

SANTA MONICA MOUNTAINS CONSERVANCY

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November 23, 2009

Mr. Paul McCarthy, Supervising Regional Planner
Impact Analysis Section
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

**Project No. R2008-00493, RENV200800039 / 2745 Beacontree Lane
Stokes and Cold Creek Watershed**

Dear Mr. McCarthy:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the Notice of Consultation for the above referenced project located on the ridgeline between Stokes and Cold Creek Canyons. The subject lot is the highest point on this long and visible ridgeline that was illegally graded flat prior to 1987. Even a modest single story house on the subject 3.38-acre lot will be visually prominent from numerous public locations. These public locations include Mulholland Highway and Calabasas Peak. The house would also be visible from the New Millennium trail on Mountains Recreation and Conservation Authority (MRCA) property in Stokes Canyon, from the Calabasas Cold Creek Trail, the Secret Trail on the east side of Mulholland Highway, and southerly sections of the Stokes Ridge Trail.

The property also abuts core habitat of the central Santa Monica Mountains in the upper Stokes Canyon watershed. The MRCA also just acquired a ten acre parcel the abuts the northwestern corner of the subject parcel. Furthermore the private parcel to the immediate west of the subject parcel contains a small perennial spring located less than 250 feet from the proposed 8,000-square-foot house. This unique spring provides a key year-round water source for animals with home ranges covering several hundred acres.

Any house on the subject ridgeline pad will result in adverse visual and ecological impacts to the above described natural and scenic resources. One glance at Google Earth aerial photography shows how other houses on the subject ridgeline require extensive brush clearance in both the Cold Creek and Stokes Canyon watersheds. Such brush clearance contributes to erosion, creates visual blight, and results in large areas conducive to the growth and spreading of detrimental non-native weedy vegetation species.

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Any house and fencing constructed along the subject ridgeline will also result in a loss habitat connectivity between the Cold Creek and Stokes Canyon watersheds. That connectivity has rapidly eroded in the last 20 years. There is reasonable connectivity on private land to the immediate south, but development could easily extinguish it. For this reason every project on the ridgeline down to Mulholland Highway should contribute some permanent increment of cross ridgeline habitat connectivity. Even 20-foot-wide connections should be incorporated into every project approval.

All of the subject houses on this ridgeline benefitted from the illegal 1980s grading and were approved prior to the North Area Plan Ridgeline Ordinance. Although all of the existing ridgeline houses scar the viewshed, that is not a reason to approve another house that would greatly exacerbate that reduced scenic and ecological resource.

The applicant is asking for a variance to the Ridgeline Ordinance on a prominent ridgeline between two sensitive watersheds of the Malibu Creek drainage. To earn that variance from the County, the only good public policy is to maximize the resource protections from the proposed project and to minimize impacts even if they are not significant. The current project fails miserably to achieve any public benefits.

To achieve adequate public benefit that warrants a Ridgeline Ordinance variance, the project must be slightly modified and heavily mitigated. For this reason we urge the County to require the preparation and circulation of a Mitigated Negative Declaration.

We urge the County to deny the Ridgeline Ordinance variance unless all of the following mitigation measures and project modifications are permanently and irrevocably incorporated into the proposed project, the MND, and all entitlements.

1. Move the western face of the house back (eastward) at least 20 feet to reduce required brush clearance on the slopes in Stokes Canyon directly above the just offsite perennial spring.

2. The applicant states in writing that he/she is willing to voluntarily accept a condition to donate a conservation easement to the Mountains Recreation and Conservation Authority (MRCA) or the Mountains Restoration Trust (MRT) over all portions of the property west of (downslope from) the 1380 foot contour and that such easement must be recorded prior to the issuance of any permits including grading permits. Said easement shall not be subordinate to any loans or liens on the property. Said easement shall prohibit all fencing, walls, retaining walls, lighting, non-native plants, hardscape, domestic animal enclosures,

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or storage of materials. Said easement shall allow non-overhead irrigation and brush clearance required in writing by the Fire Department.

3. The applicant states in writing that he/she is willing to voluntarily accept a condition to donate a second conservation easement to the Mountains Recreation and Conservation Authority (MRCA) or the Mountains Restoration Trust (MRT) that includes a contiguous, minimum 20-foot-wide section of property that connects the easement described above to the eastern property boundary. Such easement must be recorded prior to the issuance of any permits including grading permits. Said easement shall not be subordinate to any loans or liens on the property. Said easement shall prohibit all fencing, walls, retaining walls greater than 18 inches in height, lighting, non-native plants, hardscape, domestic animal enclosures, or storage of materials. Said easement shall allow non-overhead irrigation and brush clearance required in writing by the Fire Department.

4. The applicant shall provide recordable metes and bounds legal descriptions of the conservation easement(s) and a current preliminary title report to the receiving entity. The applicant shall also pay a one time \$500 processing fee to the receiver of each conservation easement(s) prior to easement recordation. The public should not have to shoulder the cost of the completing the mitigation for the applicant's Ridgeline Ordinance variation.

The two conservation easements will protect habitat resources, maintain some habitat connectivity, and reduce the visual impacts of fuel modification activities.

If you have any questions, please contact Paul Edelman, Deputy Director of Natural Resources and Planning, at 310-589-3200 ext. 128.

Sincerely,

RONALD P. SCHAFFER
Chairperson