



APPLICATIONS:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

- Area Planning Commission
- City Planning Commission
- City Council
- Director of Planning

Regarding Case Number: VTTM No. 73427; CEQA ENV-2014-3995-EIR

Project Address: 9503 N. Andora Place, Chatsworth, CA

Final Date to Appeal: 04/10/2017

- Type of Appeal:
- Appeal by Applicant/Owner
 - Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved
 - Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Teena A Takata & Chatsworth Nature Preserve Coalition

Company: _____

Mailing Address: 9629 Baden Avenue

City: Chatsworth State: CA Zip: 91311

Telephone: (818) 703-1040 E-mail: teena@besttax.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

Self Other: _____

- Is the appeal being filed to support the original applicant's position? Yes No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part
 Are specific conditions of approval being appealed? Yes No

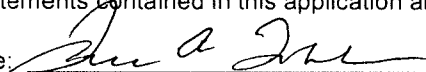
If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- Specifically the points at issue
- How you are aggrieved by the decision
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature:  Date: 04/09/2017

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Teena Takata
9629 Baden Avenue
Chatsworth, CA 91311
818 703-1040

April 10, 2017

To City Planning Commission

Appeal of Entire Decision dated March 30, 2017
Re: 9503 N. Andora Place
ENV-2014-3995-EIR; CEQA ENV-2014-3995-EIR
VTTM No. 73427

I hereby appeal the approval of the project for the following reasons:

The project uses excessive grading that impacts the community, and does not adequately conform to minimum grading, specified by the Chatsworth-Porter Ranch Community Plan and the Valley Circle Boulevard/Plummer Street Specific Plan. The excessive grading affects aesthetics, Valley Fever, rock outcroppings and the state-listed rare Santa Susana tarplant that is on the site. The grading of the actual project was not adequately described in the Draft Environmental Impact Report, and therefore denied the public of adequate review and comments on the actual project.

The wildlife corridor is turned into about 100 feet when edge effects are considered. This is ineffective width and inadequate for a regional wildlife corridor.

The standards for the emergency access route as described are inadequate and may not conform to applicable laws. Representations made by the City stating the emergency fire access route seem to be based on vague emails, with no description of the access route that was "approved as described" in that email.

Trails throughout the development should be clarified to be multiuse trails such that hikers as well as equestrians can use them. Trail access must be controlled by a public agency dedicated to open space and trails, even within the development footprint. Multiple trails have been lost in the community due to changes made by homeowners and others, and they never are regained. See lost public trails at Summit Ridge on Plummer, no equestrian access between Tulsa and Calle Milagros west of Stoney Point (built in last three years), and others.

Mitigation measures are frequently completely ineffective at achieving the goal of mitigation measure. Selected samples are presented, but almost half the "mitigations" have insufficient time, or vague time points (when a certificate of occupancy is issued - is that the first, last or middle one in this three to four year project?). Therefore, they are ineffective, unclear, and cannot mitigate the identified problem.

Discussion:

Grading and Wildlife Corridor:

The grading of the project is excessive, and far over the limits noted in the Baseline Hillside Ordinance ("BHO") that had a stated intention to decrease excessive grading in hillside developments. Applicant's project that was presented in the DEIR for both the 44 lot and 35 lot "Alternative" development noted Lot 33 (north east lot) elevation of 1083 finished elevation, lot 39 at 1078.5, and 26 at 1078.5 (midway A street lots), and lot 7 at 1087. Similar sited lots in the 33 unit project (Figure V-2) were Lot 25 (northeast lot) at 1083 finished elevation, 1078.5 for lots 30 and 17 (midway A Street lots), and 1087 Lot 7. Within a very few days of publishing the DEIR, we now know the Applicant filed revised maps stating lot elevations with the following finished grades for these lots - Lot 25, 1089 elevation, Lots 30 1090 elevation,

Lot 17 1087.5 elevation and lot 7 at 1095 of elevation. This was all hidden from the public by filing all the revisions a few days after the DEIR was released for comments. No notice of the changes was provided to the public during the DEIR review. The 33 unit project increased in height to be higher than our now-hilltop lot, and changed the contour grading shown in the DEIR to be a completely flat road, totally inconsistent with natural grade. The DEIR did NOT adequately describe the actual project, which was limited to seven pages of an Alternative, with a map that included finished elevations for the Alternative project that were absolutely false.

Based on the original maps published in the DEIR for both the 33 lot alternative and the main project, grading that used less elevation change in the main development area on the east A Street area was feasible. Applicant showed an initial plan that had significantly less elevation in the center of the valley that is developed, and the cut area of the project could therefore be less. Multiple requests for excess height retaining walls are part of this application, these could comply with code heights with the lesser artificial elevation build up. However, the City never disclosed the height increase and change to the plan to us other than by including Map II-12 in the Final EIR. The height increase that never was disclosed in the DEIR now places the project lots two feet over our lot, which is shown as 1087 elevation nearest to Lot 25 that now is at 1089 feet in elevation. The natural elevation of Applicant's property nearest to us is 1080 feet, about seven feet below the elevation of our property. A project using significantly less grading would provide for natural slopes to be considered and used; would improve compatibility with the surrounding homes, and would match language in applicable community plans.

Chatsworth takes great pride in the irregular sandstone boulders of the Chatsworth Formation that ever-so-roughly border the westerly ridgeline of the Simi Hills and provide a tremendously scenic backdrop to the community. The wildlife corridor has become even more important with increasing interest and recent land dedications at the Ventura Freeway wildlife crossing at Liberty Canyon and the Rim of the Valley Plan to expand the Santa Monica Mountains National Recreation area, which presently is being developed. The community is governed in this area by the Chatsworth-Porter Ranch Community Plan ("Community Plan") and the Valley Circle Boulevard/Plummer Street Scenic Corridor Specific Plan ("Scenic Plan"). The City has recently passed protective measures for wildlife corridors near Griffith Park. It is critical that wildlife have effective access to areas north of the 118 Freeway. This project is a single parcel that provides adequate access width for viable wildlife connectivity. This area is spotlighted for a study in the Community Plan. Yet no study has been done, and the corridor that the City accepts in its March 30, 2017 acceptance letter runs into a road, immediately outside the boundary of the map the City accepted, just west of the adjacent 44 acre property that applicant claims as part of its wildlife corridor contribution.

I have attached our very short Scenic Plan to this letter in the hopes you will review it. The Planning Department seems to focus on unobscured hilltops as the sole important feature of the Scenic Plan. But the Scenic Plan also has the multiple other provisions that are important points in considering a subdivision. The City seems to have spent little effort to make the project conform to our Community Plan or the Scenic Plan. The City has made no visible effort to study the corridor issue, or to improve the adequacy of this wildlife corridor. The approved corridor runs into roads immediately west of the County line, but apparently Planning never looked beyond the maps the Applicant provided. This is a prime example of over-reliance on the Applicant to approve a project. An expedited case is not a reason to approve it without adequate study or investigation.

The Scenic Plan notes,

- 17. Maximum preservation of natural terrain and vegetation;**
 - 18. Grading to be kept to an absolute minimum; grading to be gently contoured**
- C. The standards stated herein are applicable to any subdivision or parcel map within 1,500 feet of the right-of-way of Valley Circle Boulevard from Roscoe Boulevard to Plummer Street and of Plummer Street from Valley Circle Boulevard to Topanga Canyon Boulevard as shown on the City Engineer's official cadastral or district maps.**

The more globally focused Chatsworth-Porter Ranch Community Plan notes the following relating to development in this area:

Objectives 3 and 3.a. *In hillside residential areas to: a. **minimize grading so as to retain the natural terrain** and ecological balance;*

7. To encourage open space for recreational uses, and to promote the preservation of views, natural character and topography of mountainous parts of the Community for the enjoyment of both local residents and persons throughout the Los Angeles region.

13. To further define the link between the Chatsworth Reservoir, wildlife corridors, and the community by identifying natural wildlife habitats, migration paths, and archaeological/paleontological sites and planning for their preservation;

Under Policies,

Much of the Chatsworth-Porter Ranch Community is hillside and mountainous terrain and as much of the remaining undeveloped lands as feasible is to be preserved for open space and recreational uses.

The northwest border of the City of Los Angeles includes a wildlife migration corridor. The wildlife corridor through the Simi Hills and Santa Susana Mountains to the Santa Monica Mountains could be endangered by development and transportation arteries cutting through this vital link. The Plan encourages preservation by both public and private agencies of this critical natural feature.

Under Housing Standards and Criteria,

3. The steepness of the topography of the various parts of the area and the suitability of the geology of the area for development shall be guided by the following:

*In areas designated for Minimum density housing, the dwelling unit density shall not exceed that allowed by the slope density ordinance (LAMC Section 17.05 C). **Hillside areas designated Very Low I or Very Low II on the Plan Map which contain limited areas of exceptionally steep topography should be restricted to even lower densities.** It is the policy of the Planning Commission that the Deputy Advisory Agency must consider lower densities, including Minimum density, when considering applications for development of such areas.*

Both the Scenic Plan and the Community Plan set relatively clear standards that the rough rugged natural landforms of this area shall be preserved. These plans avoid using grading terms of Contour or Landform that are debated at multiple places in the EIR and approval letter; the controlling plans simply say absolute minimum grading, maximum preservation of natural terrain and vegetation (Scenic Plan).

The Community Plan states that in Hillside areas, to minimize grading so as to retain the natural terrain, promote the preservation of views, natural character and topography of mountainous parts. It also notes that Hillside areas designated Very Low I or Very Low II on the Plan Map which contain limited areas of exceptionally steep topography should be restricted to even lower densities. It is the policy of the Planning Commission that the Deputy Advisory Agency must consider lower densities, including Minimum density, when considering applications for development of

such areas. The northwest border of the City of Los Angeles includes a wildlife migration corridor. The wildlife corridor through the Simi Hills and Santa Susana Mountains to the Santa Monica Mountains could be endangered by development ... cutting through this vital link. The Plan encourages preservation by both public and private agencies of this critical natural feature.

I ask the decision makers to advise what they think is an appropriate grading quantity, given a Scenic Plan that requires "absolute minimum grading". Applicant says that is about 370,000 cubic yards for 33 homes. A reference standard is set by the Baseline Hillside Ordinance that allows about 180,000 cubic yards as a maximum amount of grading, in an area that is not subject to our Scenic Plan. The City has created an interpretation that grading before a development is not part of the development, which seems very odd...but why would allowed grading within the Scenic Plan that says absolute minimum grading, to be so much higher than a maximum grading allowed in a non-sensitive hillside area? If the elevations in the DEIR were used, the ending product would be much more suited with the topography, and the about 9 feet in lesser earth elevation changes would provide a very significant grading reduction.

I encourage the City to consider the project based on the Community Plan, and provisions of those plans that the Applicant did not include in preparing the DEIR and EIR that the City has adopted. Consideration of the natural topography of the site should be considered. Applicant should not be congratulated on providing extremely steep and unbuildable land to open space, while putting homes in the middle of the key wildlife corridor area on this site. Consideration of the wildlife migration corridor between the Santa Susana Mountains to the north and the Santa Monica Mountains would require looking at a wide region to determine the actual viability of any alternative wildlife corridor, and the land use and wildlife corridor designations of nearby counties, and the existing homes already built that could impair wildlife movement, which range well beyond the areas visible in a City of Los Angeles Zimas overlay. The City is at the very edge of its land with this development. There is no further place in the City to make a viable wildlife corridor. The lot to the west, is not suitable based on trails and elevation, and pre-existing development. The effective, regional width 1500 foot corridor has to be done on this parcel, which was purchased subject to a pre-existing community plan. We encourage the decision makers to review comments made by California Fish and Wildlife in the DEIR review. They are the professional resource about wildlife, and they did not suddenly approve the project when they received a promise to manage undeveloped property that changed the opinion of the Santa Monica Mountains Conservancy and the Mountains Recreation and Conservation Authority about this project. Look for professional opinions from agencies that are not receiving "gifts" from the project for an independent and unbiased opinion.

Specific acknowledgement and consideration of the Chatsworth Nature Preserve and the Santa Susana Pass State Historic Park that has become State parkland after the Community Plan was adopted should be part of the consideration. Per the Community plan, consideration of a lower density of development must be considered in general, merely due to this being a hillside area. The importance of the wildlife corridor, the directive in the Community Plan, the fact this area has the best open space linkages to the south in the west part of the San Fernando Valley, the northern link is secured through the Santa Susana Pass State Historic park, and the MRCA-operated Corriganville park to the west, the underground tunnel useable by wildlife for the 118 freeway is accessible from the Corriganville park, and this is one project that proposes to effectively block an effective regional wildlife corridor, the lack of any viable alternatives to the north of the Chatsworth Nature Preserve, all are factors that should be considered. This property was purchased subject to the long term directive in the Community Plan for a wildlife corridor to link Santa Susana in the north, to Santa Monica Mountains. Additionally, it is beyond my comprehension that the opinions of California Fish and Wildlife, an agency that has resource specialists specifically for this area, by trade and education, would be superseded by a Santa Monica Mountains Conservancy letter that reversed its original opinion when they became the recipient of the proposed open space lands, after the most minor of project revisions.

The lack of housing in the City of Los Angeles will not be solved by 33 homes built on a newly built flat street in a Hillside area where the subdivision is to be considered under our Scenic Plan. (Item C of the Scenic Plan). However, irreparable and significant impacts to views from all nearby trails and nearby areas will occur. These views should be saved under the applicable plans, with a natural grade.

The excessive grading greatly increases the likelihood of Valley Fever by nearby residents and equines, and there is no mitigation provided that will be effective in curbing the dust for residents that are nearby and residents of Chatsworth Lake Manor that are under the wind funnel that is created by the natural topography of the site. I have attached a one page summary of the Valley Fever effects caused by a nearby development near 10900 Topanga Canyon, by an adjacent resident who contracted Valley Fever during the construction. She notes there is an absolute lack of any effective mitigation for dust during off hours or wind events that are available based on usual development wind mitigation provisions such as are included in the decision letter. The wind in this elevated area, is much higher than the floor of the Valley, so the effects and amounts of blowing dust are even greater. Various nearby community members suffer from asthma and will be severely affected by inadequate control of dust and construction dirt. See decision letter page 42, air equipment for workers mitigates Valley Fever concerns for residents (which also must include equines that are adjacent to the project). The mitigation measure for keeping the workers cleaner, does NOTHING for residents and therefore is a clearly inadequate mitigation measure.

The rock outcrops that are destroyed by the excessive grading are misstated to be under .1 acre. Simply look at the outcrops on Google maps. This is false and the actual amount of rock outcrops should be disclosed and considered. The great majority of the Santa Susana tarplants in the footprint of the development area have not been shown in the reports presented to the City. The City has not investigated the reported count of 286 tarplants by Applicant in 2015, and has not provided any reason the tarplants would be 436 in summer of 2016 based on a count with California Native Plant Society, and between 415 to 599 plants in late 2001 based on the prior EIR Addendum for tract 53426 (attached). In the last decision letter, after having plant surveys, a long retaining wall was approved behind the westerly properties (lots 3 through 7). About 40 tarplants are right there, you have not considered them at all and continue to talk about 2 tarplants the Applicant found in the development area. Maybe that retaining wall should not be there.

Retaining walls - the retaining walls are needed due to making a huge flat surface and then sloping it as fast as possible. Appropriate grading that flows elevations with natural slopes would eliminate the need for many of these walls, and would allow a project with a more natural appearance when finished. The retaining wall next to our property at lot 26 (east side, north central), seems to have as a major purpose, to put an equestrian trail 5 or more feet under the newly established grade of the home lots. That just makes no sense at all.

How I will be aggrieved by the decision: I purchased my home in 1986 that is adjacent to this property because I could keep horses and have a view. The views were, and remain to be, protected by the City's adopted provisions in the community plan and the Scenic Plan. The rugged views are impaired by the height of the development and the excessive grading, including rock outcrops that are destroyed. I hike frequently and the views across the property will be a subdivision with tightly packed homes with little space between them on a flat surface that is not compatible with minimum grading or natural surfaces called for in the Scenic Plan and Community Plan. Because horses as well as humans can contract Valley Fever, and dust from the project is not effectively mitigated, both humans and equines are at significant risk which is unmitigated.

Emergency Access Route:

The standards established for emergency access route are inconsistent within the approval letter, and possibly remove the usual requirement to conform to the State Fire code by indicating the road will be constructed in accordance with those provisions only "as practical" and do not indicate any actual investigation of this difficult site by the City. The site is admitted to be in a Very High Wind Severity Area and also a High Fire Hazard Area. Standards in this type of area should always conform to City standards, which state safety is the primary goal of the City, and the emergency access route seems impractical for use as an emergency exit and an emergency access route as described. Andora Avenue and its side streets, presently has 79 lots from the cemetery at Lassen/Andora Avenue (with 72 built homes). Unless a truly effective emergency exit is found, the project should not be approved. Given the double fire trouble caused by past fires and the wind, consideration of increased safety regulations should be considered; the curves, rocks, and grades of this emergency route cause fear in local residents concerned that an incoming fire truck will run into a fleeing resident, or other event that will make this fire lane incredibly ineffective. Since it is public, perhaps it simply should be developed

to 30 feet as a roadway, with grade to not exceed 15 percent, with adequate turn radius areas for fire equipment as needed. Inconsistencies in this decision include Building and Safety, road not more than 15% grade, Fire Department 15% grade with 20% grade allowed, and, at the bottom of Page 75, "This access road will to the extent practical meet the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and the Fire Code". At the last hearing, it was suggested that small fire trucks could make it through the road. At a recent Chatsworth Neighborhood Council Committee meeting, we asked, do we even have small fire trucks? Where are they? What happens to this difficult, curving, steep roadway when a fleeing equestrian with a trailer hangs up on that road? Committee members are concerned that in an emergency, people will die because this route is inadequate when topography and easement restrictions are considered. But a secondary access route is necessary and required. The provisions of the easement and a detailed review by the Fire Department need to be made, before any grading is allowed at all, not at occupancy. (See attached review of Emergency Road issues).

How I will be aggrieved by the decision: in a disaster, I may have to exit in this direction; our older home has a steep driveway which has failed due to earth movement due to heavy rains. Inability to leave for new residents or existing Andora Avenue residents through an ineffective emergency route could be disastrous; fire typically would be coming in from the north and if this route is blocked, there may be no ability to travel north again to get out at Andora and Lassen Street.

Trails:

Trails in the area are primarily used by hikers, including dog-walkers. Equestrians also use the trails. There is no provision in the decision letter that allows hikers to use the trails, everything is noted as an equestrian trail. Scenic Plan comment 14, reproduced on Page 2, provides for trails for hikers, bicyclists, and equestrians, in an 86 foot roadway. There is no need to create a huge 86 foot wide roadway for this project; however, a reasonable approach would be to specify that all references to trails, equestrian trails, and horse trails in the decision document refer to trails that are multiuse for hikers and equestrians.

Control of the use of the trail system by the Homeowners Association within the development footprint is problematic; public use of multiple trails has been lost in the community by removal of trails from public use by the Homeowners Association. A public agency should have the right and responsibility to control use of the trails, and in addition, any change in use to be subject to 500 foot notice and a public hearing.

How I will be aggrieved by the present decision: I primarily hike, and hike about 70% of the time at Santa Susana Pass State Historic Park. Inability to use the trails through an interpretation by the Homeowners Association that is allowed under language in the decision document would deny access to the property for hikers. Closure of the trails controlled by the Homeowners Association would eliminate access to Santa Susana Pass State Historic Park for many, due to extreme slopes of the remaining trail to the west of the project that make it unusable for many people. The far west trail drawn on Applicant's map is even more difficult and not generally used. Our home was built in 1955 and continually has had access to trails since that time.

Mitigation Provisions are Ineffective:

MM B-2 Valley Fever Mitigation and wind response conditions, already discussed as ineffective for residents

MM C-6 and MM C-2; these provisions relate to pre-construction brush removal and bat nesting. They terminate at the issuance of Building Permit or Certificate of Occupancy (but do not specify if the first or last issuance is considered). These activities should tie to issuance of a grading permit and the last Certificate of Occupancy, to cover the primary period this occurs (grading), and the extended construction period that is allowed.

MM C-1 and MM C-3, allow the most endangered plant on the project site to be "mitigated" under MM C-3, by "donating them to a native plant nursery or conservation entity skilled and actively engaged in the propagation of plant material to be utilized as deemed appropriate by the entity". This has no effect to the survival of the plant on the site, so is not an effective mitigation. Additionally, multiple Santa Susana tarplants are in the rear portion of Lots 3 through 7; and the

cut lot area of lots 22 and 23; they are not acknowledged as needing mitigation, yet likely will be within the 200 foot fire clearance area, and may therefore need mitigation. Additionally, the back sides of Lot 1 and 2 are potentially going to be a water retention basin, and therefore would have to be graded; multiple plants are in that location. MM C-1 is inadequate for all plants due to its short term; re-establishment of plants will not be established by the time a Certificate of Occupancy is issued. Again, there is no indication of which Certificate of Occupancy will be used; a five year review period after the last Certificate of Occupancy is issued seems to be a more appropriate time period.

No mitigation measures have been provided for the very large, retained oak trees at the end of Andora Avenue. It appears they will lose a significant amount of water if the first .75 inches of each rain is captured; in some years that could be over 50% of the rainfall. Today, the eastern 2/3 of the home lots drains to those oak trees, representing perhaps 20 acres of drainage with the related water passing by their area. That water drainage is replaced by a storm drain system. After development, a minor amount of water from Lots 25 to 31 may come to them, or may be captured by manufactured drains and not reach them, but that water flow is tiny. It appears these large oaks need their own mitigation provision to survive. Moreover, because oaks die very slowly, adequate mitigation will include very long term monitoring if their water supply is affected, as it surely is by the project.

Additional concerns exist with other mitigation provisions for both the Monitoring Phase, Frequency, and Action indicating Compliance. These provisions should be read and updated as needed to make each provision an effective provision for the Mitigation measures to be effective to achieve the stated goal.

National Pollutant Discharge Elimination System General Permit. Page 47-48. RC-WQ-1 - the detention area is indicated as being on privately owned land above Lot 1 and Lot 2, which is part of a conservation easement. The designated area is above all established water drainages and presently does not accumulate any flowing water. The area does avoid drainages A and D that are under other jurisdictions, but placement of a collection pond above areas that accumulate water simply makes no sense. Therefore, due to the proposed location, this appears to be an ineffective provision.

I request that you carefully consider the above issues, and reverse the approval decision that has been made for this project. **This is the very last chance for a wildlife corridor to the North in the Westerly side of the San Fernando Valley.** The corridor area is not complete today, due to this one parcel, which has one owner, who purchased the property subject to the long-standing Community Plan and Scenic Plan.

Sincerely,

Teena A Takata

DETAILS ON CITY EMERGENCY ROAD:

A portion of the EIR's response to comments is reproduced below. It states that **various issues will be resolved relating to the emergency access road prior to occupancy**. That is much too late, as this is a major issue with this development project, and if the issues with this road is deferred as the EIR the City is asked to Certify are put off, as they have been so far, the project will be built, a tacit approval of the emergency access route will have been made, and the land permanently changed, with related negative effects on the Wildlife Corridor, local views and existing trails. The Specific Plan for the Valley Circle/Plummer Scenic Corridor has been noted to encourage rural atmosphere and emphasis on views; grading should not be made in this area, which also affects the Rim of the Valley area.

The viability and use of the emergency access road needs determined before the project is approved; it is a material factor and should be part of the public review process and the EIR and CEQA analysis for the project. This could be handled in a supplement or addendum to the EIR which is inadequate without addressing this issue.

If approval of the project is made anyway, a provision that no grading, and no grading permit or other building permit may be issued until the emergency access road is reviewed, approved, and information on that is provided to 500 foot residents and Andora Avenue residents who are affected by this 40% increase in households that may use their road in an emergency. But issuing an update within the EIR process would be a much better way to go, and would provide a way to correct a variety of errors and inconsistencies in the EIR as it is written.

Meridian Consultants III-153 Andora Subdivision Project Final EIR 105-001-15 September 2016

COMMENT 10-28:

G. Who maintains the emergency fire evacuation egress road and assures its safety?

RESPONSE 10-28:

As discussed in **Section II** of the Final EIR and **Topical Response No. 5** regarding fire protection, the emergency access road would meet all requirements of the LAFD and be maintained by the Homeowner's Association associated with the development.

COMMENT 10-29:

H. How will the City assure the maintenance of this road? Who bears the cost of this?

RESPONSE 10-29:

Please refer to Response 10-28.

(question not answered re: assure).

COMMENT 10-30:

I. What considerations been made for animal evacuation particularly horses and horse trailers on this narrow mountainous emergency road?

RESPONSE 10-30:

As discussed in **Section II** of the Final EIR, the emergency access road would be 20-foot wide in the southeastern portion of the Project Site to provide emergency access from Plummer Street to the westerly extension of Andora Avenue crossing portions of lots 11 – 19. This access road joins with a 13-foot wide

paved access road extending from and providing vehicular access to lots 18 through 25 as well as to adjacent lot 1 of Tract 23710 (APN No. 2724-011-019) and parcel B of PM LA No. 2996 (APN No. 2007-001-009). The design of this access road would meet all requirements of the LAFD and Los Angeles Department of Public Works (LADWP).

We were once told a public road may not have a grade exceeding 15% (which is very steep); the most recently issued approval allows up to a 20% grade-does that meet LADWP standards? This has all come out after the EIR was available for comment.

COMMENT 10-31:

J. Will animal trailers impact the evacuation of residents on this road?

RESPONSE 10-31:

As discussed in Regulatory Compliance Measure K.1-4, an emergency response plan is required to be submitted to LAFD prior to occupancy of the 35-lot VTTM Project. This plan would include, but is not limited to, mapping of emergency exists, evacuation routes for vehicles and pedestrians, and the location of the nearest hospitals and fire stations.

"Prior to occupancy" is much too late; by then the City has tacitly approved the entire project by not evaluating the emergency access (or emergency exit) road; we still do not know how this road will function and if it will be allowed as an emergency exit given the difficult slopes and terrain. Yet an emergency exit is required for the project. The natural slopes that are required to be maintained under the Plummer Street-Valley Circle Specific Plan will be destroyed forever shortly after grading starts, and cannot be restored.

COMMENT 10-32:

K. Has there been a fire evacuation route study?

RESPONSE 10-32:

Please refer to Response 10-31 in regard to an emergency response plan.

"Prior to occupancy" is much too late; by then the City has tacitly approved the entire project by not evaluating the emergency access (or emergency exit) road; we still do not know how this road will function and if it will be allowed as an emergency exit given the difficult slopes and terrain. Yet an emergency exit is required for the project.

COMMENT 10-33:

L. How will potential mass evacuation be done in conjunction with the evacuation traffic of the neighboring communities during a major brush fire event?

RESPONSE 10-33:

Please refer to Response 10-31 in regard to an emergency response plan.

"Prior to occupancy" is much too late; by then the City has tacitly approved the entire project by not evaluating the emergency access (or emergency exit) road; we still do not know how this road will function and if it will be allowed as an emergency exit given the difficult slopes and terrain. Yet an emergency exit is required for the project.

My name is Jelena Csanyi, and I have lived at 10853 N. Topanga Canyon, Chatsworth, Ca, since 1994.

During the last 4 years Tract #62958 was being developed. 15 residential lots and houses were created around my home, 4 on the south property line, and most of the development was west (one touching the west property line) and north of my property. The project portion on north is bordering my old neighbor's lot, 10867 Topanga. My neighbor's lot is approximately 130 feet in distance between his north and south property line, so the development in that area, at Calle Milagros, was generally 150 feet or more from my home. Our property is in Chatsworth, and we do have winds that pick up dust and debris regularly, especially in the fall when the Santa Ana winds are common.

In order to develop the property some of the decades old eucalyptus wind break were removed including the root balls (by a giant machine pulling them straight out of the ground) and a lot of grading was done. As they did that they disturbed soil that has not been touched for probably a century...

I contracted Valley Fever – Coccidioidomycosis. As Valley Fever can take up residence anywhere in the body, it can cause death or permanent impairment of almost anything.

I have mostly recovered so I was lucky as I did not die from it.... it attacked in my lungs which have been damaged by it and weak since. But since I have lived here for years prior with no incident, I do believe my Valley Fever case was caused due to the adjacent development.

While there are guidelines for dust mitigation the truth is that a developer is required to water "when they work, where they work" which means the loosened soil and whatever is in it is free to fly in the wind, all night and weekends plus any time from area not being worked on and watered. I had to call AQMD on days the dust was unbearable.

As I recovered, I spoke with one of my neighbors. She had a person that worked at her property who was usually outdoors and with her horses. She advised me he fell ill with lung problems and has become unable to work, during the same development period that I caught this disease. Also one of her horses died from what the vet called a Contractor Fever (Valley Fever).

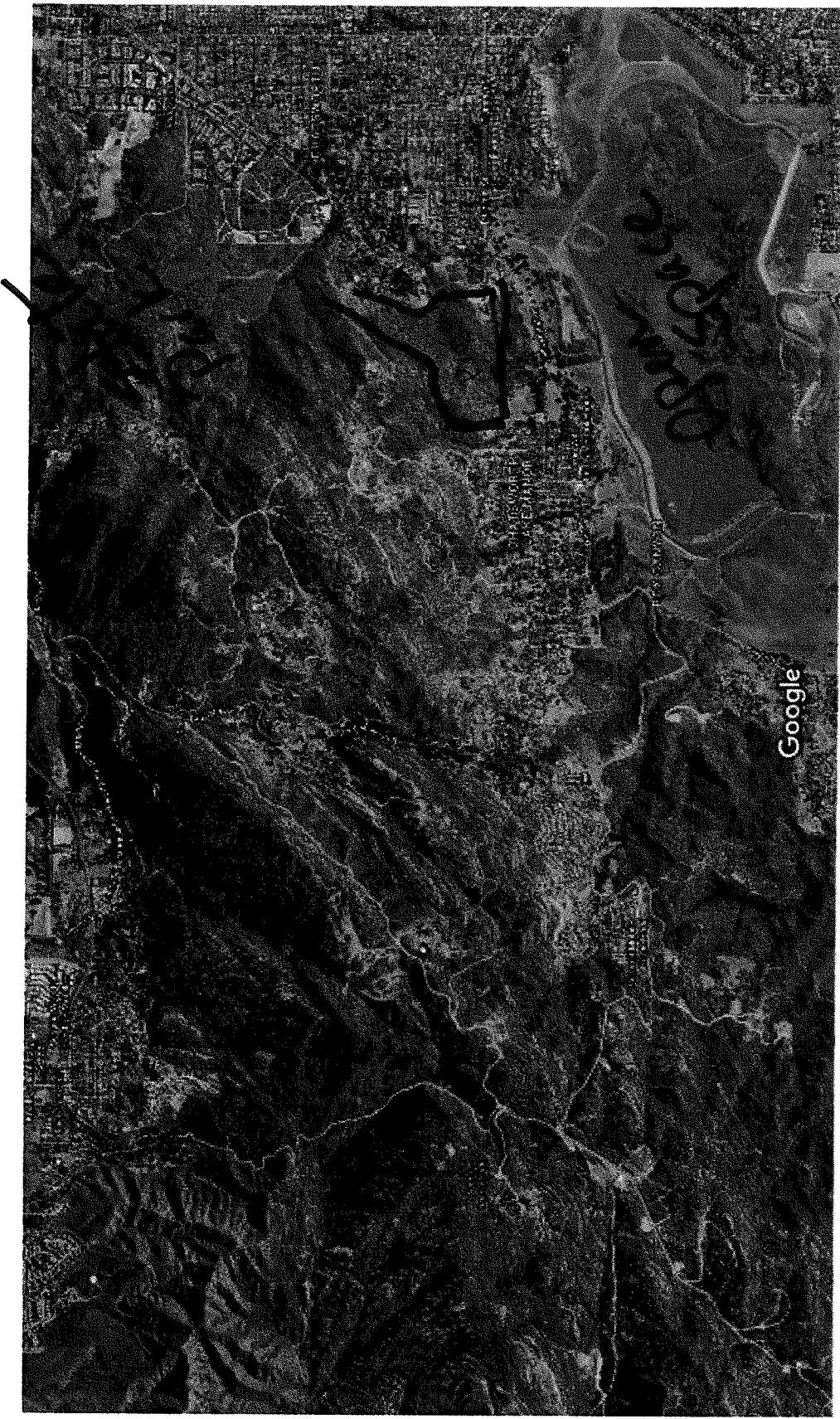
I know I was truly lucky to mostly recover and survive the disease. But it is very sad that these projects are approved and there is no compensation to the victims of disease that is caused due to soil disturbed by the development due to the grading, and the City does nothing to protect the community. There is no effective way to have the ground watered at night or weekends for dust control (or to obtain dust control by other means), since there is nobody on call to look at the problems and require actual dust abatement. And making enforcement worse, the projects shut down in wind, IF they follow the rules so nobody is even there and the dust flies.

Because the City does not put effective controls over developments to protect the residents, residents near the development are infected with Valley Fever by the development process, and suffer the consequences. The doctors in the area are not readily checking for Valley Fever so many cases get misdiagnosed and or unrecognized. People die in the name of progress and improvement or is all for \$.

Andora
Project;
Roads and
homes
block the
purported
off-site
"wildlife
corridor"
to the
west.



Regional
Wildlife
corridor
JS
North of
Chatsworth
Nature
Preserve
and West
through
Woolsey
Canyon



Imagery ©2017 DigitalGlobe, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2017 Google 1000 ft

**VALLEY CIRCLE BOULEVARD/
PLUMMER STREET SCENIC CORRIDOR**

Specific Plan

Ordinance No. 151,615
Effective December 4, 1978

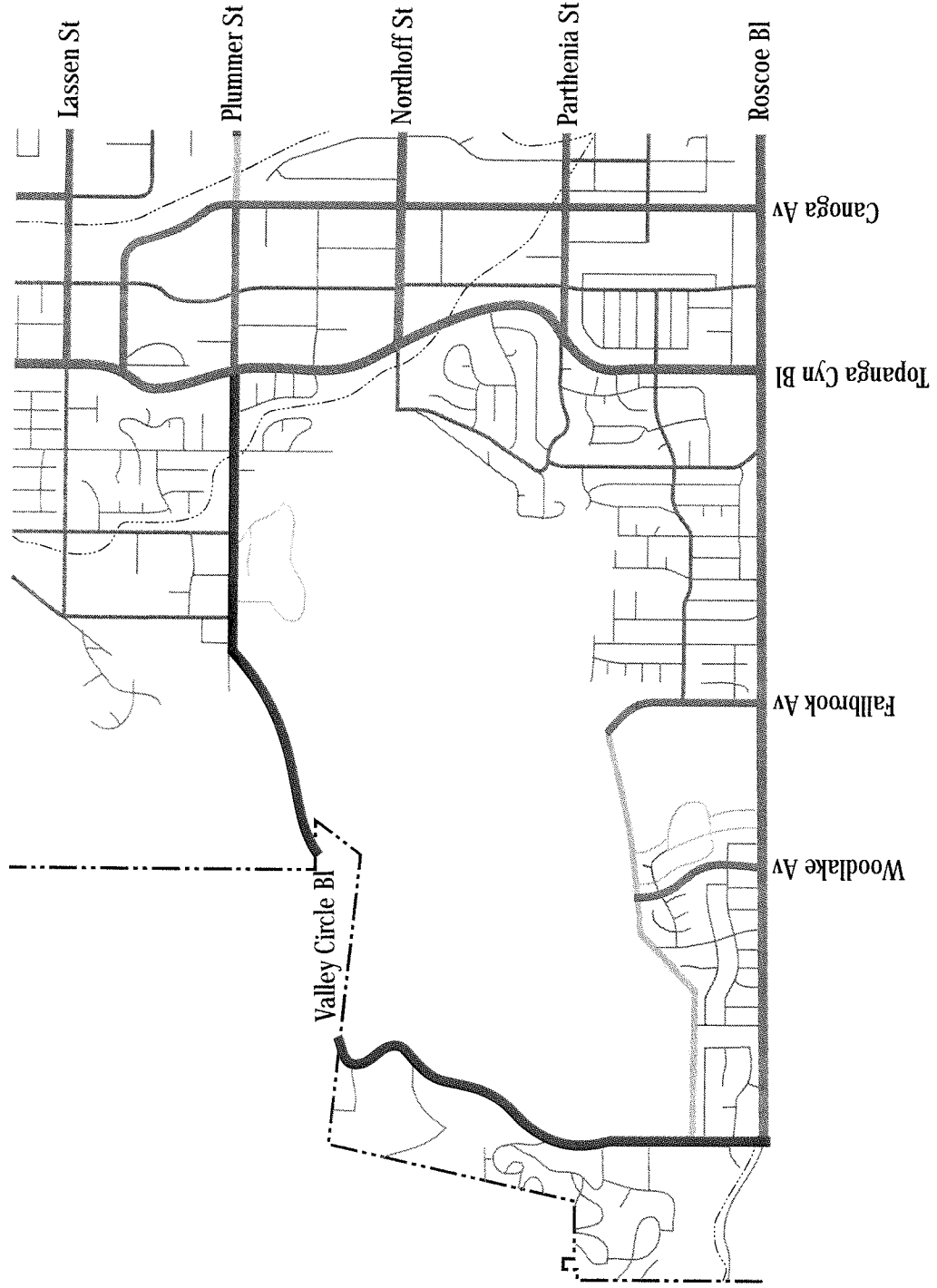


Specific Plan Procedures
Amended by Ordinance No. 173,455

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Valley Circle Boulevard/Plummer Street Scenic Corridor Specific Plan



SPECIFIC PLAN AREA

VALLEY CIRCLE BOULEVARD/ PLUMMER STREET SCENIC CORRIDOR

An ordinance establishing a Specific Plan, known as the Valley Circle Boulevard/Plummer Street Scenic Corridor Specific Plan, for a portion of the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan. NOW THEREFORE,

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1.

ESTABLISHMENT OF SPECIFIC PLAN AND MAP OF SPECIFIC PLAN AREA

The City Council hereby establishes the Valley Circle Boulevard/Plummer Street Scenic Corridor Specific Plan which shall be applicable to that area of the City of Los Angeles shown within the heavy red line on the map.

Section 2.

VALLEY CIRCLE BOULEVARD/PLUMMER STREET SCENIC CORRIDOR

- A. Notwithstanding the street standards adopted by the City Planning Commission pursuant to this section, the **width and improvement standards** for Valley Circle Boulevard from Roscoe Boulevard to Plummer Street and for Plummer Street from Valley Circle Boulevard to Topanga Canyon Boulevard shall be substantially as follows:
1. Two travel lanes, one in each direction;
 2. Left turn pockets as needed;
 3. 48 feet of paved roadway, including 2-foot-wide concrete gutters and curbs;
 4. No continuous raised median strip;
 5. Wide shoulders to accommodate recreation trails;
 6. Minimum street and driveway access to the roadway;
 7. All utilities to be underground;
 8. Lighting only at intersections and parking areas, and kept to a minimum useful intensity;
 9. Fire hydrants and light standards located away from the roadway for increased safety;
 10. Picnic areas, drinking fountains, restroom facilities, watering troughs, hitching rails and simple shade structures provided at suitable locations;

- C. The standards stated herein are applicable to any subdivision or parcel map within **1,500 feet** of the right-of-way of Valley Circle Boulevard from Roscoe Boulevard to Plummer Street and of Plummer Street from Valley Circle Boulevard to Topanga Canyon Boulevard as shown on the City Engineer's official cadastral or district maps.

CHATSWORTH NATURE PRESERVE COALITION

Working Together to Save a Crucial Habitat in Los Angeles-San Fernando Valley

www.savechatsworthpreserve.org



April 10, 2017

Andora Subdivision Project, 9503 N. Andora Place, Chatsworth

Appeal To: The Los Angeles City ~~Planning Commission~~ *Council*

Appeal From: The Planning Commission issued letter of determination adopting the Andora estates project EIR for a 34-lot subdivision

Regarding Case No.: CPC-2004-7308-ZC-ZAD-K, *VTTM 73427, CEQA ENV 2014-3995-EIR*

Projects Address: 9503 N. Andora Place, Chatsworth, CA 91311

Final Date of Appeal: April 10, 2017

Appellant Information

Chatsworth Nature Preserve Coalition (CNPC), filing for itself.

Represented by: Carla Bollinger, Delegate

Telephone: 818-307-6418

E-mail: planopenspace@gmail.com and carla.bollinger@halo.com

Purpose of Appeal

The appeal's intent is to reverse the decision of Los Angeles City Planning Commission's Letter of Determination approving a 34-lot subdivision and the adoption of the Environmental Impact Report (EIR): ENV-2014-3995-EIR. The approved EIR was not completed in full compliance with California state laws, contains egregious errors in analysis, and the project violates specific community plan objectives.

Aggrievement

The CNPC is an environmental coalition dedicated to protecting the Chatsworth Nature Preserve (CNP), its resources, and surrounding habitat. The project as currently proposed will degrade the CNP's resources and surrounding habitat, will destroy the only viable wildlife corridor connecting the CNP to surrounding habitat, will damage the area's scenic corridor,

and make it more difficult for the wildlife regional wildlife to survive, etc. This appeal is based on the improper approval of an egregiously deficient EIR which does not accurately and adequately describe the full extent of the project's destructive impact on that wildlife corridor.

Decision Maker Erred

The decision making body erred by approving an EIR with egregious errors in method and analysis, and by approving a project which violates California law and provisions of the Chatsworth/Porter Ranch Community Plan.

Specific Points at Issue

Habitat Fragmentation: The Chatsworth Nature Preserve (CNP) must remain accessible for wildlife movement in the Simi Hills. Ongoing development surrounding all sides of the Chatsworth Nature Preserve/former reservoir since the passage of the Chatsworth-Porter Ranch Plan in March, 1974 has threatened the CNP from becoming an isolated wildlife sanctuary which violates the intent of the Chatsworth-Porter Ranch Plan and City Ordinance. Please refer to the photo below of the CNP-encroaching urban sprawl taken in January, 2017. Protecting CNP's dwindling wildlife linkages today is even more imperative than it was in 1974.



Urban sprawl encroaching on CNP, Jan 2017

- The lack of long-term monitoring for wildlife passage in a sensitive and disturbed wildlife region in the Simi Hills, depending on passage between the Santa Monica Mountains and Santa Susana Mountains and beyond, as well as passage between the Simi Hills and the Chatsworth Nature Preserve (CNP) is not recognized in the EIR. This sensitive biological “dwindling” resource of open space and habitat in the Simi Hills will be disturbed by the Andora Subdivision.
- The EIR does not address the facts of habitat fragmentation in the region, placing all wildlife, from mountain lions, bobcats, mule deer, coyotes, gray foxes, racoons, opossums, amphibians, reptiles, resident and migratory birds at risk of extinction in the region. Field studies by the San Fernando Audubon Society in the CNP have documented for over 50 years that wildlife is abundant in the CNP. The wildlife move between the Simi Hills and CNP through the last remaining passageway through the Santa Susana Pass State Historic Park, open space threatened by the Andora Subdivision through the Department of Water and Power-LA City Recreational Park, “Chatsworth Oaks Park”.
- National Park Service study, published in September 2010, conducted by Kathleen Semple Delaney, Seth P. D. Riley, and Robert N. Fisher: “A Rapid, Strong and Convergent Genetic Response to Urban Habitat Fragmentation in Four Divergent and Widespread Vertebrates” focused on the wrenit, side-blotched lizards, western skinks and western fence lizards in the Simi Hills. Their studies supported the loss of genetic connectivity from habitat fragmentation. The extreme development in the Simi Hills has shown a strong correlation with decreased genetic diversity in the four species studied and is representative of all wildlife at risk in the Santa Monica Mountains-Simi Hills-Santa Susana Mountain region.
- Surrounding the CNP are old and new developments: At 8300 Valley Circle Blvd., cross street, Roscoe Blvd., Pulte Homes are currently building 143 “luxury” residences over the now tunneled Dayton Canyon Creek, cutting off the wildlife passage from Dayton Canyon, Ahmanson Ranch, former Santa Susana Field Lab, to the CNP. On the north-east side and abutting the CNP, 22001 Nordhoff St., once a quiet church ground, KB Homes is building 58 Townhomes. Older residences are located on both the north and south side of the CNP.
- The EIR fails to address the cumulative impact of the current Pulte Homes development’s destruction of the wildlife passage from Dayton Canyon combined with the project’s destruction of the wildlife passage running through the project site.
- CNP has 1325 acres of open space, grasslands, oak woodlands and savannas, and critical wetlands for all wildlife in this region. The last remaining passageway for wildlife through the proposed Andora Estates connecting to the CNP will have long-term destructive results in an area that has rich biological resources.
- The effects of urban development, land use changes, on all plant life, coastal sage shrub, native plants, including the Santa Susana Tarplant is a rare California species and listed as threatened by the California Department of Fish and Wildlife. The California Native Plant Society has submitted GPS locations of over 400 found Santa Susana tarplants in the proposed Andora Subdivision region. This is not a plant that can be easily replanted. It

requires the unique geological conditions found in this region to survive. The EIR contains no provisions for mitigating the loss of tarplants resulting from the project. The EIR underestimates the actual number of tarplants the project would destroy.

- The once common monarch butterfly is in rapid decline, 90% loss, because of habitat displacement from urban sprawl. At what tripping point does one more residential development destroy biological resources that risk individual species that causes a chain-reaction of destruction of all wildlife? Andora Subdivision is putting all regional California wildlife at risk.
- The Chatsworth Formation, a unique geological wonder, with boulders, rocks, and formations not found in other places in America or throughout the world, need to be protected and preserved. The rocks are part of the Chatsworth/Los Angeles City history and support an abundance of wildlife; including rare bat species, reptiles, rare plants, and cliff-nesting birds. Once these rocks, vistas, are destroyed, the beauty of the whole region is forever lost. This region needs to be given a status of Scenic Corridor, preserving the rocks, native plants, and trees, not destroyed by development.
- Traffic along Valley Circle-Plummer is a growing disaster as single mansions, residential subdivisions, etc. expand. It's ironic that there are traffic congestion limitations in place on roads running north-south bound leading off of Plummer and Lassen during peak rush hours. These time restrictions are intended to control traffic-flow from non-residents in the immediate area to travel the over-congested Topanga Canyon Boulevard. Building more residences exacerbates an already over-burdened traffic situation in the area. This alone is enough reason to not approve this development. The traffic problems affect both humans and wildlife.
- Mayor Eric Garcetti's letter dated June 29, 2015, addressed to Anne Dove, Project Manager, National Park Service of his support for the Rim of the Valley Corridor Draft Special Study and Environmental Assessment, for an alternative that will achieve the most sustainable wildlife resources. Words must be given meaning by the action that is taken. The Chatsworth Nature Preserve Coalition asks that Los Angeles City Planning recognize the importance of this critical wildlife corridor-habitat linkage as supported by Mayor Garcetti, and reverse the support for the Andora Subdivision.
- **SIGNIFICANT DISCREPANCY IN FEIR BIOLOGICAL RESOURCES RESPONSE**
We note a significant discrepancy in the FEIR responses compared to the data presented in the EIR. The bird list submitted by the consultant(s) includes observations of Yellow Warbler; however, in a response to comment from Elizabeth Harris, the responder asserted that no Yellow Warblers had been observed. A similar response was given to most or all of the commenters mentioning special status birds. Furthermore, although no Burrowing Owls or Long-eared Owls were observed by the consultant(s), they have been observed at CNP. The responder included the conclusion of no significant impact to any of these species.
- **INADAQUATE FIELD STUDY DESIGN**
The California Department of Fish and Wildlife's DEIR comments included mention that the number of wildlife surveys was insufficient to accurately characterize the wildlife. That survey-

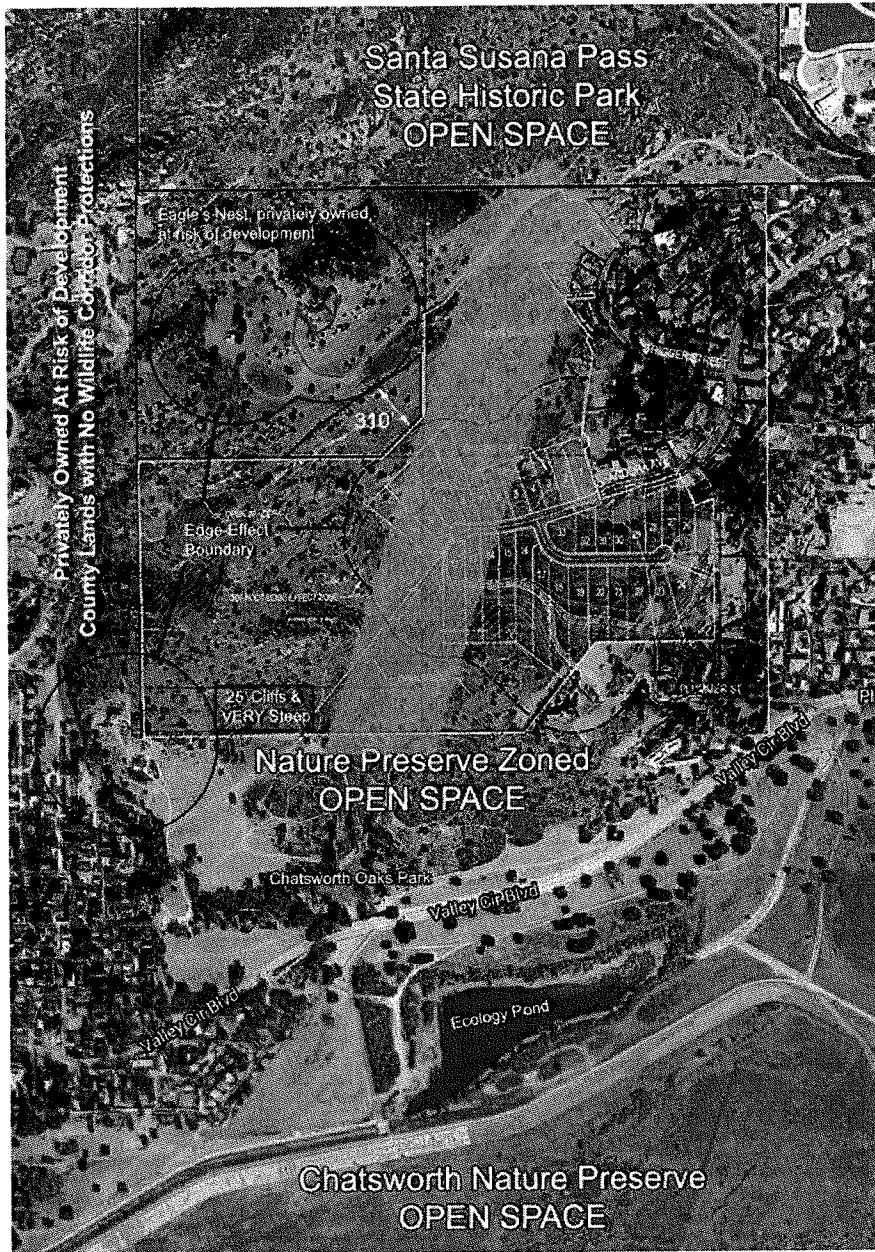
design inadequacy has not been remedied in the FEIR. It bears directly on whether special status species would have been detected on just a few field visits to the area. What makes species "special status" is often their rarity. They are not likely to be detected by casual observation or inadequate survey design.

The appended FEIR-review notes further indicate deficiencies in study design, submitted by biologist Mark Osokow, Chair, San Fernando Valley Bird Observatory, San Fernando Valley Audubon Society.

- DESTRUCTION OF CRUCIAL AND PROTECTED WILDLIFE CORRIDOR

In the project EIR, California Department of Fish and Wildlife (CDFW) states adequate wildlife corridor MINIMUM width is 1000' at a corridor's narrowest point. Through faulty analysis, the subject EIR falsely claims the project site would preserve a 1500'-wide wildlife corridor width by erroneously measuring the corridor's WIDEST passable point. The decision-making body failed to adequately take into account lengthy analysis presented in multiple EIR comments and project appeals (see Dina Fisher's September 2016 "Andora Estates: Destruction of a Crucial Wildlife Corridor" statement as one such example of lengthy analysis).

CDFW's project EIR comments further state a wildlife corridor's minimum width cannot be determined by including areas within 300' feet of the edge of developed areas. The EIR fails to take into account such "edge effect" losses. Once properly applied to the project's footprint and vesting tract map, edge effect losses completely eradicate the wildlife corridor within the project property limits. The preserved minimum corridor width is a mere 310' wide, passing through an adjacent 3.5 acre off-site parcel. This width fails by nearly 300% at meeting the bare minimum width needed for a viable wildlife corridor's narrowest passable point, as defined in the EIR by CDFW. See map below indicating edge effect impacts reducing corridor's narrowest passable width to 310' feet.



The proposed project would irreparably truncate the project site's wildlife corridor connecting the Chatsworth Nature Preserve (CNP) to open space, disturbing wildlife's ability to access Los Angeles' only nature preserve. This wildlife corridor's importance was recognized and protected decades ago by City Planners in the Chatsworth-Porter Ranch Community Plan, which states as Objective 13: *"To further define the link between the Chatsworth Reservoir (CNP), wildlife corridors, and the community by identifying natural wildlife habitats, migration paths, and archaeological/paleontological sites and planning for their preservation;"*. The decision maker's approval of the EIR and project egregiously thwart the community plan's 13th objective.

The EIR falsely identifies a “primary” wildlife corridor serving the CNP to the West of the project site. That false claim fails to take into account edge effect losses, as defined in CDFW’s EIR comments, which reduce that supposed corridor to zero feet wide (see map below). As stated in the EIR by CDFW, adequate corridor width is 1000’-1500’. CDFW states clearly in its EIR determination letter that areas within 300 feet of development cannot be included when determining corridor width. This false assertion by the EIR of this non-viable corridor creates a misleading and false impression that wildlife has viable alternative corridor connections to the CNP other than the corridor which the project would drastically reduce down to a mere 310’ at its narrowest passable point. In fact, when taking into account edge effect losses, the only viable wildlife corridor connecting the CNP to open space is the corridor currently passing directly through the project site.



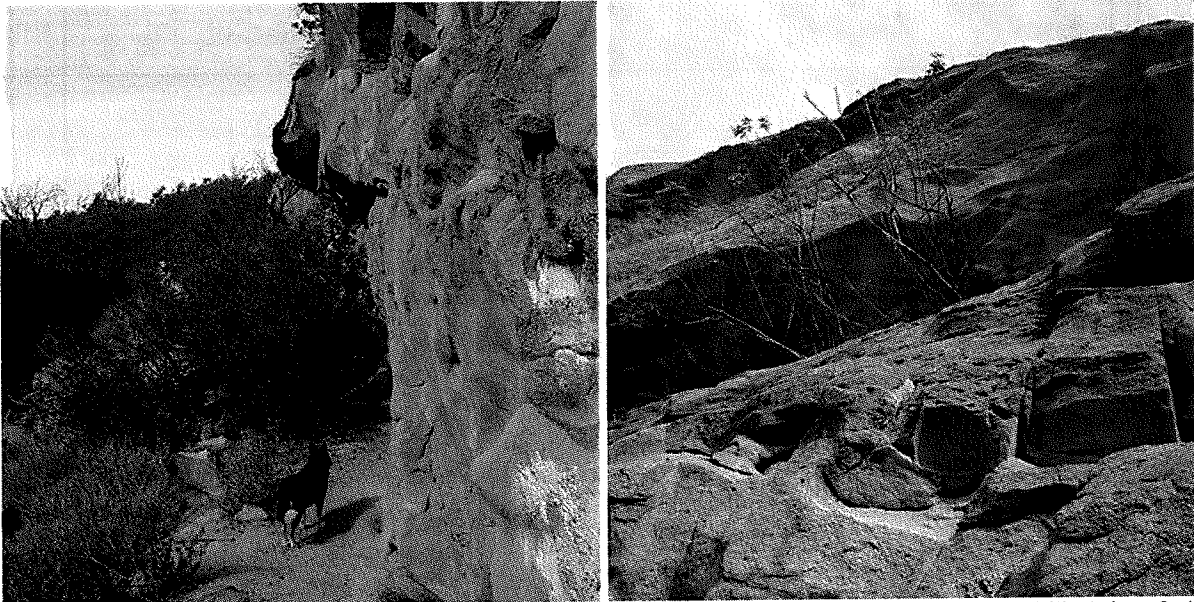
The March 30 2017 Corrected Letter of Determination (MM B-2 C. 4) states “The existing off-site habitat linkage on the west side of Chatsworth Nature Preserve would not be affected by the Project.” The decision-making body thus adopts the EIR’s egregiously false and misleading claim that there exists a “primary” viable wildlife corridor to the west of the project site, as described above.

Further exacerbating the EIR’s faulty analysis of the project’s impact on wildlife linkages to the CNP, the EIR fails to address the cumulative impact of the current Pulte Homes development’s destruction of the former wildlife linkage from Dayton Canyon to the CNP (see page 3, point 4 and 5, of this appeal) in combination with the project’s destruction of the wildlife linkage to the CNP. Although the developments are not contiguous, they each effect wildlife’s ability to access the nature preserve, so must be considered cumulatively.

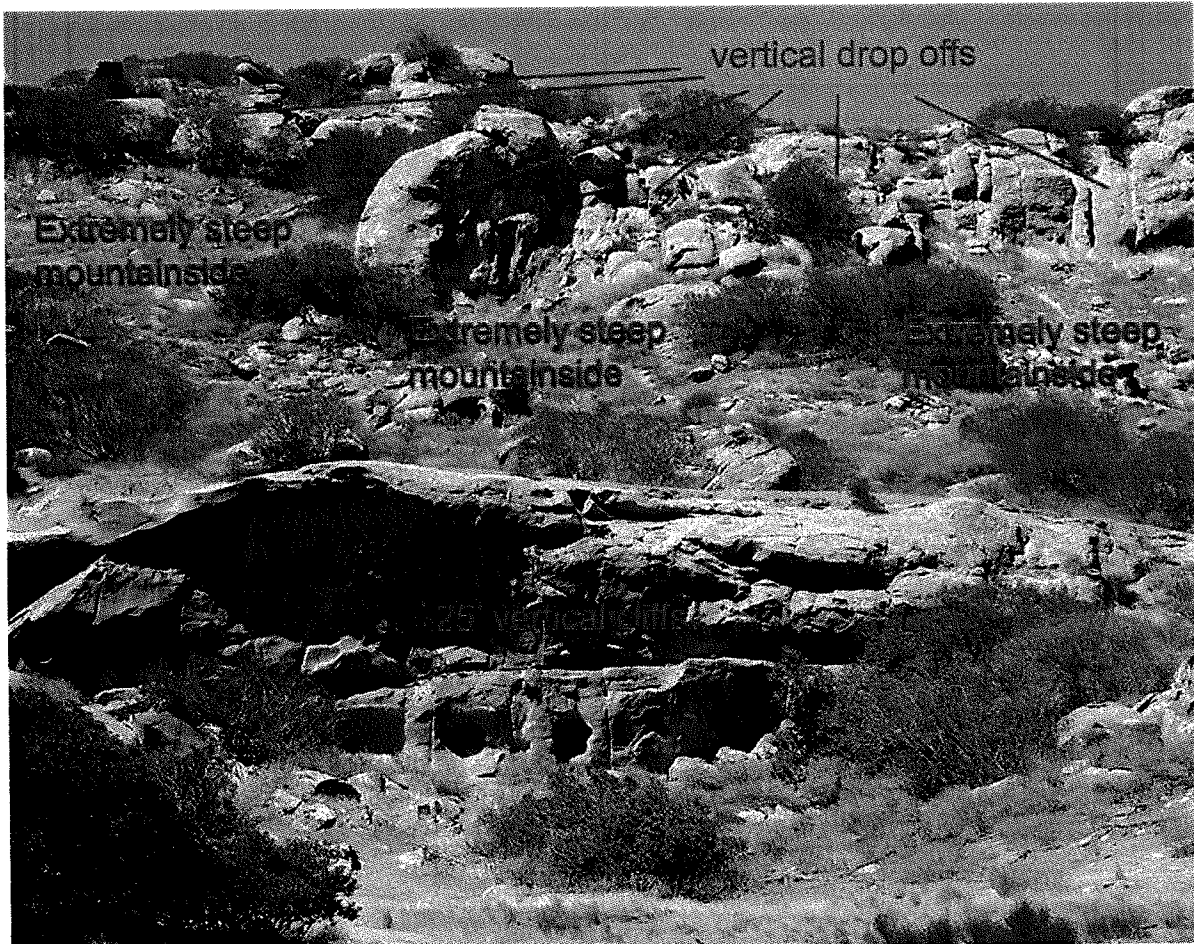
Adopting the EIR's egregiously faulty analysis, in the March 30 2017 Corrected Letter of Determination (MM B-2 C. 4), decision makers falsely state: "This Project design feature would ensure substantial areas are present on both the northwest and southeast face of the Simi Hills to allow for wildlife movement through the Simi Hills and Santa Susana Mountains located north of the site and to the Chatsworth Nature Preserve located south of the site... and will permanently preserve a secondary wildlife linkage between the Simi Hills and Chatsworth Nature Preserve with a width over 1500 feet width between the nearest homes in the lake Manor neighborhood located west of the Project Site and the buildable portions of the proposed residential lots, a sufficient width to allow for the continued movement of wildlife between the Chatsworth Nature Preserve and the Simi Hills located to the north of the Project Site."

The above statement erroneously refers to the project site's linkage as secondary; it is primary as discussed above. Furthermore, it cites the 1500' width between Lake Manor homes and buildable portions of the project as sufficient width to allow for wildlife movement. Clearly, the decision maker failed to take into account ample comments from CDFW and others, plus subsequent appeals, failing to apply edge effect losses, and failing to understand that adequate width must be determined by measuring the narrowest passable point. Based on these egregious errors, the determination letter incorrectly states "The 35-lot VTTM Project would be consistent with applicable plans and policies addressing wildlife movement in the area." In fact, the project would violate objective 13 of the community plan, and would run counter to CDFW definitions. In contradiction to the determination letter's false claim that the project would "not result in any significant impact on the ability of wildlife to use the wildlife linkage across the site and impacts would be less than significant," the project would massively and negatively impact wildlife's ability to use the wildlife linkage across the site. When CDFW definitions are applied, viable wildlife linkage to the CNP is completely eliminated within the project site; the only remnant of wildlife linkage would be reduced to the 3.5-acre off-site adjacent parcel.

It must also be noted that the 1500' width expanse cited above (in the project site's western portion) contains and directly abuts large expanses of impassable terrain, including 90 degree cliffs hundreds of feet wide (see first photo next page), bordered and surrounded by extremely steep mountain side and more vertical drop offs (see second photo next page), making the cited area poorly suited to wildlife passage. The EIR fails to note that the eastern portion of the project site has terrain much better suited to a wildlife corridor, including an ephemeral stream bed whose much gentler-sloped hillside is easier for animals to traverse, and is filled with denser brush and plants favored by animals for cover and safety.

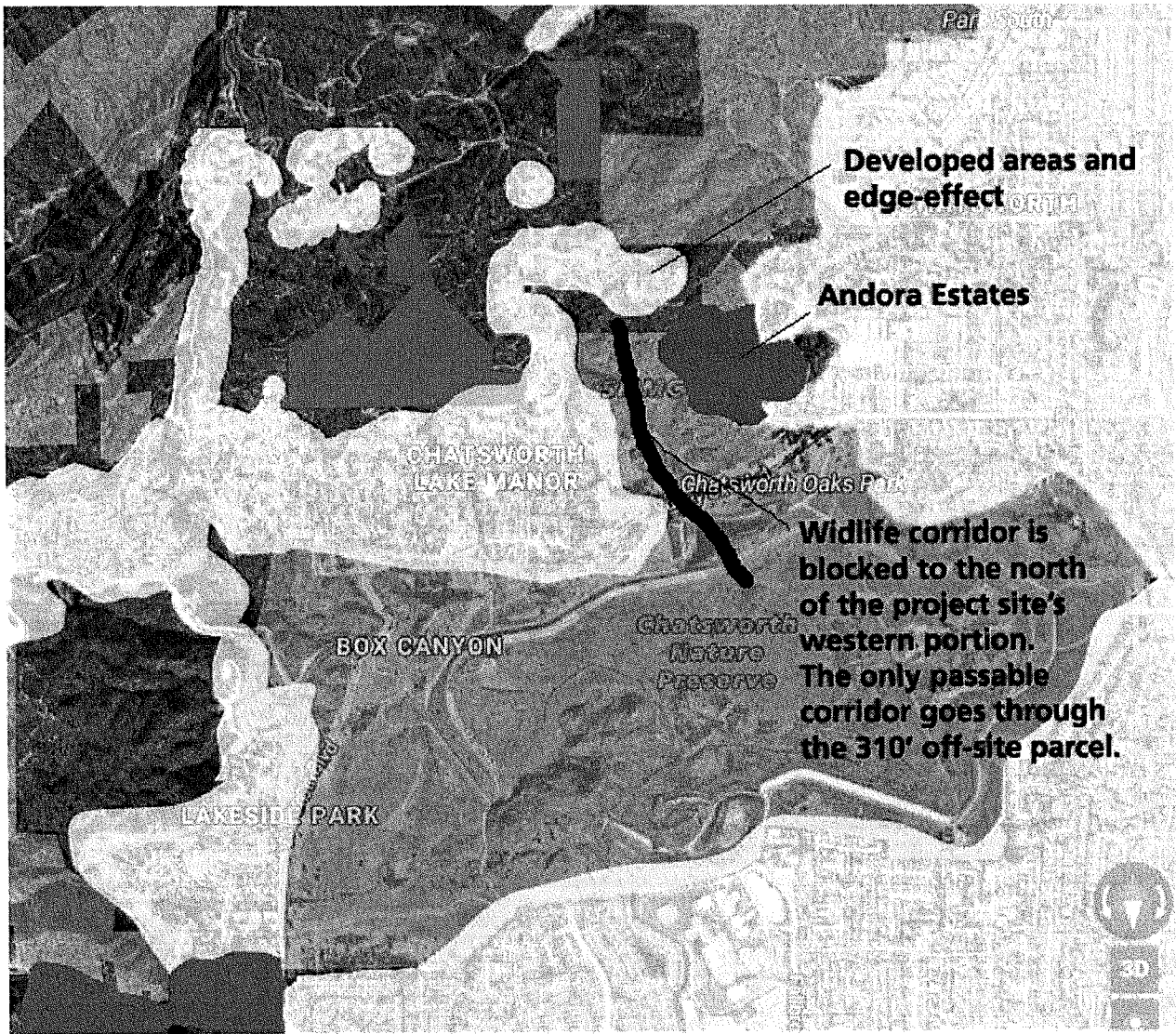


Impassable terrain features within area letter of determination indicates as viable corridor width, taken 9-19-2016.



Impassable terrain features within same area, taken 9-19-2016.

The EIR and decision makers also fail to address the impact of Thompson street and other roads, making the western portion of the property less conducive to linkages between the CNP and Simi Hills, than the eastern portion of the project site where development would occur. The EIR also fails to take into account edge effect of developed areas to the north and west of the project site, limiting linkage connectivity from the CNP to Simi Hills through the western portion of the project site (see map below).



For validation of faulty wildlife corridor analysis, the EIR and letter of determination rely on statements by the Santa Monica Mountain Conservancy (SMMC) and Mountains Recreation & Conservation Authority (MRCA) that the project provides adequate local and regional habitat connectivity. Those statements, however, contradict CDFW EIR comments and wildlife corridor

definitions. CDFW is the recognized expert in all matters of wildlife corridors within the State of California and their definitions should have been taken into account.

Furthermore, it must be noted that SMMC's/MARCA's project endorsement cannot be properly understood without taking into account pressures they faced due to negotiation time constraints and Planning Department realities. They may have been trying to negotiate the best deal they could for the larger California environment, given constrained negotiating leverage and time, and given LA City Planning's history of approving projects despite egregious EIR flaws and community plan violations. If the project goes through, the MRCA will be deeded more than 66 acres of the project site's land and given \$15,000 by the applicant. It is likely that the MRCA, took a calculated guess that LA City would approve the project regardless of their position, so decided to preserve what public land holdings they could reasonably hope. While one can understand that rationale from a macro perspective, it still remains true that their project endorsement does not take into account CDFW authoritative definitions for wildlife corridor validity. Furthermore, it should be noted that before negotiating to receive land from the applicant on behalf of the MRCA, SMMC opposed a nearly identical version of the project, publicly stating the project would have "unavoidable significant adverse biological impact" on the wildlife corridor.

- **NATIVE AMERICAN GROUPS NOT PROPERLY CONSULTED**

CA State Assembly Bill 52 states local tribal people must be consulted at project site regarding cultural resources. CNPC could find no place in the EIR or March 30 2017 Corrected Letter of Determination making reference to tribal persons being consulted for this purpose on site in accordance with state law. This would be an egregious error of omission in EIR procedure and violation of California law. Similarly, we could find no mention in project documentation, including the EIR and determination letter, that the California Native American Commission had been properly consulted, which if absent, would be another egregious error in the EIR and by decision makers.

- The Letter of Determination states that because the site does not use septic systems, no geologic or soil assessment is required. However, the site's soils are sandy and easily collapse, so those studies should have been conducted and included in the EIR.

- The project is proposed with equine horse keeping properties. California has a series of laws directing the limiting and elimination of solid waste streams into landfills. Clearly, most of the horse-keeping solid waste will go to landfills. The nearby Sunshine Canyon is predicted to exceed capacity within three years. The EIR fails to address the effects of horse-keeping solid waste on landfills, and offers no mitigation efforts for that specific waste.

- The EIR included a plansheet (specifically "Figure 11-12, Conceptual Grading Plan") which raises concerns. This "Conceptual Grading Plan" makes it apparent that this project requires a large canyon fill with a tall retaining wall atop it at the very point at which the proposed development will be most likely to be seen from Valley Circle Blvd., Chatsworth Oaks Park, and the neighboring community of Chatsworth Lake Manor.

Per this "Conceptual Grading Plan", this large canyon fill appears to range up to approximately 37' in height above the existing elevations (ranging from an existing elevation of approx. 1055' to a proposed elevation at top of fill of approx. 1092') and includes approximately 10' of visible retaining wall. A 37' high canyon fill with a visible retaining wall does not qualify as "keeping grading to an absolute minimum". The canyon fill and visible retaining wall will very likely be visible to those who travel along Valley Circle Blvd. and will undoubtedly be visible to those who visit the adjacent city park (Chatsworth Oaks Park). Such a canyon fill will directly degrade the area's scenic quality and long-distance views and does not meet the city ordinances' requirement that "grading be kept to an absolute minimum". This grading therefore seems to be in violation of both the intent and spirit of the "Valley Circle Boulevard - Plummer Street Scenic Corridor" specific plan. Due to the scenic corridor protections, and the conceptual grading plan's potential conflicts, further verifications ensuring minimal impact on protected view sheds should have been used in the EIR, including compliance assurance via story-pole installation and observation and documentation by a qualified third-party from all points located along Valley Circle Boulevard and Chatsworth Oaks Park.

Representative Information

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Chatsworth Work Office:

HALO

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Chatsworth, CA 91311

Attachments:

- Mark Osokow Notes
- MRCA project letter
- Dina Fisher EIR comments

FEIR-review notes, submitted by Mark Osokow of San Fernando Valley Audubon Society

COMMENTS REGARDING EIR APPENDIX H

GENERAL COMMENTS ON CONTENT

Appendix H contains the following paragraph:

"The Los Angeles County Santa Susana Mountains/Simi Hills SEA comprises only a small fraction of the actual Simi Hills connective habitat complex, almost all of which is within Ventura County. The 91-acre subject property appears to comprise the entire width of the SEA at its location within the SEA (additional habitat is present to the west, but it lies in Ventura County outside of SEA boundaries). The proposed project area, however, would only comprise approximately 70% of this relatively narrow width. As described in the Mitigation Measures below, the western portion of the property would be conserved; therefore, the western portion of the SEA width would also be conserved and left intact. Further, the 29 acres of affected SEA is even smaller when it is considered that the balance of the Simi Hills habitat complex is located in Ventura County to the west and outside of the Los Angeles County SEA. Most of the biological resources and functions present within the entire Simi Hills habitat complex, such as wildlife movement and habitat connectivity, would be left intact."

The document continually refers to "Chatsworth Reservoir." Thus, the consultant evidently fails to recognize that the property is a nature preserve, and the correct name for it is "Chatsworth Nature Preserve/Reservoir." Perhaps the consultant does not realize the property no longer serves as a reservoir. This repeated error reflects the consultant's lack of actual knowledge of the area. Such knowledge should have been gained from the experience of conducting regularly scheduled, thorough field investigations and contacts with individuals and organizations knowledgeable of the area. Instead, the consultant relied upon a few field visits involving superficial considerations for special status species supplemented by reference to a few documents of very questionable value. Therefore, this document's reference to "Chatsworth Reservoir" as "open space" is, at best, misleading, as it fails to consider the vital functions of this open space as sensitive wildlife habitat supporting more than 200 species of birds, numerous reptiles and amphibians, rare plants, and significant cultural and historical sites. Thus, the document downplays the significance of the site on multiple levels and leads to further denigration of the project area's importance as a wildlife corridor. In addition, the above quote is especially telling, wherein it is stated that "The proposed project area, however, would only comprise approximately 70% of this relatively narrow width." This is a very peculiar trivialization of the value of a fully functioning, full-sized wildlife corridor. Based on the foregoing, all responses to comments pointing out the importance of the corridor to wildlife are based on false premises and are, therefore, effectively nullified. The EIR must not be certified or adopted based on erroneous information.

COMMENTS SPECIFIC TO BIRDS

Burrowing Owl observed at CNP on March 29, 2016. Likely to use the corridor for foraging. A Burrowing Owl was also sighted by three observers during the 2015 CBC on December 19, 2015, along the south berm of the former-reservoir basin.

Long-eared Owls observed on multiple occasions at CNP. Undoubtedly forage in the corridor.

Olive-sided Flycatcher has bred in Stone Canyon below Lower Stone Canyon Reservoir approximately 15 to 20 miles southeast; therefore, the Andora area is within the breeding range. There are XMAS Bird Count records for the species, as well as records from the Simi Hills at other times.

White-tailed Kite ordinarily present at CNP in fall/winter. Nests in Upper Las Virgenes Open Space Reserve on west side of Simi Hills. Undoubtedly uses Andora corridor for foraging, possibly for roosting, and nesting is not out of the question.

Merlin is likely to be present on the site. Although not detected on surveys, the western edges of the San Fernando Valley; including, CNP, Sage Ranch, and Woodland Hills Park are regular wintering and spring migration locations near Andora.

Loggerhead Shrike is likely to utilize the site and, although most likely in the fall, winter, and spring can be present at any season. The species is frequently observed at CNP and at SSFL, has bred at CNP, and breeding in the corridor is possible.

Osprey are occasionally observed at CNP, where they formerly fed on fish taken from the Ecology Pond. Assertions that the species are only found in proximity to large, fish bearing waters should be corrected. The species uses areas away from the water bodies to feed on the fish caught.

Yellow Warbler undoubtedly occurs on site. Appendix H shows it was detected during surveys, yet text states it was not. This contradiction should be resolved.

Gray Vireo probably occurs on site. There are local records for the species from Aliso Canyon in the southern foothills of the Santa Susana Mountains and numerous other locations.

Vaux's Swift uses area rock crevices and small caves for roosting and migrates in large numbers through the Simi Hills.



MOUNTAINS RECREATION & CONSERVATION AUTHORITY
 Los Angeles River Center & Gardens
 570 West Avenue Twenty-six, Suite 100
 Los Angeles, California 90065
 Phone (323) 221-9944

http://mrca.ca.gov/pdf/attachment3482_Staff%20Report.pdf for 08/17/2015 meeting XIII

MEMORANDUM

TO: The Governing Board

FROM: 
 Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: September 2, 2015

SUBJECT: **Agenda Item XIII: Consideration of resolution authorizing: (a) conditional support of the proposed Andora Estates project; (b) entering into an agreement with the project applicant; (c) authorizing the acceptance of temporary and revocable conservation easements over portions of APNs 2724-007-002 and 004, up to approximately 66 acres; (d) authorizing the future acceptance of conservation easements and fee simple interests over the same land subject to the temporary easements; and (e) authorizing the future acceptance of easements over additional deed restricted portions and trails of APN 2724-007-004 up to approximately 13.5 acres, Simi Hills, Chatsworth, City of Los Angeles.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing: (a) conditional support of the proposed Andora Estates project; (b) entering into an agreement with the project applicant; (c) authorizing the acceptance of temporary and revocable conservation easements over portions of APNs 2724-007-002 and 004, up to approximately 66 acres; (d) authorizing the future acceptance of conservation easements and fee simple interests over the same land subject to the temporary easements; and (e) authorizing the future acceptance of easements over additional deed restricted portions and trails of APN 2724-007-004 up to approximately 13.5 acres, Simi Hills, Chatsworth, City of Los Angeles.

Background: The Santa Monica Mountains Conservancy (Conservancy) adopted the attached comment letter on the Andora Estates project at its August 17, 2015 meeting. The 91-acre project is located (see attached map) in the Simi Hills in between Santa Susana Pass State Historic Park and Chatsworth Oaks Park (Chatsworth Reservoir Nature Preserve).

The Conservancy and many community entities have battled development on the subject property for over a decade. That lack of a secondary access held a sizeable subdivision in check. However, the current owner has obtained a secondary access and has convinced the Chatsworth Neighborhood Council to support a reduced

density 33-home project. The developer has done a solid job of restricting the disturbance footprint to a tight area that for all intents and purposes is fully shielded from existing public lands. The proposed subdivision footprint when combined with an additional contiguous, offsite 3.5-acre parcel provides an ample habitat linkage from the Simi Hills central core habitat area to the Chatsworth Reservoir Nature Preserve.

The developer's proposal to lock in the additional 3.5-acre parcel and conservation easements on approximately 31 of the 33 private parcels in a pre-entitlement agreement with the MRCA, along with other factors, convinced the Conservancy to conditionally support the 33-home project. The other factors included all of the public trail easements going to the MRCA as well as the large open space area. The developer has also agreed to provide \$15,000 to the MRCA to set up and maintain signage on the site. The marginal potential gains from further fighting the project were counter balanced by the reasonable secured project footprint and open space benefits. The proposed actions include the MRCA conditionally supporting the project.

The proposed action would first authorize the MRCA to accept temporary and revocable conservation easements on the large open space lot and the 3.5-acre parcel (APN 2724-007-002) that is not part of the tract map. The attached figure shows these as phase one acquisitions. If the 33-home tract map is approved (shown as phase two on the attached figure), both of these conservation easements would automatically convert to fee simple title for the MRCA. With such approval then as part of phase two, numerous conservation easements on the individual private lots will vest with the MRCA. The conservation easements would prohibit all uses other than brush clearance and habitat restoration. No fencing would be allowed off of the 33 development pads.

In agreement with the MRCA the developer also agreed to reduce the grading and pad footprint on lot 11 and for lots 25 and 26 to have reduced-height two-story houses to reduce the overall project height.

The project's Draft Environmental Impact Report is scheduled to be released in November.

The advantages to the applicant are for tax purposes and to get early project support. The advantages to the MRCA and the public are substantial guaranteed public benefits with zero reliance on City condition and mitigation measure enforcement to provide the open space and trail benefits. In addition the public receives 3.5 acres and \$15,000 of operations money that would be difficult to secure without a cooperative agreement with the developer.

http://mrca.ca.gov/pdf/attachment3482_Staff%20Report.pdf for 08/17/2015 meeting XIII

A local public agency exercising joint powers of the Santa Monica Mountains Conservancy, the Conejo Recreation & Park District, and the Rancho Simi Recreation & Park District pursuant to Section 6500 et seq. of the Government Code.

From:
Dina Fisher
Ventura Way
Chatsworth, CA
i@dinafisher.net

To:
Los Angeles Department of City Planning
Case VTT-73427

09/20/2016

Andora Estates: Destruction of a Crucial Wildlife Corridor

The Andora Estates project plan in its current phase would drastically degrade a crucial wildlife corridor which passes through the project site. If approved as is, ***the project would reduce viable corridor width to approximately 300 feet***. That's far less than the 1000-1600 foot width recognized in the EIR as viable minimum.

The project's EIR analysis of the corridor is fatally flawed. It draws grossly inaccurate conclusions based on that flawed analysis, falsely claiming the project plan would preserve a 1560' corridor width.

BACKGROUND

The project site is strategically located between two large open spaces: Chatsworth Nature Preserve and Santa Susanna Pass State Historic Park. Animals use the project site as a wildlife corridor to move between those two open spaces. The corridor's importance extends beyond Chatsworth and these two open spaces, simultaneously serving as a vital link between the Santa Monica Mountains to the south, and the Los Padres forest to the north.

The Chatsworth-Porter Ranch Community Plan understood decades ago the sensitive and special importance of this corridor. There are only 15 objectives in the Community Plan, and one of those calls directly for preserving this corridor, stating:

"To further define the link between the Chatsworth Reservoir (CNP), wildlife corridors, and the community by identifying natural wildlife habitats, migration paths, and archaeological/paleontological sites and planning for their preservation;" -- Chatsworth-Porter Ranch Community Plan Objective 13

In another passage, the Community Plan elsewhere stresses the special importance of area wildlife corridors, calling for corridor preservation while warning of endangerment by development:

"The northwest border of the City of Los Angeles includes a wildlife migration corridor. The wildlife corridor through the Simi Hills and Santa Susana Mountains to the Santa Monica Mountains could be

endangered by development and transportation arteries cutting through this vital link. The Plan encourages preservation by both public and private agencies of this critical natural feature.”

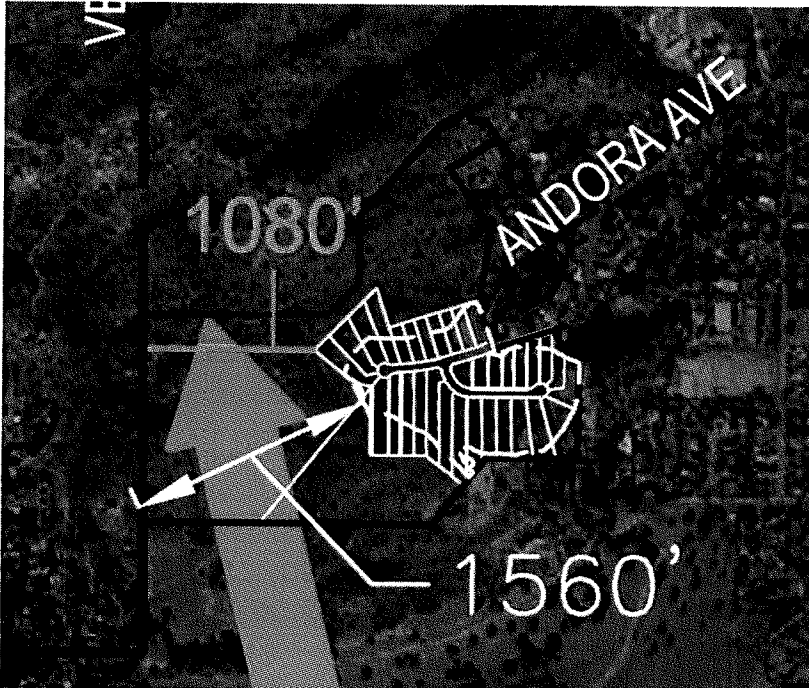
ADEQUATE MINIMUM WILDLIFE CORRIDOR WIDTH DEFINED

In agreement with the California Department of Fish and Wildlife (CDFW) and scientific consensus, the EIR cites 1000 - 1600 feet as adequate wildlife corridor width.

EIR EGREGIOUSLY MISREPRESENTS CORRIDOR WIDTH AND LOCATION

The EIR falsely states the proposed plan secures a 1560'-wide wildlife corridor. It arrives at this number through a series of omissions and blatant lack of understanding of corridor basics.

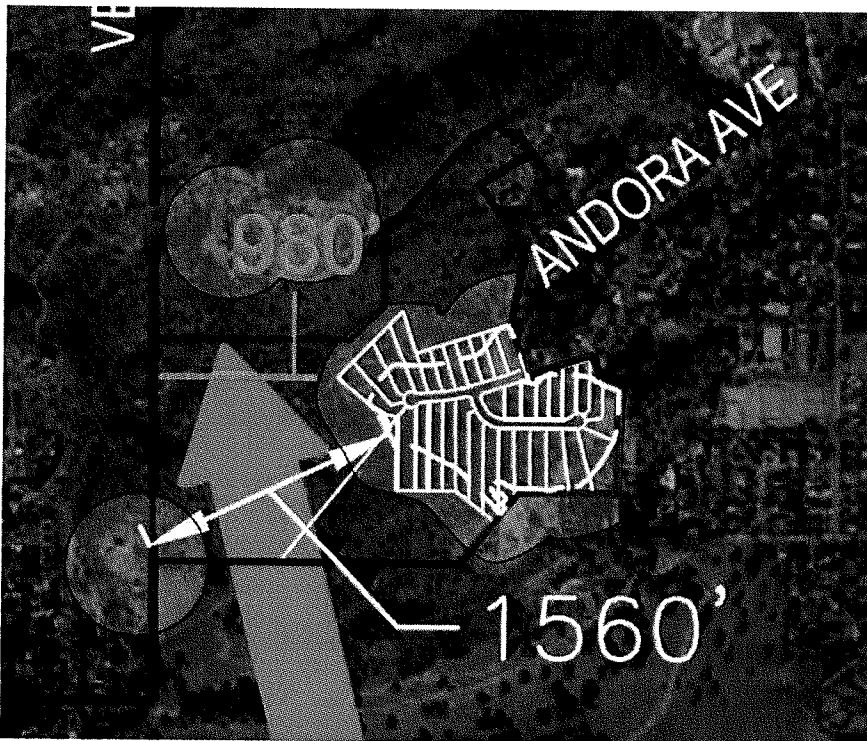
The EIR arbitrarily measures the widest dimension of the project site's undeveloped portion to determine viable corridor width. Viable corridor width *is actually* determined by measuring a corridor's narrowest passable width, not its widest. This error is important not only because it immediately invalidates the EIR's erroneous 1560'-width claim. It also shows that the persons preparing the EIR corridor analysis lacked the most rudimentary understanding of wildlife corridor basics. (This is only the beginning of the flawed analysis.) The narrowest passable dimension of the project's undeveloped portion is approximately 1080' as shown below, overlaid on the EIR's Wildlife Linkage map.



EIR Figure III-1 Wildlife Linkage map detail, 1080' measurement of narrowest corridor dimension overlaid

The EIR further fails to factor in edge effect losses on that width, from the project itself and two neighboring properties located near the project site's southwest corner. Though the EIR fails to apply

edge-effect losses to the false 1560' width, it does discuss the edge effect at length in a later section of the EIR, determining edge effect to equal 300': "Taking into account all these factors, it would be reasonable to expect a certain area would be subject to household noise, dogs barking, home and auto alarms which could deter occupation by less urban-tolerant species. This zone would probably not exceed 300 feet in length from the edge of development." The following illustration shows edge effect losses that should have been applied in EIR corridor-width analysis. The edge effect further reduces the EIR's false width to about 980'.



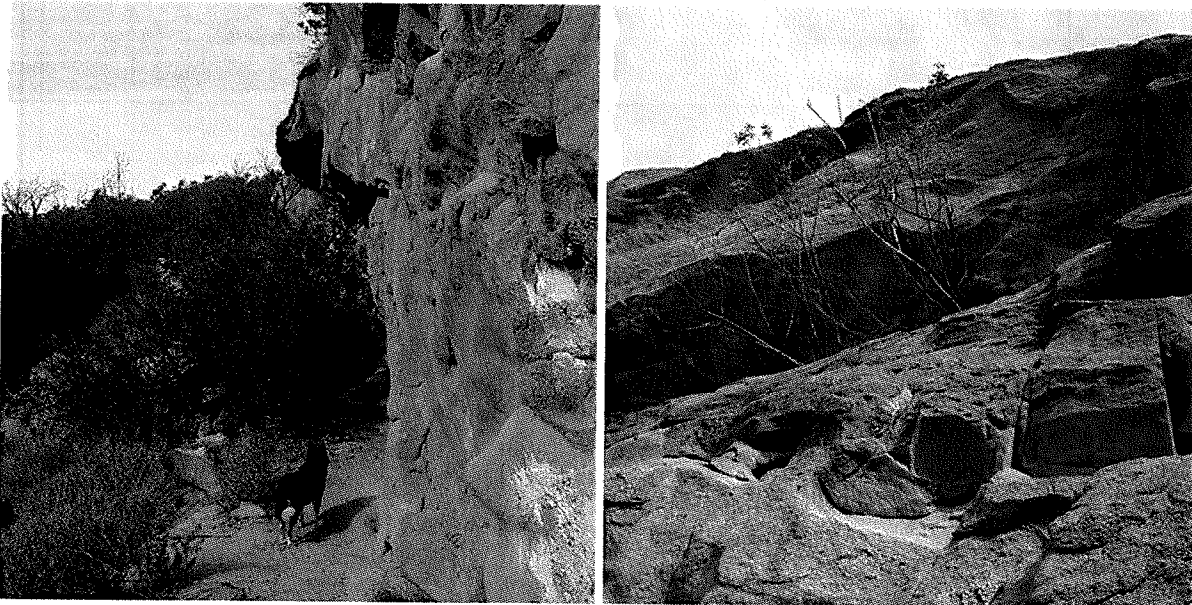
EIR Figure III-1 Wildlife Linkage map detail, overlaid with edge-effect losses from two properties to the project site's southeast corner. The edge effect radius for the development was extracted from EIR Figure III-7 Potential Edge Effect Map. Edge effect is additionally indicated for a nearby property to the north, commonly referred to as Eagle's Nest.

The EIR's flawed analysis also ignores determining factors of terrain on corridor width. The corridor path as routed on the Wildlife Linkage map (orange arrow) is in actuality blocked by excessively steep terrain including vertical cliffs up to 25 feet tall. Those vertical cliffs and steep terrain are indicated on the following map in red, indicating impassable or difficult-to-traverse terrain. As shown, topographic realities further reduce viable corridor width to approximately 450'.



EIR Figure III-1 Wildlife Linkage map detail, overlaid with terrain losses from vertical cliffs and extremely steep mountainside. Approximate area of terrain losses indicated by red.

The following photos taken within the above map's red zone document impassable cliffs, near-vertical drop offs and steep hillside.



Photos documenting impassable terrain features within zone which EIR indicates as viable corridor width, taken 9-19-2016. Photos were taken of and within terrain indicated by red in preceding map.

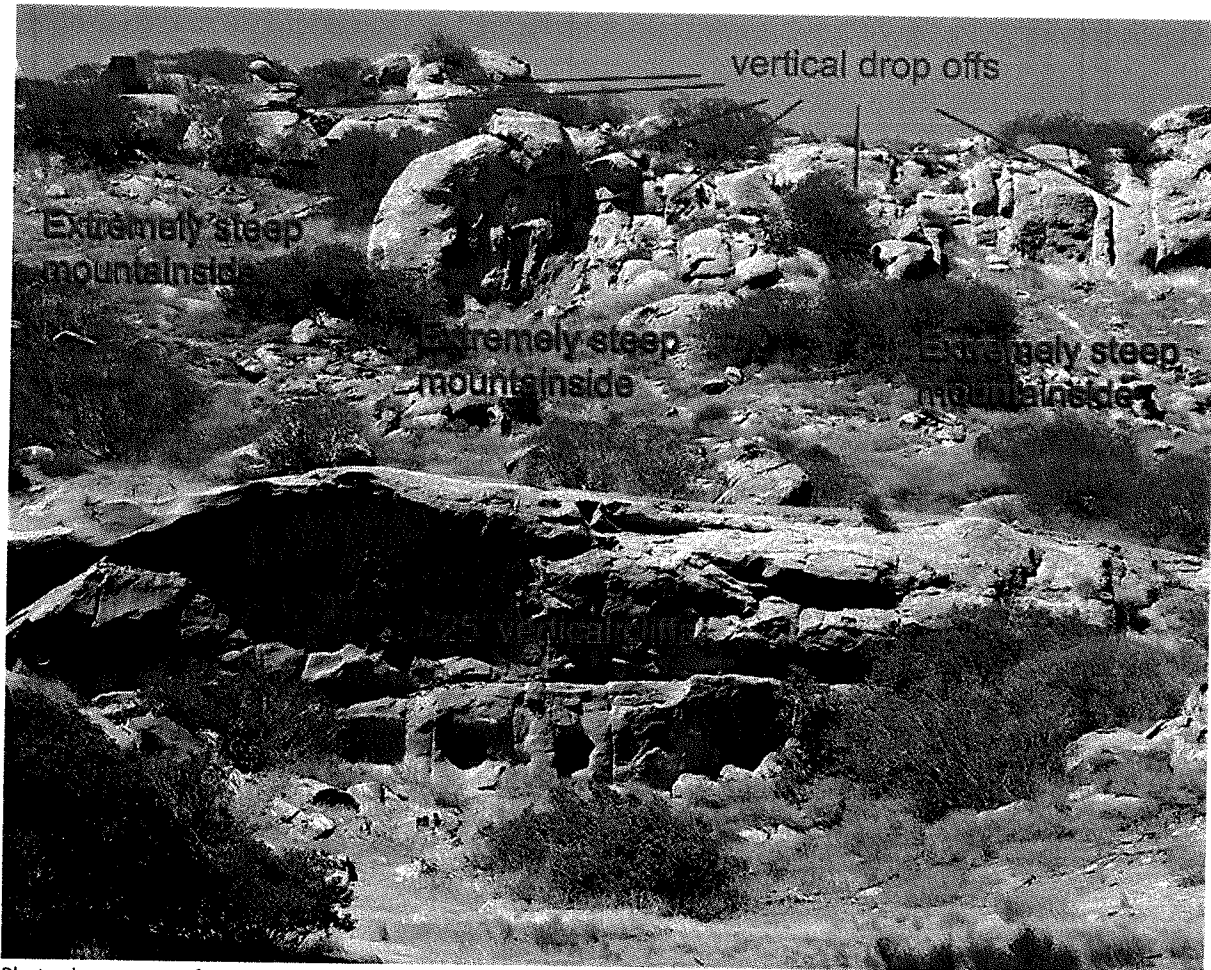


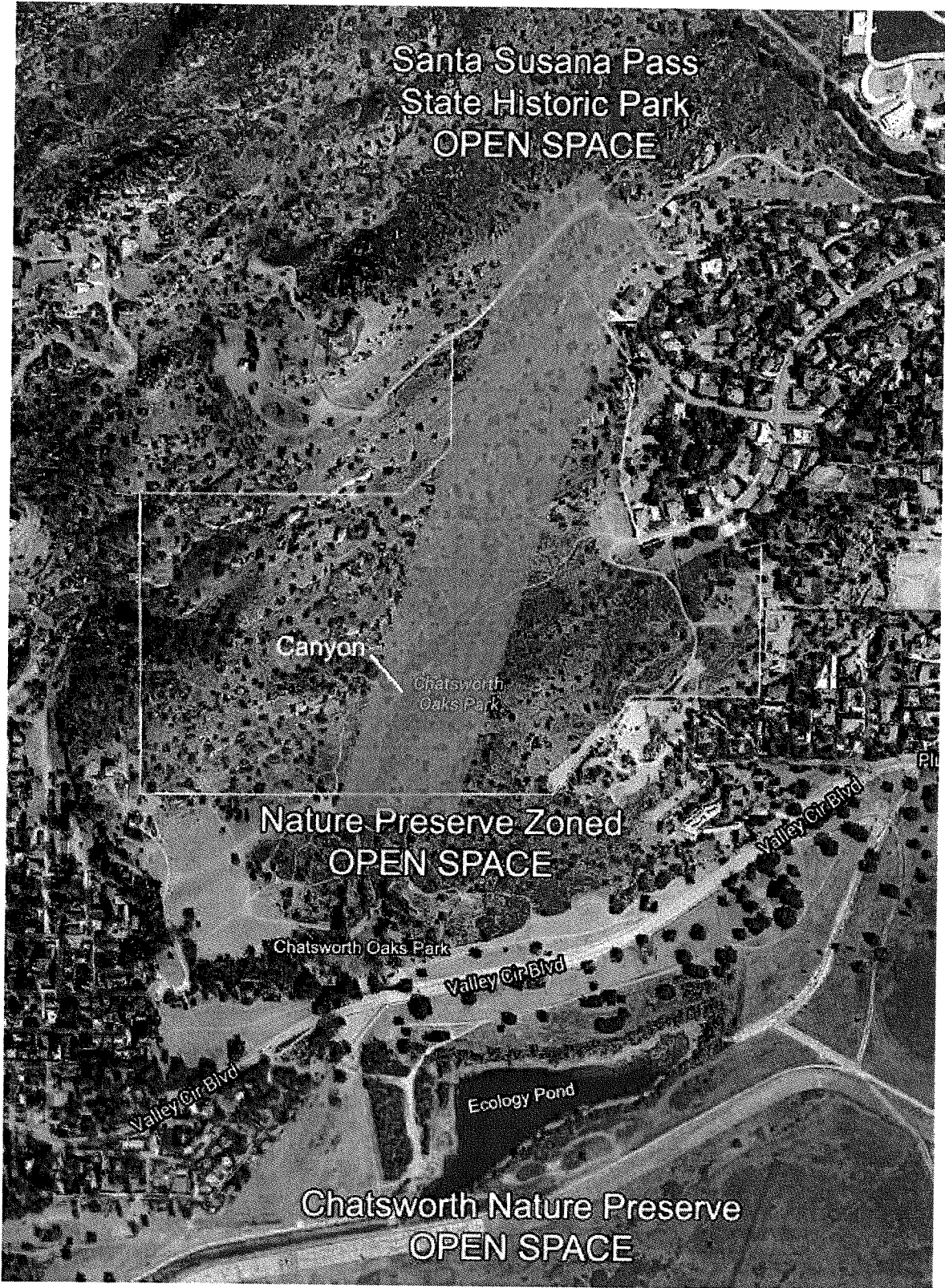
Photo shows terrain features within zone EIR indicates as viable corridor width, taken 9-18-2016 of terrain features within red area of preceding map

ACTUAL LOCATION OF SITE'S VIABLE WILDLIFE CORRIDOR

The EIR's lack of terrain analysis does more than allow it to grossly overestimate the corridor's width. It leads to false assumptions about where wildlife is actually most likely to transit through the property between the CNP and state park. In fact, the EIR seems not to bother itself with this reality at all. This question is extremely important, as it indicates where the actual wildlife corridor occurs within the project site.

The EIR maps illustrate an imagined wildlife corridor on the project site's western undeveloped portion. In actuality, animals are much more likely to traverse the much-gentler sloped canyon located in the eastern developed portion of the project site. That canyon, which contains a seasonal stream, also houses dense, protective brush favored by transiting wildlife.

This canyon, favored by wildlife transiting through the project site, is the property's actual, real-world wildlife corridor (see map on next page).



Map shows wildlife corridor following canyon favored by wildlife.

PROJECT PLAN DESTROYS WILDLIFE CORRIDOR

The site's wildlife corridor travels up the canyon smack into the proposed project's development site. In fact, the project's development footprint and edge effect would completely eliminate the current wildlife corridor within project-site boundaries. The developer purchased a trapezoid-shaped property which would secure an approximately 310'-wide passageway (measuring its narrowest pinch point).

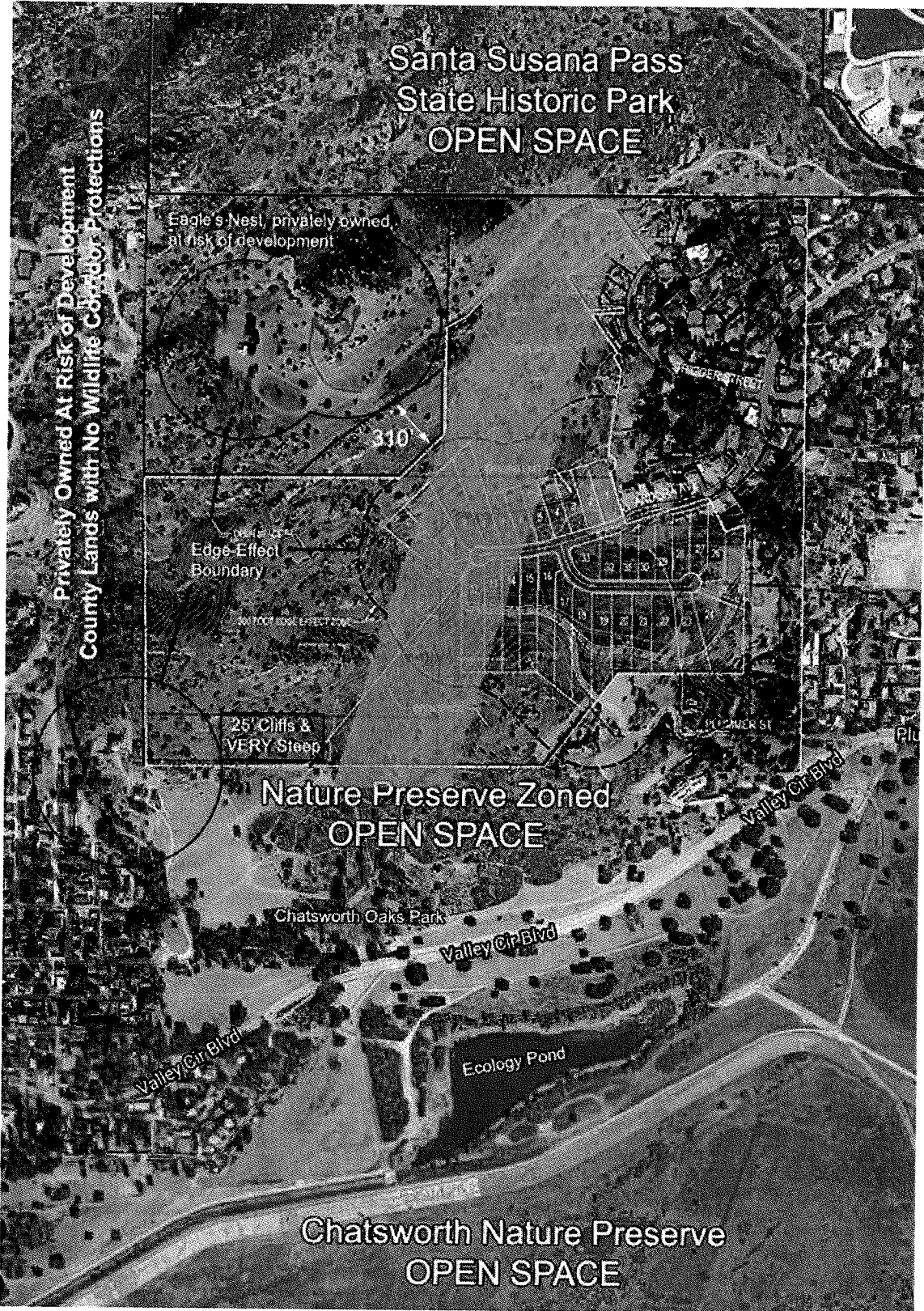
The following figure (see next page) starkly illustrates the project proposal's devastating impact on the site's wildlife corridor. The corridor itself is indicated via a green arrow, the trapezoid property by blue, the project site by yellow.

With edge-effect losses for Eagle's Nest applied, it becomes clear the 310'-wide trapezoid would be the only viable corridor width remaining in *all of Los Angeles City*, if this project proceeds as currently configured. Edge effect for Eagle's Nest's two developed structures was determined in this document using the EIR's Edge Effect terms: 300 feet from the edge of development. It should be noted that prior owners of Eagle's Nest hotly pursued subdivision and development in the past; that property should therefore be considered at high risk of future development.

SUMMATION

The proposed project plan would massively truncate a protected wildlife corridor, reducing it far below the minimum 1000' viable width. The project plan violates the Chatsworth-Porter Ranch Community Plan's Objective 13, as well as other Plan directives. The project's EIR significantly fails to provide truthful, meaningful analysis of the wildlife corridor, and fails to present viable mitigation for corridor losses.

This property site is not just any ole development site. It shares borders with both a State Park and Los Angeles City's only nature preserve. I join the chorus of concerned scientists, environmentalists and community members adamantly opposing degradation of this locally and regionally important wildlife corridor. I ask, urge, advise, beg, plead with, and lovingly encourage City Planners and Commissioners to deny approval for this project as currently configured, until proper analysis is conducted and true mitigation is offered.



Map shows development area's footprint and edge effect completely eliminating viable wildlife corridor within project site.



EIR's Wildlife Linkage map (inlaid here) falsely identifies 2470'-wide wildlife corridor at west end of Chatsworth Nature Preserve. Edge Effect losses shown in red and purple entirely eliminate this area as a viable wildlife corridor.