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September 24, 2018

Hon. Board of Supervisors
Los Angeles County
800 W. Temple Street
Los Angeles, California 90012

**Request to Grant Santa Monica Mountains Conservancy Appeal
North Lake Project (SCH No. 2015031080)**

Honorable Supervisors:

The Santa Monica Mountains Conservancy joins a united front with two other State agencies (California Department of Fish and Wildlife) (State Parks) with deep concerns about the proposed suburban sprawl of the North Lake project adjacent to State parkland. The project would be a significant and permanent detriment to the residents of the Santa Clarita Valley, to users of Castaic Lake State Recreation Area, to Interstate 5 commuters in both directions, to an iconic regional I5 viewshed abutting the Angeles National Forest, to the National Forest ecosystem, to the *South Coast Missing Linkages - Sierra Madre - Castaic Connection*, and to the Santa Clara River watershed.

As laid out, the project is one hundred percent dependent on the provision of 36 acres of County fee simple land (now in open space) (APN 3247-017-900) for project infrastructure and even a private commercial pad to be built on top of a filled blueline streambed. The County has no obligation to provide land to this or any developer and should not do so until the project has no unmitigated significant impacts and does include public benefits for all County residents, as opposed to just benefitting future residents of the new development. As proposed, the scant undisturbed natural open space would be owned and managed by homeowners associations – a set up that is not a good prescription to welcome non-tract-residents.

The County badly needs additional housing, but the wholly unnecessary mass grading of streams and mountains that are part of the Public Domain to create mostly low density, high-cost single-family residences is entirely antithetical to modern planning thought, the public good, and to science. Instead, the project's outer perimeter footprint should be reduced in half while still providing the same number of living units in a more dense layout. Only then would there be a meaningful open space contribution and a quantitatively

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significant direct contribution to the affordable housing crisis. The Phase 1 Development alternative in the Final Supplemental Environmental Impact Report (FSEIR) analyzes this exact project footprint. By definition, EIR alternatives must be feasible so the County could limit its approval to this FSEIR alternative project. In addition, page 6-27 of the FSEIR confirms that the Phase 1 Development alternative meets all of the Project Objectives. Should the County not beholden to approve this FSEIR designated environmentally superior alternative that limits all development at Phase 1 when it so demonstrably reduces significant impacts? The blind rush to create more housing is not at all supported by any alternative that includes Phase 2. A Phase 2 tentative tract map is not even part of the subject approval. Any housing from Phase 2 cannot be available in less than five to six years at best even under the current favorable economic conditions. Litigation may push any housing in any project phase out even further .

Remember, this project is impossible to build without the provision of 36 acres of current County-owned open space property. The County can thus demand the project footprint and housing mix it desires. The FSEIR fails to adequately address either the County's compensation and rationale for providing land vital to a huge development fraught with unmitigable adverse environmental impacts. Is this sprawling, traffic clogging project really the project that Santa Clarita Valley residents want? Only a few residents and a handful of local businesses have expressed any support. A smaller footprint - high density development will dramatically reduce environmental impacts while providing the housing and both the local and broader economic engines desired by project proponents.

The Conservancy's April 2018 letter asserts that the 1992 North Lake Specific Plan does not guarantee the applicant any substantial immutable property rights. Our assertion is clearly not refuted in the Board Letters' response to the Conservancy's project appeal. The staff report just states the Specific Plan is "an appropriate baseline for comparison." The model for comparison should not be an antiquated document. The model should be a project that maximizes the avoidance and reduction of adverse impacts and follows the science and recommendations made by California Department of Fish and Wildlife scientists. The two County biologists are not on record concluding that project will not result in multiple unavoidable significant adverse biological impacts.

The Board of Supervisor's should not be – and legally need not be--beholden to the 1992 Specific Plan that is a prescription for the wholesale alteration of an entire watershed – that

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sends polluted runoff from up to 3,150 residential units, schools, businesses, and associated streets into Castaic Lagoon a public water body. The operative document is now the Final Supplemental Environmental Impact Report (FSEIR) and that document concludes that the Phase 1 Development Alternative is environmentally superior, meets all of the Project Objectives, and is feasible.

The County is not bound to approve a project consistent with the Specific Plan if it is immensely detrimental to the environment, and not to mention again, relies on the corporate welfare provision of 36 acres of County property to get off the ground. The somewhat recent buyer of the property had to be aware that the provision of County-owned property for private purposes is essential to construct the proposed project.

The Conservancy urges the Board of Supervisors to grant the Conservancy's appeal and not certify the Final Supplemental Environmental Impact Report. If the Board wants to maximize new housing units and substantially reduce environmental impacts, the project could be sent back to the Regional Planning Commission to develop such a more progressive, science-based project alternative based in the Phase 1 footprint.

If the Board does certify the Final Supplemental Environmental Impact Report (FSEIR), the Conservancy urges it to grant our appeal, in part, and limit any project approval to the Phase 1 Development Alternative—which is the environmentally superior alternative in the FSEIR and which meets all of the Project Objectives (page 6-27). In such case Phase 2 would become permanent open space via an FSEIR mitigation measure.

The County has no legal obligation to approve a project that extends suburban sprawl three miles into the Angeles National Forest and forever ruins one of the most widely viewed green belts in the State (I5 corridor). Some of the project may be tucked away from public views, but the new expanded, street lit Ridge Route and the lighting of up to 3,150 residential units will stick out like a sore thumb in the middle of a regionally significant confluence of State and Federal open space parklands. Essentially the protections against dark sky and other adverse light impacts rest wholly on lighting design guidelines set forth in the 1992 Specific Plan. Without any meaningful analysis, the FSEIR (page 7-3) thus concludes the potential lighting impacts would be less than significant.

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The Board can do a far better job ensuring a project footprint that does not give away public County property, a gift that indisputably facilitates a project that diminishes the visual, ecological, and watershed values of thousands of acres of existing public parkland and viewshed. The proposed project would also unavoidably expand the boundary of the wildland urban fire interface - an action that the fires of 2017-2018 have shown to be permanently detrimental to public resources and government budgets.

County residents deserve a smaller project footprint without the need to sacrifice the number of residential units via an increase in density. The Specific Plan can be amended as necessary. If the developer does not want to accept an environmentally superior project, then as long as the FSEIR concludes there are unmitigated significant adverse environmental impacts, and the project relies on the use of County property, the County has full rights not to adopt a statement of overriding considerations and to withdraw its public property from private beneficial use.

One additional concern is the actual physical availability of sage scrub habitats for the developer to acquire for FSEIR required off site mitigation. The Conservancy in partnership with the Mountains Recreation and Conservation Authority (MRCA) has been a long time integral player in both the land preservation part of compensatory mitigation and the provision of third party conservation easements over said mitigation lands.

Discussions with private partners in the mitigation provision business reveal that the Hathaway Ranch (often called Temescal Ranch) in the Piru Creek watershed is the only location where approximately 1,250 acres of eligible sage scrub plant communities can be acquired. Those sources have stated that the amount of sage scrub community-covered land that would be required for the North Lake developer to acquire offsite cannot physically be assembled elsewhere based on overall habitat scarcity in the watershed. Said sources have also said that different development and mitigation bank entities are competing to acquire Hathaway Ranch. If Hathaway Ranch is acquired for mitigation purposes not associated with the North Lake project, the North Lake project could well not be able to provide the County- required off site habitat preservation mitigation in FSEIR.

The FSEIR is deficient for not addressing this reasonable potential for the applicant to be unable to perform on clearly specified acreage of off site habitat preservation. If the project is delayed for even five to six years, the availability of other key offsite habitat types may

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also be compromised. This habitat scarcity issue in the watershed, calls into question the adequacy of the deferred habitat replacement mitigation. Unless the required off site habitat is permanently protected prior to any onsite grading activities occurring, then that particular habitat must not be allowed to be disturbed.

Please direct all questions and correspondence Paul Edelman, Deputy Director of Natural Resources and Planning, at the above address and by email at edelman@smmc.ca.gov.

Sincerely,

CRAIG SAP
Chairperson