is ineligible for a Categorical Exemption from CEQA, and that such a project cannot be considered 'by-right', even if it otherwise complies with Los Angeles Municipal Codes.

The entirety of the subject property is located within the Santa Monica Mountains Zone (established in Section 33105, California Public Resources Code), an environmental resource of critical concern. CEQA Guidelines Section 15300.2(a), which lists Exceptions to Categorical Exemptions makes it clear that that the subject project is ineligible for a Categorical Exemption due to its location:

"(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies."

Conservancy staff's analysis of the project footprint indicates that the massive single family residence and driveway would force approximately 7.5 acres of Fire Department-required fuel modification (brush clearance) on the surrounding hillsides. This is an additional potentially significant adverse biological impact that must be analyzed in an MND.

Our staff's analysis of grading plans indicates that the completed project would direct the stormwater run-off from approximately 5.8 acres of developed area and hillside on to Cedarbrook Drive. Has any City agency performed an analysis of the drainage capacity of

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the drains on Cedarbrook Drive with respect to the subject project? Is the project description incomplete because no retention basis is proposed? This is a potentially significant impact that must also be analyzed in an MND.

The project requires a 2,000-foot-long driveway mostly elevated above grade on caisson - column combinations. There is no plan on how drill rigs and other equipment would get to the scores of caisson locations on greater than 1.5 to 1.0 slopes. Those numerous equipment locations will require graded pads and a new hillside road system. That grading has not been factored into any aspect of the planning or environmental analysis.

The scale and ecological damage of the subject project are antithetical to the public interest, especially being adjacent to National Park Service property used annually by thousands of City residents. Far smaller projects than this have required Mitigated Negative Declarations, and in the case of the proposed less than 4,000-square-foot single-family residence at 3599 Lankershim Drive, an Environmental Impact Report (ENV-2014-4031-EIR).

The Conservancy urges all City departments to immediately freeze any and all further permitting on the subject project, and properly analyze the project under CEQA.

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