

**SANTA MONICA MOUNTAINS CONSERVANCY**

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April 30, 2007

Mr. James Bell  
Zoning Permits I Sections  
Los Angeles County Regional Planning  
320 West Temple Street  
Los Angeles, California 90012

**Notice of Consultation Comments**  
**Los Angeles County Project Number R2005-01468-(3)**  
**located on Piuma Road (APNs 4456-038-008 and 009)**

Dear Mr. Bell:

The proposed completion of pad, drainage, and driveway grading and offsite improvements for the two subject lots within the Tract No. 38931 will provide decision makers with only partial information regarding the potential adverse ecological and visual impacts of the proposed project. The California Environmental Quality Act (CEQA) review for the subject project (two homes) must include the building envelope of the two houses and all proposed and future appurtenant structures and improvements. The height, placement, and design of the two houses and all appurtenant structures and improvements will have great bearing on the direct and indirect adverse environmental impacts of the project.

Visual impacts to the adjacent Backbone Trail Corridor and Trail are of great concern to this agency. The sensitivity of both the off-pad and off site habitat in the subject Significant Ecological Area Buffer also warrants the highest possible level of impact avoidance and permanent protection. The attached aerial photograph shows the relationship between the site, the Backbone Trail, and numerous protected public open space lands.

**Need for Comprehensive Project Description**

Most likely the site can accommodate two homes and appurtenant uses without resulting in unavoidable significant adverse impacts, and thus a Mitigated Negative Declaration is warranted. However the project description for a Mitigated Negative Declaration must include a comprehensive description of the total proposed building envelope and total disturbance footprint. That disturbance footprint would include all changes to natural vegetation and soil including irrigated areas and fuel modification. Any soil clearance, hardscape or non-native planting thus constitutes disturbance. The indirect disturbance footprint would include any lighting and light spill associated with the project located from

the County's Piuma Road rights-of-way, along the driveways, and on any and all portions of the two subject lots. Wildlife blocking fencing (proposed and future) also constitutes a permanent project disturbance.

The project description must also detail a building envelope for all structures that could be visible from publically-owned land or could require fuel modification both within and beyond the boundaries of the two subject parcels. Only with such a comprehensive building envelope description can the visibility of the project and its extent of direct and future potential ecological impacts be disclosed to decision makers.

Even the lack of preliminary architectural and landscaping plans is irrelevant to the County's ability to conduct this critical CEQA analysis based on a comprehensive project description. The project description can define a maximum disturbance and impact footprint and a maximum building envelope. The CEQA analysis can address this maximum project. As long as this maximum project is accurately defined and adequately analyzed and mitigated, the applicant will have ample room to adjust the project as its scope is refined. If the maximum project results in visual or ecological impacts that are substantially detrimental to the Santa Monica Mountains ecosystem or Backbone Trail viewshed, the applicant should further limit the size and expanse of the project to substantially reduce these impacts.

The MND must address what, if any, restrictions and allowances prior permit actions of the California Coastal Commission have put on the property.

### **Need for Comprehensive Ecological and Visual Field Analyses**

The only way to determine the potential environmental impacts of any project on the subject site is to conduct both an adequate field-based viewshed analysis and field-based ecological assessment of what natural resources would be entirely eliminated and which of those would be subjected to repeated disturbance from Fire Department or potential Fair Plan required fuel modification. The MND must show and acknowledge the conservation easement held by the Mountains Recreation and Conservation Authority (MRCA) located within and along the border of parcel number 8. The MND must address the consistency of the project and its resulting Los Angeles County, and potential Fair Plan, required fuel modification with the restrictions and allowances in the conservation easement.

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### **Need for Permanent Deed Restrictions in MND Mitigation Measures**

The only means of guaranteeing permanent protection of natural and visual resources located outside of the disturbance footprint defined in the MND is to require mitigation measures that deed restrict any future disturbance in precisely defined areas of the two subject parcels. The language of those deed restrictions must precisely define what uses are restricted in the subject areas. The actual final deed restriction language and precisely mapped areas for those deed restrictions must be included in the circulated MND for the document to adequate.

In summary, this letter presents a strong case for a MND with a comprehensive and detailed project description, the inclusion and full analysis of adequate visual and ecological resource studies, and the inclusion of permanent, fully defined and articulated deed restrictions.

Please address any questions and future correspondence to Paul Edelman of our staff at (310) 589-3200 ext. 128 and at the above address.

Sincerely,

ELIZABETH A. CHEADLE  
Chairperson