

**SANTA MONICA MOUNTAINS CONSERVANCY**

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April 25, 2005

Ms. Christina Tran  
Impact Analysis Section  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, California 90012

**Notice of Preparation Comments for Proposed Liberty Canyon 23-Unit  
Residential Subdivision (Tentative Tract Map No. 52909)**

Dear Ms. Tran:

The proposed development near Liberty Canyon is located within the Santa Monica Mountains Conservancy (Conservancy) zone. The Conservancy's joint powers partner, Mountains Recreation and Conservation Authority (MRCA), owns land adjacent to, and west of, the project site. With respect to this project, the Conservancy is primarily concerned about the anticipated adverse impacts to the Liberty Canyon wildlife corridor. Approximately \$18 ½ million of public funding has been expended to protect the corridor within 2000 feet of the Ventura (101) freeway. The proposed project jeopardizes this regional wildlife corridor and investment of public funds. The project would also result in significant adverse impacts to ecological and aesthetic resources. The following comments reiterate and expand upon those comments included in a June 23, 2003 letter from the Conservancy to the City of Calabasas on a 49-unit residential subdivision on the same property. Although there are slight modifications to the project footprint when comparing the 49-unit project to the currently proposed 23-unit project, the footprints are roughly in the same area.

According to the Notice of Preparation (NOP)/Initial Study (IS), the proposed project is an application to develop 23 single-family residential lots on approximately 161.17 acres. Proposed grading would affect approximately 53.2 acres. The individual single-family home sites are proposed in the central portion of the development parcel. The development parcel is located between the existing Saratoga Hills residential community (to the east), and open space owned by MRCA (to the west). (The NOP incorrectly identifies the owner of this land as the Conservancy.) Primary vehicular access would be from Canwood Street at

Liberty Canyon Road. The new emergency second means of access would connect to De Berry Drive to the east.

### **Significance of Liberty Canyon Wildlife Corridor**

The project site is part of the regionally significant wildlife movement corridor connecting core habitat areas in the Santa Monica Mountains with the Simi Hills (and to the Santa Susana Mountains) via Liberty Canyon. Liberty Canyon is one of two primary regional habitat linkages between the main block of the Simi Hills and the Santa Monica Mountains along the 101 freeway. (The other linkage is at Crummer Canyon, east of the subject site.) The Liberty Canyon freeway habitat linkage is the highest quality potential crossing area along the 101 freeway (Edelman 1990). At the Liberty Canyon Road undercrossing, wildlife such as mammals can cross under the freeway between extensive protected public parkland owned by multiple agencies (e.g., National Park Service [NPS], California Department of Parks and Recreation, MRCA) north and south of the 101 freeway. This includes lands such as Cheeseboro Canyon, Palo Comado Canyon, and Las Virgenes Canyon north of the freeway, and Malibu Creek State Park south of the freeway.

This linkage has been identified as a Missing Linkage as part of a state-wide effort to identify the location of, and threats to, the most important movement corridors for California's wildlife.<sup>1</sup> NPS has tracked bobcat, coyote, and other mammals through the corridor. Other mammals that likely depend on this corridor include mountain lion, gray fox, and badger.

### **Need for Project Modifications**

The proposed project must be redesigned in order to maximize the possibility that a viable wildlife corridor and cross-freeway habitat linkage can persist. Specifically, the Conservancy strongly recommends that the proposed non-emergency road connection from Liberty Canyon Road to the proposed residential development be deleted from the project description. There should be only one non-emergency access to the proposed development, and that access should be through the Saratoga Hills existing residential community. One of the principal factors contributing to habitat fragmentation has been the construction of roadways (Meffe et al. 1997, as cited in Haas and Crooks 1999). Roads can create barriers

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<sup>1</sup>South Coast Wildlands Project. 2000. Missing Linkages: Restoring Connectivity to the California Landscape. Proceedings from November 2, 2000 conference at San Diego Zoo, San Diego, California.

for animals (e.g., mammals) attempting to move between patches, increase mortality (i.e., by collisions with vehicles), and can create deleterious edge effects.

This development should be clustered on the eastern approximately 1/3 of the project site, adjacent to the Saratoga Hills existing residential development. It may be ecologically superior, however, for the project to extend slightly beyond this eastern 1/3 of the project site in order to avoid sensitive plant communities such as coastal sage scrub. Some modifications may be necessary to avoid landslides. Development on the project site that is too closely situated to the Liberty Canyon Road undercrossing will likely deter animals from moving to and finding this undercrossing.

If, and only if, a secondary emergency access is required for safety purposes, then it should only be proposed through the Canwood Street access under the following conditions. A DEIR mitigation measure and a condition of approval must specify that any access in the currently proposed primary access alignment at Canwood Street must be for emergency purposes only, unlit, no greater than 25-feet-wide, and gated at both ends. Another DEIR mitigation measure and a condition of approval must specify that a conservation easement be granted over the emergency access road to MRCA that forbids the use of this secondary access for purposes other than emergency access, and that it be gated at both ends, unlit, and 25-feet-wide or less. This conservation easement shall not be subordinate to any other easements. Daytime construction access for a period of one year is also acceptable. In addition, a DEIR mitigation measure and a condition of approval must specify that the project applicant shall contribute no less than \$200,000 to be used towards the purchase of the five-acre property (Assessor's Parcel Number [APN]: 2052-013-040) located at the southwest corner of the subject development property, bordered to the west by protected MRCA parkland. This parcel is a critical link between MRCA protected parkland to the west, the subject development parcel to the east, and the Liberty Canyon-101 Freeway crossing to the south. This is also warranted because the new road could provide access to this parcel. If acquisition of this parcel by MRCA is not possible, the money should go into mitigation fund for the Liberty Canyon Wildlife Corridor, to be spent between Agoura Road and the Calabasas Landfill as approved by the Third Supervisorial District and the MRCA. The Conservancy emphasizes the need for these mitigation measures to offset the anticipated adverse impacts to wildlife movement associated with any emergency access road constructed via Canwood Street.

### **Need for Analysis of Impacts to Liberty Canyon Wildlife Corridor**

Any development on the subject site has the potential for numerous significant adverse impacts to the wildlife corridor and freeway undercrossing. The Draft Environmental

Impact Report (DEIR) must analyze the full range of these impacts, and must include measures to avoid, minimize, and mitigate these potential impacts. Specifically, a smaller project footprint, and one that is clustered to the eastern portion of the project site, with primary access through the Saratoga Hills development, would avoid many of these potential direct and indirect impacts.

Potential impacts include the direct loss of habitat (e.g., areas in which animals would move and otherwise utilize) as a result of project construction, grading, and fuel modification. In addition, indirect impacts could lead to conditions unfavorable for animals to utilize remaining open space on the project site and to find the freeway undercrossing. Of note, increased lighting would likely be a significant deterrent for wildlife movement. The project description must include the location of every single proposed street light (including the height and wattage) in the area from the proposed interchange at Canwood Street, northwards to the location where the proposed street "A" would intersect the southern property boundary. Other potential impacts that could adversely affect the viability of the wildlife corridor include: increased human activity, increased domestic pets, and increased use of rodenticide. There is also the inherent and unmitigatable pressure to manage (i.e., kill) wildlife when encounters between wildlife and people/pets increase. The DEIR must also analyze how wildlife moving in this area would be affected during grading and construction, and whether and when animals would continue to use this area after construction.

As stated above, the Conservancy strongly recommends the deletion of any non-emergency project access to Liberty Canyon Road via Canwood Street. A non-emergency project access road to Liberty Canyon would result in unmitigatable significant adverse impacts to the regional wildlife corridor. If, and only, if an emergency secondary access is required for safety reasons, then it should only be allowed via Canwood Street under the conditions outlined in this letter.

### **Identification and Preservation of Open Space**

The DEIR must clearly identify the amount and location of natural open space areas that would be preserved in perpetuity and managed for wildlife habitat and other sensitive biological resources for each alternative. Only natural open space that is not disturbed by the project should be calculated into this amount, and other uses (e.g., reservoirs, utilities, fuel modification, roads, etc.) should be excluded from this amount.

The DEIR must clearly define the method to preserve the natural open space areas. Specifically, the Conservancy recommends that the DEIR include a mitigation measure that requires all, or most of, the ungraded natural open space (excluding fuel modification areas) be dedicated in fee simple to a public conservation agency such as MRCA. (If fuel modification areas were included in this fee title dedication, the homeowners must be granted an easement to conduct fuel modification within the dedication area in order to preclude the need for the public conservation agency to pay for it.) The DEIR should specify that the open space shall be transferred in fee title to a public conservation agency *prior* to vegetation clearing or grading.

The DEIR must specify from where funding for management of the open space in perpetuity would come. Possible funding mechanisms include a non-wasting endowment set up by the developer or a Community Facilities District, which can be established by the MRCA.

### **Aesthetic Impacts**

The DEIR must include a line-of-site analysis of before and after photo renderings of the project site from the 101 freeway and from public parkland in the vicinity, including from the adjacent parkland owned by MRCA. These renderings must show views of any new structures, fuel modification, and lighting, because all of these project-related elements have the potential to result in significant adverse impacts to scenic and visual resources. The DEIR must disclose whether the project will be visible from any of the public parks in the area.

As indicated above, the Conservancy is adamant about the inclusion of a DEIR alternative that modifies the project by deleting any non-emergency road connection to Liberty Canyon Road and to make the project footprint smaller and clustered on the eastern portion of the project site. A secondary goal should be to eliminate any views of the project (and associated lighting) from parkland in the area and from the 101 freeway. Per the NOP, the 101 freeway is considered a scenic corridor.

### **Cumulative Impacts**

Given recent development proposals in the vicinity, the Conservancy is concerned about cumulative impacts to the Liberty Canyon wildlife corridor, and other ecological and environmental resources. The DEIR must analyze the cumulative impacts of the proposed project in light of these other developments, including but not limited, to Heschel West

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School located west of the subject project and the Liberty Canyon project (TR 53100) located south of the freeway.

### **Additional Information That Must Be Included in the DEIR**

The DEIR must include a figure depicting the project footprint, grading areas, and fuel modification areas overlain on a vegetation map. Topography also should be depicted on this map, or another map, in the DEIR.

The DEIR must explicitly analyze whether the project is consistent with each of the goals and policies in the Santa Monica Mountains North Area Plan.

To reiterate, the Conservancy is strongly opposed to any project alternative that includes a non-emergency road connection to Liberty Canyon Road. If a secondary, emergency access is required for safety reasons, it should only be permitted via Canwood Street under specific conditions. A DEIR mitigation measure and condition of approval must specify that any access via Canwood Street must be for emergency purposes only, and that the road must be unlit, no greater than 25-feet-wide, and gated at both ends. In addition, a DEIR mitigation measure and condition of approval must require that a conservation easement (not subordinate to other easements) over the road be granted to MRCA that forbids uses other than for emergency purposes, and specifies that the road be unlit, 25-feet-wide or less, and gated at both ends. A DEIR mitigation measure and condition of approval must require the applicant to contribute no less than \$200,000 towards the purchase of APN 2052-013-040. Alternately, if the MRCA does not acquire this property, the money should go into a mitigation fund for the Liberty Canyon Wildlife Corridor, to be spent between Agoura Road and the Calabasas Landfill, as approved by the Third Supervisorial District and the MRCA. A dedication of open space to a public conservation agency, accompanied by a guarantee for management funding, must also be a requirement in the DEIR. Given the regional significance of the Liberty Canyon wildlife corridor and the extent of public funds that have been expended to protect this corridor and adjacent areas, this is the only sound public policy for the County to consider. Please direct any questions and all future correspondence to Judi Tamasi of our staff at the above address and by phone at (310) 589-3200, ext. 121.

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Sincerely,

ELIZABETH A. CHEADLE  
Chairperson

**Literature cited**

Edelman, P. 1990. Critical Wildlife Corridor/Habitat Linkage Areas between the Santa Susana Mountains, the Simi Hills and the Santa Monica Mountains. Prepared for The Nature Conservancy. Contact: the Santa Monica Mountains Conservancy. December (corrections as of 2/91).

Haas, C. and K. Crooks. 1999. Carnivore, Abundance and Distribution Throughout the Puente-Chino Hills: Final Report. Prepared for the Mountains Recreation and Conservation Authority and State of California Department of Transportation District 8.

Meffe, G.K., R.C. Carroll, and contributors. 1997. Principles of Conservation Biology. Sinauer Associates, Inc. Sunderland, MA.