

**SANTA MONICA MOUNTAINS CONSERVANCY**

RAMIREZ CANYON PARK  
5750 RAMIREZ CANYON ROAD  
MALIBU, CALIFORNIA 90265  
PHONE (310) 589-3200  
FAX (310) 589-3207



September 22, 2008

Dan O'Donnell, City Planner  
Los Angeles Department of City Planning  
Department of Regional Planning  
14410 Sylvan Street, Room 351  
Los Angeles, California 91401

**Draft Environmental Impact Report for the New Leaf Hills Master Plan  
(SCH No. 2007-2769-EAF), Laurel Canyon**

Mr. O'Donnell:

The Santa Monica Mountains Conservancy offers the following comments on the Draft Environmental Impact Report (DEIR) for the New Leaf Hills Master Plan. The Conservancy is pleased that the proposed project has been reduced to the "Viewshed - Wildlife Corridor Protection Alternative" recommended in our Notice of Preparation comments. That project includes finishing the five existing, unoccupied houses and then building one more house. It also involves some combination of a fee simple and conservation easement dedication to the Conservancy or the Mountains Recreation and Conservation Authority.

The exact boundaries and timing of the open space dedication in both the project description and the mitigation measures must be addressed in the Final Environmental Impact Report (FEIR) if the full ecological and viewshed benefits are to be permanent. If those parameters are not adequately addressed in the FEIR the project would still have the strong potential to result in unavoidable significant adverse ecological and visual impacts.

Earlier this year the Conservancy and Mountains Recreation and Conservation Authority (MRCA) staffs worked with a set of community members to forge a compromise deal with the owner that equitably distributed annual brush clearance obligations. That compromise was achieved by the MRCA agreeing to accept a combination of fee simple lots and conservation easements over other open space lots. Figure 2-2 in the DEIR shows 13 lots as being deeded to the Santa Monica Mountains Conservancy and no reference to conservation easements on unbuilt private lots to be attached to the three of the six houses.

The compromise worked out with the community and the owner, and then approved by the MRCA Governing Board, consisted of ten lots being dedicated in fee simple and conservation easements over the entirety of six additional lots. The attached figure shows the ten fee simple lots in blue and red and the conservation easement lots in different shades of yellow and green that show what lots would be tied to specific houses.

The importance of this distribution of open space lots is that more fee simple land to a public agency means large permanent brushing expenses in perpetuity. That responsibility should be shared with the landowner(s). Total fee simple transfer to a public agency (no agency will accept all of the lots) is not a complete mitigation measure. We urge the applicant and the City to reflect the MRCA approved distribution as the final project and to double those assurances in the mitigation measures quite explicitly and exactly. If the applicant rejects that compromise we urge the City to require conservation easements on every square inch of the lots that do not get one of the six approved houses on them. The MRCA would accept those conservation easements because they present no liability or on going costs. The applicant rejected that proposal earlier because he wanted to spread out the cost and liability. If totally rejected or infeasible by the City, the City should deny the project because the mitigation measures do not reduce the ecological and viewshed impacts to a less than significant level. The DEIR is deficient for not addressing how the absence of conservation easements would allow the future landowners to totally fence, light, and inappropriately landscape the open space lots.

The DEIR must be clear that the only allowable uses in the conservation easements are brush clearance, planting and irrigating plants native to the Santa Monica Mountains (no cultivars), dirt foot trails not to exceed two feet in width, and non-white colored post and rail fencing not to exceed 4.5 feet in height, with a maximum of three rails and a minimum distance between rails of 18 inches. These conditions are imperative to assure that both wildlife movement and habitat qualities are retained. Irrigated (or non-irrigated) native vegetation in the conservation easements is critical to maintain both deep and surficial slope and soil stability. It is also critical to maintain the viewshed from Mulholland Drive. No other uses are compatible. Experience has shown that the easements and fee must transfer to the MRCA or another public agency prior to the issuance of any permits—including grading or building permits. This timing must be required in the FEIR.

We most likely will refine these comments in another letter and at the public hearing. Thank you for your consideration of these comments. Please direct any questions and all

Los Angeles Department of City Planning  
DEIR for the New Leaf Hills Master Plan  
September 22, 2008  
Page 3

future correspondence to Paul Edelman, Deputy Director for Natural Resources and Planning at the above address and by phone at (310) 589-3200 ext. 128.

Sincerely,

RONALD P. SCHAFER  
Chairperson

cc: State Clearinghouse