

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207
WWW.SMMC.CA.GOV



October 24, 2016

Doug Hooper, Planning Director
Planning Department
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91303

**Cornerstone Mixed-Use Project
Mitigated Negative Declaration Comments
Case Nos. 07-AVDP-002 and TPM 70559**

Dear Mr. Hooper:

The proposed 8.2-acre property comprises some of the most visually and botanically sensitive land in the City of Agoura Hills. There probably is no more botanically rich equivalent-sized property within the City boundary. One hundred native plant species, two Federally-listed plant species, multiple plant species of concern, rare plant communities, and scores of oak trees make up an ecologically unique site. The grading for the proposed project would eliminate a minimum of 6.25 acres of this vegetation and its substrate. The permanent future fuel modification would adversely affect all of the remaining 1.96 acres to varying degrees.

As stated in the Mitigated Negative Declaration (MND) the whole distinct ridgeline that includes the subject property was designated by Los Angeles County as a Significant Ecological Area because of rare plant associations and the presence of disjunct desert species. The MND is deficient for not including a clear color graphic that shows the extent of sensitive plant species and vegetation footprints and how the project would directly and permanently, indirectly adversely affect each of these resources. A numeric description of impacts cannot supplant a detailed spatial display.

All of the MND plant and vegetation mitigation measures are either deferred mitigation, vaguely defined, do not mitigate habitat loss, or rest on unproven sensitive species reestablishment methods on unidentified land. The proposed project--with the loss of 29 oaks and damage to the roots of many more (plus loss of 0.5 acres of scrub oak woodland) in severe drought conditions--would result in unavoidable significant adverse biological impacts. The project would totally eliminate rare botanical resource combinations that

cannot be replicated anywhere. The MND biological resources section is long because the site is a textbook example of biological constraints. The reason this property is so botanically rich is because it has unique soil and aspect conditions that would be incredibly difficult to replicate for the successful long-term growth of sensitive plant species to achieve mitigation objectives. Because the proposed project would result in unavoidable significant adverse biological impacts, the City must prepare at least a Focused Environmental Impact Report that considers reduced impact alternatives.

The proposed project would eliminate this ecological resource via exporting 95,000 cubic yards of volcanic and conglomerate substrate in at least 6,000 trips of large dump trucks. It would replace the 95,000-cubic-yard area with 45-foot-tall buildings covering over 2.5 acres complemented with 250 parking spaces in the upper Malibu Creek watershed. The proposed project does not fit the land. The proposed project would place a large white and red-colored mass of buildings just below a prominent ridgeline. No other two story building pierces the foot of that ridgeline for thousands of feet eastward. The project needs to be lower in elevation. The project would result in unavoidable significant adverse visual impacts from the 101 freeway, Agoura Road, and Cornell Road, existing and proposed public trails, and from City-owned open space to the southwest.

The Rim of the Valley Trail Corridor Master Plan includes a spur from the Rim of the Valley Trail leading from Cheseboro Canyon across the 101 freeway and along the south side of Agoura Road to the project site by the Cornell Road intersection. The MND is deficient for not addressing the existence of this planned spur trail and potential adverse impacts to the unofficial City trail along Cheseboro Creek and Agoura Road.

In addition the National Park Service has a planned trail (Agoura Equestrian Center Connector) that comes from Cheseboro Canyon and then along the north side of Agoura Road (Zuma Ridge Trail), up a short stretch of Cornell Road and then up the paper street through the proposed development (Paramount Ranch Connector Trail). The MND is deficient for not addressing the existence of these planned trails. All have been part of the NPS Trails Plan since at least 2004. Any approved project should include an unpaved trail through the property to achieve the connectivity and public purposes of these planned trails.

Where convenient, the MND analysis states that some project impacts are already addressed in the Agoura Village Specific Plan Final EIR. The MND is deficient for not addressing how some proposed project impacts have already been analyzed and mitigated in an existing

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FEIR and why those direct projects impacts cannot be attributed to the proposed project in the subject MND.

The project is unmistakably significantly growth-inducing. The proposed project would provide a high quality, full service, moderate grade road to dozens of ridgeline and sub-ridgeline parcels located directly to the south and east. The MND is deficient for not analyzing how the proposed project would result in the acceleration of development on all of these small lots served by this proposed road. The MND is deficient for not addressing how the proposed project would and could provide utility services and drainage options to the undeveloped offsite lots.

The required EIR alternatives analysis must consider an alternative that does not build a full-service two-lane road to the adjoining private properties leaving the boundaries of the existing road easement path. Alternatively any project on the proposed property cluster should only provide a stubbed road at the edge of primary project impact footprint wholly within the existing paper right-of-way currently on record between the small onsite parcels. The mitigation measures must include a conservation easement or fee simple dedication to ensure that no road alignment to the adjoining offsite properties leaves the boundaries of the existing paper street. Any less protection would be significantly growth-inducing in a designated Significant Ecological Area with Federally-listed plant species.

The proposed conditions for any project that would eliminate CA-LAN-1352 must include a Phase IV archeological study.

The Conservancy urges the City to require an EIR with at least two feasible alternatives with no more than 25,000 cubic yards of grading that work with the landform rather than trucking it away. Only with a reduced footprint project can some of the onsite botanical resources be permanently protected from direct and indirect project-related impacts. The Conservancy also urges that all proposed projects include a fee simple public open space dedication and a perpetual annual open space maintenance funding source built into the project conditions.

The Conservancy will exercise its rights to any and all vacations of public land to which it has rights to under 33207 of the Public Resources Code.

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The proposed project belongs on the flat lands, not at the boundary of a core habitat that is integral to the Liberty Canyon inter-mountain range wildlife corridor leading into Malibu Creek State Park.

Please direct any questions to Paul Edelman of our staff at 310-589-3200 ext. 128 or at the above letterhead address.

Sincerely,

Irma Munoz
Chairperson