



## Vesting Tentative Tract No. 67505 Project

Environmental Case: ENV-2005-2301-EIR  
State Clearinghouse No.: 2005111054

**Project Location:** 22255 and 22241 W. Mulholland Drive, Los Angeles, CA 91364

**Community Plan Area:** Canoga Park-Winnetka-Woodland Hills-West Hills

**Council District:** 3 - Blumenfield

**Project Description:** The Proposed Project is the subdivision of a 6.2-acre property (two parcels) into 19 lots and the subsequent development of 19 detached, single-family residences. Each residence would have three or four bedrooms and would have a maximum height of two stories or 36 feet, as established by the Mulholland Scenic Parkway Specific Plan Inner Corridor regulations. Each unit would include a two-car garage. A new private street constructed to public street standards would provide vehicular access from San Feliciano Drive to 11 of the homes. Four additional homes would have direct driveway access from San Feliciano Drive, while the four remaining homes would take access from a private driveway off of Mulholland Drive. Within the site, Project building footprints would account for approximately 0.86 acre (or 13.8 percent of the total Project Site), hardscape and impervious surfaces would cover 0.96 acre (15.5 percent of the site), landscaped areas would comprise 1.35 acres (21.7 percent of the site), and 3.03 acres (48.9 percent of the site) would remain as undisturbed naturally vegetated open space. One abandoned single-family residence and associated structures existing on-site would be demolished. An estimated 3,040 cubic yards of soil would be excavated and remain on the Project Site, with approximately 4,200 cubic yards of additional fill material imported to the Project Site in order to balance cut and fill during grading operations. Haul route approval would be required. Of the existing 199 trees (including 166 protected trees) located on-site, 28 (including 15 protected trees) would be removed in order to develop the Proposed Project.

**PREPARED FOR:**

The City of Los Angeles  
Department of City Planning

**PREPARED BY:**

CAJA Environmental Services, LLC

**APPLICANT:**

Harridge San Feliciano, LLC

**August 2018**

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# 1. INTRODUCTION

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## **Purpose**

The City of Los Angeles (City), as the Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Final Environmental Impact Report (Final EIR) for the proposed Vesting Tentative Tract No. 67505 Project (the Project). This document, in conjunction with the Draft Environmental Impact Report (Draft EIR), comprise the Final EIR.

As described in Sections 15088, 15089, 15090 and 15132 of the State CEQA Guidelines, the Lead Agency must evaluate comments received on the Draft EIR and prepare written responses and consider the information contained in a Final EIR before approving a project. Pursuant to State CEQA Guidelines Section 15132, a Final EIR consists of: (a) the Draft EIR or a revision of the Draft; (b) comments and recommendations received on the Draft EIR either verbatim or in summary; (c) a list of persons, organizations, and public agencies commenting on the Draft EIR; (d) the responses of the Lead Agency to significant environmental points raised in the review and consultation process; and (e) any other information added by the Lead Agency.

## **Organization of the Final EIR**

Pursuant to Section 15132 of the CEQA Guidelines, this document includes the following sections, which combined with the Draft EIR, constitutes the Final EIR for the Project:

**Section 1. Introduction:** This section describes the purpose of the Final EIR, provides a summary of the proposed Project, summarizes the Final EIR public review process, and presents the contents of this Final EIR.

**Section 2. Responses to Comments:** This section includes a list of persons and agencies that submitted comments on the Draft EIR and responses to each of the significant environmental points raised in the comments submitted.

**Section 3. Revisions, Clarifications, and Corrections:** This section provides revisions, clarifications, and corrections to the Draft EIR, based on and in response to comments received.

**Section 4. Mitigation Monitoring Program:** This section includes all of the Mitigation Measures and Project Design Features that have been identified to reduce or avoid the Project's environmental impacts. This section also notes the monitoring phase, the enforcement phase, and the applicable department or agency responsible for ensuring that each mitigation measure is implemented.

**Appendices:** The appendices to this document include copies of all the comments received on the Draft EIR and additional information cited to support the responses to comments.

## Project Summary

An application for a Vesting Tentative Tract Map (VTT- 61553) on the Project Site was originally submitted to the City in 2005. This proposed development would have consisted of the development of 37 detached single-family condominium homes (“Original Project”). A Draft EIR and Final EIR were prepared for the Original Project, but the City ultimately did not take action on either the Original Project or the EIR. Subsequently, the Project was reduced in scope, and a new tract map application (VTT-67505) was submitted to the City in May 2015. Based on the revised project, a new Draft EIR and Final EIR were completed.

The revised Project consists of a 19-lot subdivision of an irregularly-shaped 6.2-acre site, and the subsequent development of 19 single-family residences. Each residence would be comprised of three or four bedrooms and a two-car garage. The maximum height of each building would be limited to two stories or 36 feet, and each residence would be required to be built and designed pursuant to the established regulations and design guidelines of the Mulholland Scenic Parkway Specific Plan. Development on the site would be primarily focused along a new private street, extending from San Feliciano Drive into the Project Site, and terminating in a cul-de-sac. Four residences would have direct access from San Feliciano Drive, and ten residences would be accessed from the private street. In addition, a separate private driveway would extend from Mulholland Drive into the Project Site to provide access to four residences.

A majority of the existing trees on the site would be maintained, including a grouping of trees on the south of the property along Mulholland Drive near the intersection with Mulholland Highway, and tree groupings along the north end of the property adjacent to the City of Los Angeles Department of Water and Power (DWP) property. Currently, the site contains 3.7 acres of coast live oak woodland vegetation communities, including some that is mixed with ornamental trees and vegetation. Under the Project, approximately 3.5 of these acres containing most of the site’s oak canopy would remain intact. Specifically, of the 199 trees (including 166 protected trees) located on-site, 15 coast live oaks are expected to be removed, and replaced at a 4:1 ratio on-site.

Grading for the Project would involve the excavation (cut) of approximately 3,040 cubic yards. All excavated material would be used as fill on the Project Site. The proposed grading would require approximately 7,240 cubic yards of fill to balance the site, resulting in the proposed import of 4,200 cubic yards of material to the site. The Project would also utilize four retaining walls ranging from 0.5 to 9 feet in height in lieu of slopes, to reduce the number of impacted coast live oak trees.

The discretionary entitlements, reviews, and permits required to implement the Project would include, but would not necessarily be limited to, the following:

**Vesting Tentative Tract Map No. 67505:** A Vesting Tentative Tract Map to authorize a 19-unit detached single-family residential development on 19 lots, the removal of 15 protected trees, and a haul route for the import of soil.

**Zoning Administrator Determination (ZAD):** A determination to allow for deviations from Municipal Code requirements regarding the number and height of retaining walls.

**Mulholland Scenic Parkway Specific Plan (MSPSP):** A project permit compliance review and design review to determine compliance with the standards and regulations of the MSPSP and associated design guidelines, including regulations applicable to development within the Inner Corridor.

### **Process**

In compliance with the State CEQA Guidelines, the City as the Lead Agency for the Project, has provided opportunities for the public to participate in the environmental review process. As described below, throughout the environmental review process, an effort was made to inform, contact and solicit input from the public and various Federal, State, regional, and local government agencies and other interested parties on the Project.

#### *Initial Study*

At the onset of the environmental review process and pursuant to the provisions of Section 15082 of the State CEQA Guidelines, the City circulated a Notice of Preparation (NOP) to State, regional, and local agencies, and members of the public for an extended 44-day review period, commencing on November 8, 2005 and ending December 22, 2015. The purpose of the NOP was to formally convey that the City was preparing a Draft EIR for the proposed Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. A total of 78 unique comment letters on the Original Project were received either prior to or during the circulation of the NOP. No public scoping meetings were held.

#### *Draft EIR*

The City circulated a Draft EIR for the Original Project for public review and comment from February 20, 2007 to April 6, 2007. During that time, the Department of City Planning received a total of 45 comment letters. The City prepared a Final EIR for the Original Project, including responses to all comments, and released it for public review in January 2008. Subsequently, however, the previous Project Applicant placed the Original Project application on hold and the City ultimately did not take any action on either the Original Project or EIR. Subsequently, the Project was reduced in scope, and a new tract map application (VTT-67505) was submitted to the City in May 2015. Based on the revised project, a new Draft EIR was completed.

In accordance with the provision of Sections 15085(a) and 15087(a)(1) of the State CEQA Guidelines, the City, serving as the Lead Agency: (1) published a Notice of Availability (NOA) of a Draft EIR in the Los Angeles Times and posted the notice with the Los Angeles County Clerk, indicating that the Draft EIR was available for review at the City's Planning Department (Department of City Planning, 6262 Van Nuys Blvd., Van Nuys, CA 91401); (2) provided copies of the NOA and Draft EIR to the Los Angeles Central Library, Woodland Hills Branch Library, and Platt Branch Library (3) posted the NOA and the Draft EIR

on the Department of City Planning's website (<http://planning.lacity.org>); (4) prepared and transmitted a Notice of Completion (NOC) as well as CD copies of the Draft EIR to the State Clearinghouse, Governor's Office of Planning and Research for distribution to State Agencies; (5) sent a NOA to all property owners within 500 feet of the Project Site; and (6) sent a NOA to the last known names and addresses of all organizations and individuals who previously requested such notice in writing or attended public meetings about the Project. The public review period commenced on March 17, 2016 and ended on May 2, 2016, for a total of 45 days.

During the Draft EIR public review period, the City Planning Department received 51 comment letters on the Draft EIR from agencies, organizations, and individuals through written correspondence and emails. The responses to those comments are set forth in this Final EIR. The Draft EIR and this Final EIR will be submitted to the decision-makers for certification in connection with action on the Project.

### **Review and Certification of the Final EIR**

Consistent with State law (Public Resources Code 21092.5), responses to agency comments are being provided to each commenting agency more than 10 days prior to certification of the EIR.

The Final EIR is available for public review at the following locations:

Milena Zasadzien

City of Los Angeles, Department of City Planning  
221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90012  
Telephone: (213) 847-3636  
E-Mail: [milena.zasadzien@lacity.org](mailto:milena.zasadzien@lacity.org)

Los Angeles Central Library  
630 W. 5th Street, Los Angeles, CA 90071

Woodland Hills Branch Library  
22200 Ventura Boulevard, Woodland Hills, CA 91364

Platt Branch Library  
23600 Victory Boulevard, Woodland Hills, CA 91367

The Final EIR is also available online at the Los Angeles Department of City Planning's website [<http://planning.lacity.org/> (click on "Environmental Review" and then "Final EIR")]. The Final EIR can be purchased on CD-ROM for \$5.00 per copy. Contact Milena Zasadzien of the City of Los Angeles at [milena.zasadzien@lacity.org](mailto:milena.zasadzien@lacity.org) or (213) 847-3636 to purchase the CD-ROM.

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## 2. RESPONSES TO COMMENTS

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A key purpose of the public review of the Draft EIR is to allow the public to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the CEQA Guidelines states the following regarding standards from which adequacy is judged:

*An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*

CEQA provides a variety of opportunities for public participation, including periods for review and comment on the adequacy of the Draft EIR prior to certification. CEQA Guidelines Section 15088(a) states:

*The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the notice comment period and any extensions and may respond to late comments.*

The purpose of each response to a comment on the Draft EIR is to address the significant environmental issue(s) that are raised by each comment. This typically requires clarification of the analysis contained in the Draft EIR. Section 15088(c) of the CEQA Guidelines describes the standards required for an adequate response to public comments:

*The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.*

Section 15204(a) of the CEQA Guidelines provides guidance to the public and public agencies to help focus their review and comments on the Draft EIR. The lead agency is not obligated to undertake every suggestion given them, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. Section 15204(a) of the CEQA Guidelines clarifies this for public and public agency reviewers and states:

*In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways*

*in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

As stated above, the CEQA Guidelines encourage the public and public agencies to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives. Section 15204(c) advises the public and public agencies that comments should be accompanied by factual support:

*Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.*

Please note that written comments submitted during the Draft EIR's public comment period included comments relevant to the Project's approval/disapproval along with comments relevant to the adequacy of the environmental review. The responses to comments acknowledge the comments which address Project approval, but focus responses on the comments that raise potential environmental impacts or the adequacy of the environmental review.

Note that there may be spelling and/or grammar errors in the Comment Letters. These are replicated here exactly as they were delivered to the City.

### **List of Commenters**

The City of Los Angeles Department of City Planning received a total of 52 comment letters on the Draft EIR. Each comment letter has been assigned a corresponding number, and distinct comments within each comment letter are also numbered. Comment letters from public agencies and organizations are denoted with the prefix "A", while comment letters from private individuals do not have this prefix. Each comment letter has been divided into individual comments, which are numbered "1-1", "2-1", "3-1", etc., with the first number indicating the comment letter number and the second number indicating the individual comment number within that letter.

The agencies, organizations and persons listed below provided written comments on the Draft EIR to the City of Los Angeles either during or shortly following the close of the formal public review period, which

was from March 17, 2016 to May 2, 2016. Copies of the comments are included in Appendix A to this document.

Letter No.	Committer Name/Agency	Project Description	Project Alternatives	Aesthetics	Air Quality	Biological Resources	Cultural Resources	Geology and Soils	Greenhouse Gas Emissions	Hazards and Hazardous Materials	Hydrology and Water Quality	Land Use and Planning	Noise	Population and Housing	Public Services	Transportation and Traffic	Utilities and Service Systems	Other
A-1	LADWP (Moosbrugger)																X	
A-2	CDFW (Courtney)					X					X							
A-3	SMMC (Edelman)		X	X		X				X					X			
A-4	Louisville HS (McPartland)															X		
A-5	Save Oak Savanna (Weissbrod)	X	X	X		X					X	X				X		
A-6	LADWP (Holloway)																X	
A-7	LADWP (Han)														X		X	
A-8	LAFD (Terrazas)																X	
1	Gavia, Matthew			X							X					X		
2	Zagha, Julie																	X
3	Anderson, Jim										X							
4	Margolies, Barbara										X	X				X		
5	Batten, Charles & Florilla Anne																	X
6	Swaim, Ruth Carolyn															X		
7	Watkins, Bryan	X				X					X	X				X		
8	Duque, Carlos	X		X								X				X		X
9	Benghiat, Naomi	X				X										X		X
10	Anthony, Carol	X				X										X		X
11	Schacht, Christine & Jurgen Reisch	X				X						X				X		X
12	Willits, Mark	X									X	X			X	X		X
13	Jakubek, Marilou	X			X								X			X		
14	Wells, Richard	X				X						X	X			X		
15	Onaitis, Carole & Stan					X									X	X		
16	Deffense, Clare			X	X						X		X					
17	Fishwick, Claire	X				X									X			
18	Elder, Denise					X										X		X
19	Burns, Reid																	X
20	Lahner, Rita	X				X					X	X				X		
21	Russo, Brian																	X
22	Wolter, Janelle					X												
23	Armen, Sophia					X												
24	Rider, Danielle	X				X										X		X
25	Zajackowski, Frank																	X
26	Kirnan, Coleen					X										X		
27	Kirnan, Coleen										X							

Letter No.	Commenter Name/Agency	Project Description	Project Alternatives	Aesthetics	Air Quality	Biological Resources	Cultural Resources	Geology and Soils	Greenhouse Gas Emissions	Hazards and Hazardous Materials	Hydrology and Water Quality	Land Use and Planning	Noise	Population and Housing	Public Services	Transportation and Traffic	Utilities and Service Systems	Other
28	Armen, Taleene																	X
29	Bornstein, Jeff	X				X						X						
30	Rider, Beth	X	X			X					X	X				X		X
31	Marmor, Colleen	X	X									X				X		
32	Grombacher, Myron	X														X		
33	Yablon, Gilbert																	X
34	Drucker, Gilbert	X		X											X	X		
35	Goldman, Diane															X		X
36	Klein, Steve & Tania	X				X					X					X		
37	Condro, Michael					X					X					X		
38	Dunn, James & Cynthia			X											X	X		X
39	Aronson, Carol	X		X								X						X
40	Roberts, Bruce	X	X									X				X		
41	Dillard, Joyce										X	X					X	
42	Gardner, Catherine	X		X	X	X					X					X		
43	Poplawski, John & Terry	X	X	X		X					X	X				X		X
44	Mellick, Beth & Sean	X	X	X		X		X			X	X				X		X

**LETTER NO. A1**

Earl Moosbrugger, PE  
Resources Development and Supply Assessment Group  
Water System Executive Office / Water Resources Section  
Los Angeles Dept. of Water and Power  
111 N. Hope Street, Room 1450  
Los Angeles, CA 90012

**Comment No. A1-1**

Water Resources is submitting to you the following comments to the Draft Environmental Impact Report (DEIR) for the Vesting Tentative Tract No. 67505 Project (ENV-2005-2301-EIR). These comments reflect our review for matters related to water resources for the project; you may receive additional comments from other divisions at LADWP, separately, referring to other respective areas in the DEIR, such as water infrastructure capacity, etc.

Our understanding is that Environmental will compile all comments and submit to the City Planning Department by 5/2/16.

Here are our comments:

**1. PAGE V.A-18, Utilities and Service Systems**

Comments:

Third and fourth paragraphs: “*Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* The Project Site is served by the Los Angeles Aqueduct Filtration Plant (LAAFP), which has a capacity to treat approximately 600 million gallons per day (mgd) and is currently operating at 75 percent of its capacity. The Proposed Project would consume approximately 4,807 gallons of water daily (or 0.005 mgd), and therefore, implementation of the Proposed Project is not expected to measurably reduce the LAAFP’s capacity. The Proposed Project would have a less than significant impact.”

Consider the following information for revising the fourth paragraph. Stating that the project’s water demand is not expected to measurably reduce the LAAFP’s capacity is not the basis for determining the adequacy of LAAFP treatment capacity for the project. The maximum water treatment capacity at the LAAFP is 600 million gallons per day, or approximately 672,000 AFY. LAAFP typically treats water from LA Aqueduct (LAA) and most of the purchases through MWD. The current average annual flow through LAAFP is approximately 324 million gallons per day, or approximately 360,000 AFY, averaged over CY 2014. LAAFP treatment capacity for any project is generally sufficient if the project’s water demand is accounted for in LADWP’s total City demand projections of the most recently adopted Urban Water Management Plan (UWMP). Exhibit 11E of the 2010 UWMP shows that the total annual water supplies

from LAA and MWD between years 2020 through 2035 are less than 470,000 AFY. See attached link to the 2010 UWMP:

<http://www.ladwp.com/docs/QOELLADWP005416>

### **Response to Comment No. A1-1**

In response to the information provided by the Department of Water and Power, the second paragraph on page V.A-18 of the Draft EIR at Section V.A (Impacts Found To Be Less Than Significant) has been revised to read as follows:

The Project Site is served by the Los Angeles Aqueduct Filtration Plant (LAAFP), which has a capacity to treat approximately 600 million gallons per day (mgd) and is currently operating at 75 percent of its capacity. The current average annual flow through LAAFP is approximately 324 million gallons per day. LAAFP treatment capacity for any project is generally considered to be sufficient if the project's water demand is accounted for in LADWP's total City demand projections of the most recently adopted Urban Water Management Plan (UWMP). Demand projections in the UWMP are based upon growth projections developed by the Southern California Association of Governments (SCAG) for use in their Regional Transportation Plan. These growth projections for the City of Los Angeles are based, in part, on the land use designations contained in the City Community Plans. Because the Proposed Project is consistent with the current land use designation of the Project Site, the growth it represents has been accounted for in the UWMP and would not constitute a significant impact with respect to water demand. The Proposed Project would consume approximately 4,807 gallons of water daily (or 0.005 mgd), and therefore, implementation of the Proposed Project is not expected to significantly alter existing treatment operations at the LAAFP measurably reduce the LAAFP's capacity. The Proposed Project would have a less than significant impact.

See also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

### **Comment No. A1-2**

#### **2. PAGE V.A-19, Utilities and Service Systems**

##### Comments:

Second and third paragraphs: “*Have significant water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?* The LADWP is responsible for providing water services to the Project Site. The LADWP can generally supply water to developments within its service area, except under extraordinary circumstances. The 2010 Urban Water Management Plan projects a supply of 555,477 AFY in 2015. Any shortfall in LADWP controlled supplies (groundwater, recycled, conservation, Los Angeles Aqueduct) is offset with MWD purchases to rise to the level of demand. The Project would have a less than significant impact upon water supplies.”

Consider the following information for revising the third paragraph. The adequacy of water supply for a project is based on the project's consistency with the demographic projection from the Regional Transportation Plan (RTP) by the Southern California Association of Governments (SCAG). LADWP works closely with the City of Los Angeles, Department of City Planning to develop and update the UWMP every five years. The UWMP identifies short-term and long-term water resources management measures to meet growing water demands during normal, single-dry, and multiple-dry years over a 25-year horizon. The City's water demand projection in the UWMP was developed based on the RTP demographic projection by SCAG. In general, projects that conform to the demographic projection from the RTP by SCAG and are currently located in the City's service area are considered to have been included in LADWP's water supply planning efforts in the UWMP.

Please let me know if you have any questions.

### **Response to Comment No. A1-2**

In response to the information provided by the Department of Water and Power, the second paragraph on page V.A-19 of the Draft EIR at Section V.A (Impacts Found To Be Less Than Significant) has been revised to read as follows:

The LADWP is responsible for providing water services to the Project Site. The LADWP can generally supply water to developments within its service area, except under extraordinary circumstances. The 2010 Urban Water Management Plan projects a supply of 555,477 AFY in 2015. Any shortfall in LADWP controlled supplies (groundwater, recycled, conservation, Los Angeles Aqueduct) is offset with MWD purchases to rise to the level of demand. The adequacy of water supply for a project is based on the project's consistency with the demographic projection from the Regional Transportation Plan (RTP) by the Southern California Association of Governments (SCAG). LADWP works closely with the City of Los Angeles, Department of City Planning to develop and update the UWMP every five years. The UWMP identifies short-term and long-term water resources management measures to meet growing water demands during normal, single-dry, and multiple-dry years over a 25-year horizon. The City's water demand projection in the UWMP was developed based on the RTP demographic projection by SCAG. In general, projects that conform to the demographic projection from the RTP by SCAG and are currently located in the City's service area are considered to have been included in LADWP's water supply planning efforts in the UWMP. Because the Proposed Project is consistent with the current Community Plan land use designation of the Project Site, the growth it represents is considered to have been accounted for in the UWMP and therefore would not constitute an addition to currently planned for levels of future water demand. Thus, the ~~The~~ Project would have a less than significant impact upon water supplies.

See also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

**LETTER NO. A2**

Betty J. Courtney, Environmental Program Manager 1  
South Coast Region  
Department of Fish and Wildlife  
3883 Ruffin Road  
San Diego, CA 92123

**Comment No. A2-1**

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a DEIR from the City of Los Angeles (Lead Agency or City) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

**Response to Comment No. A2-1**

The commenter acknowledges the receipt of the Draft EIR and its role in implementing the California Fish and Game Code and the comment is acknowledged for the record.

**Comment No. A2-2****CDFW ROLE**

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species

protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

### **Response to Comment No. A2-2**

The commenter outlines its regulatory responsibilities and potential roles with respect to the Proposed Project pursuant to both CEQA and the State Fish and Game Code and the comment is acknowledged for the record.

### **Comment No. A2-3**

#### **PROJECT DESCRIPTION SUMMARY**

**Objective:** The Proposed Project is the subdivision of a 6.2-acre property into 19 lots and the subsequent development of 19 detached, single-family residences and 38 covered parking spaces. A new public street would provide vehicular access. Within the site, Project building footprints would account for approximately 0.86 acre (or 13.8 percent of the total Project Site), hardscape and impervious surfaces would cover 0.96 acre (15.5 percent of the site), landscaped areas would comprise 1.35 acres (21.7 percent of the site), and 3.03 acres (48.9 percent of the site) would remain as undisturbed naturally vegetated open space. One abandoned single-family residence and associated structures existing on-site would be demolished. An estimated 3,040 cubic yards of soil would be excavated and remain on the Project Site, with approximately 4,200 cubic yards of additional fill material imported to the Project Site. 199 trees (including 166 protected trees) are located on-site. The Project will remove 15 coast live oak (*Quercus agrifolia*) trees which will be replace at a 2:1 ratio within the Project landscaping per the City's Oak Tree Ordinance.

The Project Site, formerly a residential equestrian estate, is in various states of disrepair. Though there are disturbances throughout the site, the Project Site has not been substantially graded and substrates appeared to be relatively natural. The estate was developed within a coast live oak woodland, much of which remains on the site. Understory elements of the oak woodland are absent and have probably been removed over many years of residential/equestrian use. Natural understory components of the Project Site have been replaced with non-native grassland in the western half of the site and ornamental trees and typical residential landscaping in the approximate eastern half of the Project Site. One small knoll at the west edge of the site remains vegetated with patches of mixed native grassland and coastal sage scrub elements. No special status plant or wildlife species were observed on the site following two field biological assessments.

**Location:** The 6.19-acre Project Site is located on the northeast corner of Mulholland Drive and San Feliciano Drive at 22255 and 22241 W. Mulholland Drive and is generally located in the foothills and north slopes of the Santa Monica Mountains, in the City of Los Angeles within the community of Woodland Hills.

### **Response to Comment No. A2-3**

The commenter restates the description of the Proposed Project.

**Comment No. A2-4****COMMENTS AND RECOMMENDATIONS**

CDFW offers the comments and recommendations below to assist Lead Agency in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

**I. Project Description and Related Impact Shortcoming****COMMENT #1:**

Table II-1, Page II-15 of the DEIR states, "The Project would not result in significant impacts to jurisdictional resources. Relict features such as a former pond and former blue line stream no longer exhibit evidence of ponding (i.e., ordinary high water mark, algal mats or sediment deposits), flow (i.e., ordinary high water mark, scouring, debris pattern or "wrack" line), or aquatic life (i.e., aquatic invertebrates or vertebrates, riparian or hydrophytic vegetation) that would bring them under the regulatory jurisdiction of the Corps, CDFG or RWQCB. Although several erosional gullies have developed along the steep slope at the southwestern corner of the Project Site due to runoff from Mulholland Drive, these features appear to be highly ephemeral (i.e., only flowing after storm events) and do not appear to connect to any jurisdictional features off-site, thus making these features non-jurisdictional. Thus, potential impacts to jurisdictional resources would be less than significant."

**Issue #1:** The Department recommends that the Project applicant notify for a Lake or Streambed Alteration Agreement (LSA Agreement); the Department cannot concur with the conclusions in the DEIR that the Project site does not significantly impact Department jurisdictional drainages. A notification package for a LSA Agreement may be obtained by accessing the Department's web site at [www.wildlife.ca.gov/habcon/1600](http://www.wildlife.ca.gov/habcon/1600).

**Response to Comment No. A2-4**

In order to address the jurisdictional status of the Project Site and resolve whether any jurisdictional area would be affected by the Proposed Project, CDFW staff met with TERACOR Resource Management (TERACOR) staff on August 12, 2016 at the Project Site. The site was evaluated during the walkover. It was agreed that the USGS blueline stream had been diverted and undergrounded and no longer flows across the Project Site. There was also a lack of evidence of surface waterflow on the site.

During the walkover with Department staff, there was lack of typical field evidence generally utilized to establish jurisdictional status and extent. These indicators include a number of characteristics associated with streams, and include the following: shelving superimposed on banks, sediment deposits, scour lines, water-stained leaves, and debris racks along a streamcourse. The biologists conducting the biological investigations for the Draft EIR also did not observe these or other jurisdictional characteristics, as discussed in the Biological Assessment Report (included in Appendix G of the Draft EIR).

Department staff, however, suggested that the feature in question may retain its jurisdictional status based on 1) stormflows generated on-site, 2) the presence of groundwater from the upstream canyon area associated with the blueline stream, 3) the oak woodland presence, and 4) the presence of a storm drain at the north end of the Project Site on San Feliciano Drive. However, no final conclusion regarding the jurisdictional status of this feature was reached during this site visit. The jurisdictional status will be considered further at the time a Preliminary Jurisdictional Determination and the Notification of Lake or Streambed Alteration is submitted as requested by the Department.

Nonetheless, the Project Applicant will comply with the Department's recommendation and will submit a Preliminary Jurisdictional Determination and Notification for an LSA Agreement to the Department following completion of the CEQA process. This has been added as Mitigation Measure D-6 and is discussed in Response to Comment No. A2-8 below. Implementation of Mitigation Measure D-6 will ensure that CDFW policies are implemented with respect to jurisdictional resources and that potential Project impacts remain less than significant.

#### **Comment No. A2-5**

The presence of erosional gullies on the Project site resulting from seasonal precipitation may be subject to Department jurisdiction. The Department has broad jurisdictional authority over waters of the state, including those shown as blueline streams, and other drainage features such as ephemeral erosional features that will not be indicated as a blueline stream on a topographic map. Achieving Department concurrence on jurisdictional delineation and impacts on the Project site would be of benefit to the applicant and protective of resources moving forward with this Project.

#### **Response to Comment No. A2-5**

The erosional gullies on the fill slope at the south end of the Project Site were evaluated by Department staff and TERACOR in the field during a joint site visit on August 12, 2016. The preliminary conclusion reached during this site visit was that these gullies and rills are likely not jurisdictional. Nonetheless, the Project Applicant will work with the Department on this issue as a final determination is made.

#### **Comment No. A2-6**

**Specific impact:** The Project may alter Department jurisdictional waters of the state and associated biological resources through the modification of watershed flows including the interception of on-site storm water runoff.

**Why impact would occur:** Activities described in the Project include watershed and habitat modification from grading, cut and fill, and associated increased erosion.

#### **Response to Comment No. A2-6**

As discussed in Response to Comment No. A2-4, no jurisdictional determination has been made at this time by the Department regarding the Project Site. The Project Applicant will comply with the Department's

recommendation and will submit a Notification for an LSA Agreement to the Department along with supplemental hydrologic information regarding storm runoff from the Proposed Project's watershed following completion of the CEQA process to facilitate the Department's determination of their jurisdiction over any of the features on-site. If such jurisdictional features are determined to be present, the Project Applicant will be required to enter into an LSA Agreement.

#### **Comment No. A2-7**

**Evidence impact would be significant:** The DEIR does not propose avoidance or mitigation measures for drainages that may occur on the Project site for which the Project may have a substantial adverse effect on riparian habitat identified by the California Department of Fish and Wildlife. The Project may substantially alter the existing drainage pattern of the Project site, including through the alteration of the course of a stream, in a manner which would result in substantial erosion or siltation onsite or offsite.

#### **Response to Comment No. A2-7**

The subject feature that was described in the Draft EIR and evaluated in the field by Department staff is highly variable in its appearance on the Project Site. The approximate south half of the feature is barren, supports no oak woodland or associated understory, and has no observable evidence of flow. The approximate north half of the feature is overstoried by an oak woodland with no understory component. Deep leaf litter obscures the swale in this area. A portion of the northerly section of the feature could in fact be avoided as limited grading and home construction is proposed in this area. There have been numerous historic modifications to the upstream area associated with the blue line stream, within the Mulholland Drive alignment, and on-site over many decades. Only 15 of the 166 protected trees on the property are proposed for removal. The questionable status of the feature and the proposed retention of approximately 150 native trees on the site supports the conclusion of the Draft EIR that no significant impact is likely to occur on the Project Site. Department staff did not reach a final conclusion about the jurisdictional status of the site. This uncertainty is based on historic actions that diverted the blue line stream away from the site and the lack of normal field evidence indicative of focused stream flows on-site. However, as discussed in Response to Comment No. A2-4, the Project Applicant will comply with the Department's recommendation and will submit a Notification for an LSA Agreement to the Department following completion of the CEQA process to facilitate the Department's determination of their jurisdiction over any of the features on-site. If such jurisdictional features are determined to be present, the Project Applicant will be required to enter into an LSA Agreement per Mitigation Measure D-6 discussed in Response to Comment No. A2-8 below.

#### **Comment No. A2-8**

##### **Recommended Potentially Feasible Mitigation Measure(s):**

**Mitigation Measure #1:** A notification under 1600 et seq. for LSA would confirm a baseline for the extent of Department jurisdictional waters on the Project site; establish relevant Project impacts and Department approved mitigation measures such as avoidance and construction best management practices.

**Response to Comment No. A2-8**

The Department's suggested mitigation measure has been added to page V.D-20 of the Draft EIR as Mitigation Measure D-6 (see also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR):

**D-6** A 1600 et seq. notification shall be prepared if the CDFW determines any on-site feature to be jurisdictional following submission of a preliminary jurisdictional determination. This Notification for an LSA Agreement will facilitate the determination of avoidance and mitigation measures such as, but not limited to, avoidance or construction best management practices if impacts to any CDFW jurisdictional drainages identified on the Project Site are determined by CDFW. If on-site features are concluded to be jurisdictional by CDFW and would be impacted by the Project, mitigation measures may include, but are not limited to protection in perpetuity and enhancement of on- or off-site mitigation lands that include drainages as negotiated under the LSA Agreement.

**Comment No. A2-9**

**Mitigation Measure #2:** Mitigation measures conditioned in any LSA Agreement that may be issued by the Department may include protection in perpetuity and enhancement of on- or off- site mitigation lands that include drainages.

**Response to Comment No. A2-9**

See Response to Comment No. A2-8.

**Comment No. A2-10****ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e)) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf). The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

**Response to Comment No. A2-10**

As is discussed in Section V.D of the Draft EIR (Biological Resources), the Project Site was evaluated for the possible presence of special status species and natural communities. The results of this assessment are presented in the Draft EIR and in the Biological Assessment Report (included in Appendix G of the Draft EIR). As noted therein, the following special status species and natural communities have been confirmed

present on the Project Site: Southern California black walnut, coastal whiptail, Cooper's hawk, oak titmouse, Nuttall's woodpecker, coast live oak woodland, and willow scrub. In accordance with the Department's comment, and as required under CEQA, the biologists contracted by the Project Applicant will report these survey findings to the CNDDDB.

**Comment No. A2-11**

**FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

**Response to Comment No. A2-11**

The Project Applicant will pay Fish and Wildlife Impact Fees upon filing of the Notice of Determination by the City in accordance with State regulations.

**Comment No. A2-12**

**CONCLUSION**

CDFW appreciates the opportunity to comment on the DEIR to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Scott Harris, Environmental Scientist at (805) 644 -6305 or [scott.p.harris@wildlife.ca.gov](mailto:scott.p.harris@wildlife.ca.gov).

**Response to Comment No. A2-12**

The statement is acknowledged for the record.

**LETTER NO. A3**

Paul Edelman, Deputy Director  
Natural Resources and Planning  
Santa Monica Mountains Conservancy  
5750 Ramirez Canyon Road  
Malibu, CA 90265

**Comment No. A3-1**

The Draft Environmental Impact Report (DEIR) is deficient in its lack of disclosure of the 6.2 acre site's important biological and visual resources. The DEIR is further deficient because it fails to adequately disclose how the proposed project would result in unavoidable adverse biological and visual impacts to these resources.

**Response to Comment No. A3-1**

The DEIR provides a complete description of the Project Site's visual resources in Section V.B (Aesthetics) at pages V.B-1 through V.B-13. Similarly, the DEIR provides a complete description of the Project Site's biological resources in Section V.D (Biological Resources) at pages V.D-8 through V.D-16.

The DEIR discloses the Project's impacts on visual resources in Section V.B (Aesthetics) at pages V.B-14 through V.B-24. The DEIR discloses the Project's impacts on biological resources in Section V.D (Biological Resources) at pages V.D-17 through V.D-20.

Further elaboration is forthcoming in subsequent comments. The commenter is directed to Responses to Comments A3-2 through A3-8.

**Comment No. A3-2**

The subject wooded 6.2 acres remain well connected to the core habitat of the Santa Monica Mountains via the public land ownership chain comprised of City-owned Alizando Park, National Park Service land, and Mountains Recreation and Conservation Authority (MRCA) land. In addition, this land chain (minus the above City open space) connects to the site via open space owned by Louisville High School. The DEIR is deficient for not mapping and analyzing this habitat connectivity and the effect of the project and any alternative projects on it.

**Response to Comment No. A3-2**

A habitat connectivity analysis is provided in Section V.D, Biological Resources, of the Draft EIR as well as in Section 4.0 of the *General Biological Assessment for Vesting Tentative Tract No. 67505, a 6.2 acre Property Located in the City of Los Angeles, California*, dated August 24, 2015 ("General Biological Assessment"), which was attached to the DEIR as Appendix G. Urbanization surrounds the property (and

the Los Angeles Department of Water and Power [DWP]-built Girard Reservoir) due to many decades of development in the Woodland Hills area. There are few native communities remaining within this area, and those which remain have limited value to wildlife due to lack of connectivity. The Project Site is surrounded by existing development, heavily-traveled roadways, and highly disturbed areas. The extent of isolation is depicted in *Exhibit 2 – USGS Topographic Map*, *Exhibit 3 – Aerial Photograph 2015*, and *Exhibit 7 – Biogeographic Aerial Photograph – 2015* of the General Biological Assessment. The Project Site is isolated and does not function as a “corridor” or connective habitat.

The assessment did note patches of discontinuous open space in various conditions, including natural ravines, graded open areas, and suburban parkland on the 2015 aerial photograph, but these patches do not comprise a corridor. Roadways, houses, and schools disrupt any potential corridors and result in remnant patches. Retention of approximately 150 of the 166 native protected trees (over 90% conserved) will maintain the Project Site in the future for avian utilization and movement. Considering the Project Site is separated by various features from any larger blocks of similar habitat and the corresponding low potential for movement through these disjunct parcels, it was concluded that no significant impediments to wildlife movement would occur as a result of Project implementation.

### **Comment No. A3-3**

The subject property along with the adjacent Department of Water and Power (DWP) Girard Reservoir open space is also a habitat stepping stone for animals seeking to move west along Mulholland Drive to the MRCA’s five-acre open space on the north side of Mulholland Drive approximately 800 feet to the west. The DEIR is deficient for not disclosing this spatial relationship or the existence of the MRCA’s close proximity parkland. The DEIR is inadequate for failing to address how the proposed four lots on Mulholland Drive could significantly diminish habitat connectivity between Alizondo Park and the greater Girard Reservoir habitat block that includes City-owned road right of ways.

### **Response to Comment No. A3-3**

Refer to Response to Comment No. A3-2. Information concerning the MRCA’s open space and Alizondo Park has been added to Section V.D of the Draft EIR (see Section 3, Revisions, Clarifications, and Corrections). As depicted on the previously-referenced Exhibits 2, 3, and 7, development is present in between the Project Site and the MRCA’s property, which presents a barrier to wildlife movement from the Project Site to the MRCA’s property. Further, Mulholland Drive constitutes a danger to mobile organisms due to high traffic volumes. It is unlikely that a substantial number of mobile animals would travel approximately 800 feet westward along the heavily-travelled Mulholland Drive to the MRCA’s property. The Project Site is also on the opposite side of Mulholland Drive from the Alizondo Park site; and the existing roadway already presents an impediment for habitat movement. As is discussed in Section V.D of the Draft EIR, since the Project Site is isolated, the proposed four lots on Mulholland Drive are not expected to significantly diminish any potential animal movement between Alizondo Park and the Girard Reservoir or the MRCA property referenced by the commenter.

**Comment No. A3-4**

The DEIR is deficient for not disclosing and analyzing how the 11 acres of natural open space comprised of the subject site and the adjacent DWP land together constitute a significant habitat block with significant oak woodland and raptor resource areas. There is no equivalent habitat area in the Santa Monica Mountains portion of the Los Angeles River watershed that contains such a high concentration of oak woodland on such gentle terrain. Most of the scores of oak trees onsite are mature and in good health. On average, the site has more than 32 native trees per acre for a total of 199.

**Response to Comment No. A3-4**

The 6.2-acre Project Site contains 166 native protected trees and over 90% of those trees would be conserved. No changes are proposed to the DWP parcel. The Project Site is disturbed and the remnant oak woodland has an understory that is comprised of non-native grassland and ornamental species, which is not suitable for many species. Its value to high mobility organisms and birds would remain in conjunction with the DWP reservoir. Approximately half of the Project Site is comprised of weedy species that have to be cleared annually for critical fire suppression purposes, leaving those disturbed areas barren. Of the 6.2 acres comprising the Project Site, approximately 3.7 acres contain coast live oak woodland vegetation communities, including some that is mixed with ornamental trees and vegetation. Following Project development, approximately 3.5 of these acres containing most of the Project Site's oak canopy would remain largely intact. The Project Site's biological value was adequately described in the General Biological Assessment and in Section V.D of the Draft EIR. Similarly, the Project Site's habitat connective value was adequately analyzed in the General Biological Assessment and in Section V.D of the Draft EIR. The Draft EIR concluded that impacts to habitat would be less than significant with mitigation such as tree replacement and protection.

**Comment No. A3-5**

The ecological capabilities of the adjacent DWP land and City-owned road rights of ways are dependent on the quality and availability of adjacent habitat on the subject property. The subject property undoubtedly buffers the woodlands in the DWP property. The DWP property contains remnant willow woodland elements on the bottom of the drained reservoir. The survival the herpeto-fauna of the DWP property probably depends on the availability of micro-sites on the subject 6.2 acres. The DEIR is deficient for not addressing how impacts within the 11-acre block could have substantial adverse impacts to other areas within it.

**Response to Comment No. A3-5**

See Responses to Comment Nos. A3-3 and A3-4. The commenter has suggested that the human-created DWP basin and nearby road rights of way maintain ecological capabilities, but no documentation or other evidence has been presented to indicate the true extent of their biological value or capability. The DWP basin would be expected to exhibit a low to moderately-low degree of biological value, considering it is human-created, lacks natural substrates and micro-sites, is maintained for fire suppression, and is limited in size. As such, it is likely to have a limited productivity and exhibits very modest diversity. Birds will

continue to move freely into and out of the DWP property, as will highly mobile species like coyotes, rabbits, raccoons, and similar species. Species considered rare or uncommon will remain so and will not likely utilize the DWP property or the adjacent roads. Roadways are a known hazard to most animals, and generally are considered detrimental to their successful movement in the search for habitat resources such as food and shelter.

While animals such as birds, deer, coyotes, raccoons and some species of snakes certainly can be expected to occur on Mullholland Drive from time to time, small habitat patches in the City experience loss of diversity over time for numerous reasons. The Project Site itself has a very modest diversity of ground-dwelling species, because the Project Site is heavily disturbed and native shrubs, forbs and grasses that ground-dwelling species depend on disappeared from the Project Site long ago. Microsites are very scarce as well on the Project Site.

#### **Comment No. A3-6**

The DEIR is devoid of any consideration how introduced houses, long retaining walls, fences, grading, domestic pets, and lights could degrade the habitat resources in the adjacent public land. This DEIR inadequacy holds true whether there is future public access to the DWP land or not. The ecological capacity of the subject 6.2 acres is exemplified by the presence of coastal whiptail lizards, woodrat nests, oak titmouses and nuttall's woodpecker amidst a five year drought. If many of the fences in the 6.2-acre and DWP properties were removed, biological diversity would increase. Homes constructed on the subject 6.2 acres would require extensive permanent brush clearance on the natural resources in both the DWP property and the remaining open space within the 6.2 acres. The DEIR is deficient for not addressing brush clearance impacts both in regards to biological and visual impacts. The DEIR is further deficient for not addressing how the proposed develop could impact use of the site by owls and raptors. Did the applicant do a raptor nesting survey on the margins of the adjacent DWP property?

#### **Response to Comment No. A3-6**

Section V.D of the Draft EIR and the General Biological Assessment (Draft EIR Appendix G) evaluated the direct and indirect impacts of the Project on area biological resources. The indirect effects of the Project on any remaining natural areas on-site, across Mulholland Drive, or on the DWP parcel are considerably less than the direct effects of grading and housing construction described by the commenter. Avian utilization of the Site and ground-dwelling organism utilization of avoided areas on-site are likely to persist. The avoided area adjacent to the DWP reservoir property would provide a buffer for any indirect effects to the property.

The Project Site would continue to be subject to brush clearance/weed abatement required by the City of Los Angeles Fire Department. The Project Site has been maintained in approximately the same fashion and subject to brush clearance requirements for many decades. Brush clearance activities conducted in the last few years were monitored by a biologist in order to avoid direct impacts to wildlife. To the extent practicable, native shrubs were retained and weedy non-native species were removed. Following Project development, fuel modification activities would be required within 200 feet of the proposed homes within the Project Site as well. Some of this work would extend onto the western portion of the DWP reservoir

property, as shown on Figure 1, Fuel Modification Buffer Area Map. Fuel modification activities required within 100 feet of the proposed structures would only require the trimming of trees and brush and the mowing of other vegetation along the western berm of the reservoir and within the open space area on-site. The Los Angeles Fire Department (LAFD) requires that areas within 100 feet of the proposed structures be irrigated and managed. Fuel modification actions required between 100 and 200 feet of the proposed structures would only require trimming of trees within the western portion of the reservoir itself as well as on portions of the on-site open space area. The trimming of trees and mowing of other vegetation would not significantly impact the protected trees either on-site or on the DWP property, nor would these activities result in any significant visual impact.

Section 6.0 of the General Biological Assessment states that “*Sensitive organisms detected on-site (coastal whiptail, oak titmouse, and Cooper’s hawk) have persisted on-site despite area development and should be able to inhabit the property if sufficient numbers of trees are preserved on-site*”. The Project would preserve 171 of the 199 trees on the Project Site. Raptor nesting surveys were not required by the City and thus were not conducted. The surveys conducted at the Project Site included the identification of bird species; however, it was determined that impacts to potential raptor nests in the trees adjacent to the DWP property were not likely to occur given that none of the trees in that portion of the site would be removed. Mitigation Measure D-3 requires that habitat alteration or removal shall be performed outside of the bird nesting season from March 15 through July 31 unless a detailed nesting survey performed by a qualified biologist demonstrates that active nests are not present on-site.

#### **Comment No. A3-7**

Unavoidable Significant Adverse Visual Impacts on Mulholland Scenic Parkway.

The DEIR is deficient for not disclosing and analyzing how the subject section of Mulholland Drive from the west end of dirt Mulholland to 1500 feet east of the subject property has a greatly rural feeling and viewshed mixed with some development. The scenic characteristics of this section of Mulholland Drive are unique to the community and are a significant aesthetic resource. With four proposed houses, added lighting, and 100-200 feet of added deceleration and acceleration lanes along Mulholland Drive, the proposed project would adversely and irreparably transform the visual qualities of the scenic stretch of designated scenic parkway. For example would curb and gutter be required? The written project description is inadequate because it does not include the proposed acceleration and deceleration lanes on Mulholland Drive.

**LEGEND:**

- TRACT BOUNDARY
- PROPOSED LOT LINE
- PROPOSED RETAINING WALL
- - - - EASEMENT LINE (W=WIDTH)
- SD-SD- PROPOSED STORM DRAIN
- S-S- PROPOSED SANITARY SEWER
- 1020 PROPOSED CONTOUR
- (1020) EXISTING CONTOUR
- s-s- EXISTING SANITARY SEWER
- sd-sd- EXISTING STORM DRAIN
- g-g- EXISTING GAS LINE
- w-w- EXISTING WATER LINE
- STREET LIGHT
- ▲ TRAFFIC SIGNAL W/STREET LIGHT
- +○+ FIRE HYDRANT
- GAS/WATER METER
- △ GAS/WATER VALVE
- ▲ SIGNAGE
- ▭ PROPOSED SLOPE
- TREE

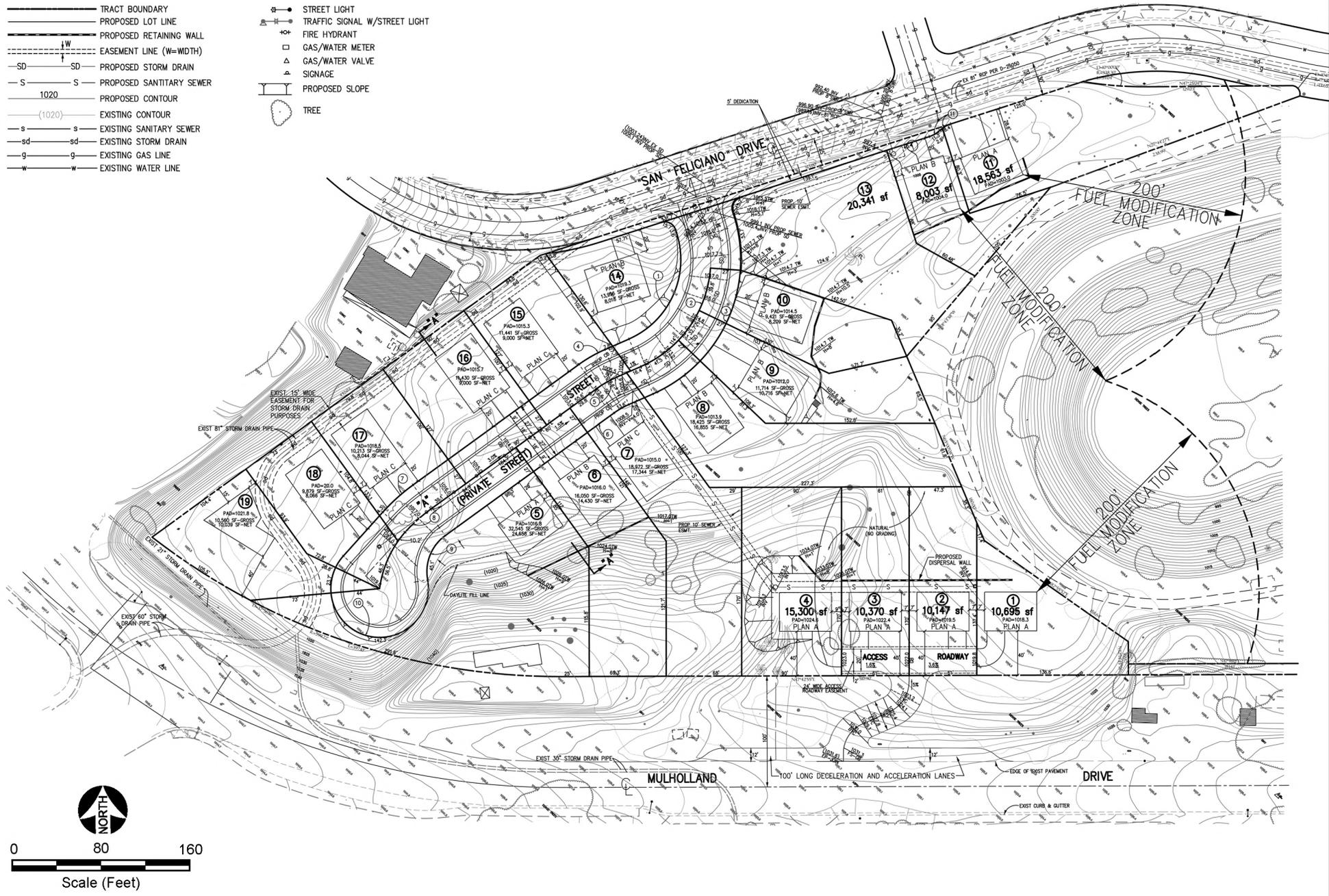


Figure 1  
Fuel Modification Buffer Area Map

**Response to Comment No. A3-7**

The analysis in the Draft EIR (Section V.B, pages V.B-1 through V.B-6) illustrates and describes the surrounding area, including views from the Mulholland Scenic Parkway, which is better characterized as suburban rather than semi-rural. This distinction is based upon the nearby and adjacent land uses, which include: natural wooded areas, visible surface parking areas for the private parochial school, partially visible surface parking areas and multi-family residential buildings along the south side of Mulholland Drive, and visible fencing and single-family residences and natural wooded areas along the north side of Mulholland Drive.

Due to the level of development in the immediate area, this section of Mulholland Drive does not impart a significant semi-rural viewshed. Rather, as discussed in the Draft EIR on page V.B-21, the aesthetic values of the scenic vistas along this portion of the parkway have been compromised and no longer retain high scenic character that distinguishes other portions of the parkway. Consequently, the analyses in the Draft EIR do not agree with the comment's characterization of the proposed project as adversely and irreparably degrading a unique public resource. The Project would maintain a majority of the existing landscaping along Mulholland Drive adjacent to the Project Site, and, although some trees would be removed, these trees would be replaced under required mitigation at a minimum 2:1 ratio, with additional measures prescribed for the establishment, growth, and maintenance of these trees. Revegetation of the entire area would also be required under the Project landscape plan. The Draft EIR concludes that the viewshed along this portion of the parkway has already been degraded and the impact of the Project would be less than significant with implementation of the required mitigation measures. The existing tree canopy and topography prevent views of the Valley or distant San Gabriel Mountains on this portion of the parkway.

Curbs and gutters along the portion of Mulholland Drive adjacent to the Project Site would be neither proposed nor required by the City. The commenter notes that the proposed acceleration and deceleration lanes along the westbound side of Mulholland Drive adjacent to the Project Site are not mentioned in the Project Description (Section III of the Draft EIR). They are, in fact, shown on Figure III-4, Proposed Site Plan, in Section III of the Draft EIR and are discussed in the text of Section V.I (Transportation/Traffic, at page V.I-19) of the Draft EIR and have thus been disclosed and evaluated in the Draft EIR. Nonetheless, the text of the fourth paragraph on page III-8 of the Draft EIR (under the sub-head "Access") has been revised to add this Project detail as follows:

Direct access to the Proposed Project homes would be from (i) a new public street to run from San Feliciano Drive into the site, providing access to 11 homes, and terminating in a cul-de-sac, (ii) direct driveways from San Feliciano Drive for four of the homes, and (iii) a private driveway from Mulholland Drive giving access to four other homes. The new public street would be approximately 54 feet wide (including sidewalks) and would not be gated. The Proposed Project layout is shown in Figure III-4. A deceleration lane and an acceleration lane, each 100 feet in length, would be added to the westbound side of Mulholland Drive in order to facilitate safe entry to and exit from the proposed private driveway.

See also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

**Comment No. A3-8**

The subject section of Mulholland Drive is a premier, iconic scenic resource both in daylight and at nighttime because it is unlit on its side of the roadway. The current site condition has unique and highly valued visual characteristics. The proposed houses in any number on Mulholland Drive and their access infrastructure would significantly degrade the visual character of this resource. The houses would introduce a substantial new source of light.

**Response to Comment No. A3-8**

As is acknowledged in Section V.B (Aesthetics) of the Draft EIR (at page V.B-20), Project lighting would be visible from Mulholland Drive. Even so, most of the lighting visible from Mulholland Drive would be diffuse and indirect. Currently, street lighting exists along the south side of the section of Mulholland Drive adjacent to the Project Site, which illuminates this roadway at night. The Project would maintain a similar character to the adjacent single-family residential areas to the east along Mulholland Drive. The existing tree canopy to be retained, as well as new trees and landscaping to be planted in association with the Project, would shield travelers on Mulholland Drive from most, if not all of the direct light sources on-site. In addition, only one of the proposed homes would be fully visible to travelers on Mulholland Drive. Under existing conditions, the one unoccupied home located on the Project Site, as well as its associated chain link fencing, is currently visible to westbound travelers on Mulholland Drive. Therefore, the Proposed Project would not introduce a substantial new source of light to the area. Additionally, the Project would implement Project Design Features B-2 through B-5 that would reduce the amount of light generated by the Project and would also minimize the amount of light spillover perceptible from off-site areas.

**Comment No. A3-9**

**Inadequate Analysis of Mulholland Core Trail**

The DEIR is deficient for not disclosing and analyzing how the Mulholland Drive right-of-way that abuts the property is a significant resource for pedestrians and bicyclists. The Mulholland Specific Plan maps may show the Mulholland Core Trail on the opposing side of Mulholland Drive. However, the DEIR fails to analyze the viability of the core trail in this area and whether the subject project-adjacent right-of-way offers superior or additional core trail opportunities. For example the sidewalk east of Louisville High School is narrow, concrete, and has numerous Canary Island pines growing in the middle of the walking surface. The Mulholland Specific Plan does not contemplate a concrete core trail and envisions some variable horizontal separation between the trail and roadway if space allows. Furthermore, residents on the north side of Mulholland Drive would benefit from a trail on the north side of the roadway. The DEIR shall remain deficient until it addresses the core trail location, access, and surface. It should also address potential project view impacts from the core trail as proposed. The applicant should be required to build the core trail or equivalent on the north side Mulholland Drive. The DEIR also fails to mention that this section of Mulholland Drive is the alignment for the Rim of the Valley Trail as approved by the State legislature.

**Response to Comment No. A3-9**

The Proposed Project would have no impact upon the existing or potential future alignment or surface of the Mulholland Core Trail or the Rim of the Valley Trail. CEQA requires that an EIR examine the potential impacts of a project as it is proposed. As acknowledged by the commenter, the trails in question are currently designated along the opposite side of Mulholland Drive from the Proposed Project. Thus, the Project would have no direct impact on the physical location or design and surfacing of the two trails. Visual impacts created by the Project as observed from the Mulholland Drive corridor, including the trails, are addressed in Section V.B (Aesthetics) of the Draft EIR.

If there is a desire to relocate the Core Trail and/or Rim of the Valley Trail to the north side of Mulholland Drive in the area adjacent to the Project Site, discussions concerning such a proposal would require review and recommendations from the Mulholland Scenic Parkway Design Review Board (DRB), City Planning Commission, and approval of the City Council to alter the alignment. Neither the Mulholland Scenic Parkway Specific Plan, nor the Mulholland Scenic Parkway Specific Plan Design and Preservation Guidelines contain any mandatory requirements that would compel any private project applicant to construct a portion of either of these trails on areas not adjacent to the Project Site. Guideline 21 states only that projects, including walls, driveways, gateways, entryways and other structures, should be designed to “provide for the future placement and use of the Core Trail in the Mulholland Drive right-of-way, as shown on the Specific Plan’s maps. Construction in the right-of-way requires first design review and then the issuance of a Revocable Permit by the Board of Public Works.” As noted previously, the Specific Plan maps show the Core Trail being located on the other side of Mulholland Drive from the Project Site and do not indicate the location of any proposed trails on or adjacent to the Project Site.

The following paragraph has been added before the second paragraph (under the sub-heading “Recreation”) on page V.A-17 of the Draft EIR:

As shown in the Mulholland Scenic Parkway Specific Plan (on Map 1), the proposed Mulholland Core Trail is located along the south side of Mulholland Drive across the roadway from the southern boundary of the Project Site. The State Legislature has also designated the proposed Rim of the Valley Trail along this routing. The Proposed Project would not have any direct effect on these trails, as the Project would not make any modification to the south side of Mulholland Drive. The visual impact of the Project as experienced from these trails would be the same as is discussed in Section V.B, Aesthetics, of this Draft EIR for the Mulholland Drive corridor in general.

See also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

**Comment No. A3-10****Status of MRCA Parkland on Girard Reservoir Property**

For the record the MRCA staff is working with the highest level DWP staff on the creation of a passive use open space park on adjoining DWP land. DWP staff members have agreed to such use under a written set of conditions that have been approved by the MRCA Governing Board. That agreement is heading to the

DWP Commission for approval. The DEIR recognizes that an open space park proposal is in the works next door but fails to analyze how the proposed 19-unit project could adversely affect parkland recreation values and ecological resources. A copy of the preliminary park plan approved by the DWP staff is attached.

### **Response to Comment No. A3-10**

The commenter notes that the Mountains Recreation and Conservation Authority (MRCA) is engaged with the Los Angeles Department of Water and Power (LADWP) in discussions toward the creation of an open space park on the Girard Reservoir property adjacent to the Project Site on the east. Based upon a review of the preliminary plan for the open space park provided as an attachment by the commenter, it would appear that there would be no conflict between the Proposed Project and the potential open space park, although the location of the parking area for the park and the Project's proposed acceleration/deceleration lane on Mulholland Drive would need to be coordinated so as to conform to applicable LADOT standards. Until such time, however, as the LADWP formally agrees to the establishment of such a park, the outcome of these discussions will remain uncertain. If and when such negotiations lead to a formalized agreement between LADWP and the MRCA, it is the City's understanding that the agreement would not involve dedications qualifying as "public parkland," as such term is used in the Mulholland Scenic Parkway Specific Plan, that would require any changes to the Proposed Project.

The Girard Reservoir site contains the reservoir (composed of bare earthen berms and a level center), oak woodland habitat along the berms, and willow scrub habitat within the center of the reservoir. The condition of these habitats on-site was assessed to determine their potential to support the sensitive species which were evaluated in the DEIR for the Project Site. Based on an analysis of these species, their habitat requirements and distributions, and the conditions on the LADWP site, it was determined that only a few sensitive species occur, or have a moderate to high potential to occur, on-site: (a) Southern California black walnut, (b) several lizard species (horned lizard, coast patch-nosed snake, San Bernardino ringneck snake, San Diego mountain kingsnake, silvery legless lizard, coastal whiptail), and (c) Cooper's hawk and other nesting birds. All of these species were also present or determined to have the potential to occur on the adjacent Project Site.

The Project would not require removal or damage to the Southern California black walnuts on the LADWP site; although fuel modification within 200 feet of the proposed residences would require some trimming of trees and shrubs on the LADWP site, this would not result in an adverse impact to these species. The sensitive lizard species, if present on the LADWP site, may be temporarily impacted by noise from adjacent construction activities, but this impact would not be considered significant; the LADWP site would remain intact as refuge during construction and as permanent available habitat for these species following construction. Although Project construction has the potential to impact Cooper's hawks and other nesting birds, if nesting on the LADWP site, the Project includes a mitigation measure (D-3) that would avoid impacts to nesting birds which would also reduce potentially significant impacts to any such birds on the LADWP site.

Although the Girard Reservoir was once used to hold municipal water for the area, as evidenced by old staining on and debris in trees, no current evidence was observed to indicate that the reservoir currently holds ponded water for any extended period of time during the rainy season. This was corroborated by discussions with multiple LADWP staff. However, it appears that the reservoir may collect enough water during large storm events to allow for minimal surface ponding and soil saturation, allowing for wetland conditions. Wetland indicators observed in the reservoir included presence of hydrophytic vegetation (Arroyo willow), algal matting, and a sulfidic odor. Although wetlands appear to be present within the Girard Reservoir, these wetlands are separated from the adjacent Project Site by the 10- to 15-foot tall earthen berms of the reservoir, and the wetland conditions within the reservoir are created solely by direct rainfall within the reservoir or from precipitation runoff from the slopes of the reservoir berms; therefore, the Project development would not affect the wetland on the LADWP site.

Fuel modification activities would be required within 200 feet of the proposed residential structures on the Project Site, an area that would include the western portion of the LADWP site. Fuel modification activities required within 100 feet of structures would only require trimming of trees and brush and mowing of other vegetation along the western berm of the reservoir. Fuel modification activities required within 200 feet of structures (but more than 100 feet from the structures) would only require trimming of trees within the western portion of the reservoir itself. These fuel modification activities, however, would not result in significant impacts to sensitive species (see previous discussion), wetlands (no excavation, hydrologic modification, or placement of fill material would be required), or protected trees (tree trimming is not prohibited under the City's Protected Tree Ordinance or the Mulholland Scenic Corridor Specific Plan).

In summary, the Proposed Project would not have a significant impact upon the LADWP Girard Reservoir property's potential utility as a public open space park.

### **Comment No. A3-11**

#### Inadequate Range of Alternatives

The DEIR range of alternatives is inadequate. The only development project analyzed is the Proposed Project. The proposed project removes over a dozen protected trees, creates a 100-200-foot-long extra paved lane along Mulholland Drive, breaks up an 11-acre habitat block, and totally alters the feel of a rural section of the scenic parkway. These visual impacts and biological impacts would not be mitigated below a level of significance by the proposed DEIR mitigation measures. There are unavoidable significant adverse biological and visual impacts with the current project footprint and height envelope. Alternative projects that can reduce or avoid these impacts must be analyzed in DEIR alternatives analysis.

### **Response to Comment No. A3-11**

As stated in Section 15126.6(a) of the CEQA Guidelines, an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparable merits of the alternatives. However, an EIR need not consider every

conceivable alternative to a project. Given the relatively small size of the proposed project (i.e., 19 residential units) and the absence of unavoidable significant impacts, the range of alternatives presented in the Draft EIR is reasonable.

As noted previously (see Response to Comment No. A3-7), the area in which the Project Site is located and through which Mulholland Drive passes is suburban rather than rural. As evaluated in the Draft EIR (see Sections V.B, Aesthetics, and V.D, Biological Resources), the impacts of the Proposed Project would either be less than significant or are capable of being mitigated to a less than significant level through the implementation of the mitigation measures, project design features, and/or regulatory compliance measures identified in the Draft EIR.

It is important to note that the Project Applicant originally filed an application and prepared an EIR for a substantially larger residential project on the subject site (37 units). The Proposed Project is, effectively, a “reduced density” development alternative. As is noted in the Alternatives discussion in the Draft EIR (see page VII-3), for this reason, as well as concerns regarding the potential economic feasibility of a significantly smaller development and the lack of significant and unavoidable environmental impacts resulting from the Proposed Project, a further reduced density alternative was not included in the Draft EIR.

Given that the Project Site is surrounded primarily by single-family residential uses and is currently zoned and designated for such uses in the General Plan, no alternative development including commercial, retail, or other non-residential uses was studied. As is noted in Section VI (General Impact Categories) of the Draft EIR, the Proposed Project would not result in any unavoidable significant impacts. The significant impacts of the Project in the areas of aesthetics, air quality, biological resources, and noise would be reduced to less than significant levels via the implementation of the mitigation measures identified in this Draft EIR. Since any economically feasible and legally permissible development of the Project Site would likely also result in adverse impacts associated with these same environmental issue areas, the only alternative that would be certain to reduce such impacts is one that does not include development of the site. Such an alternative was evaluated in the Draft EIR (Alternative 1).

### **Comment No. A3-12**

The deficiency and tone of the DEIR is exemplified from the following statement in the Alternatives Analysis:

The significant impacts of the Project in the areas of aesthetics, air quality, biological resources, and noise would be reduced to less than significant levels via the implementation of the mitigation measures identified in this Draft EIR. Because any economically feasible development of the Project Site would likely also result in adverse impacts associated with these same environmental issue areas, the only alternative that would be certain to reduce such impacts is one that does not include development of the site.

The DEIR includes no facts or documentation about the economic feasibility of either the proposed project or any rejected DEIR alternatives. The DEIR is deficient for not including any development alternatives

on the grounds that the only economically feasible alternative is the proposed project and that any alternative that resembles the proposed project would result in the same level or adverse impacts.

### **Response to Comment No. A3-12**

See Response to Comment No. A3-11. CEQA requires the examination of a “reasonable range” of alternatives. Part of the definition of this term is that the alternatives considered in an EIR must be feasible to implement. Given the characteristics of the Project Site and the concerns that have been expressed by the local community regarding the previous development proposal, the range of potentially feasible development options for this location is extremely limited in scope. It was determined that evaluating a larger development made little sense as an alternative given that an EIR had already been prepared for a 37-unit residential development on the same site.

Similarly, based upon the location and health of the protected oak trees that would be removed in order to develop the Proposed Project, the lack of unmitigable significant aesthetic, biological, and hydrologic impacts associated with the Proposed Project, and the fact that any alternative involving the development of the site would generate similar construction period impacts in terms of air quality and noise, it was decided that little would be gained from the inclusion of an additional reduced density alternative (the Proposed Project is already reduced density compared to the original development proposal for the site) in terms of public disclosure and reductions in significant impacts.

### **Comment No. A3-13**

The DEIR shall remain deficient until it is re-circulated with at least one reduced development footprint alternative that receives a full alternatives analysis. The most obvious reduced development footprint to analyze is to eliminate the four homes that take access from Mulholland Drive. The removal of these four lots would both wholly avoid and substantially reduce numerous biological and visual impacts.

### **Response to Comment No. A3-13**

See Responses to Comment Nos. A3-11 and A3-12 regarding the CEQA requirement that alternatives be feasible and reasonable and the Proposed Project already constituting a reduced density alternative. Removing the four proposed lots along Mulholland Drive would not substantially change the impacts of the Project with respect to biological resources or aesthetics. For example, eliminating these four lots would preserve approximately 10 trees, only two of which are protected (and one of those is dead or dying at present). This is in comparison to the 28 trees and 15 protected coast live oaks that would be removed under the Project as a whole. As is discussed in Sections V.B and V.D of the Draft EIR, development of the four lots fronting on Mulholland Drive would not result in significant and unavoidable visual or biological impacts.

### **Comment No. A3-14**

The four proposed houses on Mulholland Drive with the required added acceleration and deceleration lanes would have an unavoidable significant adverse visual impact on the Mulholland Scenic Parkway. The fact

that three story houses are part of the project description further amplifies these potential visual impacts. The proposed mitigation of submitting a landscape plan both post-FEIR and post-project approval that will supposedly screen the houses and driveways is deferred mitigation. Until decisionmakers can see simulations of how such landscaping can mitigate the houses and all their appurtenances, the DEIR shall remain deficient. None of the visual impact mitigation measures show, or in detail explain, how they would specifically reduce impacts. All of the claimed mitigation is just that claimed with zero supporting evidence.

#### **Response to Comment No. A3-14**

The commenter asserts that the four homes and acceleration/deceleration lane proposed along the Mulholland Drive frontage of the Project would result in an unavoidable significant adverse visual impact, but additional documentation or supporting evidence was not submitted to support the assertion. The analyses in the Draft EIR conclude that construction of the Proposed Project, including implementation of those project features identified in Section V.B as Project Design Features (B-1 through B-7), would not have a significant impact on scenic vistas. These project enhancements include the implementation of a comprehensive landscape plan (B-1) that achieves the screening of Project homes and the installation of exterior lighting that will not adversely affect off-site properties or cause night sky illumination (B-2 through B-5).

The fact that some elements of the proposed landscaping will take up to five years to fully mature does not mean the Project is deferring any mitigation or is out of compliance with the Specific Plan. CEQA only requires mitigation measures that are both reasonable and feasible. (*Concerned Citizens of South Central Los Angeles v. Los Angeles Unified School District* (1994) 24 Cal.App.4<sup>th</sup> 826, 841.) In this case, the DEIR concludes “no significant impact” to scenic vistas due to project design and landscaping. The DEIR therefore identifies project design elements and the proposed landscaping plan as the feasible means of reducing impacts to scenic views caused by the three homes that would be partially visible and the one home that would be completely visible from Mulholland Drive. As the DEIR disclosed, the full effect of the landscaping plan would not be realized for a period of time. Such a delay in full implementation of a project design feature or mitigation measure is not uncommon under CEQA. For example, it is not unusual for some traffic mitigation measures to require significant time to be designed, approved and deployed, and for traffic impacts to persist pending complete integration of the measure into the project.

The landscape plan described as a project design feature in the Draft EIR is conceptual in nature and is provided for information purposes to aid the decision-making bodies in their review and consideration of the Proposed Project. As stated in Project Design Feature B-1 (at page IV.B-24 of the Draft EIR), a final landscape plan prepared by an expert as designated under City of Los Angeles Ordinance 177,404 must be submitted for approvals by the Mulholland Scenic Corridor Specific Plan Design Review Board, the City of Los Angeles Planning Department, and the Urban Forestry Division of the Los Angeles Bureau of Street Services. Further, as required by City of Los Angeles Ordinance 177,404, following the completion of the construction of the Project, the Project Applicant shall post a cash bond or other assurances acceptable the Bureau of Engineering in consultation with the Urban Forestry Division and the Advisory Agency guaranteeing the survival of the trees to be maintained, replaced or relocated in such a fashion as to assure

the existence of continuously living trees for a minimum of three years from the date the bond is posted or from the date such trees are replaced or relocated, whichever is longer. The amount of the bond is to be determined by the City Engineer in consultation with the Advisory Agency and the City's Chief Forester. Following the Project Applicant's fulfillment of this requirement, the protected species on the Project Site will remain under the protection of Ordinance 177,404 and subject to all the provisions therein with oversight and enforcement by the Urban Forestry Division, as well as those protections set forth under the Mulholland Scenic Corridor Specific Plan.

Project Design Feature B-1 states that the Project Applicant will: (1) implement a proposed master landscape plan that is in conformance with the Design Review procedures and landscape guidelines established by the Mulholland Scenic Parkway Specific Plan; and (2) that the proposed master landscape plan will achieve total screening of project homes through the planting of new native trees and shrubs. Contrary to the comment, the Draft EIR contains 11 visual cross-sections in support of the viewshed analysis. Basic to environmental review is that it occur early enough in the planning stages of a project to enable environmental concerns to influence the project's program and design, yet late enough to provide meaningful information for environmental assessment. (CEQA Guidelines, § 15004, subd. (b).) The Draft EIR has been prepared in advance of finalizing a design for the proposed residences. Such information was not necessary to a thorough review of potential project impacts, nor does CEQA require project or landscaping renderings as part of the EIR. Section 15204(a) of the State CEQA Guidelines provides, in part, that reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

The Draft EIR includes several project design features, regulatory compliance measures, and mitigation measures that work together to reduce all aesthetic impacts of the Proposed Project to less than significant levels. Because the site's trees are its major scenic resource and provide the majority of screening for the proposed homes, a number of these measures specifically address impacts to trees. These measures are described as follows:

- Project Design Feature B-1 commits the Project Applicant to the preparation, submittal, and implementation of a landscape plan. The landscape plan must provide planting and maintenance guidance for common landscaped areas, slopes, and undeveloped building pads. The Project Applicant shall be responsible for the plan's implementation until the individual homes are occupied by residents who will take over landscape maintenance responsibilities. The landscape plan shall be subject to the review and approval by the Mulholland Scenic Parkway Specific Plan Design Review Board and the City of Los Angeles' Planning Department prior to issuance of the grading permit. To ensure its implementation, the landscape plan shall be incorporated into the Project's conditions of approval. Major features of the landscape plan shall include:

- 1) A listing of plant species appropriate for use for both temporary slope stabilization purposes and long-term landscaping designs for common slope and private yard areas. The plan shall emphasize the use of drought-tolerant, fire retardant, native plant species. Only non-invasive non-native plant species shall be included in the listing of acceptable planting materials. In addition, wherever practical, plants which are relatively pest resistant and which require a minimum of added nutrients shall be utilized in landscaping;
  - 2) Retention of a landscape contractor thoroughly familiar with the provisions of the plan for ongoing plan implementation;
  - 3) Preservation and protection of existing trees and shrubs, wherever possible. Procedures for the care and maintenance of native trees retained on the Project Site shall be specified. The Project Applicant shall provide protected tree maintenance information to the purchasers of individual homes within the Proposed Project; and
  - 4) Utilization of a design that achieves the total screening of Project homes through the planting of new native trees and shrubs.
- Regulatory Compliance Measure B-8 requires the Project Applicant, prior to the issuance of a grading permit or building permit, to submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by City of Los Angeles Ordinance No. 177,404, for approval by the Mulholland Scenic Corridor Specific Plan Design Review Board, the City of Los Angeles' Planning Department and the Urban Forestry Division of the Bureau of Street Services.
  - Regulatory Compliance Measure B-9 requires that a minimum of two trees (a minimum of 36-inch box in size) be planted for each oak tree that is removed, and a minimum of two trees (a minimum of 15-gallon size) be planted for each protected species and native tree that is removed. The genera of the non-native replacement trees shall provide a minimum crown of 30 to 50 feet. The value of the protected species trees planted shall be in proportion to the value of the protected species trees removed per Ordinance 177,404, the Mulholland Scenic Parkway Specific Plan, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services.
  - Regulatory Compliance Measure B-10 requires that all work performed with respect to the Project's protected trees shall be in accordance with the City of Los Angeles' Protected Tree Ordinance, the Mulholland Scenic Parkway Specific Plan, and LAMC 46.00 et. seq.
  - Mitigation Measure B-11 requires that all replacement trees shall be planted in the newly landscaped areas of the Project.
  - Mitigation Measure B-12 requires that all preserved trees, especially the protected species trees, within 50 feet of the proposed construction areas shall be fenced with a temporary chain-link (or similar) protective fence at their driplines (or at the location of approved encroachment) prior to the start of any on-site grading. This fencing shall remain intact until the City of Los Angeles'

Planning Department or Street Tree Division, Bureau of Street Maintenance allows it to be removed or relocated.

- Mitigation Measure B-13 requires that all footing excavations within the driplines of protected trees to be preserved on-site shall be dug by hand work only, to a maximum depth of 5 feet (or to a depth that CAL-OSHA, OSHA or local codes allow). Any excavation below the approved depth may be done with acceptable machinery. All footings within the preserved tree driplines shall be of “post type” rather than of “continuous type” to lessen potential root damage.
- Mitigation Measure B-14 prohibits encroachment within the driplines of all other on-site protected trees to be preserved.
- Mitigation Measure B-15 prohibits over-excavation outside of any cut and/or fill slopes (“tops” or “toes”) for the proposed construction within the dripline of any on-site oak trees, unless required by the Project’s structural engineer.
- Mitigation Measure B-16 prohibits the installation of any landscaping, irrigation lines, utility lines, and/or grade changes within the dripline of any protected trees, unless approved by the City of Los Angeles’ Planning Department or Street Tree Division, Bureau of Street Maintenance.
- Mitigation Measure B-17 requires the bare areas within the driplines of any on-site or overhanging protected trees, or within 50 feet of approved grading/construction near protected trees, to be covered with an insect and disease free organic mulch (minimum depth of 2 inches thick and no closer than 6 inches from their trunks and extending to approximately 10 feet outside the dripline).
- Mitigation Measure B-18 requires that all mature protected trees to be retained be examined by a qualified arborist prior to the start of construction. Some of the Project’s saved protected trees are in need of minor dead wood removal. No major structural pruning shall be permitted. A qualified arborist shall complete all dead wood removal and/or pruning.
- Mitigation Measure B-19 requires that examination of the trees to be retained must be performed monthly by a qualified arborist to ensure that they are being adequately protected and maintained. Prior to the completion of the Project, a qualified arborist shall certify in a “letter of compliance” that all concerned tree policies have been adhered to.
- Mitigation Measure B-20 requires copies of the Horticultural Tree Report for the Project, the City’s Protected Tree ordinance, and the Mulholland Scenic Parkway Specific Plan to be maintained on-site during all Project construction.
- Mitigation Measure D-1 requires the 15 removed coast live oak trees to be replaced with a minimum 36-inch box-size specimen coast live oaks at a minimum 2:1 ratio.
- Mitigation Measure D-2 requires native trees and shrubs to be utilized on-site in the landscape plan. Commercially available ornamental trees may be utilized on-site as long as 1) the species is not

prohibited for installation by the City of Los Angeles Public Works Department along right-of-ways, and 2) the species has not been identified by the California Invasive Plant Council as an invasive risk in southern California.

- Mitigation Measure D-3 requires that habitat alteration or removal shall be performed outside of the bird nesting season which extends approximately from March 15 through July 31. Should habitat need to be removed during bird nesting season, a detailed nesting survey must be performed by a qualified biologist to determine if active nests are present prior to removal of support resources.

Each of the homes to be built within the Project would be subject to review by the Mulholland Scenic Corridor Design Review Board (DRB). Each home must comply with the requirements contained within the Specific Plan and would be subject to DRB review for consistency with the recommendations contained within the Design and Preservation Guidelines, including those addressing landscaping.

The Draft EIR contains an error in the description of the Proposed Project. The Project would not include any three-story homes, but would consist entirely of homes with a maximum of two stories. See Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

#### **Comment No. A3-15**

The DEIR shall remain further deficient for relying on such unrealistically enforceable deferred mitigation measures. The truth is that it is extremely rare that any City department ever checks on and enforces any post construction violations of Mulholland Design Review Board imposed conditions. In this case, the proposed design mitigation does not even exist yet to even be analyzed by the public or decision makers. The DEIR proposes hypothetical mitigation measures that cannot be reviewed and analyzed. To further accentuate the preposterousness of this visual impact mitigation proposal, post construction, the individual homeowners would be handed yet-to-be prepared maintenance guidelines to ensure that the mitigation plan and measures each work. The problem is that there are zero existing performance criteria, no dimensional parameters, or trustable or enduring future enforcement mechanisms.

#### **Response to Comment No. A3-15**

The Proposed Project would be required to adhere to a Mitigation Monitoring Program (MMP) designed to monitor implementation of all mitigation measures that are adopted for the Project. Each required mitigation measure for the Project will be listed and categorized by impact area, with accompanying discussion of:

- Monitoring Phase, the phase of the project during which the mitigation measure shall be monitored:
  - Pre-Construction, including the design phase.
  - Construction.
  - Occupancy (post-construction).
- The Enforcement Agency, the agency with the power to enforce the mitigation measure.

- The Monitoring Agency, the agency to which reports involving feasibility, compliance, implementation and development are made.

The MMP for the Proposed Project (see Section 4) will be in place throughout all phases of Project construction and operation. The Project Applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The Project Applicant shall also be obligated to provide certification to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented. The City of Los Angeles's existing planning, engineering, review and inspection processes will be used as the basic foundation for the MMP procedures and will also serve to provide the documentation for the reporting program.

The substance and timing of each certification report that is submitted to City Planning shall be at the discretion of the City. Generally, each report will be submitted to City Planning in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to reasonably determine whether the intent of the measure has been satisfied. City Planning, in conjunction with the Project Applicant, shall assure that project construction occurs in accordance with the MMP.

The requirement that the Project Applicant supply protected tree maintenance information to purchasers of the new homes is obligatory under Ordinance 177,404. The ordinance further provides for the withholding of building permits for any property on which any protected tree has been removed or relocated in violation of the ordinance. As required by City of Los Angeles Ordinance 177,404, following the completion of the construction of the Proposed Project, the Project Applicant shall post a cash bond or other assurances acceptable the Bureau of Engineering in consultation with the Urban Forestry Division and the Advisory Agency guaranteeing the survival of the trees to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date the bond is posted or from the date such trees are replaced or relocated, whichever is longer. The amount of the bond is to be determined by the City Engineer in consultation with the Advisory Agency and the City's Chief Forester. Following the Project Applicant's fulfillment of this requirement, the protected species on the Project Site will remain under the protection of Ordinance 177,404 and subject to all the provisions therein with oversight and enforcement by the Urban Forestry Division, as well as those protections set forth under the Mulholland Scenic Corridor Specific Plan.

#### **Comment No. A3-16**

An applicant declared DEIR project objective of 19 homes that would result in unavoidable significant adverse biological and visual impacts does not wash away the associated significant environmental impacts. The DEIR is deficient for not including a 16 or 17 unit project within the same disturbance footprint of proposed lots 5-19. The DEIR is deficient for not addressing an alternative project with 19 smaller homes on smaller lots. The minimum lot size could be maintained by including lot extensions into a deed restricted open space area that about the DWP property.

**Response to Comment No. A3-16**

See Responses to Comment Nos. A3-11, A3-12, and A3-13 regarding the CEQA requirement that alternatives be feasible and reasonable and the Proposed Project already constituting a reduced density alternative. Removing the four proposed lots along Mulholland Drive would not substantially change the impacts of the Project with respect to biological resources or aesthetics. It is acknowledged that two protected trees located within the area of proposed Lots 1-4 could possibly be retained by the elimination of the lots on which they are located. However, elimination of these lots is not required by CEQA. Compliance with the City's Protected Tree Ordinance and the Mulholland Scenic Parkway Specific Plan protected tree requirements is sufficient to mitigate the impacts of tree removals. Therefore, the Project would not result in a significant impact with respect to protected tree removal. Section 15126.6(a) of the CEQA Guidelines requires an EIR to describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. However, the Proposed Project would not have significant and unavoidable tree-related impacts and, therefore, additional alternatives to reduce tree impacts are not required by CEQA.

**Comment No. A3-17****No Permanent Land Protection Mechanism for Proposed Undeveloped Area**

The DEIR will remain deficient until it includes and analyzes the effectiveness of permanent mechanisms to protect undeveloped land within the proposed project and each future alternative project. Until there is a required permanent protection mechanism in the mitigation measures the open space cannot be considered protected and thus not subject to future development.

**Response to Comment No. A3-17**

Comment acknowledged. The commenter expresses an opinion about the undeveloped portion of the Project Site, but does not offer supporting evidence that the Draft EIR is deficient. No permanent protection mechanism for the open space within the Project is necessary as there is no significant Project impact compelling such a mechanism as mitigation.

**Comment No. A3-18****No Analysis of Large Mature Willow in Covered Blueline Drainage**

The DEIR is deficient for not addressing the fate of a large on-site willow tree and for not analyzing why a riparian tree is growing where the blue line stream is channelized and covered up. What moisture source is supporting this willow tree and any others on site? The DEIR states that a substantial amount of moisture now sheet flows from Mulholland Drive to the proposed development area. The DEIR is deficient for not addressing how this moisture source benefits all potential native trees onsite and how its loss from a modified curb and gutter could have a negative impact on the existing native trees by reducing their

available soil moisture. With near permanent drought condition in Los Angeles, tree survival is more tenuous relative to loss of water and disturbances.

### **Response to Comment No. A3-18**

The single willow tree referenced by the commenter was evaluated by California Department of Fish and Wildlife staff and again by TERACOR staff on August 12, 2016. The origin and sustenance of the tree are in question, but it is currently growing at the base of a fill slope constructed to support Mulholland Drive. Numerous oak trees also occur on this artificial fill slope. Presumably, all the trees are supported by subsurface moisture in the fill. Some soil moisture undoubtedly is derived from runoff from Mulholland Drive. This is an unsustainable condition as the fill slope now has several erosional gullies that require repair and stabilization. In order to address the concern raised by the commenter, the Landscape Plan for the Proposed Project will be required to incorporate supplemental irrigation for the trees on this slope (generally, on-site Tree Nos. 18-35, 186, and 192) during the rainy season in order to minimize potential effects of altering the moisture regime. Accordingly, Project Design Feature B-1 on pages V.B-24 and V.B-25 of the Draft EIR has been revised to read as follows:

**B-1** The Project Applicant shall prepare and implement a Landscape Plan. The Landscape Plan provides planting and maintenance guidance for common landscaped areas, slopes, and undeveloped building pads. The Project Applicant shall be responsible for the Plan's implementation until the individual homes are occupied by residents who will take over landscape maintenance responsibilities. The Landscape Plan shall be subject to the review and approval by the Mulholland Scenic Parkway Specific Plan Design Review Board and the City of Los Angeles' Planning Department prior to issuance of the grading permit. To ensure its implementation, the Landscape Plan shall be incorporated into the Project's conditions of approval. Major features of the landscape plan shall include:

- 1) A listing of plant species appropriate for use for both temporary slope stabilization purposes and long-term landscaping designs for common slope and private yard areas. The plan shall emphasize the use of drought-tolerant, fire retardant, native plant species. Only non-invasive non-native plant species shall be included in the listing of acceptable planting materials. In addition, wherever practical, plants which are relatively pest resistant and which require a minimum of added nutrients shall be utilized in landscaping;
- 2) Retention of a landscape contractor thoroughly familiar with the provisions of the Landscape Plan for ongoing implementation of the Landscape Plan;
- 3) Preservation and protection of existing trees and shrubs, wherever possible. Procedures for the care and maintenance of native trees retained on the Project Site shall be specified, and shall include supplemental irrigation for trees located along the existing fill slope supporting Mulholland Drive (including the areas in which Tree Nos. 18-35, 186, and 192 are located) during the rainy season. The Project Applicant shall provide protected tree maintenance information to the purchasers of individual homes within the Proposed Project; and

- 4) Utilization of a design that achieves the total screening of Project homes through the planting of new native trees and shrubs.

See also Section 3 Revisions, Clarifications, and Corrections to the Draft EIR.

**Comment No. A3-19**

Need for Mulholland Right of Way Protections and Guarantees

It is critical that the project conditions for any approved project forbid any fencing, pilasters, lights, hardscape, or non-native plants in the adjacent Mulholland Drive right-of-way. The project footprint, mitigation measures, and conditions must work to maximize retention of the rural feeling along Mulholland Drive.

**Response to Comment No. A3-19**

See Response to Comment No. A3-7 regarding the characterization of Mulholland Drive as “rural”. The Mulholland Drive right-of-way extends for 100 feet from the centerline of the roadway. No fencing or planting is permitted within this right-of-way per City regulations. The Project is neither proposing, nor would be permitted to have, any fencing, pilasters, lights, hardscape, or non-native plants within this right-of-way, with the sole exception of the private driveway that would be built to provide access to proposed Lots 1-4.

**Comment No. A3-20**

Another reason why no house access should be allowed on Mulholland Drive is that the acceleration and deceleration lanes require the removal of an iconic oak tree on public land.

**Response to Comment No. A3-20**

The oak tree referenced by the commenter (tree number 10 as shown on Figure V.B-6 of the Draft EIR) has been rated “E” by the arborist who prepared the Tree Report for the Project. Trees with a rating of “E” are considered to be near dead and hazardous with respect to potential collapse or windfall. Unfortunately, this tree has been documented as not in good health and will likely require removal in the near future whether or not the Project is constructed.

**Comment No. A3-21**

The DEIR is deficient because it does not address how to make the existing bike lane work with the proposed project.

**Response to Comment No. A3-21**

Mulholland Drive in the vicinity of the Project Site frontage is designated as a bike route. At the Project location, Mulholland Drive provides traffic lanes that have sharrow markings, and also provides shoulders

of varying width that, when wide enough, may be used by bicycles. The Mulholland Scenic Parkway Specific Plan notes that five-foot wide shoulders along Mulholland Drive may be used as bike lanes. The Project would widen a portion of the shoulders to provide acceleration/deceleration lanes for the Project driveway serving four homes from Mulholland Drive, but the existing travel lanes and bike infrastructure would not be changed. Vehicles on Mulholland Drive would continue to operate under the provisions of the California Vehicle Code that includes requirements for motor vehicles operating near slower moving vehicles, such as bicycles.

### **Comment No. A3-22**

#### Inadequate Hazard Consideration of 1944 and 1956 Mulholland Drive Oil Pipelines

The DEIR is deficient because it uses the logic that because pre-1960 oil pipelines have not leaked to date that the odds of their leaking in the future are low. That logic is flawed. Sixty-year old pipelines are near the end of their serviceable life. The proposed project would be directly downslope from the two existing oil pipelines. The DEIR is deficient because it does not address what would happen to the site or the Girard Reservoir property in the event of a substantial oil spill. Why did the DEIR not include the depth of the pipes below the road surface?

### **Response to Comment No. A3-22**

The comment is referring to two existing pipelines that convey crude oil from oil fields in Ventura County south to refineries in the Wilmington area of Los Angeles County that are buried in the shoulder right-of-way of Mulholland Drive along the southern border of the Project Site. One is the 12-inch ConocoPhillips Torrey Oil pipeline; the other is the 10-inch Crimson Pipeline. The depth of the two pipelines was not noted in the Draft EIR because the depth varies along the line. The pipelines are generally between three and five feet below ground surface in the vicinity of the Project Site.

As noted in the Draft EIR in Section V.F (Hazards and Hazardous Materials) at page V.F-20, a major leak or rupture of the adjacent pipelines in the vicinity of the Project Site is considered to be only of a remote possibility, partially due to the safety record of pipelines in general and these two pipelines in particular, but also due to the technology employed to search for potential leaks and automatically shut down flows in the event they are discovered. Furthermore, these pipelines run from Ventura County to refineries in the Wilmington area, through a variety of residential communities. There is nothing unique in either the Project or Project Site that would cause the future residents to be exposed to greater hazards or risk of upset than the residents of surrounding communities through which these pipelines also run. CEQA does not require environmental analysis of scenarios that are considered to be remote or speculative. In addition, the pipelines are not the responsibility of the Project Applicant and, other than potential construction period impacts, for which mitigation is prescribed in the Draft EIR, the Project would have no impact with respect to the pipelines. Therefore, the operational risk of upset associated with the Project has properly been considered less than significant.

**LETTER NO. A4**

Sr. Myra McPartland, S.S.L.  
President  
Louisville High School  
22300 Mulholland Drive  
Woodland Hills, CA 91364

**Comment No. A4-1**

This letter is in response to your request for comments regarding the Draft Environmental Impact Report of March 2016. While we concur with the comments from Save Oak Savanna and the surrounding neighbors, Louisville High School is also concerned about the traffic impact in front of our location at 22300 Mulholland Drive as a result of the proposed project.

**Response to Comment No. A4-1**

The comment expresses concern regarding the potential traffic impacts of the Proposed Project but does not specifically state the nature of the concern. However, it is understood that this is an introductory statement and that further elaboration is forthcoming in subsequent comments. The commenter is directed to Responses to Comments A4-2 and A4-3.

**Comment No. A4-2**

During the past several years, the traffic that passes by Louisville High School during the morning hours from 7:30-8:30 a.m. and afternoon hours from 2:00-3:30 p.m. has increased significantly. Mulholland Drive at this specific location is an important thoroughfare for daily commuters, and especially for carpooling and driving to local schools such as Calabasas High School, Viewpoint School and A.C. Stelle. On several occasions, the CHP and local police department officials have been consulted about ways in which to alleviate the problem, to no avail.

**Response to Comment No. A4-2**

Comment acknowledged. As the comment does not raise a substantive issue on the content of the DEIR as it relates to the Project, no further response is warranted.

**Comment No. A4-3**

It is Louisville's feeling that the addition of 19 homes in the immediate area will add to the already congested, and sometimes dangerous, traffic situation. The four homes (out of the 19) that are planned for Mulholland Drive are located directly across the street from Louisville in the middle of our ingress and egress points, which may subsequently affect the progression of cars into and out of the school's parking lot.

We respectfully request that Department of City Planning take our comments into consideration regarding the proposed development project. Thank you.

**Response to Comment No. A4-3**

As reviewed and approved by the Department of Transportation, the Project Traffic Study, included as Appendix J of the Draft EIR, analyzed the traffic impacts of the entire Project including the four homes with access directly to Mulholland Drive. It concluded that the impacts would be less than significant. In that regard, it is estimated that the four homes proposed on Mulholland Drive would generate 3 trips during the AM peak hour and 4 trips during the PM peak hour. These low trip generations would be an average of 1 trip every 20 minutes during the AM peak hour and 1 trip every 15 minutes during the PM peak hour, and would have negligible impact to Mulholland Drive capacity or operations. In addition, the Project driveway serving the four homes would intersect Mulholland Drive approximately 200 to 250 feet from either school driveway. Given this wide separation from the school driveways, no interference with the school's ingress or egress operations is anticipated.

**LETTER NO. A5**

Alan Wiessbrod, President  
Save Oak Savanna

**Comment No. A5-1**

On behalf of Save Oak Savanna (“SOS”), a 501(c)(3) Nonprofit Corporation, this letter and accompanying Save Oak Savanna Draft Environmental Impact Report Assessment (“Assessment”) are submitted in response to the Draft Environmental Report for Case No. ENV-2002-2301-EIR and the project proposed to be located at 22255 and 22241 Mulholland Drive, Woodland Hills, CA 91364.

SOS challenges the DEIR’s reliability in assessing and presenting the relevant facts, significant effects and realistic mitigation measures related to the proposed project. Merely presenting statements and conclusions in support of the project does not pass muster under applicable California Environmental Quality Act (CEQA) standards.

**Response to Comment No. A5-1**

The commenter asserts that there are deficiencies of the DEIR. While the comment does not provide evidence to support the assertions, it is understood that this is an introductory statement and that further elaboration is forthcoming in subsequent comments. The commenter is directed to Responses to Comments A5-2 through A5-43.

**Comment No. A5-2**

The California Legislature enacted CEQA to protect the environment of California, Cal. Pub. Res. Code § 21000(a); to protect the environmental health of Californians, Cal. Pub. Res. Code §§ 21000(b), 21000(6), 21404(9); to prevent the elimination of plant and animal species due to man's activities, Cal. Pub. Res. Code § 21001(b); to create and maintain ecological and economic sustainability, Cal. Pub. Res. Code § 21001(8); and to “take all action necessary to protect, rehabilitate, and enhance the environmental quality of the State.” Cal. Pub. Res. Code § 21001(a).

**Response to Comment No. A5-2**

Comment acknowledged. The commenter states certain CEQA requirements with which the City must comply concerning the environmental review of proposed projects.

**Comment No. A5-3**

The purpose of an Environmental Impact Report (“EIR”) is “to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided,” before a project is built. Cal. Pub. Res. Code § 21002.1(a).

Specific data should be presented for a meaningful analysis of all significant impacts. *Berkeley Keep Jets Over the Bay v. Bd. Of Port Commn's* (2001) 91 Cal.App.4th 1344, 1381.

### **Response to Comment No. A5-3**

Comment acknowledged. The commenter does not express a statement regarding the Project or the Draft EIR but simply states certain CEQA requirements with which the City must comply concerning the environmental review of proposed projects.

### **Comment No. A5-4**

This project is wholly inappropriate in scale, density and meeting the compatibility standard for this location in the Mulholland Scenic Corridor. In particular, the DEIR fails to adequately address the Mulholland Scenic Parkway Specific Plan ("Specific Plan") and Guidelines. Details, examples, graphs and photos are included in the attached Assessment, where specific concerns with the DEIR, and recommended Actions are set forth. This letter and the Assessment should be considered together as SOS's comments and feedback on the DEIR.

### **Response to Comment No. A5-4**

Contrary to the comment, the Draft EIR does specifically address the Mulholland Scenic Parkway Specific Plan and the associated Design and Preservation Guidelines in numerous places, particularly in Sections V.B (Aesthetics) and V.G (Land Use).

While the comment does not provide evidence to support the assertions, it is understood that this is an introductory statement and that further elaboration is forthcoming in subsequent comments. The commenter is directed to Responses to Comments A5-5 through A5-43.

### **Comment No. A5-5**

## **INTRODUCTION**

The DEIR is offered up for approval without adequate examination of the substantial significant impacts and is therefore inherently unreliable. The project is planned for 2 parcels of land that are located within the inner corridor of the Mulholland Scenic Parkway. The Mulholland Scenic Parkway intentionally established land use controls and a design review process tailored to ensure that development within the Parkway is compatible with the unique character of the Santa Monica Mountains. The Specific Plan encourages environmentally and aesthetically sensitive development in the Scenic Parkway and seeks to ensure that all projects, both public and private, are compatible with the Scenic Parkway environment. As currently presented in the DEIR, this project does not adequately take into account the unique character of the Scenic Parkway environment.

**Response to Comment No. A5-5**

The comment describes the intent of the Mulholland Scenic Parkway Specific Plan. The Draft EIR does specifically address the Mulholland Scenic Parkway Specific Plan and the associated Design and Preservation Guidelines in numerous places, particularly in Sections V.B (Aesthetics) and V.G (Land Use).

The comment also expresses opinions about the adequacy of the Draft EIR's discussion of the local setting as it pertains to the Mulholland Scenic Parkway, but does not provide specific examples of inadequate analysis. Thus, no further response is warranted.

**Comment No. A5-6**

As emphasized in the introductory section of the Mulholland Scenic Parkway Specific Plan (hereinafter "Specific Plan"), some of the purposes for establishing the Specific Plan, which require scrutiny for this project include:

- Assuring maximum preservation and enhancement of the parkway's outstanding and unique scenic features and resources preserving Mulholland Drive as a slow-speed, low-intensity drive
- Preserving and enhancing land having exceptional recreational and/or educational value
- Assuring that land uses are compatible with the parkway environment
- Assuring that the design and placement of buildings and other improvements preserve, complement and/or enhance views from Mulholland Drive
- Preserving the existing residential character of areas along and adjoining the right-of-way
- Minimizing grading and assuring that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains
- Preserving the natural topographic variation within the Inner and Outer Corridors
- Minimizing driveway and private street access into the right-of-way.
- Preserving the existing ecological balance
- Protecting prominent ridges, streams, and environmentally sensitive areas; and the aquatic, biologic, geologic, and topographic features therein, and
- Providing a review process of all projects which are visible from Mulholland Drive to assure their conformance to the purposes and development standards contained in the Specific Plan and the Landform Grading Manual.

**Response to Comment No. A5-6**

Comment acknowledged. The commenter states some of the establishing objectives of the Specific Plan.

**Comment No. A5-7**

Noting that many of the Specific Plan Guidelines parallel the above-referenced purposes, applying the purposes to the project described in the DEIR reveals many shortcomings in the adequacy of the DEIR. The size and scope of the project described in the DEIR will not preserve or enhance the parkway's unique scenic features. The project does not serve the purpose of preserving Mulholland Drive as a slow-speed, low-intensity drive. The project proposes uses of the land that are incompatible with the parkway environment. Instead, the concept of the project is based upon maximizing the number of units as well as the height of each rather than a scaled down plan with less units consisting of homes that are compatible with the existing homes located along the parkway and in the inner corridor.

**Response to Comment No. A5-7**

The commenter asserts various inconsistencies between the Proposed Project and the establishing purposes of the Specific Plan. However, it is unclear exactly how the Project would conflict with any of these goals. The single-family homes that would comprise the Project are the same type of land use that currently exists along most of the Mulholland Scenic Parkway in the Woodland Hills area and the land use is permitted by the Project Site's zoning and the Specific Plan. The commenter does not explain how this type of land use is "incompatible with the parkway environment". The Proposed Project is a reduced density development that has been crafted to avoid many of the impacts of the previous 37-unit version of the project for which the previous EIR was prepared in 2007. Residences would be up to two stories in height. The actual size of the individual homes has not been established yet and will require the review and input from the Mulholland Scenic Parkway Specific Plan Design Review Board and consideration of compatibility with the surrounding single-family residential neighborhood. It is also unclear exactly how the Project would be inconsistent with the goal of preserving Mulholland Drive as a "slow-speed, low-intensity drive". The existing roadway would be maintained and any safety enhancements, such as the acceleration/deceleration lane as required by LADOT, would ensure that the roadway would remain safe for all users. Each of these issues has been evaluated in the Draft EIR, which has determined that the Project would not result in any significant and unavoidable impacts.

**Comment No. A5-8**

The project design, placement of the units, street entrances and driveways focus on how many structures can be built rather than preserving, complementing or enhancing views from Mulholland Drive. Despite unequivocal and unanimous feedback from the community regarding concerns about compatibility with the immediate neighborhood, the project is still presented in a manner that does not preserve the existing residential character of areas along and adjoining the right-of-way.

**Response to Comment No. A5-8**

The commenter expresses opinions regarding the Project's design and the Project's incompatibility with the character of the surrounding area, but does not present statements or evidence regarding the adequacy of the Draft EIR. The comment is acknowledged for the record.

**Comment No. A5-9**

The project proposes substantial grading and modification of the natural topography. The DEIR does not satisfactorily address the obvious issue regarding how their grading plan conflicts with the stated purpose that projects are supposed to minimize grading. The DEIR shows steeply graded slopes in order to fit in a greater number of units and the effect will not achieve a natural appearance compatible with the characteristics of the Santa Monica Mountains. This plan of manipulating the land does not serve to preserve the natural topographic variation within the inner corridor.

**Response to Comment No. A5-9**

The Draft EIR discusses the grading requirements for the Proposed Project in Section III (Project Description) at page III-8. The consistency of the Project with the regulatory components of the Specific Plan is evaluated in Section V.G (Land Use) of the Draft EIR (see Table V.G-4). Specific Plan Design and Preservation Guideline 1 (Natural Topography) states:

“Minimize the amount of grading and the use of retaining walls. Design structures and grading to fit the natural topography and existing conditions of the site, rather than making changes in the topography to accommodate the structure. Incorporate natural slopes and deep-rooted native plants in the project to control erosion and undermining of slopes.”

As a concession toward the preservation of as many trees as possible on the Project Site, the Project Applicant has necessarily incorporated retaining walls into the design of the Project. It should also be noted that Guideline 1 does not prohibit the use of grading or retaining walls. As is discussed in Section III (Project Description) of the Draft EIR, an estimated 3,040 cubic yards of soil would be excavated on the Project Site, with an estimated 7,240 cubic yards of soil needed for fill (total cut and fill = 10,280 cubic yards). Therefore, approximately 4,200 cubic yards of fill material would need to be imported to the Project Site in order to balance cut and fill during grading operations. All manufactured slopes would have a maximum horizontal to vertical ratio of 2 to 1. The Project would utilize six retaining walls ranging from 0.5 to 11 feet in height in lieu of slopes. All slopes would be landscaped in accordance with the landscaping plan described in Project Design Feature B-1. The overall topography of the Project Site would be generally flattened as compared to existing conditions, although the natural slopes and gradients on-site would be substantially mimicked by the finished grade.

The Project Site is in a suburban neighborhood and is surrounded by existing single-family residential neighborhoods, open space areas, a high school, and a commercial development. While the Santa Monica Mountains form a backdrop for the area, the Project Site is not located in an undeveloped, largely “natural” setting.

**Comment No. A5-10**

The DEIR pitches a project that does not minimize driveway and private street access into the right-of-way. The site of the project is a well-established wildlife corridor, and a sanctuary for wildlife, including migratory birds, since the time of the first owner. The DEIR fails to persuasively analyze how tearing up

the topography and years of construction will preserve the existing ecological balance or protect the blue line stream, environmentally sensitive areas and the topographic features that currently exist on the land.

#### **Response to Comment No. A5-10**

The Draft EIR evaluates the proposed project presented by the Project Applicant. The Project would minimize driveway and street access by placing a single private access driveway (providing access to Lots 1-4) within the Mulholland Drive Scenic Parkway right-of-way, along with the proposed acceleration/deceleration lane on Mulholland Drive. The private street to be developed as part of the Project for the purpose of providing access to Lots 5-10 and 15-19) would be completely outside of the Parkway right-of-way. As discussed in Section III (Project Description) of the Draft EIR, Lots 11-14 would take access via driveways directly from San Feliciano Drive. No other access into the proposed project is proposed.

As is discussed in the Draft EIR (in Section V.D, Biological Resources at page V.D-19), although mammals and reptiles may currently cross over Mulholland Drive between the Project Site and the relatively natural habitat areas on the school and park property to the south of Mulholland Drive, the Project Site does not function as part of a true wildlife corridor since wildlife dispersal across the Project Site is currently compromised by vehicle traffic on Mulholland Drive. In addition, the Project Site does not act to connect two significant or large core habitat areas; rather, the Project Site is a relatively small habitat island mostly surrounded by suburban development (see also Response to Comment No. A3-3).

Construction impacts relating to birds and wildlife are discussed in the Draft EIR (Section V.D, pages V.D-17 through V.D-19) and mitigation measures are identified to reduce such impacts to below a level of significance. Nonetheless, it is acknowledged that any development activity on the Project Site has the potential to disturb birds and wildlife that currently utilize the property. It is also acknowledged that such impacts would largely be temporary rather than permanent, as the biota on-site would support recolonization of the Site by wildlife following the completion of construction activities and the implementation of the required landscaping plan and tree replacement.

With regard to the comment regarding the presence of a blue line stream on the Project Site, see Responses to Comments A2-4 through A2-8.

#### **Comment No. A5-11**

SOS requests that the Final Environmental Impact Report include details, supported by facts, which will demonstrate an effort at fulfilling the purposes of the Specific Plan and adherence to the Guidelines applicable to this proposed project.

#### **Response to Comment No. A5-11**

The requested analysis is provided in Section V.G (Land Use) of the Draft EIR (beginning at page V.G-18).

**Comment No. A5-12****THE MULHOLLAND SCENIC CORRIDOR DESIGN REVIEW BOARD HAS THE AUTHORITY TO CONDUCT AN EARLY REVIEW OF THIS PROJECT**

The Specific Plan also provides for a design review process, sets forth general design criteria, and establishes a Design Review Board (DRB). In the design review process, the DRB and the Director of Planning apply the standards and criteria in the Specific Plan to ensure that all proposed projects within the Parkway preserve the natural environment and terrain of the Santa Monica Mountains, protect the hillside character of the Parkway, are compatible with the Parkway environment, and do not obstruct the views from Mulholland Drive.

**Response to Comment No. A5-12**

The commenter states certain facts concerning the Design Review Board for the Mulholland Scenic Parkway Specific Plan and the role it plays in the review of proposed projects within the Parkway corridor. As noted in Section V.G (Land Use) of the Draft EIR, the Project will be subject to the Design Review Board and Specific Plan review process.

**Comment No. A5-13**

Section 11 of the Specific Plan addresses the DESIGN REVIEW PROCEDURES and sets forth at Paragraph A. “Jurisdiction”, that “No permit for the use of land; building permit; grading permit; revocable permit to encroach; or B-permit; shall be issued for a project, until plans, elevations and/or other graphic representations of the project have been reviewed and approved by the Director acting on a recommendation of the Board”, with certain exceptions that do not apply for this project.

**Response to Comment No. A5-13**

Comment acknowledged. The commenter summarizes the requirements set forth in Section 11 of the Specific Plan. As noted in Section V.G (Land Use) of the Draft EIR, the Project will be subject to the Design Review Board and Specific Plan review process.

**Comment No. A5-14**

The Specific Plan clarifies the Design Review Board’s Authority and Duties in Section 11, Paragraph F: “with respect to development in the Specific Plan area and its consistency with this Specific Plan, the Board may advise the Advisory Agency on the layout and design of subdivisions, the Area Planning Commission and the City Planning Commission on zone changes and conditional uses, the Zoning Administrator on variances and conditional uses, and the appropriate City decision-making body on any public project or discretionary action.”

**Response to Comment No. A5-14**

Comment acknowledged. The commenter summarizes the requirements set forth in Section 11 of the Specific Plan. As noted in Section V.G (Land Use) of the Draft EIR, the Project will be subject to the Design Review Board and Specific Plan review process.

**Comment No. A5-15**

While this is a small project by city-wide standards, it is a large and unique proposal for the Mullholland Scenic Parkway Plan. SOS requests this project be reviewed by the Design Review Board as soon as possible. Early review will minimize inevitable delays and challenges in the future, presuming this project moves forward. Many of the concerns expressed in this letter and the Assessment could be addressed in this forum and save both time and money for the City of Los Angeles Planning Department, the developer and the community.

**Response to Comment No. A5-15**

Comment acknowledged. The commenter expresses an opinion regarding review of the Proposed Project by the Mulholland Scenic Parkway Design Review Board, but does not address the adequacy of the Draft EIR. City of Los Angeles Department of City Planning staff presented the Project at the July 7, 2016 Design Review Board meeting for initial informal feedback to staff for use in analyzing the Project. Pursuant to CEQA, the City cannot take formal action on a Project prior to the completion of the environmental review process. The Final EIR shall be made available for review at least ten days prior to any City action on the Project. Following release of the Final EIR, the Advisory Agency will hold a public hearing. Prior to making a decision on the Project, the Advisory Agency will consider public testimony and any applicable General Plan or Specific Plan, as well as the EIR and Mitigation Monitoring Program. The Project will also be formally presented to the Design Review Board at a public hearing in compliance with Specific Plan procedures. The Project will be reviewed pursuant to the applicable timeframes required by CEQA and the Municipal Code, and the EIR will be considered by each of the decision-makers when taking action on the Project requests.

**Comment No. A5-16****THE DEIR GIVES SHORT SHRIFT TO THE MULHOLLAND SCENIC PARKWAY GUIDELINES**

The design Guidelines, prepared pursuant to the Specific Plan, state the policies, interpretations, and precedents used by the DRB in implementing the Specific Plan. The intent of this document is to guide applicants in designing projects that will be compatible with the Scenic Parkway environment, the Department of City Planning personnel in counseling applicants and evaluating application files, and the Departments of Public Works and Transportation, utility companies and others regarding projects proposed for construction in the right-of-way of Mulholland Drive.

**Response to Comment No. A5-16**

The commenter accurately describes the role of the Design and Preservation Guidelines and the Design Review Board in the implementation of the Specific Plan. The Draft EIR discusses the Guidelines and associated design review process in several places, most notably in Section V.G (Land Use).

**Comment No. A5-17**

Precisely because so many city departments and personnel, utility companies, the developer, community groups and neighbors have a stake in the outcome of the design review process, it is essential that the DRB be involved now.

**Response to Comment No. A5-17**

See Response to Comment No. A5-15.

**Comment No. A5-18**

SOS recognizes that the guidelines do not create entitlements and are not mandatory requirements. However, emphasis should be on preserving the Mulholland Scenic Parkway and this development must attempt to abide by the guidelines that have applicable importance to this site and planned project. SOS's requested Action for early review by the DRB is made so the developer may be transparent with the community and the City Planning Department in addressing the guidelines that are applicable to the proposed project and site conditions.

**Response to Comment No. A5-18**

See Response to Comment No. A5-15.

**Comment No. A5-19**

The rights of the property owners should be balanced with the goals of the developer in building an appropriate and acceptable project that does more than just make a profit. In particular, this project must take into consideration that the project is in the inner corridor and most of the buildings will be visible from Mulholland Drive.

**Response to Comment No. A5-19**

As is discussed in the Draft EIR (Section V.G, Land Use, at pages V.G-29 through V.G-38), only four of the Project homes would be visible from Mulholland Drive upon establishment of the replacement trees and implementation of the Project landscape plan. Of these four, only one would be fully visible. The commenter expresses an opinion concerning the approach to be taken by the City in reviewing the Project with respect to the objectives and guidelines of the Specific Plan, but does not address the adequacy of the Draft EIR. No further response is warranted.

**Comment No. A5-20****THE DEIR FAILS TO ANALYZE CRITICAL TOPICS**

The DEIR avoids specificity and detail in discussing the realistic significant environmental impacts of the proposed project. The word “mitigation” is thrown in to justify unavoidable or inexcusable impacts. Conclusory statements unsupported by empirical or experimental data, scientific authorities, or explanatory information afford no basis for comparison of the problems involved with a proposed project and the difficulties involved in the alternatives. *Whitman v. Board of Supervisors* (1979) 88 Cal.App.3d 397,411.

**Response to Comment No. A5-20**

The commenter expresses an opinion regarding the Draft EIR but does not provide any specific reference or support for his assertions. No further response is necessary.

**Comment No. A5-21**

The standard that must be achieved is the gathering of all that critical information necessary for informed decision making by both the public and decision makers. *Laurel Heights Improvement Association v. Regents of the University of California*, 47 Cal.3d page 409, fn. 12. The DEIR glosses over details, ignores critical facts, omits critical information (such as a sight study and compliance with the Baseline Hillside Ordinance) and includes inconsistencies throughout that should be fully developed in order for the DEIR to provide a legally sufficient discussion of all the environmental consequences of the Project.

**Response to Comment No. A5-21**

The commenter expresses an opinion regarding the Draft EIR but does not provide any specific reference or support for his assertions. The Draft EIR contains sufficient detail and information concerning the Proposed Project to evaluate the potential Project impacts. A sight distance analysis was conducted in response to comments on the Draft EIR and is discussed under Response to Comment No. A5-25 below. With regard to the Baseline Hillside Ordinance, the Draft EIR discusses the fact that the Project Site is located within a designated portion of the City in which Hillside Ordinances apply (see Section V.G, Land Use at page V.G-41). As is noted in the Draft EIR, the Proposed Project will comply with all applicable provisions thereof. No further response is necessary.

**Comment No. A5-22****THE DEIR FAILS TO ANALYZE INDIRECT IMPACTS**

CEQA Guidelines Section 15126.2 requires the DEIR to identify and focus on all of the significant environmental impacts of the proposed project including in particular the identification and description of indirect significant effects of the Project on the environment, giving due consideration to both the short-term and long-term effects. Many examples of the deficiencies in data and other quantitative measures are discussed further in the Assessment.

SOS appreciates the opportunity to participate in the process of commenting on this proposed project.

**Response to Comment No. A5-22**

The commenter states a basic CEQA requirement and an opinion concerning various deficiencies of the Draft EIR as an introductory statement. See Responses to Comments Nos. A5-23 through A5-43 below.

**Comment No. A5-23**

**DEIR Assessment Comments**

**SUBDIVISION**

Final subdivision map needs to clearly state that lots cannot be further subdivided and no further structures can be built in backyards, especially in lots with large backyards.

Action: Require specific language that states 19 lots cannot be further subdivided in anyway in the future.

**Response to Comment No. A5-23**

The commenter appears to be suggesting a Condition of Approval for the Proposed Project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. A5-24**

**ROADWAYS/DRIVEWAYS**

1. The DEIR makes frequent references to public and private streets, but there is a great deal of confusion as to the intent of the developer. For instance, On Page 11-1, the DEIR states that there will be a "new public street to run from San Feliciano Drive into the site." On page V G-19, the DEIR states, "The Proposed Project would provide a private access road from San Feliciano Drive..." It is felt that this is a serious issue that needs clarification. Private streets and public streets are significantly different.
2. Outside of the statement that this roadway would be public, there is no comment in the DEIR as to how this would be accomplished. After all the City of Los Angeles would ultimately have to take responsibility for that street after construction. Are they obligated to do so? What if the City decides not to obligate themselves with this new street? How does that impact the Proposed Project?

**Response to Comment No. A5-24**

Although it is not a CEQA issue, it is acknowledged that the Draft EIR contains some conflicting information regarding the proposed access street off of San Feliciano Drive. For clarification, the Proposed

Project would include two different access locations. The first would consist of a private street that is constructed to public street standards intersecting San Feliciano Drive and extending to a cul-de-sac, providing direct access to the homes to be constructed on Lots 5-10 and Lots 15-19. The second would consist of a private driveway off of Mulholland Drive that would connect to a private access roadway adjacent to Lots 1-4. Lots 11-14 would have direct individual driveway connections to San Feliciano Drive.

In accordance with the above, the following revisions have been made to the Draft EIR (see also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR):

- On the cover page under the “Project Description” heading, revise the fifth sentence to read: “A new ~~public~~ private street constructed to public street standards would provide vehicular access from San Feliciano Drive to 11 of the homes.”
- On page I-1, revise the first sentence of the fourth paragraph to read: “For site access, the Project proposes to construct a new ~~public~~ private street, with a 54-foot wide right-of-way, which would extend from San Feliciano Drive into the Project Site and would end in a cul-de-sac, providing access to 11 of the proposed homes.”
- On page III-2, in Table III-1, change all references reading “New ~~Public~~ Street” to “New Private Street”.
- On page III-7, revise the second sentence in the paragraph under the “Parking” sub-heading to read: “~~Public~~ parking would be available on the proposed ~~public~~ private street, plus spaces in private driveways would accommodate parking for guests and visitors.”
- On page III-7, revise the second sentence in the paragraph under the “Street Lighting” sub-heading to read: “Street lighting on the new ~~public~~ private street would be consistent with City standards.”
- On page III-8, revise the paragraph under the “Access” sub-heading to read: “Direct access to the Proposed Project homes would be from (i) a new ~~public~~ private street to run from San Feliciano Drive into the site, providing access to 11 homes, and terminating in a cul-de-sac, (ii) direct driveways from San Feliciano Drive for four of the homes, and (iii) a private driveway from Mulholland Drive giving access to four other homes. The new ~~public~~ private street would be approximately 54 feet wide (including sidewalks) and would not be gated. The Proposed Project layout is shown in Figure III-4. A deceleration lane and an acceleration lane, each 100 feet in length, would be added to the westbound side of Mulholland Drive in order to facilitate safe entry to and exit from the proposed private driveway.”
- On page V.B-15, revise the sixth sentence in the first paragraph to read: “Street lighting in conformance with City standards is proposed on the ~~public~~ private street that would enter the site from San Feliciano Drive.”

- On page V.B-17, revise the first sentence in the third bullet point to read: “A sixth retaining wall would be located in the front yard of Lot 13 adjacent to the proposed ~~public~~ private street right-of-way.”
- On page V.B-20, revise the second sentence in the first paragraph under the “Light and Glare Impacts” sub-heading to read “There would be lighting from the low intensity carriage lights proposed to be mounted on the exterior walls of the homes and from the minimum level of ~~public~~ street lighting required by the City.”
- On page V.I-19, revise the first two paragraphs under the “Project Access” sub-heading to read as follows:

A cul-de-sac new ~~public~~ private street, extending southerly into the Project Site from San Feliciano Drive, would provide vehicular access for 11 of the 19 homes. Four homes would have direct driveway access on San Feliciano Drive. A private driveway, extending northwesterly into the site from Mulholland Drive, would serve the four remaining homes. A deceleration lane and an acceleration lane on Mulholland Drive would also facilitate entry to and exit from this private driveway. There would be no internal vehicular connection between the new ~~public~~ private street and Mulholland Drive.

The new ~~public~~ private street would intersect a straight section of San Feliciano Drive. The speed limit on San Feliciano Drive is 25 miles per hour (MPH). Assuming a design speed of 35 MPH for San Feliciano Drive, i.e., 10 MPH higher than the 25 MPH speed limit, the current Caltrans Design Manual, 6th Edition indicates a stopping sight distance of 250 feet for a 35 MPH design speed. Stopping sight distance is the distance required by the driver of a vehicle, traveling at a given speed, to bring the vehicle to a stop after an object on the roadway becomes visible. In this case, the object would be either a vehicle on San Feliciano Drive proceeding toward the new ~~public~~ private street intersection or a vehicle on the new ~~public~~ private street waiting to turn onto San Feliciano Drive. Based on measurements on the Project tract map, it is estimated that a stopping sight distance of 250 feet would be provided for either vehicle at this new ~~public~~ private street location.

- On page V.I-20, revise the second sentence in the paragraph under the “Parking” sub-heading to read: “~~Public~~ Parking would be available on the proposed ~~public~~ private street, plus spaces in private driveways would accommodate parking for guests and visitors.”

#### **Comment No. A5-25**

In addition, the proposed street appears to be ill conceived. The egress and exit of the proposed street is at point where San Feliciano Drive is at its narrowest. If there are any vehicles parked, (which is often true), it becomes a very narrow roadway from which to enter or exit the Proposed Project. More importantly, the site of the street is at a place where there is very limited visibility. Vehicles coming from Mulholland Highway driving downhill come out of a blind curve just where the proposed street is being sited. There is

limited visibility for the drivers on San Feliciano Drive regarding the proposed street and there would be similar restrictions for any vehicle entering or exiting the Proposed Project. Anyone using this proposed street will do so at great risk. The distance from when a vehicle can first see the street is at 257 ft. According to the AASHTO Green Book, at the 30 MPH speed limit reaction distance + braking distance would equal 200 ft on a straight roadway. Adding the 11% grade that occurs at this location on San Feliciano plus a blind curve makes this particular intersection extremely dangerous and poses a substantial safety concern. It needs to be further noted, that drivers proceeding in either direction on San Feliciano Drive rarely do so at the posted speed limits which enhances the safety concern of the street location.

The DEIR did not conduct any sight distance studies and there is high safety concern for where street is located. Made suggestion to Harridge San Feliciano, LLC during an August 2015 meeting that locating the street at Cerrillos and making it a 4 way stop sign made more sense from a safety perspective.

Below – Northbound approach to new street location (circled in red). Distance from this location to new proposed street is around 250 ft.

SEE PIC

#### **Response to Comment No. A5-25**

In order to address the commenter's concern, a sight distance analysis was conducted by Crain & Associates and is presented in this response. The first item that was noted was that travel speeds will be reduced by the all-way stop controls at the intersection of Cerrillos Drive and San Feliciano Drive located approximately 200 feet east of the Proposed Project roadway intersection.

The sight distance was calculated for the segment of San Feliciano Drive to the west of the Proposed Project roadway approach. A topographic plan with the Proposed Project was used as a base for the analysis, with the existing conditions verified by a field review. Parking was assumed for all legal spaces, including all spaces outside of intersections, driveways, and/or red curb areas. A red curb of 12 feet along the straight section of curb west of the intersection of San Feliciano Drive and the internal Project roadway was assumed, consistent with the nearest corner at a City intersection, the northwest corner of Cerrillos Drive and San Feliciano Drive. This corner has red curb between the driveway on San Feliciano Drive to the west and approximately 15 feet along the straight curb along Cerrillos Drive to the north. The grade of approximately 5 percent for the segment of San Feliciano Drive 240 feet west of the proposed Project internal roadway intersection was accounted for in the braking distance estimate.

As shown in Figure 2, Stopping Sight Distance Analysis, with cars parked in the legal parking spaces where they most impact sight distance, a vehicle entering San Feliciano Drive from the Project roadway would have 240 feet of sight distance. This sight distance is in excess of the AASHTO "A Policy on Geometric Design of Highways and Streets" minimum standard of 211 feet for the legal posted speed limit of 30 MPH and grade of 5 percent. It should be noted that the sight distance analysis was conservatively based on the San Feliciano driver seeing the Project exiting vehicle while it was at the stop line rather than the entering vehicle pulling forward. The braking distance estimate was also based on the full site distance grade rather than the flatter grade within approximately 111 feet of the intersection where braking would occur.

To ensure that vehicles using the Project internal roadway are visible from westbound San Feliciano Drive, a Project Design Feature that extends the red curb on the southeast corner of the internal Project roadway and San Feliciano Drive intersection is being included. This Project Design Feature would extend the red curb for 25 feet along the straight curb on the south side of San Feliciano Drive to the east of the intersection.

The following revisions have been made to page V.I-24 of the Draft EIR to add the above-described red curb restrictions as a project design feature:

#### **PROJECT DESIGN FEATURES/MITIGATION MEASURES**

**I-1** To ensure that vehicles using the Project internal roadway are visible from westbound San Feliciano Drive, the red curb on the southeast corner of the internal Project roadway and San Feliciano Drive intersection will be extended. The red curb shall be continued for 25 feet along the straight curb on the south side of San Feliciano Drive to the east of the intersection.

Because no significant traffic impacts have been identified, no mitigation measures are required.

See also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

#### **Comment No. A5-26**

Current configuration of houses bordering San Feliciano Dr. has them literally placing two driveways in the intersection of a three way stop sign highlighted below. Less than ideal location and with people often running this stop sign it poses safety issue for people exiting driveways on Lot 11, 12 and 13.

SEE PIC

Below – looking West from Cerillos to San Feliciano Dr. where at least two driveways would spill out into the intersection. In addition, please note solid row of Oak trees lining the street that would have to be removed to make way for lots 11-13.

See Pic

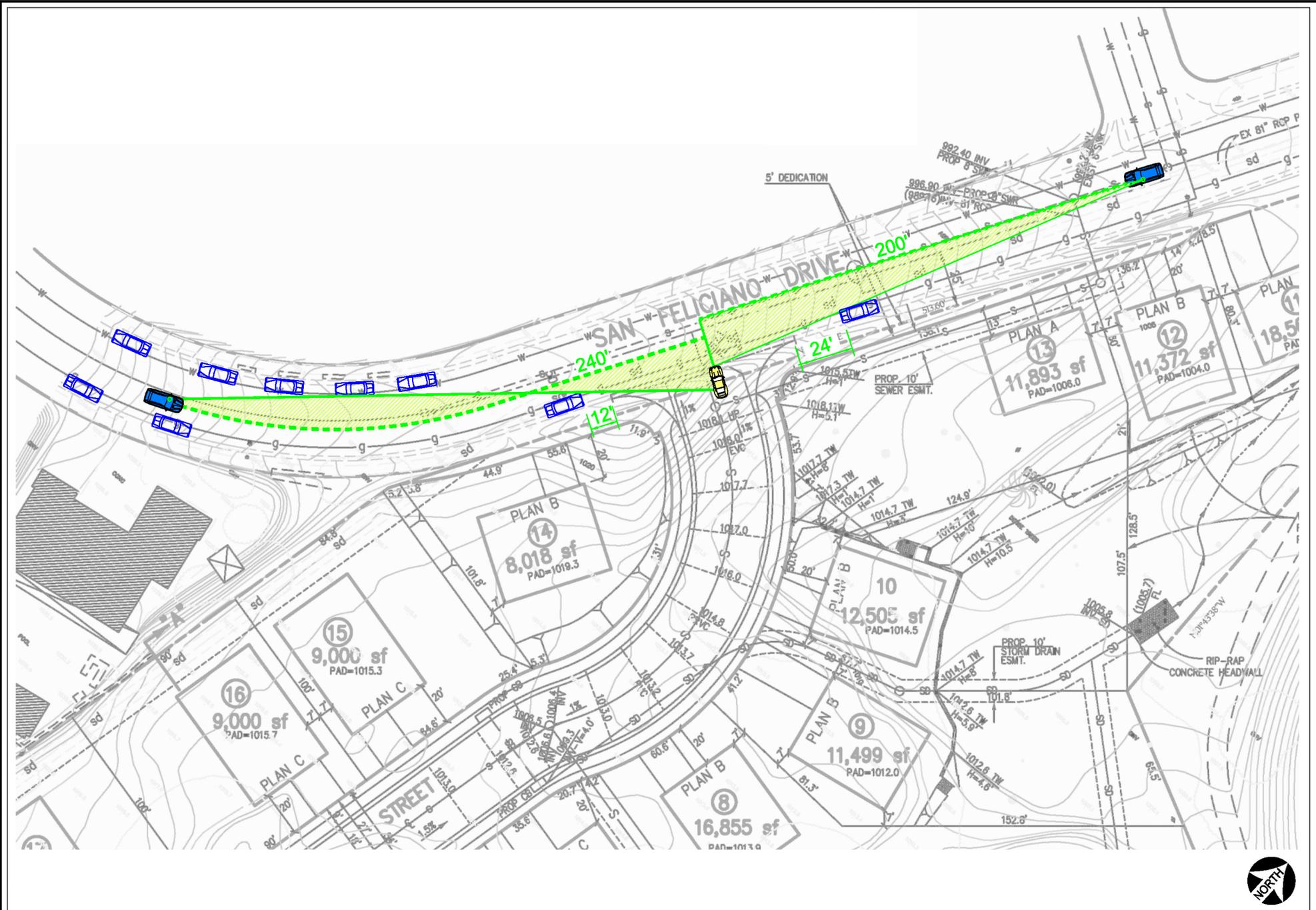


Figure 2  
Stopping Sight Distance Analysis

Source: Crain & Associates, 2016.

Action: Request sight distance study to determine viability of new street location. Highly recommend finding alternative location for street for safety reasons.

### **Response to Comment No. A5-26**

To address the safety concerns raised by the commenter, Crain & Associates analyzed collision data on the segment of San Feliciano Drive from Mulholland Drive to Avenue San Luis (see Appendix B for a technical memorandum summarizing this analysis). The Los Angeles Department of Transportation (LADOT) collects information from reported collisions within the City of Los Angeles. These collisions are categorized by the nearest intersection of their occurrence. In order to assess safety conditions on San Feliciano Drive near the Project Site, collision records in and around the following four intersections were reviewed:

1. San Feliciano Drive & Mulholland Drive
2. San Feliciano Drive & Cerrillos Drive
3. San Feliciano Drive & Buenaventura Street
4. San Feliciano Drive & Avenue San Luis

The aim of this analysis is twofold -- (1) to identify the number and frequency of collisions along the San Feliciano Drive roadway segments near the Project Site, and (2) to identify the causes of these collisions. If the corridor is subject to frequent collisions which are caused by entering/exiting/cross traffic (such as "T-Bone" collisions), then ingress and egress from minor streets and driveways onto San Feliciano Drive could cause a safety concern and would require further analysis. If unsafe conditions were identified, a new Project driveway could exacerbate these roadway conditions.

Conversely, if collisions on the corridor are rare, and are caused by factors other than entering/exiting/crossing traffic (such as hitting and sideswiping stationary objects), then intersections meeting standard design criteria would not pose a safety concern. As discussed in Response to Comment No. A5-25, a stopping sight distance analysis was conducted to determine if the preliminary Project driveway intersection design met standards for adequate sight distance required for safely detecting approaching vehicles from minor streets and driveways. It was concluded that this intersection would provide adequate sight distance.

A report with number and causes of collisions in and around the four study intersections was requested from LADOT (see Appendix B). The data in the collision report is summarized in Table 1 below. During the most recent five-year period for which data are available (January 2011 to January 2016), all of the analyzed intersections averaged less than one collision per year. Three of the four intersections averaged less than one collision per two years. For comparison, the California Manual on Uniform Traffic Control Devices (2014 Edition) recognizes five or more collisions per year as the threshold to warrant the signalization of an intersection for safety reasons. Based on the accident data, it is concluded that the segments of San Feliciano Drive near the Project Site are not prone to frequent collisions.

**Table 1**  
**Collision Data for San Feliciano Drive Intersections**

<b>Intersection</b>	<b>Number of Collisions During Last 5 Years</b>	<b>Collision Causes</b>
San Feliciano Drive & Mulholland Drive	4	3 hit fixed objects, 1 sideswiped a parked car
San Feliciano Drive & Cerrillos Drive	1	Sideswiped a parked car
San Feliciano Drive & Buena Ventura Street	0	N/A
San Feliciano Drive & Avenue San Luis	2	1 hit a fixed object, 1 sideswiped a parked car
<i>Source: Crain &amp; Associates</i>		

In addition to analyzing the overall frequency of accidents in the Project area segment of San Feliciano Drive, the listed causes of the accidents were reviewed. The review was conducted to determine if a new Project driveway could pose problems by adding entering/exiting/crossing traffic. As noted in Table 1, there were a combined total of seven collisions at these four study segments between January 2011 and January 2016. Out of these seven events, four were caused by the vehicle hitting a fixed object and three were caused by the vehicle sideswiping a parked car. All seven of these collisions were caused by the vehicles hitting stationary objects, and there were no collisions caused by entering/exiting/crossing traffic.

The collision data indicates that the number of occurrences along this segment of San Feliciano Drive is infrequent. The causes of these infrequent collisions are not listed as entering/exiting/crossing vehicles. Therefore, there is no evidence from the collision data that an added driveway with adequate sight distance along the segment of San Feliciano Drive near the Project Site poses a significant safety hazard.

The San Feliciano Drive and Cerrillos Street intersection is all-way stop controlled, and stopping would also apply to the Project driveways located near the intersection. The San Feliciano Drive and Cerrillos Street intersection is on an approximately 450-foot straight segment of San Feliciano Drive and is at the terminus of Cerrillos Street. Stop ahead warning signs are posted in both directions on San Feliciano Drive. Driveways similar or identical to those proposed for Lots 11-13 of the Proposed Project are included adjacent to other San Feliciano Drive intersections, such as the all-way stop at the west intersection with Avenue San Luis as well as the nearby intersections with Buena Ventura Street and Viscanio Road. These have not resulted in identified safety problems as indicated by the collision data in Table 1. Safety problems at the intersection due to the proposed driveways are not anticipated.

Concerning the sight distance analysis, as noted in Response to Comment No. A5-25 above, with the recommended continuation of the red curb along the straight curb on the south side of the roadway to the east of the intersection (added as a project design feature), a sight distance of 240 feet to the intersection will be provided from the curve on San Feliciano Drive. This sight distance is longer than the AASHTO recommended sight distance of 211 feet for a driver who ignores the stop sign and travels through the intersection at 30 miles per hour, but is going up the 7.5% grade east of the Project access road intersection.

As shown on Figure V.B-13 of the Draft EIR, no coast live oak trees would require removal in order to build the homes and associated driveways at Lots 11-13 of the Project.

**Comment No. A5-27**

**SCENIC IMPACT**

The DEIR indicates that Proposed Project will have an impact on the issue of Scenic Vistas. Due to the grading, retaining walls and three story houses, there will be a significant impact on the scenic qualities that are currently found on the undeveloped site. On Page II-4, the developer argues that mitigation issues are not required because the impact will be less than significant. That is based upon a proposed landscape plan that will reduce the visibility of the grading, retaining walls, etc. This a very poor mitigation plan. First, it will take 5 years to fully grow out the plantings (MSPSP requires a 3-year Plan.) Second, who will be responsible for maintaining the plantings? A new owner may decide they *don't* like the plantings and cut them *down*, thereby making the house in violation of MSPSP Guidelines regarding views from Mullholland Highway. Third, the plantings will occur when the houses are built, so it will take 5 years of homeowner efforts in bring the plantings to the level of mitigation. Will all of the homeowners be proficient in maintaining these plantings for that 5 year period of time? The DEIR also states that " ... the reduced visibility of the oak trees could be considered damage to a scenic resource, ... " (Page II-6). The mitigation offered is the planting of replacement trees that are required by the removal of living oak trees and other flora on the property. If you build houses that are inappropriate and dramatically impact the scenic resources; planting a bunch of small trees is not going to change the impact. The only way to not impact the scenic resources is to not build on the property in the first place. The DEIR on Page II-9 states that the loss of views on the site will be a significant impact. If you impact the currently undisturbed woodland by grading and put up retaining walls: planting *trees*, that will require decades to replace the visual character, is not an appropriate mitigation. On the same page, the DEIR states "Therefore, the retaining wall would not substantially damage scenic resources and their impact with respect to scenic resources would be less than significant." Unclear how 520 feet of retaining walls some up to 19 feet in height would not impact the scenic resources in a negative way. This is a very poor argument and the developer needs to acknowledge that this impact is significant and needs mitigation to overcome the issue.

Action: The developer needs to submit a better mitigation plan regarding the scenic impact.

**Response to Comment No. A5-27**

As noted in Response to Comment No. A3-14, the Draft EIR contains an error in the description of the Proposed Project. The Project would not include any three-story homes, but would consist entirely of homes with a maximum of two stories. Additionally, the maximum retaining wall height proposed for the Project is 11 feet, not 19 feet as stated in the Draft EIR. See Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

The commenter correctly notes that the Draft EIR states that full screening of the Project homes as seen from Mulholland Drive would occur within five years of landscape plan implementation. The commenter also correctly states that the Mulholland Scenic Parkway Specific Plan Design and Preservation Guidelines,

in Guideline 64, recommends that “the combination of all existing and proposed plant material should provide 100% coverage of landscaped areas within three years (all areas undisturbed or disturbed that are not hardscape).”

As discussed in Response to Comment No. A3-14, the fact that some elements of the proposed landscaping will take up to five years to fully mature does not mean the Project is out of compliance with the Specific Plan. The Specific Plan Design and Preservation Guidelines are recommendations and not mandatory requirements. Additionally, CEQA only requires mitigation measures that are both reasonable and feasible. (*Concerned Citizens of South Central Los Angeles v. Los Angeles Unified School District* (1994) 24 Cal.App.4<sup>th</sup> 826, 841.) In this case, the DEIR concludes “no significant impact” to scenic vistas due to project design and landscaping. The DEIR therefore identifies project design elements and the proposed landscaping plan as the feasible means of reducing impacts to scenic views caused by the three homes that would be partially visible and the one home that would be completely visible from Mulholland Drive. As the DEIR disclosed, the full effect of the landscaping plan would not be realized for a period of time. Such a delay in full implementation of a project design feature or mitigation measure is not uncommon under CEQA. For example, it is not unusual for some traffic mitigation measures to require significant time to be designed, approved and deployed, and for traffic impacts to persist pending complete integration of the measure into the project.

The landscape plan described as a project design feature in the Draft EIR is conceptual in nature and is provided for information purposes to aid the decision-making bodies in their review and consideration of the Proposed Project. As stated in Project Design Feature B-1 (at page IV.B-24 of the Draft EIR), a final landscape plan prepared by an expert as designated under City of Los Angeles Ordinance 177,404 must be submitted for approvals by the Mulholland Scenic Corridor Specific Plan Design Review Board, the City of Los Angeles Planning Department, and the Urban Forestry Division (formerly Street Tree Division) of the Los Angeles Bureau of Street Services. Further, as required by City of Los Angeles Ordinance 177,404, following the completion of the construction of the Project, the Project Applicant shall post a cash bond or other assurances acceptable the Bureau of Engineering in consultation with the Urban Forestry Division and the Advisory Agency guaranteeing the survival of the trees to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date the bond is posted or from the date such trees are replaced or relocated, whichever is longer. The amount of the bond is to be determined by the City Engineer in consultation with the Advisory Agency and the City’s Chief Forester. Following the Project Applicant’s fulfillment of this requirement, the protected species on the Project Site will remain under the protection of Ordinance 177,404 and subject to all the provisions therein with oversight and enforcement by the Urban Forestry Division, as well as those protections set forth under the Mulholland Scenic Corridor Specific Plan.

Each of the homes to be built within the Project would be subject to review by the Mulholland Scenic Corridor Design Review Board (DRB). Each home must comply with the requirements contained within the Specific Plan and would be subject to DRB review for consistency with the recommendations contained within the Design and Preservation Guidelines, including those addressing landscaping.

As noted in Response to Comment No. A5-5 above, the Design and Preservation Guidelines are not mandatory requirements. As is stated on page 4 of the Mulholland Scenic Parkway Specific Plan Design and Preservation Guidelines:

“These guidelines do not create entitlements, nor are they mandatory requirements. They provide direction on how the Mulholland Scenic Parkway can best be preserved while allowing appropriate development, and clarify what can be expected when a project is reviewed by the DRB and the Director. They recognize that individual projects and sites are different and present numerous and different design challenges. The guidelines do not require or expect every project applicant to address all the guidelines. An applicant should address the guidelines that are applicable to the proposed project and site conditions.”

See also Response to Comment No. A3-14 regarding the project design features, regulatory compliance measures, and mitigation measures presented in the Draft EIR pertaining to oak tree preservation and replacement. Under the Proposed Project, the individual purchasers of the Project homes would be responsible for maintaining landscaping within the limits of their lots, but would be legally constrained from removing any protected trees without a permit under the requirements of Ordinance 177,404 (with oversight and enforcement by the Urban Forestry Division), as well as those protections set forth under the Mulholland Scenic Corridor Specific Plan.

With respect to the proposed retaining walls included in the Project, in order to preserve as many trees as possible on the Project Site, the Project Applicant has necessarily incorporated retaining walls into the design of the Project. As noted in Response to Comment No. A5-9, the Specific Plan does not prohibit the use of retaining walls. Retaining walls are a substitute for manufactured slopes, and therefore can be useful in reducing the grading footprint for the Project. In turn, a reduction in the Project’s grading footprint will result in fewer impacts to oak trees on the Project Site. Hence retaining walls, when not visually intrusive, can serve to reduce a project’s aesthetics impacts. However, retaining walls that are visible from the Mulholland Drive right-of-way may be considered incompatible with the Mulholland Scenic Parkway Specific Plan’s purpose of “maximum preservation and enhancement of the parkway’s outstanding and unique scenic features and resources.”

Consistent with the threshold criteria derived from Appendix G to the CEQA Guidelines, the proposed retaining walls were evaluated in terms of impact to scenic vistas, scenic resources, and community character in Section V.B of the Draft EIR. As is presented on pages V.B-15 and V.B-16 of the Draft EIR, because most of the proposed retaining walls step down from Mulholland Drive, they would not be visible from the Scenic Parkway’s right-of-way. Some of the proposed retaining walls would also be shielded from view by the proposed houses and the existing and proposed tree canopy. The downhill slope of the existing terrain moving away from Mulholland Drive permits a Project site plan that steps down toward San Feliciano Drive. The proposed retaining walls serve as risers for the building pad steps. Thus, the view into the finished Project from Mulholland Drive would be the equivalent of standing at the top of a flight of stairs. While the steps are visible, the risers cannot be seen. Similarly, most of the Project’s proposed retaining walls would not be visible from Mulholland Drive because they are facing away from the viewer. This sloping is graphically depicted in the Draft EIR in Figure V.G-1, which shows the locations

of 11 cross sections, and Figures V.G-2 and V.G-3 which depict the profiles of these sections. In conclusion, the intent of the requested entitlements is the reduction in grading and the minimization of impacts to trees while constructing retaining walls that, for the most part, will not be visible.

Consequently, the Draft EIR determined that the proposed retaining walls would have a less than significant impact on scenic vistas. With respect to scenic resources, the Draft EIR analyses indicate that the retaining walls would only be minimally visible from Mulholland Drive and San Feliciano Drive and none of the trees would be removed to accommodate the retaining walls; rather, the walls have been proposed as an alternative to more extensive grading to reduce impacts to oak trees. Therefore, the retaining walls would not substantially damage scenic resources and their impact with respect to scenic resources would be less than significant. Lastly, also because the retaining walls would only be minimally visible from Mulholland Drive and San Feliciano Drive, the use of retaining walls would not substantially degrade the existing visual character or quality of the site and its surroundings. Therefore, impacts with respect to community character were also determined to be less than significant.

The commenter also expresses opinions concerning the Project. Although these opinions do not present specific facts or criticisms of the Draft EIR, they will be forwarded to the decision-making bodies for their consideration.

#### **Comment No. A5-28**

##### **TRAFFIC STUDY**

Traffic study conducted on March 12, 2015. Multiple community members viewed traffic study being conducted on this day at corner of Mulholland/San Feliciano and noticed that traffic was unusually light. Typical traffic during morning rush hour backs down San Feliciano, almost to property line of proposed development. During evening rush hour, San Feliciano is a major pass through street to get to Ventura Blvd/Shoup. Project trip generation of 14 trips in AM Peak Hours and 19 PM Peak Hours seems low given that 42 people are estimated to live on development (19 homes x 2.2 PPH) based on DEIR page V.C-18 (Source: DKA Planning and 2010 Community Plan).

Action: Request that another traffic study should be conducted with pre-approved dates chosen with community. Current traffic study feels deficient in certain areas as we believe it does not capture the reality of the traffic situation in this area.

#### **Response to Comment No. A5-28**

LADOT traffic count requirements for traffic studies include traffic counts being conducted when local schools are in session, on days of good weather, on Tuesday, Wednesday or Thursday during non-summer months, and during a week without a holiday. The traffic counts for the Project traffic study were properly conducted on Thursday, March 12, 2015 in compliance with these requirements.

The estimates of the Project trip generation were also properly calculated in accordance with LADOT traffic study requirements. Those requirements include the use of Institute of Transportation Engineers (ITE) trip

generation rates for many land uses, such as single-family dwelling units as proposed for the Project. In the City of Los Angeles and in most jurisdictions, the ITE trip rates based on the number of single-family dwelling units are used. ITE does have trip rates based on the number of persons per single-family dwelling units. However, if the “per person” rates were applied to the 42 people estimated as residents of the Project, the resulting trip generation would be lower; i.e., 9 AM peak-hour trips and 12 PM peak-hour trips. Therefore, use of the ITE trips rates based on the number of dwelling units provided a more conservative analysis.

As a result, the traffic analysis performed for the Proposed Project and included in the Draft EIR is considered accurate and adequate and a second traffic study is not required.

### **Comment No. A5-29**

#### **STORM DRAINAGE**

The DEIR contends that: " ... the San Feliciano storm drain would have the capacity to accept the incremental increase in runoff." This is accurate regarding the existing capacity of the underground storm drain, but the DEIR does not comment on the ability of the existing storm drain system to funnel the runoff into this system. There are two access points where the runoff from San Feliciano Drive would enter the storm drain system. One is 9 feet by 8 inches (5.85 square feet) and is sited at the curb. The other is 14 feet by 8 inches (9 square feet) and is also sited at the curb. At this second site there is also vertical drainage of 2 feet by 3 feet (6 square feet). As to the second, larger runoff site, the DEIR maps indicates that the Proposed Project's street intersecting San Feliciano Drive would come out on top of this drainage and would therefore eliminate this as to runoff mitigation. What results is that a total of 1.82 acres of impervious surfaces generated by the Project would flow on to San Feliciano Drive and there would be little capacity to handle this runoff. The DEIR indicates that there could be 1 cubic feet per second runoff created by the Project and it is obvious that the existing storm drainage could not handle this amount of storm water. The impact would be flooding downstream with the possible flooding of the DWP site and houses located on San Feliciano Drive, along with flooding to some of the houses proposed by the Project.

Action: It is felt that the DEIR is insufficient in regards to this major issue. The developer needs to introduce mitigation measures to this issue.

### **Response to Comment No. A5-29**

With respect to drainage, the Proposed Project would utilize an on-site storm drain system that would outlet onto the existing drainage swale located within the northerly portion of the Site. The proposed on-site storm drain would not connect to the existing Los Angeles County Flood Control 81-inch diameter storm drain, located within the site. The on-site storm drain system would be designed to drain the proposed low point in the street shown on Figure III-4 of the Draft EIR and outlet into the existing on-site drainage swale. The existing drainage swale would be used as a bioswale to filter the runoff before it enters onto the public right of way of San Feliciano Drive. As is detailed in the hydrology study prepared for the Project Site (included in Appendix E to the Draft EIR), with additional impervious surfaces, there would be a

maximum 0.96 cubic feet per second (cfs) net increase in runoff during the 25-year return interval storm event with development of the site.

As presented in Section V.A of the Draft EIR, the Project's stormwater drainage system must be designed to be consistent with several regulatory compliance measures concerning drainage, including the following:

- A-17** The Project Applicant shall implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be submitted to the City Engineer and the Los Angeles Regional Water Quality Control Board.
- A-19** Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate if the increased peak stormwater discharge rate will result in increased potential for downstream erosion.

The Los Angeles County Department of Public Works (LACDPW) TC program was used to calculate the time of concentration and peak runoff flow rate for the existing and proposed conditions. TC calculations are provided in Appendix E of the Draft EIR. In accordance with LACDPW requirements, the 25-year storm event was used as the main design storm in the analysis. The entire existing tributary runoff is conveyed to a single location downstream before entering the existing 81-inch storm drain system. After thorough examination of the existing (25.86 cfs) and proposed conditions (26.82 cfs) by the consulting hydrologists, the difference between the peak flow rates (0.96 cfs) is small enough to be considered negligible. As the drainage from the Project Site would be directed into the existing storm drain system and its effect on that system is considered negligible, the project would not increase flood hazards to downstream properties. In other words, there would be no downstream impact resulting from the design-level storm event.

The Proposed Project would not require the removal or relocation of either of the existing catch basins on San Feliciano Drive. The existing catch basin closest to the proposed intersection of the Project private street with San Feliciano Drive is approximately five feet north of the proposed northerly curb return where the Project street would join the existing curb and gutter on San Feliciano Drive. The drainage directed into San Feliciano Drive would consist of a smaller volume than under existing conditions since the Project is proposing two on-site catch basins within the private street.

The City of Los Angeles Bureau of Engineering (BOE) does not permit the removal of an existing catch basin due to development alterations without reconstructing and connecting a new catch basin within said development to replace the removed catch basin. At the same time, any new catch basin would be reviewed for proper sizing in accordance with BOE requirements as needed to provide adequate capacity to accept runoff from within the tributary area.

Based upon the information provided in the hydrology study for the Project Site, the Initial Study (Draft EIR, Appendix A) determined that the Proposed Project would not have a significant effect with respect to hydrology. In contrast, the comment presents no evidence, data, or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the implied contention that the Proposed Project would cause downstream flooding. Pursuant to CEQA Guidelines Section 15064, an effect is not considered significant in the absence of substantial evidence. Therefore, no further response is necessary.

### **Comment No. A5-30**

#### **RETAINING WALLS**

The DEIR project proposal indicates that there will be an extensive network of retaining walls. One wall 140 ft. long with a height varying from .5 to 10 ft. tall; one wall 80 ft long with a height of 10 ft; two walls 120 ft. long with the heights reaching 19 ft; one wall 120 ft long with variable heights up to 5 ft; one wall 60 ft long with a variable height up to 8 ft. The amount of retaining walls is in violation of Guideline 1 of the Mulholland Scenic Parkway Specific Plan (MSPSP) which states: "Minimize the amount of grading and the use of retaining walls. Design structures and grading to fit the natural topography and existing conditions of the site, rather than making changes in the topography to accommodate the structure ...". MSPSP further indicates that when there are retaining walls, they should be constructed in a way that approximates the natural terrain that the retaining walls are impacting. The developer deliberately goes against this instruction and wants to put up large retaining walls to maximize the number of houses. As to specifics, MSPSP allows a maximum height of 10 ft.; so the proposed project is out compliance with Guideline 28 for one of the retaining walls. The proposed project is also out of compliance with a number of Los Angeles City sections and will require that a Zoning Administrator Determination be granted for the retaining walls.

Language on Page I-1 specifically states, "The Project would utilize four retaining walls ranging from .5 to 19 feet in height in lieu of slopes ... ". This language suggests a single wall to a height of 19 ft, not walls with a "variable" height of 19 ft. Also, Page III-12 states that, "Project proposes six retaining walls with a total of 510 linear feet" which does not match sentence above referencing four walls.

Action: Language regarding exact height of each retaining wall needs to be addressed, number of walls as well as extensive use of retaining walls in development of over 500 ft.

SEE PIC

### **Response to Comment No. A5-30**

See Responses to Comments Nos. A5-9 and A5-27 with respect to the Specific Plan Design and Preservation Guidelines and the use of retaining walls. As noted therein, Guideline 1 does not prohibit the use of retaining walls, but rather asks that their usage be minimized. It is also important to note that the Design and Preservation Guidelines are not mandatory regulations and that the review of each project must

take into account the individual attributes of each site and must balance different techniques for maintaining the important visual characteristics of the site as experienced from the Mulholland Drive corridor.

In the case of the Proposed Project, in order to achieve the preservation of as many trees as possible on the Project Site, the Project Applicant has necessarily incorporated retaining walls into the design of the Project. The Draft EIR describes the Project's proposed retaining walls in Section V.B at pages V.B-16 and V.B-17. The Draft EIR contains an error in the description of the proposed retaining walls. As proposed, the maximum retaining wall height on the Project Site would be 11 feet, not 19 feet as is stated in the Draft EIR (see Section 3, Revisions, Clarifications, and Corrections to the Draft EIR).

The Project is proposing a total of six retaining walls across the Project Site, with heights ranging up to 11 feet. As noted by the commenter, the Specific Plan Design and Preservation Guidelines (at Guideline 28) state that "except for those required for public street improvements or walls contained within the building structure, retaining walls should not exceed 10 feet in height, as measured from finished grade." As proposed, therefore, the Project would not be consistent with this guideline. However, these are guidelines and not regulatory requirements, and must be balanced with the goal of saving as many protected trees on the Project Site as possible. As is also noted in the Draft EIR at Sections III.D and V.G, the Project would require a Zoning Administrator Determination from the City regarding the number, location, and heights of proposed retaining walls as part of the package of discretionary actions necessary for Project approval.

The last sentence on page I-1 of the Draft EIR referenced in the comment contains an error and has been corrected to read as follows (see also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR):

The Project would utilize ~~four~~ six retaining walls ranging from 0.5 to ~~19~~ 11 feet in height in lieu of slopes to reduce the number of impacted coast live oak trees.

The six proposed retaining walls are described in detail in Section V.B (Aesthetics) of the Draft EIR (at pages V.B-16 and V.B-17). As noted therein, a pair of irregularly shaped retaining walls is proposed to wrap around Lots 9 and 10. In total these walls comprise a total of 640 lineal feet and would have variable heights ranging up to approximately 11 feet. The text of the Draft EIR on pages III-12 and III-13 containing an error in the total distance of retaining walls proposed as part of the Project has been revised (see Section 3, Revisions, Clarifications, and Corrections to the Draft EIR).

### **Comment No. A5-31**

#### **GARAGES vs COVERED PARKING**

Concern around developer recycling old DEIR and using outdated language. DEIR calls out construction of 38 covered parking spaces for residents in multiple parts of DEIR. Our understanding is that there would be 19 homes with two car garages so 38 parking spots within 19 garages.

Action: Would like language to not be ambiguous and any reference to "covered parking spots" be removed and replaced with "garages".

**Response to Comment No. A5-31**

The Project would provide code-required parking consistent with the R1 zone, consisting of two covered stalls per individual home, totaling 38 spaces. The LAMC requires that single-family residential parking be covered and permits the use of either carports or garages to satisfy this requirement. However, for the Proposed Project, these spaces would be provided in garages. No guest parking spaces are required, but the driveways at each home would be able to accommodate temporary guest parking. There would also be parking available on the private street. See Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

**Comment No. A5-32****# OF STORIES/PROJECT COMPATIBILITY**

DEIR states that residences have maximum height of 3 stories. Developer explicitly stated in August '15 meeting that no unit would be over 2 stories. In addition, in 2008, developer (then named DS VENTURES) agreed to make units along Southern Property line 1 story homes so as to preserve both the current makeup of the neighborhood and to protect the privacy and view shed of the neighbors living South of the property.

Given that developer has committed to build homes that match the character of the neighborhood, of the 175 homes that are directly around the proposed development (see below), only around 10% of them are two story homes. The proposal for 100% two story homes does not fit the character of this neighborhood as average sq ft of homes in this area are 2,149 while a full two story development would have homes average 4,000 sq ft (+55%) and top out at 4,800 sq ft.

Action: Would like DEIR to reflect accurate recommendation and state that no unit would be over 2 stories and that lots bordering southern property line (15-19) and San Feliciano (11-14) cannot exceed one story in height.

SEE PIC

**Response to Comment No. A5-32**

The commenter expresses an opinion about the Proposed Project but does not raise a specific concern regarding the Draft EIR. As is discussed under Responses to Comment Nos. A3-14 and A5-27, the Draft EIR contains an error in the description of the Proposed Project. The Project would not include any three-story homes, but would consist entirely of homes with a maximum of two stories. See Section IV, Revisions, Clarifications, and Corrections to the Draft EIR.

The Mulholland Scenic Parkway Specific Plan contains building height regulations which vary based upon the slope of the parcel or lot and visibility from Mulholland Drive. As noted in Table V.G-3 of the Draft EIR, the Proposed Project will be required to comply with these regulations.

As stated in Section V.G (Land Use) of the Draft EIR, the Community Plan designation for the Project Site plans for single-family residential development at densities ranging between 4 to 9 dwelling units per acre,

with a mid-range of 6.5 units per acre. Therefore, the Community Plan land use equates to an approximate range of between 24 and 55 homes on the Project Site. The requested 19 homes are below this planned range. The Project Site is zoned R1, which permits single-family homes on lots with a minimum area of 5,000 square feet. Consequently, the Site's current zoning permits a maximum of 54 units. Therefore, the Project's proposed density is consistent with the densities permitted by the Site's existing Community Plan land use designation and current zoning.

The floor-area ratio (FAR) and square footage of the Project's homes will ultimately be determined through compliance with both the Baseline Hillside Mansionization Ordinance and the compatibility study required under the Mulholland Scenic Parkway Specific Plan. Conformance with these requirements will refine the square footage of the proposed homes and ensure compatibility with surrounding development.

The commenter also makes reference to past discussions regarding the Project. The current Project is as described in the Draft EIR, with the exception of the error regarding the number of stories noted above.

### **Comment No. A5-33**

In addition, while average lot sizes in the proposed development are called out at around 12,000 which does fit the types of home lots in the vicinity, the reality is that 8 homes in the development are using a small % of their lot with coverage, these 8 homes have nearly no usable space in which to have a yard {see blue shaded areas below} while being responsible for unusable hillside. Again, not typical of this area to have such small backyards and in effect while lot coverage looks small on the surface, these houses actually cover nearly all the usable lot making effective lot coverage +50% in all these cases highlighted below. It's just a bad experience to have people purchase 15-20K lots and enjoy only 5k of them if you're building a new development.

SEE PIC

Action: Would like DEIR to reflect accurate recommendation and state that no unit would be over 2 stories and that lots bordering southern property line (15-19) and San Feliciano (11-14) cannot exceed one story in height.

### **Response to Comment No. A5-33**

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Otherwise, the commenter is expressing an opinion regarding the proposed Project lot sizes. Although this is not specifically an issue under CEQA, the comment will be forwarded to the decision-making bodies for their consideration.

### **Comment No. A5-34**

#### **TREE REMOVAL & PROTECTION**

Overlaying tree canopies over tree map suggests areas of oak trees that are very close to structures or roadways. Concern is that these oak trees will either be damaged during the construction or will die

eventually due to encroachment. In addition, unclear how a development that will require 4,200 cubic yards of additional fill material brought in can realistically protect so many trees on the property.

Action: Trees circled need mitigation strategy to ensure survival and trees in people's backyards need assurances that they will not be cut down and homeowners need to be apprised of rules regarding protected oaks in this area (HOA needed).

SEE PIC

#### **Response to Comment No. A5-34**

See Responses to Comment Nos. A3-14 and A5-27 with respect to the protection of the oak trees on-site during Project construction and following the completion of development activities. See Response to Comment A5-27 with respect to ensuring the survival and establishment of the replacement oak trees to be planted under the Project landscape plan. The Horticultural Tree Report prepared for the Project Site (included in Appendix G of the Draft EIR) contains a discussion of required tree care and maintenance, and the recommendations of this report, including those pertaining to oak tree encroachment, have been included as Mitigation Measures B-11 through B-20 in the Draft EIR.

#### **Comment No. A5-35**

##### DEIR ALTERNATIVES & POCKET PARK PROPOSAL

According to the latest LOS ANGELES COUNTYWIDE COMPREHENSIVE PARKS & RECREATION NEEDS ASSESSMENT (<http://lacountyparkneeds.org/>) WH area is below average with only 2.6 park acres per 1,000 people (vs county average of 3.3) and 32% of the population in Woodland Hills is within .5 miles of a park (vs 49% for the county). In an area highlighted below in red note that in the area bounded by Ventura, Topanga and Mulholland where there are nearly 4,000 homes there are tiny patches of open space not readily accessible and zero parks. Given that there are so few open spaces left in this area, this is a great time to look at this development as an opportunity to add a desperately needed small pocket park to the neighborhood.

SEE PIC

#### **Response to Comment No. A5-35**

Comment acknowledged. The commenter is expressing an opinion regarding the amount of public parkland within the general Woodland Hills vicinity and the potential use of the Project Site as a public park. The comment will be forwarded to the decision-making bodies for their consideration.

#### **Comment No. A5-36**

One proposal would be to remove or reduce Lot 11 (18,653 sq ft) and add a park in the corner closest to the LADWP pump station. It's an ideal location for a small park and given the success of the Fire Station Park

on Canoga and Ventura (8,200 sq ft). Choices are either to see parcel to the City of Los Angeles or to the Santa Monica Conservancy.

SEE PIC

**Response to Comment No. A5-36**

Comment acknowledged. The commenter is expressing an opinion regarding the potential addition of a small park to the Proposed Project. The comment will be forwarded to the decision-making bodies for their consideration.

**Comment No. A5-37**

**GRADING**

The total grading proposed is allowed based upon the project's acreage. (One cubic yard for every four square feet of site area.). However this amount of grading, does not comport with Guideline 1 of the MSPSP. That Guideline 1 states: "Minimize the amount of grading and the use of retaining walls. Design structures and grading to fit the natural topography and existing conditions of the site, rather than making changes in the topography to accommodate the structure..." The grading proposed is excessive, 61% of the property. For practical purposes, all of the level surface will be graded and transformed from the natural topography that currently exists into graded pads for houses and a street. Guideline 10 states that grading should be minimized and not alter the site to fit the project. The grading proposed; however, is for the expressed purpose of changing the natural topography in order to allow the maximum number of homes that can built on the site and in direct contradiction of Guideline 10. In regarding the one cubic yard for every 4 square feet - MSPSP Guideline 10 states that even though a project is with these maximums, "...these limits may still be recommended for disapproval if the amount and/or design grading impacts the scenic resources of Mulholland Drive, is incompatible with the natural contours of the mountain terrain, or is incompatible with the Parkway Environment." This issue is further confounded by the developer's lack of a required Grading Plan that would show what is being graded and for what purpose.

Action: Require more detailed grading map and explore alternatives that minimize the amount of grading which is currently at 61% and fewer retaining walls.

**Response to Comment No. A5-37**

See Responses to Comment Nos. A5-9 and A5-25 with respect to the proposed grading and retaining walls. As noted therein, the Design and Preservation Guidelines do not prohibit grading or the use of retaining walls. The retaining walls are necessary to maximize the number of oak trees to be preserved during Project development.

**Comment No. A5-38**

LOT #5 & #6

Lot 5 looks to cut too far into hillside and pad is too close to hillside cut given the 35-40 ft elevation gain in that area. Lot 6, while looking to meet lot coverage requirements actually covers most of the "usable" lot while most of lot is behind large retaining wall and consists of all hillside.

Action: Proposing to remove Lot 5 and 6 or reconfigure according to City guidelines.

SEE PIC

**Response to Comment No. A5-38**

Comment acknowledged. The commenter is expressing an opinion regarding the configuration of Lots 5 and 6 within the Proposed Project. The comment will be forwarded to the decision-making bodies for their consideration.

**Comment No. A5-39**

CUL-DE-SAC LOCATION

Action: More specificity on how this particular hillside will be supported.

SEE PIC

**Response to Comment No. A5-39**

The steep slope referenced in the comment at the proposed cul-de-sac would be created by cutting into bedrock. The geotechnical investigation performed for the Project indicates that this slope would be stable and no additional stabilization and/or remediation is recommended.

**Comment No. A5-40**

COMMON STREET FOR LOTS 1-4

Who is responsible for maintenance of common driveway and access roadway? Concern around deceleration and acceleration lane becoming a passing lane for vehicles on Mulholland Drive.

Action: Need specifics on who owns and is responsible for common driveway and access road to lots 1-4 as well as deceleration and acceleration lanes on Mulholland.

SEE PIC

**Response to Comment No. A5-40**

The portion of the access driveway for Project Lots 1 through 4 that is located within the Mulholland Drive right-of-way would be maintained by the City. The portion of the access driveway that is located outside of the Mulholland Drive right-of-way and within the Project tract is to be maintained by the individual owners of Lots 1 through 4. The acceleration/deceleration lanes on Mulholland Drive would be maintained by the City along with the rest of the public street right-of-way. The Project site plan in Figure III-4 of the Draft EIR shows the right-of-way boundary.

**Comment No. A5-41**

LOT #19

Pad doesn't meet 15' easement requirements and no marked driveway. In addition, storm drain will run under driveway and right up against the house creating issues around access. Home is also listed as a Spec Home in DEIR. What exactly does developer want to do with this lot? Is there a plan to sell this lot separately? In addition, Table III-1 (Proposed Lot Summary) shows that access point to this lot is a "Specialized/New Public Street". What does that mean?

Action: Define what specialized/new public street means as well as "spec house" and what intentions are. Highlight driveway on this lot and what mitigation strategy is for easement issues.

SEE PIC

**Response to Comment No. A5-41**

Although it is not clear on Figure III-4 of the Draft EIR, the driveway for Lot 19 would connect to the cul-de-sac on the proposed private street off of San Feliciano Drive. Lot 19 would not cross into the existing 15 foot wide storm drain easement. It is unclear where the commenter is referring to the use of the term "Spec Home" in the Draft EIR, but the term is typically used as shorthand for "specialized home design". Lot 19 is intended to have a unique design within the Project, and the subdivision of the property would allow for the separate sale of each lot within the tract.

**Comment No. A5-42**

CONSTRUCTION CONCERNS

Plan calls for 4,200 cubic yards of additional fill or 420 dump trucks. It also assumes 40 tons of material exported during site preparation (Page V.C-20). In total we're talking about 1.5 months of site preparation, a grading phase (4 months), a construction phase (18 months), a paving phase (1 month) and architectural coatings (six months). This adds up to nearly 31 months from start to finish for this project. It is estimated that an average of six delivery truck trips per weekday would occur (Page V.1-21). There are estimated to be a maximum of 37 construction workers on the property at certain times and the noise level experienced would exceed the City's "conditionally acceptable" exterior noise standard for schools (Page V.H-15) of which there is a private parochial school located 200 ft to the south.

Action: Given that this is a quiet, mature neighborhood with small kids and the elderly, what assurances does the neighborhood have that this construction project won't completely turn this neighborhood upside down for 2.5 years? Who is responsible that complaints are dealt with quickly? Who is responsible in ensuring that 37 construction workers aren't parking up and down San Feliciano day in and day out and have offsite parking available? Can we create an entrance for construction vehicles off of Mulholland as San Feliciano is a small street that can have a big impact on through traffic, people being able to exit and enter their homes and emergency vehicles being able to quickly pass in case of an emergency? What are we doing to address the noise issue for Louisville High School?

**Response to Comment No. A5-42**

The commenter raises concern about the construction phase of the Proposed Project. To clarify the information provided in the Draft EIR, approximately 4,200 cubic yards of fill soils would be imported to the Project Site during the grading process. The approximately 40 tons of material to be exported consists primarily of debris associated with the vacant structures on the site as well as the trees that would be removed prior to the start of site grading work. It should also be noted that some of the individual construction phases noted in the comment would occur simultaneously (for example, architectural coatings would be applied during the construction phase). As stated in the Draft EIR, an overall construction period of approximately 26 months is expected for the Project.

With regard to the impact of Project construction activity on the neighborhood, the Draft EIR includes evaluations of construction impacts with regard to each environmental issue category, including air quality, noise, and traffic. As is explained in Section V.I of the Draft EIR (at page V.I-21), prior to the commencement of all construction activities, the City requires project developers to prepare a Construction Traffic Management Plan (CTMP) that is required to be implemented during the construction phase, and which includes street closure information, detour plans, haul routes, and staging plans and formalizes how construction would be carried out and identifies specific actions that would be required to reduce effects on the surrounding community. The CTMP for the Project would prohibit construction-related vehicles and construction workers from parking on surrounding public streets. Adequate parking for construction workers would be provided at a designated on-site or off-site location. Thus, construction workers and vehicles would not reduce the availability of spaces on streets surrounding the Project Site.

Construction of the Project would be largely contained within the Project Site and would not affect adjacent street access. In addition, any delays from additional construction traffic and/or construction activities at locations other than the streets adjacent to the Project Site would not be substantial. Certain construction activities such as roadway improvements, utility relocation or extension, and drainage facility reconstruction could require temporary lane closures, which would in turn temporarily reduce existing street capacity, but such impacts would be short-term in duration. The impacts of construction activity on the overall transportation system would be temporary in nature and would cause minimal interruption to the regular operation of the facilities surrounding the Project Site.

Impacts related to construction noise are generally mitigated by restricting the days and hours for construction. Regulatory Compliance Measure H-3 (see page V.H-27 of the Draft EIR) restricts allowable

days and times for construction activity. Further, the Proposed Project is subject to the City of Los Angeles Building Code construction requirements, as well as the application of Best Management Practices during site preparation, grading, site preparation and construction. The City provides for remedies resulting from potential construction-related damage to nearby properties through the imposition of standard conditions of approval. For example, the removal of off-site trees requires the prior approval by the Board of Public Works; grading that affects off-site properties is regulated by the Grading Ordinance; and repair of damage to roads is enforced by the Bureau of Engineering. It should be noted that none of these activities are being proposed as part of the Proposed Project.

Section V.H of the Draft EIR presents a complete analysis of the anticipated construction noise impacts on the surrounding community, including Louisville High School. With the implementation of the identified Regulatory Compliance Measures and Mitigation Measures, all construction noise impacts at the sensitive receptors in the neighborhood (individual residences and the high school) would be reduced to a less than significant level. Mitigation Measure H-10 specifically requires that notification of construction schedules and expected durations be provided to surrounding neighbors, including the high school. Such notification will contain contact information for the applicable site construction manager(s) in the event of any complaints.

#### **Comment No. A5-43**

##### HOMEOWNERS ASSOCIATION

Given so many protected Oaks would be located in people's yards, what assurances are there that these trees will be protected and not cut down by the home owners at some point? In addition, there is a question as to who is responsible for the common driveway on Mulholland for lots 1-4.

SEE PIC

Action: Community recommended on April 11, 2016 meeting that it might make sense to create a common area (in purple above) that would be managed by an HOA and not be part of the proposed lots. This would protect Oaks while reducing Lot sizes with large amounts of unusable land. This would also serve to maintain any common areas including the shared driveway off of Mulholland.

#### **Response to Comment No. A5-43**

The Proposed Project would need to establish a property owners' association (POA) in order to maintain the new private street to be located on-site. As described in Response to Comment No. A5-27, per Project Design Feature B-1 (at page IV.B-24 of the Draft EIR), a final landscape plan prepared by an expert as designated under City of Los Angeles Ordinance 177,404 must be submitted for approvals by the Mulholland Scenic Corridor Specific Plan Design Review Board, the City of Los Angeles Planning Department, and the Urban Forestry Division (formerly Street Tree Division) of the Los Angeles Bureau of Street Services. Further, as required by City of Los Angeles Ordinance 177,404, following the completion of the construction of the Project, the Project Applicant shall post a cash bond or other assurances acceptable the Bureau of Engineering in consultation with the Urban Forestry Division and the

Advisory Agency guaranteeing the survival of the trees to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date the bond is posted or from the date such trees are replaced or relocated, whichever is longer. The amount of the bond is to be determined by the City Engineer in consultation with the Advisory Agency and the City's Chief Forester. Following the Project's fulfillment of this requirement, the protected species on the Project Site will remain under the protection of the City's Protected Tree Ordinance (Ordinance 177,404) and subject to all the provisions therein with oversight and enforcement by the Urban Forestry Division, as well as those protections set forth under the Mulholland Scenic Corridor Specific Plan.

With respect to responsibility for the shared driveway proposed to provide access for Lots 1 through 4, see Response to Comment No. A5-40.

**LETTER NO. A6**

Charles C. Holloway, Manager of Environmental Planning and Assessment  
LADWP  
111 N. Hope Street  
Los Angeles, CA 90012

**Comment No. A6-1**

The Los Angeles Department of Water and Power appreciates the opportunity to review the Draft Environmental Impact Report (DEIR) for the Vesting Tentative Tract No. 67505 Project. The mission of LADWP is to provide clean, reliable water and power to the City of Los Angeles.

In reviewing your proposed project description, the LADWP has determined that the project may have impacts to water resources. The following comments reflect our review for matters related to water resources for the project; you may receive additional comments from other divisions at LADWP separately referring to other respective areas in the initial Study such as water infrastructure capacity, etc.

**1. PAGE V.A-18. Utilities and Service Systems**

Comments:

Third and fourth paragraphs: *"Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?"* The Project Site is served by the Los Angeles Aqueduct Filtration Plant (LAAFP), which has a capacity to treat approximately 600 million gallons per day (mgd) and is currently 4,807 gallons of water daily (or 0.005 mgd), and therefore, implementation of the Proposed Project is not expected to measurably reduce the LAAFP's capacity. The Proposed Project would have a less than significant impact."

Consider the following information for revising the fourth paragraph. Stating that the project's water demand is not expected to measurably reduce the LAAFP's capacity is not the basis for determining the adequacy of LAAFP treatment capacity for the project. The maximum water treatment capacity at the LAAFP is 600 million gallons per day, or approximately 672,000 AFY. LAAFP typically treats water from LA Aqueduct (LAA) and most of the purchases through MWD. The current average annual flow through LAAFP is approximately 324 million gallons per day, or approximately 360,000 AFY, averaged over CY 2014. LAAFP treatment capacity for any project is generally sufficient if the project's water demand is accounted for in LADWP's total City demand projections of the most recently adopted Urban Water Management Plan (UWMP). Exhibit 11 E of the 2010 UWMP shows that the total annual water supplies from LAA and MWD between years 2020 through 2035 are less than 470,000 AFY. See attached link to the 2010 UWMP:

<http://www.ladwp.com/docs/QOELLADWP005416>

**Response to Comment No. A6-1**

See Response to Comment No. A1-1, which is a duplicate of this comment.

**Comment No. A6-2****2. PAGE V.A-19, Utilities and Service Systems**

Comments:

Second and third paragraphs: *"Have significant water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?"* The LADWP is responsible for providing water services to the Project Site. The LADWP can generally supply water to developments within its service area, except under extraordinary circumstances. The 2010 Urban Water Management Plan projects a supply of 555,477 AFY in 2015. Any shortfall in LADWP controlled supplies (groundwater, recycled, conservation, Los Angeles Aqueduct) is offset with MWD purchases to rise to the level of demand. The Project would have a less than significant impact upon water supplies."

Consider the following information for revising the third paragraph. The adequacy of water supply for a project is based on the project's consistency with the demographic projection from the Regional Transportation Plan (RTP) by the Southern California Association of Governments (SCAG). LADWP works closely with the City of Los Angeles, Department of City Planning to develop and update the UWMP every five years. The UWMP identifies short-term and long-term water resources management measures to meet growing water demands during normal, singledry, and multiple-dry years over a 25-year horizon. The City's water demand projection in the UWMP was developed based on the RTP demographic projection by SCAG. In general, projects that conform to the demographic projection from the RTP by SCAG and are currently located in the City's service area are considered to have been included in LADWP's water supply planning efforts in the UWMP.

**Response to Comment No. A6-2**

See Response to Comment No. A1-2, which is a duplicate of this comment.

**Comment No. A6-3**

For any questions regarding the above comments, please contact Mrs. Nadia Parker of my staff at (213) 367-1745 or at Nadia.Parker@ladwp.com. Also, please add Mrs. Nadia Parker to your direct mailing list for any future notices regarding this project and others.

**Response to Comment No. A6-3**

Comment acknowledged. The comment does not make a specific reference to the Draft EIR and no further response is warranted.

**LETTER NO. A7**

Genevive Han, West Valley District Engineer  
LADWP, Water Distribution Engineering  
111 N. Hope Street  
Los Angeles, CA 90012

**Comment No. A7-1**

The Los Angeles Department of Water and Power (LADWP) Water System (WS) received a copy of the vesting tentative map for Tract 67505 on Friday, June 10, 2016, at 22241-22255 Mulholland Drive in the Woodland Hills area of the City of Los Angeles.

The WS maintains the Girard Reservoir, which is adjacent to the proposed development and is a critical supply to the western portion of the San Fernando Valley. Damage or loss of this water supply will severely impact the pressure and quality of domestic and fire services in this area and the rest of the West Valley District.

**Response to Comment No. A7-1**

Comment acknowledged. The comment does not make a specific reference to the Draft EIR and no further response is warranted.

**Comment No. A7-2**

A review was performed by the Water Distribution Division's West Valley District, as well as the Geology and Reservoir Surveillance Group, both of the WS. Based on that review, there are no significant concerns with the proposed development. However, LADWP-WS shall be notified if any substantial changes are made to the proposed subdivision, so that an updated review can be performed.

Please contact Ms. Genevieve Han at (213) 367-1275 or Mr. Nicholas Turner at (213) 367-3566 if you have any questions.

**Response to Comment No. A7-2**

Comment acknowledged. The comment does not make a specific reference to the Draft EIR and no further response is warranted.

**LETTER NO. A8**

Ralph M. Terrazas, Fire Marshal  
Kristen Crowley, Fire Marshal  
Bureau of Fire Prevention and Public Safety  
Los Angeles Fire Department

**Comment No. A8-1****PROJECT DESCRIPTION**

The Proposed Project is the subdivision of a 6.2-acre property (two parcels) into 19 lots and the subsequent development of 19 detached, single-family residences. Each residence would have three or four bedrooms and would have a maximum height of three stories or 36 feet, as established by the Mulholland Scenic Parkway Specific Plan Inner Corridor regulations. Each unit would include a two-car garage. There would also be 38 covered parking spaces for residents. A new public street would provide vehicular access from San Feliciano Drive to 11 of the homes. Four additional homes would have direct driveway access from San Feliciano Drive, while the four remaining homes would take access from a private driveway off of Mulholland Drive. Within the site, Project building footprints would account for approximately 0.86 acre (or 13.8 percent of the total Project site), hardship and impervious surfaces would cover 0.96 acre (15.5 percent of the site), landscaped areas would comprise 1.35 acres (21.7 percent of the site), and 3.03 acres (4.89 percent of the site), would remain as undisturbed naturally vegetated open space. Once abandoned single-family residence and associated structures existing on-site would be demolished. As estimated 3,040 cubic yards of soil would be excavated and remain on the Project Site, with approximately 4,200 cubic yards of additional fill material imported to the Project Site in order to balance cut and fill during grading operations. Haul route approval would be required. Of the existing 199 trees (including 166 protected trees) located on-site, 28 (including 15 protected trees) would be removed in order to develop the Proposed Project.

The following comments are furnished in response to your request for this Department to review the proposed development:

**Response to Comment No. A8-1**

The commenter restates a description of the Proposed Project. However, the Project would not develop any three-story homes; all of the proposed residences would be no more than two stories in height. The covered parking spaces referenced in the comment would be located within the proposed garages. The proposed street providing access from San Feliciano Drive would be a private street constructed to public street standards.

**Comment No. A8-2*****A. Fire Flow***

The adequacy of fire protection for a given area is based on required fire-flow, response distance from existing fire stations, and this Department's judgment for needs in the area. In general, the required fire-flow is closely related to land use. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard.

Fire-flow requirements vary from 2,000 gallons per minute (G.P.M.) in low density residential areas to 12,000 G.P.M. in high-density commercial or industrial areas. A minimum residual water pressure of 20 pounds per square inch (P.S.I.) is to remain in the water system, with the required gallons per minute flowing. The required fire-flow for this project has been set at 4,000 G.P.M. from four adjacent fire hydrants flowing simultaneously

Improvements to the water system in this area may be required to provide 4,000 G.P.M. fire-flow. The cost of improving the water system may be charged to the developer. For more detailed information regarding water main improvements, the developer shall contact the Water Services Section of the Department of Water and Power.

**Response to Comment No. A8-2**

The Draft EIR (at page V.A-15) includes Regulatory Compliance Measure A-21, which requires the Project Applicant to submit a request for determination of the required and available fire flow pressure for the Project prior to Project approval. As noted, if fire flow pressures are deemed insufficient to serve the Project, then upgrades to the existing infrastructure would be necessary and would be the responsibility of the Project Applicant and subject to review and approval by the LAFD.

**Comment No. A8-3*****B. Response Distance, Apparatus, and Personnel***

Based on a required fire-flow of 4,000 G.P.M., the first-due Engine Company should be within 1 mile(s), the first-due Truck Company within 2 mile(s).

<b>Distance</b>	<b>Fire Station No.</b>	<b>Equipment &amp; Services</b>	<b>Staff</b>
2.8	<b>Fire Station No. 84</b> 21050 Burbank Blvd. Woodland Hills, CA 91367	Paramedic Engine Company	4
3.7	<b>Fire Station No. 105</b> 6345 Fallbrook Avenue Woodland Hills, CA 91364	Task Force Truck and Paramedic Engine Company	10
4.3	<b>Fire Station No. 72</b> 6811 DeSoto Avenue Canoga Park, CA 91303	Single Engine Company Paramedic Rescue Ambulance Battalion 17 Headquarters	7
4.7	<b>Fire Station No. 93</b> 19059 Ventura Boulevard Tarzana, CA 91356	Task Force Truck and Engine Company Paramedic Rescue Ambulance	12
6.7	<b>Fire Station No. 106</b> 23004 Roscoe Boulevard West Hills, CA 91304	Single Engine Company	4

Based on these criteria (response distance from existing fire stations), fire protection would be considered **inadequate**. Response times could be delayed due to distance from Fire stations.

#### **Response to Comment No. A8-3**

The Draft EIR (at page IV-32 of Appendix A, Initial Study) states that the Project Site is approximately 2.2 miles from the nearest fire station, Fire Station No. 84, located at 5340 Canoga Avenue in Woodland Hills. This station has since been relocated, and, as noted in the comment, is now located at 21050 Burbank Boulevard in Woodland Hills, approximately 2.8 miles from the Proposed Project. This station remains the nearest to the Project Site. As required under the City's Fire Code, the Proposed Project would be required to install automatic sprinkler systems due to its distance from the nearest fire station. This requirement is included as Regulatory Compliance Measure A-20 in the Draft EIR. Compliance with this requirement is designed to address inadequate response times resulting from response distances greater than 1.5 miles. Through compliance with this requirement, the Proposed Project's fire protection would be considered adequate under the Fire Code and no further mitigation is required.

#### **Comment No. A8-4**

##### ***C. Firefighting Personnel Access***

Access for Fire Department apparatus and personnel to and into all structures shall be required.

The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

**Response to Comment No. A8-4**

The Draft EIR includes Regulatory Compliance Measures A-22 and A-23, requiring consistency with California Fire Code requirements and Proposed Project plot plan approval by the LAFD prior to either the recordation of a final map or the approval of a building permit. The requirements listed in the comment are incorporated by reference under these Regulatory Compliance Measures and no further mitigation is required.

**Comment No. A8-5**

**D. Firefighting Apparatus Access**

No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.

Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

Submit plot plans indicating access road and turning area for Fire Department approval.

Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

This project is located in the very high fire hazard severity zone and shall comply with requirements set forth in the City of Los Angeles Municipal Code 57.25.01.

Mitigating measures shall be considered. These measures shall include, but not be limited to the following:

- a. Boxed-in eaves.
- b. Single pane, double thickness (minimum 1/8" thickness) or insulated windows.
- c. Non-wood siding.

- d. Exposed wooden members shall be two inches nominal thickness.
- e. Noncombustible finishes.

Irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet shall be considered as a buffer between the brush and the proposed project.

All landscaping shall use fire-resistant plants and materials. A list of such plants is available from the Fire Department.

All homes shall have noncombustible roofs. (Non-wood)

The brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the homeowner's Association under supervision to the Los Angeles City Fire Department in order to reduce the risk of brush fires spreading to the homes.

Any required roadway improvement within the Hillside Ordinance shall be completed prior to the Fire Department signing off and building plans or building permit application.

For any new construction of, or addition to, a one-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20-foot-wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no building permit or grading permit shall be issued unless the construction or addition meets the requirements of this Subdivision or has been approved pursuant to Section 12.24 x 21.

No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

#### **Response to Comment No. A8-5**

The Draft EIR includes Regulatory Compliance Measures A-22 and A-23, requiring consistency with California Fire Code requirements and Project plot plan approval by the LAFD prior to either the recordation of a final map or the approval of a building permit. These requirements and recommendations listed in the comment are incorporated by reference under these Regulatory Compliance Measures and no further mitigation is required.

#### **Comment No. A8-6**

#### **CONCLUSION:**

The inclusion of the above recommendations, along with any additional recommendations made during later reviews of the proposed project, will reduce the impacts to an acceptable level.

Definitive plans and specifications shall be submitted to this Department and requirements for necessary permits satisfied prior to commencement of any portion of this project.

The Los Angeles Fire Department continually evaluates fire station placement and overall Department services for the entire City, as well as specific areas. The development of this proposed project, along with other approved and planned projects in the immediate area, may result in the need for the following:

1. Increased staffing for existing facilities.
2. Additional fire protection facilities.
3. Relocation of present fire protection facilities.

For additional information, please contact Inspector Robert Duff or Inspector Urrea of the Construction Services Unit at (213) 482-6543.

#### **Response to Comment No. A8-6**

The Fire Department acknowledges that with the inclusion of the previously stated recommendations, which are part of the regulatory compliance process, that project impacts would be reduced to an acceptable level. Regulatory compliance includes but is not limited to conformance with the California Fire Code requirements and Project plot plan approval by the LAFD during the tract map recordation and the building permit process.

The LAFD also states that the Project, in conjunction with other approved or planned projects, may result in the need for increased staffing for existing facilities, additional fire protection facilities, or the relocation of facilities. While increased emergency service demand or staffing may be one of many factors that determine the need for new fire facilities, impacts to fire protection are assessed under CEQA based on whether the demand for the services generated by a project would require the construction of new or physically altered facilities, such as fire stations. The analysis is in accordance with *City of Hayward v. Trustees of California State University* (2015) 242 Cal. App. 4th 833, which held that an increase in demand for public services could lead to potentially significant environmental impacts only if the construction or expansion of a new facility is required, the construction or operation of which might adversely affect the physical environment. Therefore, increased demand for public services, including increased response time or staffing, does not by itself constitute a significant impact that requires mitigation under CEQA. Analysis of whether there is a significant impact related to emergency services is appropriately based on whether a significant environmental impact would result from the construction of new or expanded facilities.

As discussed on page V.A-15 of the Draft EIR and pages IV-31 through IV-32 of the Initial Study, Appendix A of the Draft EIR, the Project would result in a less-than-significant impact with respect to fire protection. The Initial Study identified regulatory compliance measures and reviews by LAFD and LADWP that would be required of the project, including conformance with California Fire Code requirements and review of water pressure and fire flow requirements. The Initial Study also determined that the project would not generate the need for construction of new or expanded fire protection facilities. The development

of 19 single-family residences on the site would be in-line the anticipated density for the site, allowed by the existing land use designation and zoning on the property, and the project would not be expected to require the construction or alteration of new fire facilities.

The comment also states that the Project in conjunction with other approved or planned projects may result in the need for additional fire protection facilities or relocation of existing fire protection facilities. Based on a review of the related project list in Section III, Environmental Setting and anticipated development of new fire stations identified in LAFD's Strategic Plan 2018-2020, the LAFD does not currently have any plans for new fire stations to be developed in proximity to the Project Site.<sup>1</sup> Given the unknown size and precise location of any future facilities, the infill nature of any fire facility in proximity to the Project and other approved or planned projects, the Draft EIR's conclusion that cumulative impacts are less than significant is supported by substantial evidence. See *City of Hayward v. Board of Trustees* (2015) 242 Cal.App.4th 833 at 842. In addition, the development of potential future fire service stations would also be subject to further CEQA review and evaluated on a case-by-case basis.

Additionally, each related project in the Draft EIR would be required to satisfy the response distance, emergency access, and fire flow requirements pursuant to the Los Angeles Fire Code. Similar to the Project, each of the related projects would be individually subject to LAFD review and would be required to comply with all applicable construction-related and operational fire safety requirements of the LAFD and the City of Los Angeles in order to adequately mitigate fire protection impacts. As such, the Project would not make a cumulatively considerable impact on fire protection services (see Draft EIR p. V.A-15).

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<sup>1</sup> Los Angeles Fire Department, *A Safer City 2.0: Strategic Plan 2018-2020*, <https://www.lafd.org/about/about-lafd/strategic-plan>, accessed May 15, 2018.

**LETTER NO. 1**

Matthew Gavia  
4754 San Feliciano Dr

**Comment No. 1-1**

As a home owner on San Feliciano Dr, I am very concerned about the following issues arising from the proposed development at 22255 Mulholland.

1. New proposed street will be located on a blind curve and will present safety issues to oncoming traffic

**Response to Comment No. 1-1**

See Response to Comment No. A5-25.

**Comment No. 1-2**

2. Homes located on San Feliciano and Cerrillos have driveways that exit out into intersection causing safety concern

**Response to Comment No. 1-2**

See Response to Comment No. A5-26.

**Comment No. 1-3**

3. Concerns around scenic impact to viewsheds

**Response to Comment No. 1-3**

See Responses to Comment Nos. A3-14 and A5-27.

**Comment No. 1-4**

4. Projects impact to traffic given already heavy traffic flow, especially around peak periods - in morning rush hours, cars crossing Mulholland are already clogged back 2 blocks

**Response to Comment No. 1-4**

The Project traffic impacts were adequately analyzed and addressed according to City of Los Angeles criteria in the Project Traffic Study and the Draft EIR. As indicated by the results in Table V.I-3 of the Draft EIR, those impacts would be well below the levels of significance.

**Comment No. 1-5**

5. Ability of current storm drain system to be able to handle additional runoff of new development - Every rain work crews are unclogging San Feliciano Dr as it is.

**Response to Comment No. 1-5**

See Response to Comment No. A5-29.

**Comment No. 1-6**

6. Extensive use of retaining walls, both in height and length

**Response to Comment No. 1-6**

See Responses to Comment Nos. A5-9, A5-27, and A5-30.

**Comment No. 1-7**

7. Proposal for 3 story homes and compatibility with surrounding neighborhood for these reason and more please do not allow this project to go forward.

**Response to Comment No. 1-7**

Residences will be limited to two stories in height. See Response to Comment No. A5-32.

**LETTER NO. 2**

Julie Zagha  
22056 Galvez St.  
Woodland Hills, CA 91364

**Comment No. 2-1**

I am writing about the pending development of the two parcels, totaling 6.15 acres at 22255 Mulholland Blvd., which also fronts Mulholland Drive and San Feliciano Drive.

I am writing to voice opposition to this project which impacts the community by increasing traffic and decreasing our already limited oak tree watershed.

Please consider denying the request to develop this land. What we need here instead is a small parklet for all to enjoy.

**Response to Comment No. 2-1**

The Draft EIR adequately analyzed the Proposed Project's impacts to traffic and biological resources and found that with mitigation, impacts would be less than significant. The commenter otherwise expresses an opinion regarding development of the Proposed Project, but does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 3**

Jim Anderson

**Comment No. 3-1**

Thank you for your request for comments.

There are hydrologic and geological concerns.

There is an intermittent stream on Topanga which drains into the SOS DWP property. I have personally witnessed this stream overflowing.

**Response to Comment No. 3-1**

It is unclear which “stream” the commenter is referring to, or precisely which property. It is assumed that the “DWP property” reference is to the Girard Reservoir parcel, located adjacent to the Project Site on the east. No intermittent stream drains from the reservoir property onto the Project Site, or vice-versa. With respect to a former watercourse across the Project Site, see Responses to Comment Nos. A2-4 and A2-5. The other concerns referenced by the commenter are not specified, and so no additional response is possible.

**Comment No. 3-2**

How does the Corps of Engineers feel about disturbing a tributary to a navigable waterway, i.e., the LA River?

Are the Valley and State Watermasters aware of the potential disruptions to stream flow.

**Response to Comment No. 3-2**

See Responses to Comment Nos. A2-4, A2-5, and A2-7.

**Comment No. 3-3**

Where does DWP stand on the disruption to its property?

**Response to Comment No. 3-3**

The Proposed Project would not create any disruption to the adjacent Girard Reservoir parcel that is owned by the LADWP. The LADWP reviewed the Draft EIR for the Proposed Project and indicated that they do not have any concerns regarding the Project’s potential effect on the Girard Reservoir property (see Response to Comment No. A7-2).

**Comment No. 3-4**

Has the National Park been consulted?

**Response to Comment No. 3-4**

Notification of the availability of the Draft EIR for public review was sent to the Santa Monica Mountains National Recreation Area of the National Park Service, which did not provide any comment.

**Comment No. 3-5**

What effects will accrue to wildlife? Are there threatened species extant? Has a census of the biomass been assayed?

**Response to Comment No. 3-5**

The potential impacts of the Proposed Project on wildlife, including threatened and other special-status species, are discussed in Section V.D of the Draft EIR. This section also contains a complete description of the biomass on-site, both flora and fauna. As discussed in the Draft EIR, one special-status plant species (Southern California black walnut) has been documented on-site, while 13 other special-status plant species were determined to have a low to moderately low potential to occur on-site. With respect to wildlife, four special-status species (Cooper's hawk, oak titmouse, coastal whiptail, and Nuttall's woodpecker) were documented on-site, while several other species were determined to have a moderate or moderately high potential to occur on-site. Impacts on wildlife were determined to be less than significant.

**LETTER NO. 4**

Barbara Margolies  
4671 Cerrillos Drive  
Woodland Hills, CA 91364

**Comment No. 4-1**

I live in Woodland Hills on Cerrillos Drive, near the proposed subdivision of the 6.2 acre property located on San Feliciano and Mulholland Drive. I have reviewed the Environmental Impact Report and feel this development is a detriment to our neighborhood. I oppose it for the following reasons:

The development will increase traffic in our neighborhood, especially around peak hours. Another traffic study should be conducted as the current study is deficient in certain areas and does not take into account the reality of the traffic situation in this area.

**Response to Comment No. 4-1**

See Response to Comment No. A5-28.

**Comment No. 4-2**

There are concerns about the capacity of the storm drains in the area with the possibility of flooding.

**Response to Comment No. 4-2**

See Response to Comment No. A5-29.

**Comment No. 4-3**

The current plan for 3 story homes is not compatible with the surrounding neighborhood. The scenic impact will be affected and there is concern about protection of Oak trees on the property and the true extent of their removal.

**Response to Comment No. 4-3**

Residential buildings will be limited to two stories in height. See Response to Comment No. A5-32 with respect to the proposed homes and compatibility issues. See Response to Comment No. A5-34 with respect to the protection of oak trees on-site.

**Comment No. 4-4**

The quality of life in our neighborhood will be impacted by a prolonged construction period (estimated to be 30 months).

**Response to Comment No. 4-4**

An overall construction period of approximately 26 months is expected for the Project. See Response to Comment No. A5-42.

**Comment No. 4-5**

I am not an engineer, an arborist or specialist in any of these areas, only a concerned resident who has lived in this area for 13 years. I love that it is a quiet neighborhood with a mixture of ages. I would hate to see it changed drastically. From what I have read, there has not been adequate research done on this project. Please address these concerns at your earliest convenience.

**Response to Comment No. 4-5**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 5**

Charles and Florilla Anne Batten  
4647 Cerrillos Dr  
Woodland Hills, CA 91364-5012

**Comment No. 5-1**

We strongly oppose the construction of 19 family residences on land currently identified as 22255 and 22241 W. Mulholland Drive. In a city desperately in need of green space, this real estate, filled with historic California Live oaks, should remain undeveloped until it can be used as public parkland. As you know, it is ideally located next to the DWP Girard Reservoir.

**Response to Comment No. 5-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 5-2**

In addition, we strongly protest any review process that excludes a public meeting. Your letter makes this development sound like a *fait accompli*, and that certainly does not lead to respect for our city government.

**Response to Comment No. 5-2**

A public hearing will be held regarding the Proposed Project prior to it being considered for final decision for approval or denial by the City. The commenter otherwise expresses an opinion regarding approval of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 6**

Ruth Carolyn Swaim  
4555 San Feliciano Drive  
Woodland Hills, CA 91364

**Comment No. 6-1**

I am a long time owner of the property at 4555 San Feliciano Drive, Woodland Hills, CA. I purchased that property in December of 1971 and have raised my children here. I am currently retired and plan to live here the remainder of my life.

Over the years the traffic on San Feliciano has increased measurably. And across our lifetime here there have been numerous accidents including one that destroyed our car parked on the south bound side right in front of our house. Currently the morning traffic can be backed up past our house just waiting at the stop sign for Mulholland Drive traffic to clear. So adding the cars for the 19 homes - 15 opening onto San Feliciano - concerns me.

**Response to Comment No. 6-1**

The Draft EIR contains an analysis of existing and future traffic conditions, both without and with the Proposed Project, and the resulting impact of Project traffic on the local street system (see Section V.I of the Draft EIR). As shown on Table V.I-6 of the Draft EIR, it is estimated that the Project would generate 181 daily trips, including 14 trips during the AM peak hour and 19 trips during the PM peak hour. The analysis, which was prepared in accordance with City standards and criteria, determined those impacts to be well below applicable levels of significance. However, the commenter's concern regarding area traffic conditions is acknowledged.

**Comment No. 6-2**

Most importantly is the entrance from the proposed housing project directly onto San Feliciano. That road from the project could well be moved farther north to the intersection of Cerrillos and San Feliciano and thereby form a four way stop. As the current project shows, there will be two intersections onto San Feliciano - one on the hill and curve and the other as it currently intersects Cerrillos. It is already difficult enough for us to exit our driveway during morning drive-time hours, and drive north towards Woodland Hills Elementary School. BUT this addition of another intersection coming from the new development will compound problems of cross traffic both on the hill and at the bottom of the hill. PLEASE MOVE THE ENTRANCE to the new addition to the bottom of the hill and make only one cross street at Cerrillos. Surely the traffic flow, visibility, access, etc. has NOT been adequately addressed for both long time owners/residents and new comers moving into the new development. It will be difficult, dangerous, and inconvenient for everyone living south of Ave Morelos to negotiate the intersections on the curves and on the hill IF the current plans are accepted.

**Response to Comment No. 6-2**

The traffic impacts of the Proposed Project are addressed in Section V.I of the DEIR and were determined to be less than significant. The sight distances acceptability of the proposed internal Project street intersection with San Feliciano Drive is addressed in Response to Comment No. A5-25. The safety of the proposed Project driveways near the intersection of San Feliciano Drive and Cerrillos Street is addressed in Response to Comment No. A5-26. Per LADOT's direction in a May 1, 2017 memo regarding the Project, the proposed driveway location must be approved by LADOT prior to the submittal of building permit plans for plan check. However, the commenter's recommendation is noted and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 7**

Bryan Watkins

**Comment No. 7-1**

I am a resident on Cerrillos Dr for the past 19 years. The Hannah Valley community has been a well designed and spacious neighborhood that was built in 1956 respecting the natural grade of the hills and oak trees.

I Rita Lahner have many concerns regarding Vesting Tentative Tract 67505.

I request specific language that would state the 19 lots cannot be subdivided in anyway.

**Response to Comment No. 7-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 7-2**

The DEIR did not conduct any sight distance studies and I believe there is an extremely high safety concern for the potential location of the streets. Clarification of whether the streets are private or public are a huge concern.

**Response to Comment No. 7-2**

See Response to Comment No. A5-25 for a discussion of sight distance and traffic safety. See Response to Comment No. A5-24 for a discussion of the proposed private street.

**Comment No. 7-3**

The impact of possible 3 story houses, retaining walls etc. will have a dramatic scenic impact on our historical neighborhood. The removal of possible oak trees to be replaced with other types of trees is a violation of the protected Oak Tree. The developer needs to submit a better mitigation plan regarding the scenic impact. This plan will dramatically change the charm of our neighborhood.

**Response to Comment No. 7-3**

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Each residence will be limited to a height of

two stories. The Project would be required to replace each removed oak tree with a minimum of two oak tree plantings (see Mitigation Measure D-1 in the Draft EIR). See Responses to Comment Nos. A3-14 and A5-27 regarding scenic impacts. Otherwise, the commenter is expressing an opinion regarding the proposed Project. The comment will be forwarded to the decision-making bodies for their consideration.

**Comment No. 7-4**

The traffic impact of 19 families will create a tremendous amount of traffic to an already congested intersection. I request another traffic study with dates chosen by the community. I do not believe the study captured the reality of the traffic situation in this area.

**Response to Comment No. 7-4**

The Draft EIR contains an analysis of existing and future traffic conditions, both without and with the Proposed Project, and the resulting impact of Project traffic on the local street system (see Section V.I of the Draft EIR). As shown on Table V.I-6 of the Draft EIR, it is estimated that the Project would generate 181 daily trips, including 14 trips during the AM peak hour and 19 trips during the PM peak hour. The analysis, which was prepared in accordance with City standards and criteria, determined those impacts to be well below applicable levels of significance. The traffic generation estimates and study dates concerns are further addressed in Response to Comment No. A5-28.

**Comment No. 7-5**

I also request another storm drain for the developed neighborhood. The DEIR is insufficient regarding this major issue.

**Response to Comment No. 7-5**

See Response to Comment No. A5-29 for a discussion of storm drainage. The commenter does not state any specific deficiencies of the Draft EIR regarding this subject; thus, no further response is possible.

**Comment No. 7-6**

I request an exact height of each retaining wall, the number of walls as well as extensive use of retaining walls over 500 feet. I request all covered parking spots to be removed and replaced with garages. I request an accurate recommendation that no unit would be over 2 stories and lots bordering San Feliciano cannot exceed one story. I request all trees that are circled meet mitigation to ensure the survival of these trees in people's backyards that homeowners abide the rules protecting oaks in the area an HOA is needed.

**Response to Comment No. 7-6**

See Response to Comment No. A5-30 for a discussion of retaining walls. See Response to Comment No. A5-31 with regard to Project parking. See Response to Comment No. A5-32 with regard to the number of stories of Project homes, which will be limited to two stories in height. See Response to Comment No. A5-

43 for a discussion of oak tree mitigation assurance and the commenter's request that a homeowners' association be established for the Project.

**Comment No. 7-7**

I also would like lot 11 removed from the plan all together and propose a small park for the neighborhood. I request a more detailed grading map 61 percent is way too high and requires many retaining walls. Cerrillos Dr went with the natural grade of the street and there are no visible retaining walls in our neighborhood. I propose removing lot 5 and 6 or reconfigure according it city guidelines and a plan to show how specifically the hillside on the cul de sac will be supported. I request specifics on who owns and is responsible for driveways and access road to lots 1-4 as well as deceleration and acceleration lanes on Mullholland. Request definition on what specialized and new public street means also spec house and the intentions. Also the driveways on this lot and what mitigation strategy for easement is.

**Response to Comment No. 7-7**

See Response to Comment No. A5-30 for a discussion of retaining walls. See Response to Comment No. A5-37 for a discussion of grading. See Response to Comment No. A5-40 regarding ownership and maintenance responsibilities for the access to Lots 1 through 4. See Response to Comment No. A5-41 regarding the questions pertaining to Lot 19 (implied in the last two sentences of the comment). Otherwise, the comment expresses opinions about the Project but does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 7-8**

My concerns for this construction project is that our neighborhood will be turned upside down for 3 years. Where will all the construction workers park their cars. Can we create an entrance for construction workers that won't impact the neighborhood?

**Response to Comment No. 7-8**

See Response to Comment No. A5-42 for a discussion of various construction issues concerning the Proposed Project.

**Comment No. 7-9**

I request a common area managed by the HOA to not be part of the proposed lots protecting the Oak trees.

**Response to Comment No. 7-9**

See Response to Comment No. A5-43 regarding the suggestion that a homeowners' association be established upon completion of the Project.

**LETTER NO. 8**

Carlos Duque  
4622 Cerrillos Dr  
Woodland Hills, CA 91364

**Comment No. 8-1**

Since 2005 the group of individuals in possession of this property, then DS Ventures and now Harridge San Feliciano, have had a singular and obvious intent—to develop these parcels in a way that would maximize the profitability of their project, but with little regard for the land and landscape or the surrounding community and its constituents. If this land must be developed then it should be done in a way that is in rhythm with the surrounding existing neighborhood and not in a way that looks like it was squeezed into a space that's too small for it. This development should be designed to fit in, not stick out like a sore thumb.

**Response to Comment No. 8-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 8-2**

In reading over the DEIR it appears the developer intends to ask The Department of Building and Safety and the Mulholland Design Review Board to look the other way regarding more than a few aspects of their plans. I implore these protective agencies to do their job and protect this community by holding this developer to the same rules that we have all been living with in this community for decades.

**Response to Comment No. 8-2**

Discretionary actions for the Proposed Project are listed on page III-12 of the Draft EIR. Review of the Proposed Project by the Los Angeles Department of Building and Safety for permitting and the Director of Planning and the Design Review Board for conformance with the Mulholland Scenic Parkway Specific Plan will occur in the same manner as it does for every other project within the Mulholland Scenic Parkway corridor.

**Comment No. 8-3****Entrance**

The entrance suggested off of San Feliciano is dangerous and out of character with the neighborhood. The only feasible safe entrance would be as a continuation of Cerrillos Drive instead of the proposed three

driveways and lots. The current three-way stop is not always adhered to but a four way stop is more of a deterrent for those that would prefer not to stop.

The entrance on Mulholland is not well thought out and should be eliminated because of existing congestion and high speeds.

### **Response to Comment No. 8-3**

See Response to Comment No. A5-25 concerning the San Feliciano Drive access to the Project. The Project access driveway from Mulholland Drive will include acceleration and deceleration pockets and will only serve four homes, with no connection serving as a route to other streets. Therefore, volumes will be limited. Further, sight distance analyses for the Mulholland Drive access driveway are included in the Parking and Access section of the Project Traffic Study (Appendix J to the Draft EIR).

### **Comment No. 8-4**

#### **Trees**

The number of protected trees in these parcels is high. All will be at risk from this development. Destruction of healthier trees and the older heritage trees should be avoided. These parcels are big enough to create a profit for the developer without the destruction of so many protected trees. In fact, removing or causing the eventual death of a protected Coast Live Oak is far too easily mitigated by a developer with millions of dollars at their disposal. Purchasing and planting two new 36 inch boxed Coast Live Oaks can be accomplished for around \$1000. When the developer stands to prosper in the tens of millions by their project, the trees really don't stand a chance.

### **Response to Comment No. 8-4**

See Responses to Comment Nos. A5-27 and A5-34 for a discussion of impacts to protected trees. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

### **Comment No. 8-5**

Not all the damage to these trees from the development will be seen right away. Developer should be required to sign a promissory note lasting 50 years to replace any trees that die after this development at a two for one rate in addition to replacing any trees destroyed during the development at the same ratio. I know this isn't a rule but it might become mitigation for the purpose of better ensuring these trees are well thought of during development.

**Response to Comment No. 8-5**

Replacement trees will be required to be bonded with the City for a minimum period of three years, in accordance with City standards. Please see Response to Comment No. A5-34.

**Comment No. 8-6****Lot Sizes**

It appears the average lot sizes are deceptive. Several lots consist of thousands of square feet of unusable land that only cloud the real square foot average of most of the other lots, making them all seem bigger than they are. The unusable hillside should not be included in any average lot size calculations for the purpose of this DEIR.

**Response to Comment No. 8-6**

The Draft EIR description of the Proposed Project utilizes the definition of lot size as is established in the Los Angeles Municipal Code (LAMC). The commenter is expressing an opinion regarding the application of this method of defining lot sizes to the Project Site, but does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 8-7****Retaining Walls**

These walls are extensive and huge and totally out of character for this neighborhood. Their true purpose is to allow for building where building should be avoided. Development should be designed to conform more with the existing topography and not to fight it as the current design does.

**Response to Comment No. 8-7**

The commenter expresses an opinion regarding the use of retaining walls within the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 8-8****Building Heights/Square Footage**

The DEIR cover sheet suggests three story structures and compliance with Mulholland Scenic Corridor Specific Plan. Is this a mistake? Most, if not all of these lots appear to allow for at least two story structures.

The percentage of two story structures in the surrounding neighborhood is far less than the DEIR suggests. If there are any three story structures they must be exceptions and should not be used as common and accepted. The number of lots should be reduced to allow for larger footprint homes on larger lots to better conform with the existing surrounding neighborhood.

**Response to Comment No. 8-8**

See Response to Comments No. A3-14 and A5-32 regarding the erroneous description of the Project in the Draft EIR as including three-story homes. Residences will be limited to a height of two stories. Otherwise, the commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 8-9**

To plainly state, the prospect of a development in these parcels is not at issue here as much as a misuse of the space. I would not be opposed to a beautiful addition to our neighborhood, one that could raise our property values and attract a smaller number of buyers that better fit the neighborhood profile. On the other hand, with the current plan of the developer, I feel compelled to fight to protect our investment and those investments of our neighbors. I further recommend that the developer redesign this space for no more than 10 homes with an entrance as a continuation of Cerrillos Drive.

**Response to Comment No. 8-9**

The commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 9**

Naomi Benghiat  
22286 Ybarra Road  
Woodland Hills, CA 91364

**Comment No. 9-1**

As a resident of Woodland Hills, I am very concerned about the planned development of the 6.2-acre property (22255 & 22241 W. Mulholland Drive) between Mulholland Drive (across from Louisville High School) and San Feliciano Drive. The original owner of this land had intended to keep it as open space to be loved and enjoyed by our community. However, with his passing, his children found the need to sell this property and, since then, the neighbors have been fighting to keep it for profit sake, from being overdeveloped and potentially becoming an eyesore. The topography of this acreage creates some major challenges for developer and I fear that they have understated or not clearly defined the true result of their plans.

**Response to Comment No. 9-1**

The commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 9-2**

According to the maps, the developer is planning on removing several old oak trees to make space to build these homes. I am not a technically savvy about some of the language used, but I do know that several species of trees on this property are protected and in the DEIR there are trees very close to structures and roads that are NOT tagged for removal which makes me question the veracity of the claims as to the true count of Oak tree removal. Also, I know that in the overall scheme of things, a developer having to pay a \$3,000 fine per tree and then having to plant ‘baby replacement trees’ is a minor expense and inconvenience when they plan on making millions of dollars on the overall development. In addition, I am concerned about the potential damage to the remaining trees when additional soil is brought in and significant grading is done to make room for the footprints of the new homes. Will the home buyers be informed about the protected status of the oak trees so that they don’t cut down the remaining oaks to expand the limited space in their yards? Which brings me to my next concern, the homes.

**Response to Comment No. 9-2**

See Responses to Comment Nos. A5-27 and A5-34 for a discussion of impacts to oak trees and mitigation for oak tree removal.

**Comment No. 9-3**

How are 2 story homes enhancing the beauty of the existing neighborhood? All of the homes on San Feliciano Drive are single story houses and only small percentages in the greater neighborhood are 2 stories. What are the plans for the homes that are seen on San Feliciano? Will they be single story homes or two story or three story homes? What kind of impact does this create for the view shed of neighbors living on the hill across the street from this site? Also, will the 2 car garages be built under the houses or next to them? Is the proposed covered 38 parking spaces separately placed on the property 'in addition' to the garages attached to each home? If the plan is for nineteen new homes, I am assuming that each will have at least two vehicles driving in and out. What if there are 3 or 4 cars per home?

**Response to Comment No. 9-3**

The commenter raises numerous questions about the specific design of individual homes within the Proposed Project. The design of each home has not been established at the present time. Nonetheless, as is stated in the Draft EIR (see Section V.G, Land Use), the homes within the Project would be designed in compliance with the Specific Plan, including with respect to height and parking, and will be limited to two stories in height. See also Response to Comment No. A5-31 regarding proposed parking.

The viewshed impacts of the Project are discussed in Section V.B of the Draft EIR. As concluded therein, the existing and proposed landscaping and vegetation would obscure most of the Project homes from view from the Mulholland Drive vantage point.

Project traffic volumes and impacts are discussed in Section V.I of the Draft EIR. As concluded therein, no significant impact would occur.

**Comment No. 9-4**

I understand that there was a traffic study done on March 12, 2015 and that there wasn't significant traffic. Well, why didn't they do the study on the 2 busiest days of the week, Monday or Friday, when traffic is always backed up on San Feliciano all the way to Cerrillos Drive? The additional drivers entering San Feliciano Drive from this new development will have a definite impact on the traffic flow in our neighborhood, not an insignificant impact as presumed in the DEIR. Which brings me to the streets.

**Response to Comment No. 9-4**

See Response to Comment No. A5-28 regarding the days on which traffic counts are required to be conducted. See Response to Comment No. 6-1 regarding the determination of Project impacts.

**Comment No. 9-5**

This new development will require new streets to be built. Given that the property address is on W. Mulholland Drive, why is the proposed street for this site on San Feliciano, not Mulholland? The DEIR states that they are planning on creating a new public street on the upward curve of the hill onto San Feliciano Drive. This is a blind spot for cars traveling downhill from Mulholland Drive, creating a

treacherous traffic situation. I know this may be more convenient for the developers to save space for more homes, but it is a dangerous location for an additional street. The most obvious choice would be to have the ‘public access’ street be where there is currently a stop sign on the corner of Cerrillos Drive and San Feliciano Drive. Although, not the best solution for the developer, the proposed new street would have to wrap around some oaks, and might lose an additional house or two in the process, but this is a safer measure in the long run.

#### **Response to Comment No. 9-5**

LADOT policy is to provide access to residential developments from the project-adjacent street with a lower designation. Mulholland Drive is designated as an Avenue I and San Feliciano Drive is designated as a Collector Street. Thus, the primary access point for the Proposed Project is required to be on San Feliciano Drive. See Response to Comment No. A5-25 concerning the sight distance analysis for the intersection of the San Feliciano Drive and the proposed Project private street. The commenter’s recommendations regarding access relocation are acknowledged and will be forwarded to the decision-making bodies for their consideration.

#### **Comment No. 9-6**

One final question about this street; in the project proposal, the new street is described as a *private access road* onto San Feliciano. If this is a private access road, then is this development actually planned as an *enclosed community* like currently exists on Wells Drive just east of Serrania Avenue where the walls of the homes are built high so as not to be seen by the neighbors?

#### **Response to Comment No. 9-6**

While the access roadway connecting to San Feliciano Drive would be a private street, it would be constructed to public street standards and would not be gated. There is no plan to make the Project an “enclosed” community of the type referenced in the comment. New fencing or gating proposed in the future would be required to be reviewed for conformance with the Mulholland Scenic Parkway Specific Plan and the Municipal Code.

#### **Comment No. 9-7**

Over development of this acreage can end up detracting not enhancing the beauty of our neighborhood, especially if large retaining walls (19 feet high) are erected to stabilize the foundations for these homes. I understand that growth and progress allow the developers to build, build, build, but is it not wiser to decrease the number of homes built to be 11 or 12 instead of 19 which is more reasonable given the topography of this location?

#### **Response to Comment No. 9-7**

See Response to Comment No. A5-30 with respect to the Draft EIR’s erroneous statement of the maximum proposed retaining wall height for the Project. The retaining wall will be a maximum of 11 feet rather than

19 feet. The commenter otherwise expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 9-8**

Also, I am unclear whether this current developer submitting this request is actually the developer who will be doing the construction to build on this property? I have heard that they intend to get the DEIR passed and then sell this property to ANOTHER developer to build on. Which begs the question; will the new developers honor the terms of the final DEIR?

**Response to Comment No. 9-8**

The project design features, regulatory compliance measures, and mitigation measures presented in the Final EIR for the Proposed Project would be required of any builder that ultimately constructs the Project. No deviation from these requirements, which would become conditions of Project approval by the City, would be permitted without an additional application to the City and, if necessary, CEQA review.

**Comment No. 9-9**

In closing, should my humble opinion be asked, I would love to see this property turned into a neighborhood park where no trees are sacrificed for growth. I would include walkways and bike paths for our community to enjoy for years to come.

**Response to Comment No. 9-9**

The commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 10**

Carol Anthony  
22271 Ninfa Ct  
Woodland Hills, CA 91364

**Comment No. 10-1**

As a long time resident of Woodland Hills, I am concerned about the planned development of the 6.2-acre property (22255 & 22241 W. Mulholland Drive) between Mulholland Drive (across from Louisville High School) and San Feliciano Drive. The original owner of this land had intended to keep it as open space to be loved and enjoyed by our community. However his children found the need to sell this property upon his passing, since then the neighbors have been fighting to from being overdeveloped. The topography of this acreage creates some major challenges for the developer. I feel they have not defined the final resulting plans for the land in question. It would appear this developer is planning on removing several protected oak trees to build the proposed homes. I feel that to remove these trees is illegal in this neighborhood. A developer having to pay a \$ fine per tree and then having to plant ‘baby replacement trees’ is not a responsible, nor reasonable plan, all the while realizing large sums of money on development. In addition, I am concerned about the potential damage to the remaining trees after significant grading is done to make room for the new homes. Will the home buyers be informed of the status the remaining oaks in their yards?

**Response to Comment No. 10-1**

The Proposed Project’s site plan is as presented in Figure III-4 of the Draft EIR. As is described in Section V.B of the Draft EIR, the Project would require the removal of 15 coast live oak trees. Removal of coast live oak trees, which are a protected tree species under City ordinance, is only allowable upon the approval of the City. The Project Applicant would seek approval to remove the 15 oak trees identified on Figure V.B-6 of the Draft EIR; all other oak trees on the Project Site would be retained.

See Responses to Comment Nos. A5-27 and A5-43 for a discussion of the proposed landscaping plan of the Project and requirements to ensure the establishment and future protection of the replacement oak tree plantings.

Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 10-2**

Most if not all of the homes on San Feliciano Drive are single story houses. What are the plans for the homes that will be seen on San Feliciano? Will they be single story homes or two story or three story

homes? What kind of impact does this create for the view for the neighbors living on the hill across the street from this site? Is the proposed covered 38 parking spaces separately placed on the property ‘in addition’ to the garages attached to each home? If the plan is for nineteen new homes, I am assuming that each will have their own garage.

### **Response to Comment No. 10-2**

The commenter raises numerous questions about the specific design of individual homes within the Proposed Project. The design of each home has not been established at the present time. Nonetheless, as is stated in the Draft EIR (see Section V.G, Land Use), the homes within the Project would be designed in compliance with the Specific Plan, including with respect to height and parking, and will be a maximum of two stories in height. See also Response to Comment No. A5-31 regarding proposed parking; the Municipal Code requires that each single-family residence be developed with two covered parking spaces on-site, which may be provided in either a garage or carport. See Response to Comment No. A5-32 regarding the Draft EIR project description’s erroneous statement that the Project would include homes of up to three stories.

### **Comment No. 10-3**

According to a March 12, 2015 traffic study, which showed there wasn’t significant traffic? March 12, 2015 was a Thursday, not a Monday or Friday, when traffic is always backed up on San Feliciano to Dumetz? The additional drivers entering San Feliciano Drive from this new development will have a definite impact on the traffic flow in our neighborhood, not an insignificant impact as presumed in the DEIR. Did this report consider the horrible traffic snarl-up at Woodland Hills Elementary School, 22201 San Miguel, on the corner of San Feliciano? This new development will require new streets to be built. Given that the property address is on W. Mulholland Drive, it would seem that the ingress/egress would be on at the Mulholland address. The DEIR states development is creating a new public street on the upward curve of the hill onto San Feliciano Drive. This is a blind spot for cars traveling downhill from Mulholland Drive, usually at a high rate of speed, creating a treacherous traffic situation. This is an extremely dangerous location for an additional street. The most obvious choice would be to have the ‘public access’ street be where there is currently a stop sign on the corner of Cerrillos Drive and San Feliciano Drive. Although, not the best solution for the developer, the proposed new street would have to wrap around some oaks, and might lose an additional house or two in the process, but this is a safer measure in the long run.

### **Response to Comment No. 10-3**

See Response to Comment No. A5-28 concerning the days on which traffic data was collected. See Response to Comment No. 6-1 concerning Project traffic impacts. See Response to Comment No. A5-25 which addresses concerns about safety at the intersection of San Feliciano Drive and the Project private street. See Response to Comment No. 9-5 regarding the location of the primary access into the Project. Recommendations regarding Project Site access are acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 10-4**

Over development of this acreage can end up detracting not enhancing the beauty of our neighborhood, especially if large retaining walls (19 feet high) are erected to stabilize the foundations for these homes. I understand that growth and progress allow the developers to build, build, build, but is it not wiser to decrease the number of homes.

**Response to Comment No. 10-4**

Please see Response to Comment No. 9-7.

**Comment No. 10-5**

I would love to see this property left in it's natural state, possibly turned into a neighborhood park where no trees are sacrificed. It could include walkways and bike paths for our community to enjoy for years to come.

**Response to Comment No. 10-5**

The commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 11**

Christine Schacht & Jurgen Reisch  
4747 San Feliciano Dr  
Woodland Hills, CA 91364

**Comment No. 11-1**

We moved to San Feliciano Dr. in Woodland Hills about 2,5 years ago because we loved the quaint and quiet feel of the neighborhood. We are writing to express our concern about the project proposed by Harridge San Feliciano at 22255 and 2241 West Mulholland Drive. We think it will disturb the neighborhood, it is irresponsible in its proposals and conflicts with existing development requirements.

**Response to Comment No. 11-1**

The commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 11-2**

We are not generally against responsible development - even though we would prefer to see the property kept so beautiful the way it is with all the beautiful trees and open spaces. We are absolutely against irresponsible and dangerous developments that will cause serious damage to the character of our existing neighborhood. We thoroughly examined the developer's Draft Environmental Impact Report and have serious concerns with many proposals in the proposed project.

**Response to Comment No. 11-2**

The commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 11-3**

The developer proposes three-story homes on small lots. There are hardly any homes in our neighborhood that are three stories high and most of the homes in our neighborhood are on very big lots. We would like to see less lots with bigger square footage and houses with 2 levels max. to maintain the charming character of the neighborhood.

**Response to Comment No. 11-3**

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to a height of two stories. Otherwise, the commenter is expressing an opinion regarding the proposed Project. The comment will be forwarded to the decision-making bodies for their consideration.

**Comment No. 11-4**

The location of the proposed street in the plans seems to be at a dangerous place. It's at the bottom of a steep hill, with limited visibility for drivers and a blind curve.

**Response to Comment No. 11-4**

See Response to Comment No. A5-25 for a discussion and sight distance analysis of the proposed private street intersection.

**Comment No. 11-5**

The traffic study for the DEIR seems inadequate and doesn't show the actual numbers of vehicles in our neighborhood. We suggest an accurate study should be conducted on a school/workday.

**Response to Comment No. 11-5**

See Response to Comment No. A5-28 regarding the days the traffic counts are required to be conducted. The day on which the traffic counts were conducted was both a school day and a work day, and the commenter does not present evidence as to why the traffic counts are inaccurate.

**Comment No. 11-6**

We are also VERY worried about the beautiful trees on the property. Harridge proposes removing 28! trees from the property. A lot of those are protected Oak trees.

**Response to Comment No. 11-6**

The trees proposed for removal are identified in Table V.B-1 and are shown on Figure V.B-6 of the Draft EIR. As the commenter accurately notes, a total of 28 trees are proposed to be removed for the Project. Of these, 15 are coast live oak trees, a locally protected tree. However, it should also be noted that there are 199 existing trees on the Project Site, of which 155 are coast live oak trees. Thus, the substantial majority of existing trees, including existing coast live oak trees, on the Project Site would be retained. Additionally, of the 15 coast live oak trees proposed to be removed, 12 have a current aesthetic rating of "poor" or "dead".

**Comment No. 11-7**

We have many concerns about the construction of the proposed project. As currently proposed, will last at least 26 months and could turn our neighborhood upside down. Who will be responsible to ensure that complaints by residents are dealt with quickly? We are particularly worried about noise and traffic congestion.

**Response to Comment No. 11-7**

See Response to Comment No. A5-42 for a discussion of construction impacts and mitigation.

**Comment No. 11-8**

Thank you for considering our opinions in the letter above. We hope that we can keep our neighborhood the way we found it a couple of years ago and fell in love with. It is a real gem and worth preserving.

**Response to Comment No. 11-8**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 12**

Mark Willits  
4523 San Feliciano Drive  
Woodland Hills, CA 91364

**Comment No. 12-1**

I live at 4523 San Feliciano Dr. in Woodland Hills with my wife and young daughter. I am writing to express my deep concern that the project proposed by Harridge San Feliciano at 22255 and 2241 West Mulholland Dr. is dangerous to residents of the neighborhood, irresponsible in its proposals, conflicts with existing development requirements and will cause serious damage to the charming character of our existing neighborhood.

**Response to Comment No. 12-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 12-2**

Like many of my neighbors, I would prefer that the undeveloped parcel of land remain undeveloped open space. The undeveloped parcel of land is a beautiful, deeply loved treasure within our neighborhood. I frequently see wildlife on the property. I enjoy the scenery of the beautiful, majestic, decades old Oak trees. I marvel in the beauty of the last bit of open space near my home.

**Response to Comment No. 12-2**

The commenter expresses an opinion regarding the Project Site and development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 12-3**

I also understand that the city of Los Angeles faces a shortage of homes. I'm not against responsible development in my neighborhood. But I am against irresponsible and dangerous developments that will cause serious damage to the character of our existing neighborhood. I have read through and considered

thoroughly the developer's Draft Environmental Impact Report and have serious concerns with many proposals in the proposed project.

### **Response to Comment No. 12-3**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

### **Comment No. 12-4**

First, the proposed street in the proposed development connects to San Feliciano drive at a dangerous place: at the bottom of a steep hill, with limited visibility for drivers, around a blind curve, where drivers frequently exceed the 30 mph speed limit. The proposed intersection would be very dangerous for the many pedestrians and bicyclists in our neighborhood, including myself and my family. Additionally, who will be responsible for the maintenance and upkeep of the street after development: homeowners, the city of Los Angeles? The developers should relocate the proposed street to a much safer place and assign responsibility for the maintenance of the proposed street (perhaps an HOA, as discussed below).

### **Response to Comment No. 12-4**

See Response to Comment No. A5-25 concerning the sight distance at the intersection of the proposed Project private street and San Feliciano Drive. The sight distance takes into account bicyclists, who are required to follow the speed limit, and pedestrians who will travel less than 30 MPH. The Project roadway from San Feliciano Drive is proposed to be a private street maintained by the homeowners of the proposed subdivision.

### **Comment No. 12-5**

Second, the proposed project has three driveways at the intersection of San Feliciano drive and Cerillos drive. This intersection has a stop sign that people frequently run and drivers regularly exceed the speed limit on both roads. The three driveways at the intersection are very dangerous and ignorant of the existing risks to pedestrians, bicyclists and drivers. The three proposed driveways should be relocated to a safer place on the property.

### **Response to Comment No. 12-5**

See Response to Comment No. A5-26 for a discussion of the Project driveways proposed near the intersection of San Feliciano Drive and Cerrillos Street.

**Comment No. 12-6**

Third, the traffic study conducted in the DEIR is woefully inadequate and under represents the actual numbers of vehicles in our neighborhood. Another study should be conducted to obtain accurate vehicle numbers.

**Response to Comment No. 12-6**

See Response to Comment No. A5-28 regarding the adequacy of the traffic study.

**Comment No. 12-7**

Fourth, I have serious concerns that the property will not drain properly when the next excessive rainfall occurs. The storm drainage in the DEIR ignores the drainage needs of the proposed project, especially considering the amount of grading and hardscape that will increase drainage needs. Additionally, the proposed street intersects San Feliciano drive on top of an existing storm drain, which further complicates the situation. The DEIR needs to reconsider drainage on the property and provide a mitigation plan.

**Response to Comment No. 12-7**

See Response to Comment No. A5-29 for a discussion of the proposed storm drainage for the Project.

**Comment No. 12-8**

Fifth, the developer proposes building three-story homes on small lots. Very few homes in our neighborhood are three story homes and the majority of homes in our neighborhood are on large lots. This would severely contrast with the existing character of our decades-old neighborhood. To conform to the existing character of our neighborhood, the developer should subdivide the property into fewer lots and build homes that match the existing character of our neighborhood.

**Response to Comment No. 12-8**

As is stated in the Draft EIR (see Section V.G, Land Use), the homes within the Project would be designed in compliance with the Specific Plan, including with respect to height and parking, and will be limited to two stories in height. See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. The commenter's opinion that the project be developed at a lower density is acknowledged for the record.

**Comment No. 12-9**

Sixth, the developer proposes removing 15 Oak trees (and 13 other trees) on the property. I believe this is an excessive number and the proposed project should be redesigned around the existing protected oak trees on the property. There are very compelling reasons that the state of California has given protected status to several different species of Oak trees: they are simply beautiful; each species is unique and adapted to different growing conditions; they provide shade; they are integrated into the history of our region. The

Mulholland Scenic Parkway Specific Plan was set up to protect the scenic treasures along Mulholland Parkway, especially the protected species of Oak trees. Destroying 15 protected Oak trees does the exact opposite. Additionally, there are many other protected Oak trees on the property that are located perilously close to the proposed home sites, retaining walls, and grading areas. What will be done to ensure the survival of those of protected Oak trees? Further, the developer's mitigation plans are wholly inadequate because it will take more than 5 years (at a minimum) to fully grow out new landscape plantings. There is also no guarantee that future homeowners will grow out the landscape to conform to the Mulholland Scenic Parkway Specific Plan. The proposed project needs to be redesigned around existing protected Oak trees and a mitigation plan needs to ensure new landscape plantings actually restore the scenic beauty along Mulholland Drive.

**Response to Comment No. 12-9**

See Response to Comment No. 11-6 for a discussion of the number of trees to be removed and the number of trees to be retained on the Project Site. Coast live oak trees are protected by the City of Los Angeles, not by the State of California. See also Responses to Comment Nos. A5-27 and A5-34 for a discussion of the mitigation requirements associated with the removal of protected oak trees.

**Comment No. 12-10**

Seventh, our neighborhood is severely deficient in parks. The area bounded by Ventura Boulevard, Topanga Canyon Boulevard and Mulholland Drive does not have a single park. It would be prudent and a gesture of goodwill towards the community if the developer built a pocket park somewhere on the property that would be accessible to all in the community. The Fire Station Park in Woodland Hills is a successful model the developer could mimic.

**Response to Comment No. 12-10**

The commenter is expressing an opinion regarding the amount of public parkland within the general Woodland Hills vicinity and the potential use of the Project Site as a public park. The comment will be forwarded to the decision-making bodies for their consideration.

**Comment No. 12-11**

Eight, the amount of grading proposed by the developer is excessive and violates the Mulholland Scenic Parkway Specific Plan. The Mulholland Scenic Parkway Specific Plan specifically states that developers should minimize the amount of grading and use of retaining walls in developments. The developer does the opposite by proposing several retaining walls and an excessive amount of grading that will dramatically transform the natural topography and existing conditions of the property. The proposed project should be redesigned to minimize the use of retaining walls and minimize the amount of grading necessary. The proposed project should also be reviewed by members of the Mulholland Scenic Parkway Specific Plan and satisfy all requirements of the Plan.

**Response to Comment No. 12-11**

See Responses to Comment Nos. A5-30 and A5-37 for discussions of the proposed retaining walls and grading plan for the Project. The Proposed Project will be subject to review by the Director of Planning and the Mulholland Scenic Parkway Specific Plan Design Review Board in compliance with the requirements of the Specific Plan. Otherwise, the comment expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 12-12**

Ninth, I, along with many other committee members, believe that a homeowners association could solve some of the problems mentioned above, specifically ensuring that the landscape mitigation plan actually occurs and to provide maintenance and upkeep of the proposed street.

**Response to Comment No. 12-12**

See Response to Comment No. A5-43 with respect to the request that a homeowners' association be established for the Project.

**Comment No. 12-13**

Tenth, the DEIR fails to consider significant environmental impacts of the proposed project. Many conclusory statements are unsupported by empirical data, critical facts are ignored (such as ignoring wildlife frequently seen on the property), and critical facts are omitted (such as a sight study surrounding the proposed street). Frequently, the developer assumes that a mitigation plan will solve all the problems in the proposed project. Glossing over crucial issues with mitigation plans does not meet the standard of law required by developers in the state of California. The developer needs to meet with all relevant parties that have a say in the development of this size including community members, members of the Mulholland Scenic Parkway Specific Plan and conform to all guidelines/rules/regulations relating to development in its present location.

**Response to Comment No. 12-13**

The commenter asserts purported deficiencies of the DEIR. No support for these alleged deficiencies is presented in this comment. The Draft EIR contains a discussion of wildlife observed on the Project Site in Section V.D (Biological Resources). See Response to Comment No. A5-25 with respect to a sight distance analysis. See Response to Comment No. A3-14 regarding the nature and suitability of mitigation plans under CEQA. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, and this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 12-14**

Finally, I have many concerns about the construction of the proposed project. We live in a quiet, mature neighborhood with residents that age from young children to elderly persons. This construction project, as currently proposed, will last at least 26 months and could turn our neighborhood upside down. Who will be responsible to the residents to ensure that complaints are dealt with quickly? Who will ensure that construction traffic doesn't shut down our streets? Who will be responsible for ensuring cleanliness on the surrounding streets? What will be done to mitigate excessive noise levels generated by 26 months of construction? Can the construction schedule be shorter than 26 months? I have many other questions and concerns about the construction. The developer needs to address these issues with the community before receiving approval for a project that will severely disrupt our neighborhood for at least 26 months.

**Response to Comment No. 12-14**

See Response to Comment No. A5-42 for a discussion of construction impacts and mitigation.

**Comment No. 12-15**

As mentioned above, I want the city of Los Angeles to have responsible developments that conform to the existing character of our communities. The Harridge San Feliciano, as currently proposed, severely conflicts with our neighborhood for the many reasons mentioned above. I thank you for considering my opinions and recommendations in the letter above.

**Response to Comment No. 12-15**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 13**

Marilou Jakubek  
4623 Cerrillos Drive  
Woodland Hills, CA 91364

**Comment No. 13-1**

My husband and I are 89 years old (soon to be 90) and live with our daughter, Beth Rider, at 4623 Cerrillos drive. I am very concerned about the impact of the proposed development on the quality of our remaining lives.

Construction is planned for 6 days a week, 10 to 11 hours a day for 2 1/2 years. We don't get out much but enjoy the patio and backyard. Our home is the 3rd house from the property on Cerrillos Drive. With all of the noise, dirt and dust from the construction, we will most likely have to stay inside for the next 2 1/2 years. My husband has Emphazema. We cannot risk his health due to the probable deterioration of air quality outside our home during construction, particularly given the extent of excavation and grading planned with the current proposal.

**Response to Comment No. 13-1**

The Draft EIR states that Project construction activities are projected to occur over an approximate 26-month period, or a little over two years. Sections V.C (Air Quality) and V.H (Noise) of the Draft EIR identify several mandatory regulatory compliance measures and mitigation measures that are required to reduce the Project's construction impacts with respect to air pollutant emissions and noise to a less than significant level.

Specifically, with respect to fugitive dust from construction and site earthwork activities, the Project would be required to comply with South Coast Air Quality Management District Rule 403, requiring, among other things, the application of water to disturbed portions of the Site three times per day to minimize dust, and the appointment of a community liaison to resolve concerns over dust and other particulate matter generation.

The commenter's concerns are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 13-2**

I am also concerned about the increase in traffic and the impact to the beautiful trees. It's such a lovely property. It would be wonderful to make it a park.

Please let us know what will be done to ensure we can continue to enjoy our backyard and not be overwhelmed with noise and air pollution as a result of the construction. If there is still a chance to turn the property into a park, that would be best.

**Response to Comment No. 13-2**

With respect to noise and air pollution during Project construction, see Response to Comment No. 13-1. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

## **LETTER NO. 14**

Richard Wells  
4642 Cerrillos Drive  
Woodland Hills, CA 91364

### **Comment No. 14-1**

The following issues are of concern to our neighborhood:

1. Discrepancy of communications between the developer, existing homeowners and the verbiage in the DEIR
2. The architectural nature of the development
3. Impact on the rededicated neighborhood of Hanna Valley
4. The amount of grading and fill as well as retaining walls to adapt the site
5. The removal of protected trees and the impact to those remaining
6. Access and egress onto San Feliciano Drive
7. City Council sensitivity to existing homeowners, taxpayers, and voters

Discrepancy in Communications, Architectural Nature of the Development and Impact on Rededicated Neighborhood of Hanna Valley:

The proposed plans submitted in the DEIR indicate 19 3-story residences. This is not what was verbally communicated in numerous meetings with the developer. 3-story structures should not be a consideration for this site. To our knowledge, they violate the Mulholland Scenic Corridor Plan and will "loom" over the surrounding homes and terrain. They also create a "mansionsized" insert in a community of homes that have a significantly different nature. This kind of haphazard development has never proved to enhance any neighborhood in its ambiance or integrity. It simply enhances the pocketbook of the developer.

### **Response to Comment No. 14-1**

The commenter lists a number of concerns regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, it is understood that this is an introductory statement and that further elaboration is forthcoming in subsequent comments.

As noted in Response to Comment No. A3-14, the Draft EIR contains an error in the description of the Proposed Project. The Project would not include any three-story homes, but would consist entirely of homes with a maximum of two stories. See Section IV, Revisions, Clarifications, and Corrections to the Draft EIR.

### **Comment No. 14-2**

We also have a concern about rooftop terraces or decks that might occur on top of 2 or 3-story structures. This truly wipes out any prayer of privacy for the surrounding neighborhood. We request that specific CC&Rs and homeowner association requirements outline the architecture of the homes and restrict exploitation of the structures at the expense of the entire neighborhood.

### **Response to Comment No. 14-2**

As stated in Response to Comment No. 14-1, no three-story homes are proposed as part of the Project. Although privacy concerns are not within the purview of CEQA, the design of each home to be built as part of the Project will be subject to review by the Director of Planning and the Mulholland Scenic Parkway Design Review Board for conformance with the Mulholland Scenic Parkway Specific Plan. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

### **Comment No. 14-3**

The verbal communication between the developer and the neighborhood has been that there will be 2-story structures. The DEIR does not reflect this communication. In reviewing the proposed development plan, the placement of these structures, particularly the 3 facing west at the San Feliciano/Cerrillos Drive intersection, will completely destroy the visual ambiance and architectural integrity of the existing neighborhood. The construction of these 3 homes in particular completely alters the nature of our neighborhood and devalues all of our properties. If you proceed southeast on Cerrillos Drive towards the intersection, you will no longer be viewing natural savanna, a meadow and mature oaks. You will be viewing 3 high-density, 2 story structures looming over the neighborhood. It will be like viewing a hotel.

### **Response to Comment No. 14-3**

See Response to Comment No. 14-1 regarding three-story homes. With respect to views of the Proposed Project from homes located along San Feliciano Drive and Cerrillos Street, as discussed in Section V.B of the Draft EIR, the viewshed protection provisions of the Mulholland Scenic Parkway Specific Plan are directed at preserving, complementing, and/or enhancing the public views from Mulholland Drive (see Section 2.E of the Specific Plan); not the private views from nearby residences. In addition, CEQA does not treat impacts to private views as a significant impact to the physical environment. It is recognized under CEQA that a project that interferes with scenic vistas or substantially degrades the existing visual character or quality has an adverse aesthetic effect on the environment. However, the City's CEQA Guidelines do not consider the obstruction or alteration of private views onto adjacent private properties to be a significant environmental impact. The Project would alter existing views and the visual character of the neighborhood

as observed from private residences located along San Feliciano Drive adjacent to the Project Site. However, the Project's impact on these private views and visual character would be considered less than significant, as the development proposes single-family residences and landscaping in character with the surrounding single-family neighborhood.

**Comment No. 14-4**

If you want to see a similar impact on a mid-century neighborhood, albeit on a smaller scale, please visit: 4141 Havenhurst Avenue, the southwest corner of Havenhurst and Adlon in Encino. Now magnify that effect by 6 times. The impact of 2-story structures on raised lot sites with steep hillsides in back of them wipes out the privacy and the view from all the houses that abut this development.

**Response to Comment No. 14-4**

The commenter expresses an opinion regarding the visual similarity of another site to the development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 14-5**

An additional consideration is the fact that in the year 2000, the residents of Hanna Valley and surrounding homes participated in a rededication of the neighborhood with Councilwoman Cindy Miscikowski. This action was pursued because of the passion we have for our neighborhood, its creation and its preservation. Hanna Valley was designed by a young man who studied architecture in Hawaii. His father bought this area as a gift for his son to design his first group of homes. The original neighborhood consisted of primarily 1-story homes and some stair-stepped story additions. The original concept was to maintain this architectural style throughout the neighborhood as it complemented the natural terrain and did not overwhelm it.

**Response to Comment No. 14-5**

The commenter expresses an opinion regarding the neighborhood and the development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 14-6**

Due to this condition, it is most imperative for us to protect what we can in the area of new development and try and embrace development that is supportive and enhancing to our neighborhood, not detrimental and overwhelming. The development as proposed includes narrow lot widths and the side setbacks of 7

feet from house to property line. This again will contribute to a "monolithic, row house" effect due to the fact that landscape space is so reduced that plantings will in no way minimize the overstated scale of the structures.

#### **Response to Comment No. 14-6**

As is described in Section V.G (Land Use) of the Draft EIR, the lots within the Proposed Project have been designed to be in compliance with the applicable setback requirements of the Specific Plan. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### **Comment No. 14-7**

Grading, Fill, Retaining Walls and Impact to Trees:

According to the DEIR, it is proposed that 220 truckloads of fill be brought in to the development site. We are assuming this is to raise the lot elevations. If this occurs, the proposed houses adjoining the existing homes on San Feliciano will eliminate privacy in backyards and completely change the nature of the environment surrounding the existing residences.

#### **Response to Comment No. 14-7**

Fill is proposed to be imported to the Project Site during the construction/site grading process in order to balance the grading on-site following the proposed excavation. Although privacy concerns are not within the purview of CEQA, the design of each home to be built as part of the Project will be subject to review by the Director of Planning and the Mulholland Scenic Parkway Design Review Board. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### **Comment No. 14-8**

The development and grading of more sites than homes is a major concern. What is to prevent this developer or a future developer from building structures on lots that basically are prepared for building due to massive grade changes? We suggest that any green space between selected sites remain in a semi-natural state and be replanted to maintain or compensate for loss of existing tree density.

#### **Response to Comment No. 14-8**

The Proposed Project consists of 19 graded building pads for 19 single-family residences on 19 lots. The remainder of the site is to be left undisturbed, other than for the installation of various Project-related infrastructure. The majority of the existing tree canopy on the Project Site is proposed to be left intact. These trees will aid in the visual screening between the proposed homes as well as between the proposed

homes and existing off-site properties. Any proposal for additional home development on the Project Site would require a separate application and environmental review under CEQA.

**Comment No. 14-9**

Regarding hillsides and retaining walls, as it has been impossible, even as a resident, to trim or remove an oak tree, whether diseased or healthy, without permission and/or permit from the Oak Tree Society and/or the City. Why is it suddenly acceptable to remove 15 protected trees? We have requested from the developer on numerous occasions a site plan showing tree and tree canopy locations in relation to houses, streets, and retaining walls. We have yet to receive this information and suspect that the impact on trees is far greater than documented in the DEIR.

**Response to Comment No. 14-9**

The tree locations in relation to the proposed Project home pads are shown on Figure V.B-6 of the Draft EIR. Removal of the 15 protected coast live oak trees would occur via the required City review process, including the required tree replacement protocols. The extent of Project impacts on existing trees on-site is presented in Section V.B of the Draft EIR.

**Comment No. 14-10**

The other consideration is that a change in grade, drainage, and soil conditions within 100 feet of the canopy of an existing oak tree will eventually cause its death. Due to the slow growth rate of oak trees, the results may not be seen for a number of years. As these trees outlive the average human by 5 1/2 times, we will never again in our lifetime or will our greatgrandchildren see trees of this scale and size. It takes 200 years to regrow some of the major mature trees. To our knowledge, this is the last stand of natural oak savanna south of Ventura Blvd. and west of Topanga Canyon Blvd within the city of Woodland Hills.

**Response to Comment No. 14-10**

See Response to Comment No. A5-34. Of the 155 coast live oak trees on the Project Site, 140 would be preserved with development of the Proposed Project. See Response to Comment No. A5-27 for a discussion of mitigation for the loss of the 15 coast live oak trees and methods of assuring the survival of the oak trees on the Project Site into the future.

**Comment No. 14-11**

Regarding the "green space" on the DEIR, we suggest a prescribed natural planting cohesive with the existing site and that the installation, maintenance, and general well-being of the green space be maintained as part of a specific homeowner association requirement.

**Response to Comment No. 14-11**

The commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the

environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 14-12**

The depth of many of the sites as well as the sloped areas of a large portion of backyards are of concern for future construction of guest houses, large decks, sports courts and other structures, thereby increasing the structure density and noise levels impacting the existing houses that they abut.

**Response to Comment No. 14-12**

The design of each individual home to be constructed within the Project will be subject to review for compliance with applicable codes and regulations. The commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 14-13**

The grading and construction of major retaining walls of extreme size, such as the proposed 19 foot high wall sections, require large "keys" underground connected to the footings of the retaining walls. Due to this engineering and building department requirement, the underground impact of retaining walls in proximity to trees is significant and damaging. Refer to prior description of suggested grade changes from driplines to oak trees.

**Response to Comment No. 14-13**

See Response to Comment No. A5-34. The Draft EIR's description of the height of the proposed retaining walls contains an error. No 19-foot retaining walls are being proposed as part of the Project. The maximum retaining wall height being proposed is approximately 11 feet (see Section 3, Revisions, Clarifications, and Corrections to the Draft EIR). The Horticultural Tree Report prepared for the Project (included in Appendix G of the Draft EIR) prescribes a series of oak tree encroachment prevention measures that are designed to protect the existing live oaks on the Project Site which are to be retained. These measures have been incorporated as Mitigation Measures B-11 through B-20 in the Draft EIR. Mitigation Measure B-18 requires the examination of all protected trees to be preserved on the Project Site by a qualified arborist prior to the start of construction, and Mitigation Measure B-19 requires that the same trees must be examined monthly by a qualified arborist to ensure that they are being adequately protected and maintained.

**Comment No. 14-14**

Access and Egress onto San Feliciano Drive:

The proposed entrance to this development on San Feliciano Drive is on a south/southeast sloping street on a blind curve approximately 250 feet from the Cerrillos intersection. This is an extremely dangerous access for anyone turning south on San Feliciano from the development. As it appears, 95% of the traffic from the development is being directed to San Feliciano, we are most concerned for safety.

**Response to Comment No. 14-14**

See Response to Comment No. A5-25.

**Comment No. 14-15**

San Feliciano is already a heavily traveled street as it services Woodland Hills Elementary and serves as a “shortcut” for those avoiding the Topanga Canyon/Mulholland Drive signal. For several hours each day, there is increased traffic on Mulholland Drive and San Feliciano due to the opening and closing of the school day at Louisville High School, AC Stelle Middle School, Calabasas High School, Viewpoint private school. This also significantly impacts access to the proposed houses facing Mulholland Drive. The traffic study done by the developer on March 12, 2015 was not reflective of the daily traffic loads on San Feliciano and Mulholland Drive.

**Response to Comment No. 14-15**

See Response to Comment No. A5-28. Also note that Project traffic generation impacts were analyzed in the morning peak hour, which is a school peak travel time. Per the LADOT guidelines, Project impacts are expected to be lower during the afternoon school closing time than during the analyzed PM peak hour for the roadways in the Project Site vicinity.

**Comment No. 14-16**

Of equal consideration are the 3 proposed houses facing west at the Cerrillos/San Feliciano Drive intersection. It appears that one driveway is partially in the intersection and the other 2 driveways flank the intersection. This is extremely unsafe under any circumstances.

**Response to Comment No. 14-16**

See Response to Comment No. A5-26.

**Comment No. 14-17**

City Council Sensitivity to Existing Homeowners and Considerate Representation:

By permitting this development as is, the Building Department and City Council would display a complete disregard for our neighborhood and the value of our properties. It is our hope that, as our elected officials and paid representatives, our concerns about this development would be of a priority nature to the Council and the City.

**Response to Comment No. 14-17**

The commenter expresses an opinion regarding approval of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 14-18**

The following items have not been addressed:

- A development of this nature will incur a considerable amount of traffic as well as construction trades
- How will the construction be staged?

**Response to Comment No. 14-18**

For a discussion of mitigation for Project construction traffic and staging impacts, see Response to Comment No. A5-42. These topics are also addressed on pages V.I-20 and V.I-21 of the Draft EIR.

**Comment No. 14-19**

- How will our homes be accessed and protected from dirt and debris?

**Response to Comment No. 14-19**

No impacts to the access of off-site properties would occur as a result of Project construction. For a discussion of mitigation for Project construction traffic and staging impacts, see Response to Comment No. A5-42. These topics are also addressed on pages V.I-20 and V.I-21 of the Draft EIR. For a discussion of mitigation and regulatory compliance measures to control the generation of dust, dirt, and debris, see Section V.C (Air Quality) of the Draft EIR (at page V.C-25). See also Response to Comment No. 13-1.

**Comment No. 14-20**

- Where will all of the construction trades park?

**Response to Comment No. 14-20**

For a discussion of mitigation for Project construction traffic and staging impacts, see Response to Comment No. A5-42. These topics are also addressed on pages V.I-20 and V.I-21 of the Draft EIR.

**Comment No. 14-21**

- How will all of the construction traffic be routed and controlled? Right now we have a heavily travelled street with one stop sign.

**Response to Comment No. 14-21**

For a discussion of mitigation for Project construction traffic and staging impacts, see Response to Comment No. A5-42. These topics are also addressed on pages V.I-20 and V.I-21 of the Draft EIR.

**Comment No. 14-22**

- And will the building sites be maintained in a moderately clean manner?

**Response to Comment No. 14-22**

For a discussion of mitigation and regulatory compliance measures to control the generation of dust, dirt, and debris, see Section V.C (Air Quality) of the Draft EIR (at page V.C-25). See also Response to Comment No. 13-1.

**Comment No. 14-23**

- What is to protect us from financial failure of the developer or contractor and having them leave the project in a partially completed manner thereby creating a major eyesore and detriment to all of our properties?

**Response to Comment No. 14-23**

The commenter asks a question regarding a subject that is not within the purview of CEQA. If a cessation occurs in construction work for whatever reason, the contractor will be responsible for ensuring that the Project Site is in a safe condition and will not present a hazard to the environment. The comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 14-24**

- Noise abatement during construction is a concern. What are the hours of construction?

**Response to Comment No. 14-24**

Permitted construction hours would be as limited by the LAMC, namely, between 7:00 a.m. and 6:00 p.m., Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturday.

**Comment No. 14-25**

- Lastly, who will restore our streets to their existing good condition at the end of the project?

**Response to Comment No. 14-25**

For a discussion of mitigation for Project construction traffic and staging impacts, see Response to Comment No. A5-42. These topics are also addressed on pages V.I-20 and V.I-21 of the Draft EIR. City policy requires a bond to be posted as part of the Haul Route Approval to pay for any potential street repairs resulting from the impact of Project construction.

**Comment No. 14-26**

As you can see, we as a neighborhood are appealing to you for careful consideration regarding this development. We have had multiple meetings through the years with neighborhood councils, developers and our own neighborhood organization. By the nature and extent of the DEIR, we feel that much of our input may have been ignored. We would like to feel that everyone in this circumstance is operating with good intentions.

**Response to Comment No. 14-26**

The comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 14-27**

As a neighborhood, we embrace a low-use, passive park as our first choice. It appears that this ship has sailed. We implore you as our representatives to carefully review our input and concerns as homeowners, longtime residents, taxpayers, and voters. We believe that, if the property is to be developed, that there is more neighborhood and nature sensitive way of doing it.

**Response to Comment No. 14-27**

The commenter expresses an opinion regarding approval of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 15**

Carole and Stan Onaitis  
22051 Martinez Street  
Woodland Hills, CA 91364

**Comment No. 15-1**

We are writing this letter to let you know of our concerns with the proposed 19 houses on the property at 22255 Mulholland Drive and San Feliciano in Woodland Hills, CA 91364. Vesting Tentative Tract No. 67505. Case Number: ENV-2005-2301-EIR.

My husband and I are very concerned about the outcome of this venture. We have lived in our home in Woodland Hills for over 40 years. We moved here because of the diversity of the homes and the beautiful various trees and foliage, including so very many beautiful old oak trees. As we walk through the neighborhood, we see all sprawling homes. Very few are two story structures and all have ample space between the houses. When we look at the plan, we see houses jammed next to each other and all are 2 story-plus boxes. Where are the 1 story houses that are needed to blend into our neighborhood? This has been our concern all along. It is important to blend in with the existing neighborhood. Our homes are unique, and most have been here since before we moved here. Perhaps you would consider building fewer, larger homes that would conform to the look of our homes on San Feliciano. Our plea to you: Please don't destroy the character of our beautiful neighborhood.

**Response to Comment No. 15-1**

The commenter expresses an opinion regarding the layout of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 15-2**

Another concern for us is the removal of the wonderful old oak trees. Many are hundreds of years old. And the ones that you think you will save by putting retaining walls around or near them ..... we can say good bye to them, as they will die after a while. Guaranteed!

**Response to Comment No. 15-2**

With respect to protections for the existing oak trees on-site to be retained, see Response to Comment No. 14-13. Otherwise, the commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However,

the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 15-3**

We have wonderful wildlife living on the property. There are hawks, owls, ravens, crows, eagles, squirrels, and even blue herons. Where will they go? Many will die.

**Response to Comment No. 15-3**

See Responses to Comment Nos. A3-2 and A3-6. Wildlife potentially present on-site was described in Section V.D, Biological Resources, of the Draft EIR as well as in Section 4.0 of the *General Biological Assessment for Vesting Tentative Tract No. 67505, a 6.2 acre Property Located in the City of Los Angeles, California*, dated August 24, 2015 (“General Biological Assessment”), which was attached to the DEIR as Appendix G. Much of the existing habitat on-site will be conserved and would remain following Project implementation. With the implementation of Mitigation Measures D-3 through D-5 (see page V.D-20 of the Draft EIR), adverse effects to wildlife will be minimized.

Appendix B of the General Biological Assessment contains a listing of the wildlife species that were observed on-site and which, although not observed, are expected to occur on the Project Site. As noted therein, the following species of fauna were observed on-site during field surveys:

- Cooper’s hawk
- Red-tailed hawk
- Bushtit
- Rock pigeon
- Eurasian collared-dove
- Mourning dove
- Western scrub-jay
- American crow
- Common raven
- Dark-eyed junco
- California towhee
- Spotted towhee
- House finch
- Lesser goldfinch
- Northern rough-winged swallow
- Hooded oriole
- Northern mockingbird
- Oak titmouse
- Yellow-rumped warbler
- House sparrow

- Acorn woodpecker
- Nuttall's woodpecker
- European starling
- Blue-gray gnatcatcher
- Anna's hummingbird
- House wren
- Bewick's wren
- Ash-throated flycatcher
- Black phoebe
- Say's phoebe
- Big-eared woodrat
- Botta's pocket gopher
- California ground squirrel
- Western fence lizard
- Coastal whiptail

#### **Comment No. 15-4**

The traffic is terrible during the morning and evening hours, and during school drop off and pick up at Woodland Hills Elementary School on San Feliciano. San Feliciano is a very dangerous street and we can't help wondering if you did a traffic survey. The curve at the top of San Feliciano is dangerous, as people drive fast and carelessly. *We* believe that a new survey should be performed at peak hours for traffic and school hours. When the project is completed, there will be many more cars exiting the street they have placed in a precarious position, "Very Dangerous". It would be better placed at Cerrillos Dr. with a signal or a 4 way stop. We hope that is something you will consider.

#### **Response to Comment No. 15-4**

See Response to Comment No. 14-15 concerning school peak period impacts. Response to Comment No. A5-15 addresses conditions at the intersection of San Feliciano Drive and the proposed Project private street.

#### **Comment No. 15-5**

Lastly, we would hope that the builders would consider some area for a park, as there are no parks around our community. That would help the new people, as well as it would help us.

#### **Response to Comment No. 15-5**

The commenter expresses an opinion regarding the use of the Project Site, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment

is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 16**

Clare Deffense  
22026 Viscanio Road  
Woodland Hills, CA 91364

**Comment No. 16-1**

My name is Clare Deffense. I live at 22026 Viscanio Road, Woodland Hills, CA 91364, less than a mile from the subject property. I am writing to provide comment on the Draft Environmental Impact Report (DEIR) for Case # ENV-2005-2301-EIR (22255 and 22241 W. Mulholland Dr., Los Angeles, CA 91364).

I have a number of concerns relating to the proposed project and the environmental impact report, including:

- Inadequate attention to the aesthetic impact on the neighborhood. I did not have an opportunity to read the entire report, just the summary, so forgive me if my concern is addressed elsewhere, but: Why does the DEIR summary only discuss the impact of the project on Mulholland Drive? (E.g., pg II-4) Like most of the residents in this neighborhood, I walk my dogs along San Feliciano Drive, I drive along San Feliciano Drive, and the project will be visible to me and to anyone living, walking and driving on San Feliciano Drive, as well as nearby Cerillos. The DEIR summary does not discuss how visible the proposed massive, 3-story, tightly spaced McMansions will be to San Feliciano Drive, or the impact on me and my neighbors.

**Response to Comment No. 16-1**

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. See Response to Comment No. 14-3 regarding views of the Project Site from private residences located along San Feliciano Drive. As noted therein, views of the Project Site from within the public right-of-way along San Feliciano Drive and Cerrillos Street would be altered by construction of the Proposed Project. However, as is discussed in Section V.B (Aesthetics) of the Draft EIR, these public views are not protected under the Community Plan or the Specific Plan, and impacts to these views are not considered to be significant impacts of the Project.

**Comment No. 16-2**

- Project out-of-scale to the neighborhood. I can't think of any 3-story homes in this neighborhood, other than homes that are built down the sides of steep hills. The land I see at 22255 and 22241 Mulholland is not that kind of hillside. It's a rolling meadow. There are some two-story homes in that neighborhood, but most of the existing homes are single-story houses. The proposed buildings seem grossly out of proportion to the neighborhood.

**Response to Comment No. 16-2**

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. Otherwise, the commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 16-3**

- Increased potential for flooding along San Feliciano Drive. Right now, I don't believe there's much or any drainage coming from the undeveloped, wooded land at 22255 and 22241 W. Mulholland Drive. I believe the existing trees, roots and vegetation probably do a good job of holding and draining most of the rainfall right into the soil at the site. But there is a whole heck of a lot of drainage that comes down the residential feeder streets onto San Feliciano, including Cerillos and Buenaventura. When it rains hard, San Feliciano can start flooding in pockets. I am concerned that all the grading and tree removal that is proposed will increase drainage onto San Feliciano. The DEIR summary that I read makes it seem there will be no more drainage from heavily developed residential streets than from undeveloped woodlands. (Example, pg. V.A-12) Yet I recall attending a meeting, a few years ago, where the City's arborist opined that removing established oak trees from that location could result in increased drainage and risk of flooding, not just on San Feliciano Drive, but also on neighboring properties.

**Response to Comment No. 16-3**

See Response to Comment No. A5-29 for a discussion of storm drainage from the Project Site following development of the Proposed Project.

**Comment No. 16-4**

- Construction Concerns. I am very concerned about the impact of all that construction on traffic along San Feliciano and Mulholland Drive, and associated noise and air pollution. I understand the project may take up to three years or more. It really is an unfair burden to our neighborhood.

**Response to Comment No. 16-4**

See Response to Comment No. A5-42 for a discussion of the mitigation and regulatory compliance measures that would reduce Project construction impacts on the surrounding neighborhood. See also Response to Comment No. 14-19 pertaining to fugitive dust emissions during construction activities. Project construction is anticipated to take 26 months, or a little over two years.

**Comment No. 16-5**

I also agree with all the concerns expressed by Save Oak Savannah and my other neighbors, including traffic safety issues, scenic impacts, retaining walls, excessive grading, lack of attention to details relating to street maintenance and the care and maintenance of the remaining oaks and other trees.

**Response to Comment No. 16-5**

See Responses to Comment Nos. A5-1 through A5-43 for responses to the comments provided by Save Oak Savanna concerning the subject areas listed by the commenter.

**LETTER NO. 17**

Claire Keating Fishwick

**Comment No. 17-1**

I want to voice my concerns about the proposed development on San Feliciano Drive in Area 7. First there are many beautiful older Oak Trees on this property, so many near the water facility, but also throught this area. Plus we have no park in this region, and if this goes through it is probably the last chance for a park because there aren't other free unbuilt areas here. I think the developer stands to make about 20 million dollars if he builds 19 houses. That adds another 100 people here and much congestion on San Feliciano and Mulhulland plus there are 3 schools in this vicinity within 1 1/2 miles from it: Woodland Hills Elementary School less than a mile, Louisville ¼ of a mile, AC Stelle about 1 mile. Around the thicket of Oaks I think a public walking loop park with no playground or picnic areas to maintain for the city and just natural grass landscape would be a great for benefit the community. Also allowing 3 story homes in an area that has not been zoned for it is setting a bad precedent I believe. I know he bought it again when he came out of bankruptcy after the Lieman Brothers scandal in 2008. A precious last opportunity will be lost. A partial park should be near the Oaks to protect them and give something to the community I strongly believe.

**Response to Comment No. 17-1**

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 18**

Denise Elder

**Comment No. 18-1**

I live on Cerrillos Drive in Woodland Hills, adjacent to the proposed development listed above. This proposal has been going on around us for 8 years now, and it is just as misguided now as it was then, before the developers backed out because of the real estate debacle in '08 and '09. These are my objections: 1) 19 behemoth mega mansions in a neighborhood of charming one story ranch houses, with a few scattered two story houses in between, will be such an eyesore for our community that I cannot believe Los Angeles is still pushing these disgraceful developments. I am familiar with the developer. His houses are ugly monstrosities existing throughout the West Valley. They exude tastelessness and lack of architectural design.

**Response to Comment No. 18-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 18-2**

2) Adding to the ugliness of the structures, the developer wants to grade the hillsides and add multitudes of high retaining walls, so that they can maximize the number of homes sold. This so smacks of greed and zero concern for the neighborhood that exists. To eradicate the beautiful park-like setting, preserve none of it, and create a sterile ugly environment does nothing for our fair city.

**Response to Comment No. 18-2**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 18-3**

3) And don't get me started on the oaks! What is the signature point of Woodland Hills? The trees and the hills! And this company wants to destroy 28 oaks, each hundreds of years old, and put the life of countless

others in jeopardy from encroachment issues. For what? So 19 super wealthy families can find yet another place to live, in a city where tons of tacky mega monsters already exist.

**Response to Comment No. 18-3**

The commenter is in error with respect to the number of oak trees being proposed for removal. As is discussed in Section V.B of the Draft EIR, the Proposed Project would require the removal of 28 trees on the site, which includes 15 coast live oak trees, and would preserve the remaining 140 oak trees on the Project Site. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 18-4**

4) Across the street from where I live, one home was bought by a developer, and between him and the eventual buyer, we were subjected to two full years of reconstruction noise, every day, 6 days a week. And that was one house! A project of this kind would be so much more disturbing on an every day basis for so many of our residents. And all with no guarantee that the finished product would be attractive, or well maintained.

**Response to Comment No. 18-4**

See Response to Comment No. A5-42 for a discussion regarding construction impacts. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 18-5**

5) Traffic problems with our small, narrow street, and the extra cars that would ensue, has already been widely discussed as problematic by our neighborhood. Add my voice to those concerns as well.

**Response to Comment No. 18-5**

Section V.I of the Draft EIR contains an analysis of the traffic impacts of the Proposed Project, which have been concluded to be less than significant. The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 18-6**

In conclusion, I feel that the quality of life for my neighborhood, and of Woodland Hills in general, will be irreparably damaged by the development. I see no advantage for anyone but the developer, who evidently cares only for his profit, in going through with this. And furthermore, I might add, I am not in favor of a small park. The same problems would exist. Too many cars, too much noise, on a street that cannot accommodate either.

**Response to Comment No. 18-6**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 19**

Reid Burns

**Comment No. 19-1**

This note is in direct response to the proposed development that could include 19 new homes in an area that so already overcrowded with traffic and congestion at certain times each day. San feliciano drive is used as a thoroughfare in our neighborhood and this gigantic expansion, construction and growth in this neighborhood is wrongheaded and dangerous to this community.

**Response to Comment No. 19-1**

Section V.I of the Draft EIR contains an analysis of the traffic impacts of the Proposed Project, which have been concluded to be less than significant. The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 19-2**

We hope you will reconsider this over expansion and come back with something considerably more reasonable for this quiet residential neighborhood.

This current proposal is overkill and greedy and will ruin this street with tremendous overcrowding.

**Response to Comment No. 19-2**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 20**

Rita Lahner

**Comment No. 20-1**

I am a resident on Cerrillos Dr for the past 19 years. The Hannah Valley community has been a well designed and spacious neighborhood that was built in 1956 respecting the natural grade of the hills and oak trees.

I Rita Lahner have many concerns regarding Vesting Tentative Tract 67505.

I request specific language that would state the 19 lots cannot be subdivided in anyway. The DEIR did not conduct any sight distance studies and I believe there is an extremely high safety concern for the potential location of the streets. Clarification of wether the streets are private or public are a huge concern. The impact of possible 3 story houses, retaining walls ect. will have a dramatic scenic impact on our historical neighborhood. The removal of possible oak trees to be replaced with other types of trees is a violation of the protected Oak Tree. The developer needs to submit a better mitigation plan regarding the scenic impact. This plan will dramatically change the charm of our neighborhood.

The traffic impact of 19 families will create a tremendous amount of traffic to an already congested intersection. I request another traffic study with dates chosen by the community. I do not believe the study captured the reality of the traffic situation in this area. I also request another storm drain for the developed neighborhood. The DEIR is insufficient regarding this major issue. I request an exact height of each retaining wall, the number of walls as well as extensive use of retaking walls over 500 feet. I request all covered parking spots to be removed and replaced with garages. I request an accurate recommendation that no unit would be over 2 stories and lots bordering San feliciano cannot exceed one story. I request all trees that are circled meet mitigation to ensure the survival of these trees in people's backyards that homeowners abide the rules protecting oaks in the area an HOA is needed.

I also would like lot 11 removed from the plan all together and propose a small park for the neighborhood. I request a more detailed grading map 61 percent is way to high and requires many retaining walls. Cerrillos Dr went with the natural grade of the street and there are no visible retaining walls in our neighborhood. I propose removing lot 5 and 6 or reconfigure according it city guidelines and a plan to show how specificaly the hillside on the cul de sac will be supported. I request specifics on who owns and is responsible for driveways and access road to lots 1-4 as well as deceleration and acceleration lanes on Mullholland. Request definition on what specialized and new public street means also spec house and the intentions. Also the driveways on this lot and what mitigation strategy for easement is.

My concerns for this construction project is that our neighborhood will be turned upside down for 3 years. Where will all the construction workers park their cars. Can we create an entrance for construction workers that won't impact the neighborhood? I request a common area managed by the HOA to not be part of the proposed lots protecting the Oak trees.

**Response to Comment No. 20-1**

The comment is duplicative of Comment Letter No. 7. See Responses to Comment No. 7-1 through 7-9.

**LETTER NO. 21**

Brian Russo  
22247 Flanco Road

**Comment No. 21-1**

No no no!

This a terrible idea.

Please please please. Do not build this. This area is filled with California Oakes that need to be surrounded by a park not homes, not condos. I don't care if the property stays the way it is. This project sounds like a nightmare for everyone surrounding the property. We already have major problems with cars speeding up and down San Feliciano with multiple schools in the area this is used as an alternate route to Topanga. Sell the property to the state and turn it into a much needed park if need be. Two and half years of construction for overpriced mc mansions is what it looks like to me. I AM AGAINST THIS PROJECT!

**Response to Comment No. 21-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 22**

Janelle Wolter

**Comment No. 22-1**

Please do not allow the 19 oak trees to be removed. I am against the special variance.

PLEASE SAVE OAK SAVANNA

**Response to Comment No. 22-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 23**

Sophia Armen

**Comment No. 23-1**

I'm addressing my public comment as a citizen on the development. I believe the oak trees must remain and no special variance be given to the developer!

**Response to Comment No. 23-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 24**

Danielle Rider  
10921 Whipple Street, #208  
North Hollywood, CA 91602

**Comment No. 24-1**

My name is Danielle Rider and I'm a current medical student at USC. I grew up on Cerrillos Drive, 3 houses up from the property under consideration for development. When I was a little girl, the property seemed like a mythical forrest with giant green trees and numerous peacocks. Tearing down these beautiful trees and eliminating one of the few natural spaces remaining in Woodland Hills is unfair to future generations of children, who are already more commonly exposed to concrete condominiums than soaring oaks trees. As a result, I believe that the children in the neighborhood should have the opportunity to experience a little piece of nature and that this property should be converted to parkland.

**Response to Comment No. 24-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 24-2**

If the land must be developed, I suggest eliminating the proposed 3 houses facing West on San Feliciano at the intersection of Cerrillos Drive. At this location, the proposed 2-3 story houses with 7 feet of side yard would ruin the look and feel of this neighborhood I dearly love. The proposed plan for nineteen 2-3 story houses is in no way compatible with this neighborhood.

**Response to Comment No. 24-2**

The homes that would be developed as part of the Proposed Project would be designed in compliance with applicable height and setback requirements of the Municipal Code and Mulholland Scenic Parkway Specific Plan. See also Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 24-3**

The photos below are from a development built by this same developer, but under a different company name. This is what our midcentury neighborhood of primarily single story houses would look like should the proposed plan be approved as is.

**Response to Comment No. 24-3**

Comment acknowledged. No individual home designs have been developed for the Project at present. Each home would be designed in conformance with applicable height and setback requirements and would undergo required review for conformance with the design guidelines and other requirements contained within the Mulholland Scenic Parkway Specific Plan.

**Comment No. 24-4**

Other concerns with this proposed plan are:

- Removal of protected trees
- The severity of grading and excavation of the property
- The long-term impact of the grading on the remaining trees

**Response to Comment No. 24-4**

Impacts regarding biological resources, protected trees, and grading are addressed in the Draft EIR, and were determined to be less than significant. See also Responses to Comment Nos. A3-14 and A5-27 with respect to the removal and replacement of protected trees. See Responses to Comment Nos. A5-9 and A5-27 with respect to proposed grading of the Project Site. See Response to Comment No. A5-27 with respect to ensuring the survival and establishment of the replacement oak plantings. See Response to Comment No. 14-13 with respect to the impact of grading on the existing oak trees to be retained on-site.

**Comment No. 24-5**

- Increase in traffic
- Unsafe access to the property on San Feliciano

**Response to Comment No. 24-5**

The Project's traffic impacts are addressed in Section V.I of the Draft EIR, and were determined to be less than significant. See also Response to Comment No. A5-28 with respect to Project traffic. See Responses to Comment Nos. A5-25 and A5-26 with respect to the safety of Project access points.

**Comment No. 24-6**

- Impact to wildlife

**Response to Comment No. 24-6**

The Project's impacts on wildlife are discussed in Section V.D of the Draft EIR and were determined to be less than significant. See also Responses to Comment Nos. A3-2 through A3-6 with respect to wildlife issues.

**Comment No. 24-7**

- The length and impact of the project (2.5 years) on the neighborhood
- Decrease in property value for existing homes due to this development

Please do not let the misguided ambitions of one developer mar the beauty of this rare undeveloped space and ruin the cohesion of my neighborhood.

Thank you for your consideration and support.

**Response to Comment No. 24-7**

Project construction impacts are discussed throughout the Draft EIR, most notably in Sections V.C, V.H, and V.I, and were determined to be less than significant. See also Response to Comment No. A5-42.

Potential effects on adjacent property values are not an environmental impact under CEQA and do not require consideration or analysis. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 25**

Frank Zajackowski

**Comment No. 25-1**

I'm a 30 resident of the Woodland Hills enclave where the proposed Savannah Development is again threatening to ruin our neighborhood. I know other neighbors are writing you detailed emails to express their deep concern that your department stop this developer. I will not repeat everything that others have said, except to say that I completely agree with them! Please do the responsible thing for our fragile environment and DO NOT approve this development.

**Response to Comment No. 25-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 26**

Coleen Kirnan  
22287 Mulholland Hwy, Suite 345  
Calabasas, CA 91302

**Comment No. 26-1**

I have read the draft EIR of the above and take issue with several pieces of the draft. My residence is 4660 Cerrillos Dr Woodland Hills, CA 91364, approximately 200 yards from the subject property.

First – there are 4 schools (Woodland Hills Elementary, Louisville High School, AC Stelle Middle School and Calabasas High School) within 1.3 miles of the site. Notwithstanding the already poorly coordinated traffic signals and sheer mass of traffic, the subject site is located at a very dangerous intersection. Because of the topography there, mainly the hills, certain necessary stop points (stop signs, signals) are prohibited, such as one that really should be installed at San Feliciano and Mulholland – it will be prohibited in practicality due to the terrain and roadway there; we worked for 15 years to get a stop sign at San Feliciano and Cerrillos Dr., which request was repeatedly turned down due to the downhill traffic south from Mulholland on San Feliciano (it was approved eventually, but sit and watch how very few people actually stop as they are coming downhill and fast). The east bound traffic on Mulholland toward the subject site is not only uphill, then downhill, it's on a dangerous curve. A stop signal or sign is inconceivable there. Currently, the danger to the school children, including teenage drivers, is a daily occurrence; increased traffic due to this proposed development raises the risk even more. Truly, a project of this size is unacceptable.

**Response to Comment No. 26-1**

The existing environmental setting, including proximity to nearby schools, was taken into consideration while reviewing the project's traffic impacts, which were found to be less than significant. See Responses to Comment Nos. A5-25 and A5-26 with respect to traffic safety issues. As the comment does not raise a substantive issue on the content of the DEIR, no further response is warranted.

**Comment No. 26-2**

Further, I have lived near the property for 19 years and I am not an engineer, nor arborist, but I am a developer, and the number of oak trees, including Live Oak and California Oak reported on the Draft EIR, underreports the number of trees on the property. And, 3,040 cubic yards of soil re-location is a massive undertaking, traffic from the dump trucks alone will expose the school children to even greater risk.

**Response to Comment No. 26-2**

The commenter asserts that the Draft EIR misrepresents the number of oak trees on the Project Site, but offers no specific evidence to support this assertion. The Tree Report, prepared by licensed arborists and

landscape architects, identifies a total of 155 coast live oaks on the Project Site (see Appendix G of the Draft EIR). Construction traffic impacts are addressed in Section V.I of the Draft EIR and were found to be less than significant.

**Comment No. 26-3**

It is erroneous and patently incorrect that there will be no Anticipated Significant Effects due to a project like this. The mitigation measures and regulatory compliance measures are not being crafted such that the thousands of school children traveling past the site, either walking, bicycling or skateboarding are being considered. In fact, the safety of the children is being ignored completely.

**Response to Comment No. 26-3**

The commenter expresses an opinion regarding the Draft EIR, but does not provide any support for her assertions that the conclusions of the document are in error. Similarly, no specific potential impacts regarding school children are identified in the comment; thus, no further response is possible. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 26-4**

The highest and best use for this property should be conversion to a public space. To that end, we are actively negotiating with several funds and trusts, but more time is needed to obtain the funds necessary to purchase and maintain the space. As a developer, I recognize this is a lofty goal, but at a minimum, the property should be packaged as a large lot with a single family home. There are plenty of buyers for such a rare property. I can direct the current property owner to several buyers if they are interested.

**Response to Comment No. 26-4**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 26-5**

We are adamantly opposed to such a massive development so close these schools and due to the area topography, no practical way to safely enforce traffic patterns at the site.

**Response to Comment No. 26-5**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However,

the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 27**

Coleen Kirnan  
22287 Mulholland Hwy, Suite 345  
Calabasas, CA 91302

**Comment No. 27-1**

If possible can you amend my note with the following:

Additionally, moving so much dirt on hillside terrain is a dangerous idea. As it is, we flood here quite often, the City drains do not keep up with storm runoff. The issue of mudslides due to 3K + cubic yards of dirt relocation is a certainty.

**Response to Comment No. 27-1**

As is discussed in Section V.A of the Draft EIR, the Project earthwork must be performed in compliance with applicable runoff and water pollution requirements as mandated in the construction stormwater management permit. Compliance with these requirements would reduce adverse impacts to a less than significant level.

**LETTER NO. 28**

Taleene Armen

**Comment No. 28-1**

My name is Taleene Armen and I just wanted to reach out to you about the Draft EIR. I am a freshman in college at Loyola Marymount but have lived in this area my entire life and it is a place I hold close to my heart. I am always concerned about development. In these beautiful areas because of the local ecosystem. I want to urge you to keep all of the oak trees at the developing site. Not only have these beautiful trees been here for years but they also contribute to the biodiversity, aesthetic, and overall well-being of this area. Furthermore please do not give any special variances to the developer. These are vital in keeping our community safe and our environment protected.

**Response to Comment No. 28-1**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 29**

Jeff Bornstein  
7507 Winnetka Ave  
Winnetka, CA 91306

**Comment No. 29-1**

As a resident of the west San Fernando Valley this letter is written with extreme concern for the use of such a valuable piece of property in the manner suggested in the DEIR for case # ENV-2005-2301. This project is wholly inappropriate in scale, density and meeting the compatibility standard for this location in the Mulholland Scenic Corridor. The proposal is too large and does not respect the scenic nature of this location. Three stories is an inappropriate limit blocking views that are irreplaceable. 19 lots is too many. Also there is no mitigation limiting subdivision of the lots. All trees are not protected on the public or private areas. Traffic changes and mitigation are not evident.

**Response to Comment No. 29-1**

The land use compatibility of the Project, as well as its consistency with applicable provisions of the Mulholland Scenic Parkway Specific Plan, is discussed in Section V.G (Land Use) of the Draft EIR. See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. The visual impacts of the Proposed Project are discussed in Section V.B (Aesthetics) of the Draft EIR. The traffic impacts of the Proposed Project, during both construction and final operation, are discussed in Section V.I (Transportation & Traffic) of the Draft EIR. Biological resource impacts, including impacts to trees, are discussed in Section V.D (Biological Resources) of the Draft EIR. Mitigation is identified for Project impacts as applicable, and all of the project's potential impacts were found to be less than significant. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 29-2**

The Mulholland Scenic Parkway is not being followed. This project is too dense for the unique character of the Santa Monica Mountains. The project is not sensitive to the Mulholland Scenic Parkway and needs to be redone to meet those specifics. More is needed to protect the views of the "Scenic" Parkway as well as the Trees on these lots. Maximum preservation and enhancement of the trees are not part of this project. The proposal needs to be resubmitted with an effort to keep the enhances views and irreplaceable trees and landscape that exist on the property now. The area is short on public recreational facilities and this project takes away educational and recreational uses for the area which is quote unique. We can not throw away

such valuable land without being extremely conscience of the trees, view and land use for recreation of this property.

**Response to Comment No. 29-2**

The Project's consistency with applicable provisions of the Mulholland Scenic Parkway Specific Plan and its associated Design and Preservation Guidelines is discussed in Section V.G (Land Use) of the Draft EIR (specifically within Table V.G-4), as well as in Responses to Comments Nos. A5-5 and A5-7. As noted in Section V.B of the Draft EIR, the Proposed Project would preserve 140 of the 155 coast live oak trees located on the Project Site. The Project site plan has been designed to minimize disturbance to the majority of these oak trees. The Project Site is closed to the public and is surrounded by a chain-link fence. No recreation or educational activities currently occur there. Therefore, the Project would not "take away" any existing educational and recreational uses for the area. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 29-3**

This proposed project does not fit into the existing homes in the area. The lots need to be less dense and have less height to conform to the rest of the neighborhood. Lowering height limits of the units is essential to honoring the Mulholland Scenic Parkway. This needs to be rectified.

**Response to Comment No. 29-3**

See Response to Comment No. 29-1.

**Comment No. 29-4**

This proposed project does not take into account the existing ecological balance. This needs to be modified.

Trees, plants and wildlife have to be a mainstay in the planning of this project. This is not the case in this proposal as it stands.

**Response to Comment No. 29-4**

The existing ecology of the Project Site is discussed in Section V.D (Biological Resources) of the Draft EIR. Landscaping and the tree canopy are indeed critical components of the Proposed Project, as is discussed in Section V.B (Aesthetics) of the Draft EIR. In addition to the preservation of the majority of the existing trees on the Project Site, the Project would include the design and implementation of a landscaping plan that is consistent with the Mulholland Scenic Parkway Specific Plan. Thus, the comment is unsubstantiated.

**Comment No. 29-5**

Protecting prominent ridges, streams, and environmentally sensitive areas needs to be a priority. It is not as the project is proposed. The specific plan is not respected as the project is proposed.

**Response to Comment No. 29-5**

No prominent ridges or streams exist on the Project Site. It is unclear what is meant by the term “environmentally sensitive areas” in the comment, but the Project Site is not located within an established Sensitive Ecological Area for which a Habitat Conservation Plan has been created. The Draft EIR addresses the goals, objectives, and requirements applicable to the Project under the Mulholland Scenic Parkway Specific Plan. Since the comment offers no specific critiques of the Draft EIR or the Proposed Project, no further response is possible.

**Comment No. 29-6**

Further the California Environmental Quality Act (CEQA) is being ignored as the proposed project is presented. Important information is ignored and only the Developers interest are taken into account. This must be addressed moving forward.

**Response to Comment No. 29-6**

The Draft EIR was prepared in fulfillment of the City’s responsibilities under CEQA. Since the comment offers no new information or specific critiques of the Draft EIR or the Proposed Project, no further response is possible.

**Comment No. 29-7**

Adjoining and newly created street traffic impact is not included in the proposed project assessment. No mitigation is suggested to reduce speed in the area. Which is important to safety as well as the protection of the existing trees, foliage and wildlife in the area now.

**Response to Comment No. 29-7**

Contrary to the comment, the existing and future (both without and with the Project) traffic conditions at and around the Project Site are each discussed in Section V.I of the Draft EIR. Specifically, the forecasted impact of the traffic generated by the Project is analyzed and discussed in this same section of the Draft EIR. The reduction of traffic speed was not identified as a significant environmental concern and is therefore not evaluated, nor would it be impacted by the Project. Since the comment offers no specific critiques of the Draft EIR or the Proposed Project, no further response is possible.

**Comment No. 29-8**

These and other changes must be done to be in compliance with CEQA. No assessment of dirt removal and replacement has been done. Again this is another essential to being in compliance with CEQA.

**Response to Comment No. 29-8**

The potential grading impacts of the Project are disclosed in Section V.A of the Draft EIR (including the geotechnical/soils report in Appendix M). Potential noise, air quality, and traffic impacts associated with Project grading, including the import of fill material to the Project Site, are addressed in Sections V.H, V.C, and V.I of the Draft EIR, respectively.

**Comment No. 29-9**

This project needs to be changed to meet the specific plan, the Mulholland Scenic Parkway Specific Plan and comply with CEQA law.

**Response to Comment No. 29-9**

The commenter does not provide any evidence of how the project violates the Specific Plan or CEQA. See Responses to Comment Nos. 29-2, 29-6, and 29-8.

**Comment No. 29-10**

Please have the proposed project reassessed to comply with these essentials of planning/development especially for such a unique and special property.

**Response to Comment No. 29-10**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 30**

Beth Rider  
4623 Cerrillos Drive  
Woodland Hills, CA 91364

**Comment No. 30-1**

My questions, concerns and counter-proposals are stated below.

**Number of homes:**

- **DEIR states:** Proposed Project is the subdivision of a 6.2-acre property (two parcels) into 19 lots and the subsequent development of 19 detached, single-family residences.
- **Response:** 19 homes are too many for this property. The placement of the properties do not lend itself naturally to the terrain of the property, particularly the 3 homes facing west on San Feliciano at the Cerrillos Drive intersection. The placement of these particular homes would require the removal of protected trees or the encroachment upon remaining trees causing their ultimate death. It is a fact that changes in grade, drainage, and soil conditions within 100 feet of the canopy of an oak tree will eventually cause its death.

**Response to Comment No. 30-1**

See Response to Comment No. A5-34. Contrary to the commenter's statement, no protected trees would be removed in order to develop the three Project homes on proposed Lots 11-13. With respect to impacts of construction upon the oak trees adjacent to these homes (and the oaks to be retained across the entire Project Site), please see Response to Comment No. 14-13. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 30-2****Height of the homes:**

- **DEIR states:** Each residence would have a maximum height of three stories or 36 feet.
- **Response:** There are no 3-story homes in the neighborhood. Only 10% of the existing homes are 2-story. 90% of the homes are 1-story. To be in line with the neighborhood and to avoid loss of privacy for existing homeowners, the proposed project should have a majority of 1-story homes, no 3-story homes and no rooftop terraces or decks.

**Recommendation:**

- All homes facing San Feliciano should be 1-story
- Homes facing Mulholland be 1 to 2-story
- No 3-story homes
- Create CC&R and homeowner association requirements to prohibit rooftop terraces and decks

**Response to Comment No. 30-2**

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. The design of each individual home to be constructed within the Project will be subject to review for compliance with applicable codes and regulations. See Response to Comment No. A5-43 with respect to the recommendation that a homeowners' association be established. Otherwise, the commenter expresses an opinion regarding the Proposed Project, but the comment does not state a specific concern regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 30-3****Architectural Style:**

- **DEIR states:** The architectural style of the proposed homes has not yet been determined; however, the selected style(s) will be designed to be compatible with the architectural styles already existing in the area and to be consistent with the Specific Plan.
- **Response:**
  - The proposed plan as stated is not compatible with the neighborhood. The proposed plan is 100% 2 to 3- story homes. The existing neighborhood is 90% 1-story homes.
  - What insurance is there that the architectural style would be compatible with the neighborhood?
  - This developer (same principals, different company name) has a history of building stucco boxes with minimal side yards and setbacks.



- This in no way is compatible to our mid-century neighborhood of single story homes.



- Do not allow this to happen to our neighborhood! Ensure compatibility to the existing neighborhood.
- The 3 houses facing west onto San Feliciano Drive near Cerrillos Drive appear to have 7-foot side yards. If these are 2 to 3 story homes, they will collectively appear to the neighborhood as monolithic row houses.

**Recommendation:** Eliminate or reduce the number of homes facing west onto San Feliciano and ensure they are no higher than 1 story to:

- Save protected trees
- Ensure the homes fit in with the neighborhood of 1-story homes with ample side yards and set backs

### **Response to Comment No. 30-3**

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. The design of each individual home to be constructed within the Project will be subject to review for compliance with applicable codes and regulations, including the Specific Plan Design and Preservation Guidelines. Under review of the Director of Planning, Specific Plan Design Review Board will review and make recommendations concerning the design of each Project home. Required side yard and setbacks

would be complied with. As noted in Response to Comment 30-1, no protected trees would require removal to develop Lots 11-13. Otherwise, the commenter expresses an opinion regarding the design of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### **Comment No. 30-4**

##### **Garage / Parking:**

- **DEIR states:** Each unit would include a two-car garage. There would also be 38 covered parking spaces for residents.
- **Response:** Will there be 38 covered parking spaces for residents in addition to the 2-car garages? If yes, this sounds like an apartment/condo complex design. If no, where will guests park, particularly for the 4 houses with driveway access to San Feliciano? If the answer is San Feliciano, that is a dangerous idea. Many of the neighbors on San Feliciano have the cars hit while parked on San Feliciano.

#### **Response to Comment No. 30-4**

See Response to Comment No. A5-31 regarding the subject of Project parking. The 38 spaces would not be in addition to the garages. Guest parking for the homes with driveway access on San Feliciano Drive would be either in the driveways themselves or on the proposed private street within the Project site.

#### **Comment No. 30-5**

##### **Entrances / Exits to the property:**

- **DEIR states:** For site access, the Project proposes to construct a new public street, with a 54-foot wide right-of-way, which would extend from San Feliciano Drive into the Project Site and would end in a cul-de-sac, providing access to 11 of the proposed homes.
- **Response:**
  - The new proposed street and entrance to the development on San Feliciano Drive is on a south/southeast sloping street on a blind curve approximately 250 feet from the Cerrillos intersection. This is dangerous for anyone turning south on San Feliciano from the development. As it appears 95% of the traffic from the development is being directed to San Feliciano, we are most concerned for safety.
  - This street is referred to both a private street and a public street throughout the DEIR. Which is it? And who is responsible for maintaining this street? Will there be CC&R's and homeowner association requirements enforcing maintenance of this street?

**Response to Comment No. 30-5**

See Response to Comment No. A5-25 concerning a sight distance analysis addressing safety concerns at the intersection of the Project private street and San Feliciano Drive. The internal roadway within the site extending south from San Feliciano Drive is to be a private street and responsibility for maintenance will rest with the property owners of the Project site. See also Responses to Comment Nos. A5-24 and A5-43.

**Comment No. 30-6**

- **DEIR states:** A private driveway would extend from Mulholland Drive into the Project Site to provide access to four of the proposed homes.
- **Response:** Who is responsible for maintaining this street? Will there be CC&R's and homeowner association requirements enforcing maintenance of this street?

**Response to Comment No. 30-6**

See Response to Comment No. A5-40.

**Comment No. 30-7**

- **DEIR states:** The remaining four homes would each have direct driveway access from San Feliciano Drive.
- **Response:** One of the houses will have a driveway on a blind curve. The other 3 homes will have driveways either in the intersection and or flanking the intersection at Cerrillos Drive. This is extremely unsafe under any circumstances.

**Response to Comment No. 30-7**

The proposed home located immediately west of the internal Project private street (at Lot 14) would be on the outside of the curve and have sight distances similar to the sight distances for the Project internal street intersection. See Response to Comment No. A5-26 concerning the three driveways (at Lots 11-13) to be located to the east of the Project private street intersection.

**Comment No. 30-8****Grading:**

- **DEIR states:** Grading for the Project would involve the excavation (cut) of approximately 3,040 cubic yards. The proposed grading would require approximately 7,240 cubic yards of fill to balance the site, resulting in the proposed import of 4,200 cubic yards of material to the site. All excavated material would be used as fill on the Project Site.
- **Response:**

- Which portion of the property will be filled? I suspect it is the part of the property facing west on San Feliciano Drive. That portion of the property is several vertical feet lower than the street, San Feliciano Drive. If the intent is to fill in that “valley”, this will have a huge impact to the existing trees. Again, any changes in grade, drainage, and soil conditions within 100 feet of the canopy of an oak tree will eventually cause its death. What is going to happen to trees when several feet of fill are added around them?
- This level of grading and excavation will disturb the remaining trees and ultimately cause their death.

### **Response to Comment No. 30-8**

The grading and tree impact issues raised by the commenter are addressed in the Draft EIR. See also Responses to Comment Nos. A3-14, A5-27, and A5-34 with respect to the removal and replacement of protected trees. See Responses to Comment Nos. A5-9 and A5-27 with respect to proposed grading of the Project Site. See Response to Comment No. A5-27 with respect to ensuring the survival and establishment of the replacement oak plantings. See Response to Comment No. 14-13 with respect to the impact of grading on the existing oak trees to be retained on-site. Although a detailed grading plan for the Project Site has not yet been finalized, conceptual grading is illustrated on the proposed vesting tentative tract map, included as Figure III-4 in the Draft EIR.

### **Comment No. 30-9**

- Request a map of existing trees and tree canopies in the property’s current state and an overlay with the proposed location of the houses, including the proximity of the tree canopy to the house, streets and retaining walls. In this way, we can have a more realistic understanding of the long-term impact to the last standing grove of ancient oak trees in the area.

### **Response to Comment No. 30-9**

Figure V.B-6 of the Draft EIR shows the location of the proposed lots, including the maximum building pad area. The existing trees are also shown on this map. The tree canopies vary but are described and illustrated in the Tree Report, contained in Appendix G of the Draft EIR. Although specific building designs are not yet determined, each individual residence will be reviewed for conformance with the Mulholland Scenic Parkway Specific Plan and Design Guidelines through a design review process, which includes a public hearing. As is discussed in the Draft EIR, with implementation of the Project landscaping plan, visual screening of the homes will be provided by both new landscaping and vegetation to be planted under the Project mitigation measures and the existing trees to be preserved on the Project Site.

### **Comment No. 30-10**

- Please address the following:
  - o How will the construction traffic be monitored and managed?

- How will noise levels and air quality be monitored? How will increase in noise and decrease in air quality be mitigated?
- Where will construction trade park?
- How will access to San Feliciano and Mulholland by the neighborhood be impacted over the various phases of construction? How will this impact be mitigated?
- Who is the project point of contact for the neighborhood to address issues?
- What is the expected turnaround time to return a phone call or email from the neighborhood addressing issues?
- What is the haul route for all of this excavation and fill?

### **Response to Comment No. 30-10**

Construction traffic issues are discussed in Section V.I of the Draft EIR. See also Response to Comment No. A5-42. Project noise impacts are discussed in Section V.H of the Draft EIR. Mitigation measures are presented in this section for noise generated by Project construction activities. Project air quality impacts are discussed in Section V.C of the Draft EIR. Mitigation measures are presented in this section for air emissions generated by Project construction activities. The Mitigation Monitoring Plan (see Section V of this Final EIR) identifies the specific monitoring responsibilities for all Project mitigation measures. Construction parking is addressed in Response to Comment No A5-42. No impacts with respect to neighborhood access are anticipated as a result of Project construction activities. Mitigation Measure C-4 requires that a neighborhood liaison be identified for the Project during the duration of construction work. The question regarding turnaround times for responses is unknown and is not a CEQA issue. The proposed haul route would be San Feliciano Drive to Mulholland Drive to the Ventura Freeway (US 101) to the San Diego Freeway (I-405) to the Golden State Freeway (I-5) to the Sunshine Canyon landfill.

### **Comment No. 30-11**

- **DEIR states:** The Project would utilize four retaining walls ranging from 0.5 to 19 feet in height in lieu of slopes to reduce the number of impacted coast live oak trees.
- **Response:**
  - 19-foot retaining walls will impact the visual character of the property. The DEIR does not list an acceptable mitigation plan for this.
  - 19-foot retaining walls will impact the oak trees. The grading and construction of major retaining walls of extreme size, such as the proposed 19-foot high wall sections, require large "keys" underground connected to the footings of the retaining walls. Due to this engineering and building department requirement, the underground impact of retaining walls in proximity to trees is significant and damaging.

**Response to Comment No. 30-11**

See Response to Comment No. 14-13 with respect to the impact of retaining walls on the on-site oak trees. See Response to Comment No. A5-30 with respect to the visual impact of the proposed retaining walls and the error in the Draft EIR regarding the maximum height of the proposed retaining walls (11 feet, not 19 feet). See Response to Comment No. A5-34 regarding the mitigation for tree removal.

**Comment No. 30-12****Impact to Trees:**

- **DEIR states:** Of the existing 199 trees (including 166 protected trees) located on-site, 28 (including 15 protected trees) would be removed in order to develop the Proposed Project.
- **Response:**
  - The 15 protected trees are just that - protected. Do not cut them down. It takes 100-200 years for oak trees to grow to the size they are now on the property. The residents of this neighborhood won't live to see the proposed mitigation plan take effect.
  - Request a map of existing trees and tree canopies in the property's current state and an overlay with the proposed location of the houses, including the proximity of the tree canopy to the house, streets and retaining walls. In this way, we can have a more realistic understanding of the long-term impact to the last standing grove of ancient oak trees in the area.

**Response to Comment No. 30-12**

See Response to Comment 30-9. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 30-13****Wildlife:**

- **DEIR States:** "Although mammals and reptiles may currently use cross over Mulholland Drive between the Project Site and the relatively natural habitat areas on the school and park property to the south of Mulholland Drive, the Project Site does not function as part of a true wildlife corridor since wildlife dispersal across the site is currently compromised by vehicle traffic on Mulholland Drive. In addition, the site does not act to connect two significant or large core habitat areas; rather, the site is a relatively small habitat island surrounded almost completely by suburban development."

- **Response:** With such little open space, this property is a significant area for wildlife. There are coyotes, bobcats, red tail hawks, owls, and blue herons that live or travel through this property.
- **Recommendation:** Request a more thorough impact assessment be done in terms of wildlife.

### **Response to Comment No. 30-13**

See Responses to Comment Nos. A3-2, A3-6, and 15-3.

### **Comment No. 30-14**

#### **Landscape Plan:**

- **DEIR states:** "...one of the proposed homes would be wholly visible and three homes partially visible from the Mulholland Scenic Parkway. However, these homes would be screened from view by the implementation of the Landscape Plan."
- **Response:** Ensure creation of CC&R's and homeowner association requirements enforcing the maintenance of the Landscape Plan.

### **Response to Comment No. 30-14**

See Response to Comment No. A5-27 regarding the landscape plan and mitigation for scenic impacts of the Project. See Response to Comment No. A5-43 regarding the establishment of a homeowners' association for the Project.

### **Comment No. 30-15**

#### **Construction Hours:**

- **DEIR states:** "Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6 pm on Saturday".
- **Response:** This project will take 2.5 years. This neighborhood will be completely disrupted 6 days a week for 2 ½ years 11 hours a day.
- **Recommendation:** Cut back the hours and/or number of days or build to the natural terrain of the existing property, do less grading build less houses, and reduce the impact to this neighborhood.

### **Response to Comment No. 30-15**

See Response to Comment No. A5-42 regarding construction issues. Otherwise, the commenter expresses an opinion regarding construction of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental

impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

### **Comment No. 30-16**

#### **Traffic:**

- **DEIR states:**
  - "The proposed project would not add 50 or more trips during the peak hours".
  - "At completion and full occupancy, the Project is expected to generate approximately 188 total daily vehicle trips, including 14 trips during the AM peak hour and 19 trips during the PM peak hour".
- **Response:** Assuming 2 cars per household, this is not a logical conclusion.
  - Is the developer assuming only 1 person from 14 of the 19 houses goes to work or school each morning?
  - Is the developer assuming only 1 person from each of the 19 houses come home from work or school each day?
  - Again, this is not a logical assumption for 19 homes with 3 to 4 bedrooms each.

### **Response to Comment No. 30-16**

See Response to Comment No. A5-28 for a discussion of Project trip generation.

### **Comment No. 30-17**

- **DEIR:** The traffic study for the DEIR was taken on March 12, 2015.
- **Response:**
  - This day was not a normal traffic day. I personally witnessed the traffic study being taken on March 12, 2015 and noted to myself (and told my neighbors) that a traffic study was being done on a day with unusually light traffic.
  - On typical school days, traffic on both San Feliciano and Mulholland Drive are heavy in the mornings and in the afternoons. Sometimes traffic driving south on San Feliciano and turning on Mulholland Drive is backed up north of Cerrillos Drive. Adding 19 homes to the area will exacerbate the problem and further reduce access.

**Response to Comment No. 30-17**

See Response to Comment No. A5-28 also for a discussion of the dates selected for the traffic study vehicle volume data collection. The commenter does not provide any substantial evidence to demonstrate that vehicle traffic was undercounted during the traffic study.

**Comment No. 30-18****Issues to Address:**

- **DEIR states:** No known issues concerning the project remain unresolved.
- **Response:** The following issues have not been addressed:
  - What is the mitigation plan for the Blue Line stream on the property?
  - What is the mitigation plan for the gas line on the property?
    - See attached article regarding Construction workers using excavating equipment, ruptured a high pressure natural gas line near the Wyndham Hotel yesterday morning resulting in evacuations by Santa Monica Fire Department.

[Accident Causes Gas Leak and Wyndham Hotel Evacuations](#)

**Response to Comment No. 30-18**

No blueline stream is located on the property. See Responses to Comment Nos. A2-4 through A2-7 for additional discussion regarding the subject of a blueline stream near the Project Site.

Mitigation Measure F-3 (on page V.F-21 of the Draft EIR) to mark and protect underground utilities is required and addresses potential impacts pertaining to gas pipelines.

**Comment No. 30-19**

- What is the mitigation plan for preventing landslides?
  - There is a precedent on Cerrillos Drive in which the developer removed protected trees and filled a deep ravine with dirt, similar to the proposed plan by Harridge San Feliciano group.
  - See attached articles regarding the landslide that occurred on Cerrillos Drive in 1993.

1. [Wall of Mud Buckles Woodland Hills Street : Weather: Some residents blame the slide on builders who they said created the slop](#)

2. [Articles about Landslides Los Angeles by Date - Page 3 - latimes](#)

**Response to Comment No. 30-19**

The landslide potential at the Project Site is discussed in Section V.A of the Draft EIR (see also Appendix M of the Draft EIR for the geotechnical/soils technical report). Because the potential for landslides to occur at the Project Site is low, no mitigation measures are required or proposed.

**Comment No. 30-20****Alternatives to the Project:**

My preference is for a passive park servicing the neighborhood and surrounding area. There is a lack of open space and parks in Woodland Hills. This solution would also protect the last stand of natural oak savanna in the area, the wildlife, and the integrity of the neighborhood.

**Response to Comment No. 30-20**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 30-21**

A second alternative is a responsible project with low density, 1-story homes with side yards and setbacks compatible with the neighborhood and safe access to San Feliciano and Mulholland Drive. An appropriate project would place the homes to fit the natural terrain of the land without having to severely grade the land, remove protected trees, and ultimately cause the death of remaining trees.

**Response to Comment No. 30-21**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 30-22**

I implore you, as my family's representatives, to carefully review our input and concerns as a homeowners, longtime residents, taxpayers, and voters. If the property is to be developed, there is more appropriate, reasonable, and responsible way of doing it.

**Response to Comment No. 30-22**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 31**

Colleen Marmor  
22287 Mulholland Hwy, #251  
Calabasas, CA 91302

**Comment No. 31-1**

Below are my comments and concerns regarding some of the problems with the development project planned for 22255 and 22241 Mulholland Drive in Woodland Hills.

Identification of Alternatives:

**ISSUE:** This Draft Environmental Impact Report (“DEIR”) is supposed to identify alternatives to the project. DEIRs habitually present discussions revolving around the idea that there are no viable alternatives to the project being presented. This DEIR is no different. The community has openly expressed ideas for reasonable alternatives since 2005. A limitation on the profit for the developer does not excuse a discussion of realistic alternatives in a well-prepared DEIR. CEQA mandates that reasonable alternatives must be discussed even if it would be more costly.

The DEIR section on “ALTERNATIVES TO THE PROPOSED PROJECT” includes reference to Section 15126.6(b) of the CEQA Guidelines and states:

Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, the *discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.*

The DEIR section on the “OVERVIEW OF SELECTED ALTERNATIVES” sets forth 2 alternatives that anyone knows will not be acceptable and intentionally leaves out any alternative that would reduce the number of homes. The DEIR only lists *No Project* or a *Park Alternative*. Listing these as reasonable alternatives is an exercise in futility and an insult to the City Planning Department and community. Then the DEIR goes on to explain that a reduced number of homes alternative has been eliminated from consideration, because of “economic viability”, aka, a reduction in profit.

**Response to Comment No. 31-1**

See Responses to Comment Nos. A3-11 and A3-12 regarding the alternatives analysis in the Draft EIR. While CEQA does not allow alternatives to be eliminated from consideration in an EIR simply because they would be costlier to develop, CEQA does require alternatives considered in an EIR to be feasible to build. The definition of feasibility includes economic feasibility.

**Comment No. 31-2**

To fulfill the CEQA Guidelines requirement that an EIR identify any alternatives that were considered but were rejected and the rationale for their rejection, the DEIR goes back in time 11 years ago when the developer attempted to have the land rezoned to build condos. Anyone familiar with the history of this project knows the 37-unit single-family condominium development was immediately shut-down and withdrawn. After several meetings at the Councilman's office with the community organization Save Oak Savanna, City Planning officials advised the developer, at the public hearing, to produce a project with 19 homes or less. To represent that the current proposal for 19 homes is substantially reduced, as compared to the status of the project before the developers sought Bankruptcy protection, is disingenuous.

The DEIR even acknowledges that:

**“For concerns regarding the potential economic viability of a smaller development . . . a reduced density alternative is not included in this Draft EIR.”**

Consideration of a reduced density alternative would meet the CEQA requirement of focusing on alternatives to the project that avoid or substantially lessen any significant effects of the project. Reducing the density is a reasonable alternative and failing to include this discussion must be remedied in the FEIR.

**Response to Comment No. 31-2**

See Responses to Comment Nos. A3-11, A3-12, and A3-13 regarding the sufficiency of the alternatives analysis in the Draft EIR.

**Comment No. 31-3**

**ACTION:** FEIR should include a discussion of alternatives that present a project with 12 homes and another with 15 homes.

Including these 2 realistic alternatives in the FEIR would be a show of good faith that the developer is attempting to:

1. Meet 2 of their objectives, as discussed below, and
2. Abide by the Mulholland Scenic Parkway Specific Plan and Guidelines that apply to this project and site. Reducing the number of homes would also serve to diminish the need for excessive grading and erecting so many retaining walls. A reduction in the number of homes has the potential to eliminate other problems related to location of driveways and the current intention to dramatically modify the natural rolling topography as it currently exists.

Taking this suggested ACTION would also show that the project is attempting to comply with the Guidelines regarding minimizing grading and assuring that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains, preserving the natural topographic variation within the inner corridor and minimizing driveway and private street access into the right-of-way.

**Response to Comment No. 31-3**

See Responses to Comment Nos. A3-11, A3-12, and A3-13 regarding the sufficiency of the alternatives analysis in the Draft EIR.

**Comment No. 31-4**

The DEIR says that the objectives for the Proposed Project include

1) designing an on-site circulation system to help ensure safe ingress and egress to and from the Project Site for existing and future area residents, and other motorists, and

2) designing a project that is consistent with the predominant character of the style of the neighborhood. The iteration of this project portrayed in the DEIR does not realistically achieve either of these 2 objectives. On the contrary, the locations of all the driveways creates an unreasonable risk of danger for pedestrians and motorists on both Mulholland Drive and on San Feliciano Drive. The proposed plan may claim to be, but is not, consistent with character and style of this unique neighborhood.

**Response to Comment No. 31-4**

With respect to the safety of driveway and intersection locations, see Responses to Comment Nos. A5-25 and A5-26. With respect to the compatibility of the Proposed Project with the surrounding neighborhood, see Response to Comment No. A5-32.

**Comment No. 31-5**

Mitigation or avoidance of significant effects:

**ISSUE:** In many instances, the DEIR glosses over the significant effects that will result from proceeding with the proposed project. Without specific and reliable data, no meaningful analysis of all significant impacts can be made by decision makers and the community. The routine use of variations of the word “mitigation” to dismiss insurmountable problems with this project and frequent representations that certain impacts are “unavoidable” is a standard approach used to justify and excuse aspects of the project. This deception is unacceptable and cannot be tolerated.

**ACTION:** The DEIR should scrupulously address the actual effects and impacts this proposed project will have on this unique piece of land situated within the inner corridor of the Mulholland Scenic Parkway. Specific data should be presented for a meaningful analysis of all significant impacts. A factually reliable and thorough FEIR should include an amended discussion on each and every point in the DEIR where mitigation and avoidance are mentioned. Decision makers and the community deserve a methodical discussion of these critical issues instead of a DEIR that just pays lip service to this CEQA requirement.

**Response to Comment No. 31-5**

The commenter asserts multiple deficiencies of the Draft EIR, but does not provide any specifics or support for any of these alleged deficiencies. As stated in the Draft EIR, the Proposed Project would not result in any significant, unavoidable impacts following the implementation of regulatory compliance measures and mitigation measures.

**LETTER NO. 32**

Myron Grombacher

**Comment No. 32-1**

I live directly across from the planned exit on to San Feliciano drive. I am late getting this to you as I was out of town and awaiting advice from my lawyer on how proceed. I have lived in woodland hills for 30 years and in my present home 15. San Feliciano has become an alternate route for traffic to and from schools because of the congestion and Treacherous nature of the street, allowing an egress to San Feliciano will prove to be a dangerous and pointless addition to an already tenuous situation. I live on a blind curve and my wife was already the victim of a accident involving a young driver traveling an an unsafe speed and crashing into her vehicle. Fortunately she wasn't injured. Not addressing the fact that the proposed project is in direct opposition to the existing single story family dwellings. This is a project motivated by the developers greed and will only serve to aggravate our existing problems beyond comprehension. I am not adverse to developing the land it needs to be consistent with the neighbor and only exit on Mullholland.

**Response to Comment No. 32-1**

See Response to Comment No. A5-25 concerning conditions at the intersection of San Feliciano Drive and the proposed Project private street. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 33**

Gilbert Yablon  
21914 Dumetz Road  
Woodland Hills, CA 91364

**Comment No. 33-1**

My name is Gilbert Yablon. I have lived at 21914 Dumetz Road, Woodland Hills, CA 91364 for over 30 years, and have been an active participant in numerous Neighborhood Council Hearings and Zoning Administrator actions in this immediate neighborhood during much of that time.

Ever since this project was first proposed in 2005, I have been very concerned about the impacts this type of development would have on the aesthetics, traffic, safety and livability of this neighborhood.

Like Clare Deffense, I live within 1/2 mile of the site of this proposed development, and my family and I will be directly impacted by whatever happens there.

I have reviewed the materials pertaining to this case, and I agree with the well stated comments Clare Deffense previously emailed to you on April 26th. Therefore I would like to go on record as supporting Clare's comments (referenced below) as if they were my own.

**Response to Comment No. 33-1**

Responses to Clare Deffense's comments are provided in Responses to Comments Nos. 16-1 through 16-5. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 34**

Gilbert Drucker  
4605 San Feliciano Drive  
Woodland Hills, CA 91364

**Comment No. 34-1**

DEIR Assessment Comments  
SUBDIVISION

Action: Require specific language that states 19 lots cannot be further subdivided in anyway in the future.

**Response to Comment No. 34-1**

Comment acknowledged. The comment requests a condition of project approval, but does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 34-2**

ROADWAYS/DRIVEWAYS

1. The DEIR makes frequent references to public and private streets, but there is a great deal of confusion as to the intent of the developer. For instance, On Page 11-1, the DEIR states that there will be a "new public street to run from San Feliciano Drive into the site." On page V G-19, the DEIR states, "The Proposed Project would provide a private access road from San Feliciano Drive ... " It is felt that this is a serious issue that needs clarification. Private streets and public streets are significantly different. Outside of the statement that this roadway would be public, there is no comment in the DEIR as to how this would be accomplished. After all the City of Los Angeles would ultimately have to take responsibility for that street after construction. Are they obligated to do so? What if the City decides not to obligate themselves with this new street? How does that impact the Proposed Project?

**Response to Comment No. 34-2**

The Project includes a private street, built to public street standards, to provide access off of San Feliciano Drive into the site. The private street would be maintained by the property owners of the Project site. See Response to Comment No. A5-24 for a discussion of the proposed private street and access driveway.

**Comment No. 34-3**

2. In addition, the proposed street appears to be ill conceived. The egress and exit of the proposed street is at point where San Feliciano Drive is at its narrowest. If there are any vehicles parked, (which is often true),

it becomes a very narrow roadway from which to enter or exit the Proposed Project. More importantly, the site of the street is at a place where there is very limited visibility. Vehicles coming from Mulholland Highway driving downhill come out of a blind curve just where the proposed street is being sited. There is limited visibility for the drivers on San Feliciano Drive regarding the proposed street and there would be similar restrictions for any vehicle entering or exiting the Proposed Project. Anyone using this proposed street will do so at great risk. The distance from when a vehicle can first see the street is at 257 ft. According to the AASHTO Green Book, at the 30 MPH speed limit reaction distance + braking distance would equal 200 ft on a straight roadway. Adding the 11% grade that occurs at this location on San Feliciano plus a blind curve makes this particular intersection extremely dangerous and poses a substantial safety concern. It needs to be further noted, that drivers proceeding in either direction on San Feliciano Drive rarely do so at the posted speed limits which enhances the safety concern of the street location. The DEIR did not conduct any sight distance studies and there is high safety concern for where street is located. Made suggestion to Harridge San Feliciano, LLC during an August 2015 meeting that locating the street at Cerrillos and making it a 4 way stop sign made more sense from a safety perspective.

#### **Response to Comment No. 34-3**

See Response to Comment No. A5-25 for a discussion of sight distance and traffic safety.

#### **Comment No. 34-4**

##### SCENIC IMPACT

Action: The developer needs to submit a better mitigation plan regarding the scenic impact.

#### **Response to Comment No. 34-4**

See Response to Comment No. A5-27 for a discussion of the proposed mitigation for the Project's aesthetic impacts.

#### **Comment No. 34-5**

##### DEIR ALTERNATIVES & POCKET PARK PROPOSAL

According to the latest LOS ANGELES COUNTYWIDE COMPREHENSIVE PARKS & RECREATION NEEDS ASSESSMENT (<http://lacountyparkneeds.org/>) WH area is below average with only 2.6 park acres per 1,000 people (vs county average of 3.3) and 32% of the population in Woodland Hills is within .5 miles of a park (vs 49% for the county). In a area highlighted below in red note that in the area bounded by Ventura, Topanga and Mulholland where there are nearly 4,000 homes there are tiny patches of open space not readily accessible and zero parks. Given that there are so few open spaces left in this area, this is a great time to look at this development as an opportunity to add a desperately needed small pocket park to the neighborhood.

See pic

See pic

**Response to Comment No. 34-5**

See Response to Comment No. A5-35 concerning the commenter's proposal that a pocket park be established on a portion of the Project Site.

**Comment No. 34-6**

One proposal would be to remove or reduce lot 11 (18,653 sq ft) and add a park in the corner closest to the LADWP pump station. Its an idea location or a small park and given the success of the Fire Station Park on Canoga and Ventura (8,200 sq ft). Choices are either to see parcel to the City of Los Angeles or to the Santa Monica Conservance.

See Pic

**Response to Comment No. 34-6**

See Response to Comment No A5-36.

**Comment No. 34-7****GRADING**

Action: Require more detailed grading map and explore alternatives that minimize the amount of grading which is currently at 61% and fewer retaining walls.

**Response to Comment No. 34-7**

See Responses to Comment Nos. A5-9, A5-25, and A5-37 regarding grading and retaining walls.

**Comment No. 34-8****LOT #5 & #6**

Action: Proposing to remove Lot 5 and 6 or reconfigure according to City guidelines.

**Response to Comment No. 34-8**

See Response to Comment No. A5-38.

**Comment No. 34-9****CUL-DE-SAC LOCATION**

Action: Need specifics on who owns and is responsible for common driveway and access road to lots 1-4 as well as deceleration and acceleration lanes on Mulholland.

**Response to Comment No. 34-9**

See Response to Comment No. A5-40 regarding responsibility for the proposed Project private street and access driveway.

**Comment No. 34-10**

COMMON STREET FOR LOTS 1-4

LOT #19

Action: Define what specialized/new public street means as well as "spec house" and what intentions are. Highlight driveway on this lot and what mitigation strategy is for easement issues.

**Response to Comment No. 34-10**

See Response to Comment No. A5-41.

**Comment No. 34-11**

CONSTRUCTION CONCERNS

Action: Given that this is a quiet, mature neighborhood with small kids and the elderly, what assurances does the neighborhood have that this construction project wont completely tum this neighborhood upside down for 2.5 years? Who is responsible that complaints are dealt with quickly? Who is responsible in ensuring that 37 construction workers aren't parking up and down San Feliciano day in and day out and have offsite parking available? Can we create an entrance for construction vehicles off of Mulholland as San Feliciano is a small street that can have a big impact on through traffic, people being able to exit and enter their homes and emergency vehicles being able to quickly pass in case of an emergency? What are we doing to address the noise issue for Louisville High School?

See pic

See pic

**Response to Comment No. 34-11**

See Response to Comment No. A5-42.

**Comment No. 34-12**

HOMEOWNERS ASSOCIATION

Action: Community recommended on April 11, 2016 meeting that it might make sense to create a common area (in purple above) that would be managed by an HOA and not be part of the proposed lots. This would protect Oaks while reducing Lot sizes with large amounts of unusable land. This would also serve to maintain any common areas including the shared driveway off of Mulholland.

**Response to Comment No. 34-12**

See Response to Comment No. A5-43.

**Comment No. 34-13**

TRAFFIC STUDY

Action: Request that another traffic study should be conducted with pre-approved dates chosen with community. Current traffic study feels deficient in certain areas as we believe it does not capture the reality of the traffic situation in this area.

**Response to Comment No. 34-13**

See Response to Comment No. A5-28.

**Comment No. 34-14**

**STORM DRAINAGE**

Action: It is felt that the DEIR is insufficient in regards to this major issue. The developer needs to introduce mitigation measures to this issue.

**Response to Comment No. 34-14**

See Response to Comment No. A5-29.

**Comment No. 34-15**

**RETAINING WALLS**

Action: Language regarding exact height of each retaining wall needs to be addressed, number of walls as well as extensive use of retaining walls in development of over 500 ft.

**Response to Comment No. 34-15**

See Response to Comment No. A5-30.

**Comment No. 34-16**

**GARAGES vs COVERED PARKING**

Action: Would like language to not be ambiguous and any reference to "covered parking spots" be removed and replaced with "garages".

**Response to Comment No. 34-16**

See Response to Comment No. A5-31.

**Comment No. 34-17**

**# OF STORIES/PROJECT COMPATIBILITY**

Action: Would like DEIR to reflect accurate recommendation and state that no unit would be over 2 stories and that lots bordering southern property line (15-19) and San Feliciano (11-14) cannot exceed one story in height.

**Response to Comment No. 34-17**

See Response to Comment No. A5-32.

**Comment No. 34-18****TREE REMOVAL & PROTECTION**

Action: Trees circled need mitigation strategy to ensure survival and trees in peoples backyards need assurances that they will not be cut down and homeowners need to be apprised of rules regarding protected oaks in this area (HOA needed).

**Response to Comment No. 34-18**

See Response to Comment No. A5-34.

**Comment No. 34-19****DEIR ALTERNATIVES & POCKET PARK PROPOSAL**

According to the latest LOS ANGELES COUNTYWIDE COMPREHENSIVE PARKS & RECREATION NEEDS ASSESSMENT ([http:// lacountyparkneeds.org/](http://lacountyparkneeds.org/)) WH area is below average with only 2.6 park acres per 1,000 people (vs county average of 3.3) and 32% of the population in Woodland Hills is within .5 miles of a park (vs 49% for the county). In a area highlighted below in red note that in the area bounded by Ventura, Topanga and Mulholland where there are nearly 4,000 homes there are tiny patches of open space not readily accessible and zero parks. Given that there are so few open spaces left in this area, this is a great time to look at this development as an opportunity to add a desperately needed small pocket park to the neighborhood.

See pic

**Response to Comment No. 34-19**

See Response to Comment No. A5-35 concerning the commenter's proposal that a pocket park be established on a portion of the Project Site.

**Comment No. 34-20****GRADING**

Action: Require more detailed grading map and explore alternatives that minimize the amount of grading which is currently at 61% and fewer retaining walls.

**Response to Comment No. 34-20**

See Responses to Comment Nos. A5-9, A5-25, and A5-37 regarding grading and retaining walls.

**Comment No. 34-21**

LOT#5 & #6

Action: Proposing to remove Lot 5 and 6 or reconfigure according to City guidelines.

**Response to Comment No. 34-21**

See Response to Comment No. A5-38.

**Comment No. 34-22**

CUL-DE-SAC LOCATION

Action: More specificity on how this particular hillside will be supported.

**Response to Comment No. 34-22**

See Response to Comment No. A5-39.

**Comment No. 34-23**

COMMON STREET FOR LOTS 1-4

Action: Need specifics on who owns and is responsible for common driveway and access road to lots 1-4 as well as deceleration and acceleration lanes on Mulholland.

**Response to Comment No. 34-23**

See Response to Comment No. A5-40 regarding responsibility for the proposed Project private street and access driveway.

**Comment No. 34-24**

LOT #19

Action: Define what specialized/new public street means as well as "spec house" and what intentions are. Highlight driveway on this lot and what mitigation strategy is for easement issues.

**Response to Comment No. 34-24**

See Response to Comment No. A5-41.

**Comment No. 34-25**

CONSTRUCTION CONCERNS

Action: Given that this is a quiet, mature neighborhood with small kids and the elderly, what assurances does the neighborhood have that this construction project wont completely tum this neighborhood upside down for 2.5 years? Who is responsible that complaints are dealt with quickly? Who is responsible in ensuring that 37 construction workers aren't parking up and down San Feliciano day in and day out and

have offsite parking available? Can we create an entrance for construction vehicles off of Mulholland as San Feliciano is a small street that can have a big impact on through traffic, people being able to exit and enter their homes and emergency vehicles being able to quickly pass in case of an emergency? What are we doing to address the noise issue for Louisville High School?

**Response to Comment No. 34-25**

See Response to Comment No. A5-42.

**Comment No. 34-26**

**HOMEOWNERS ASSOCIATION**

Action: Community recommended on April 11, 2016 meeting that it might make sense to create a common area (in purple above) that would be managed by an HOA and not be part of the proposed lots. This would protect Oaks while reducing Lot sizes with large amounts of unusable land. This would also serve to maintain any common areas including the shared driveway off of Mulholland.

**Response to Comment No. 34-26**

See Response to Comment No. A5-43.

**LETTER NO. 35**

Diane Goldman

Law Office of Diane Goldman  
21860 Burbank Blvd., Suite 360  
Woodland Hills, CA 91367

**Comment No. 35-1**

I am a resident and homeowner with property located about two blocks from the project proposed by the above-referenced ENV case (ENV project). My residence is located on Alguas Rd.

I have reviewed the DEIR for the project, as well as the assessment of the DEIR produced by the Save Oak Savanna community group. I have also reviewed several provisions of the Mulholland Scenic Parkway Specific Plan ("MSPSP").

For your ready reference, I attach a copy of the Save Oak Savanna assessment ("SOS response"), and adopt its provisions in its entirety for the purposes of this comment. In addition to the concerns exhaustively set forth in the SOS response, I believe the ENV project violates various provisions of the MSPSP and the developers have not established sufficient basis for any diversion from that plan. Specifically, the height, lighting, view & landscape restrictions have not been so extreme that surrounding properties could not comply with the Plan. Three story homes do not comport with the character of all of the homes that have been built within & adjacent to the Plan area in that sector.

**Response to Comment No. 35-1**

The Save Oak Savanna letter is Letter No. A5. The commenter is directed to that location for responses to the Save Oak Savanna comments. See specifically Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to a height of two stories. A detailed analysis of the project's consistency with relevant provisions of the Mulholland Scenic Parkway Specific Plan is provided in Table V.G-4 of the Draft EIR (in Section V.G, Land Use and Planning). Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 35-2**

I served on the Woodland Hills-Warner Center Neighborhood Council from 2007 to about 2010. I am familiar with developers' attempts to build what amount to excessive height & density structures on the subject parcel(s). The current proposal is only slightly less onerous & invasive of the neighborhood surrounding the proposed project.

**Response to Comment No. 35-2**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 35-3**

One point deserves special mention: the proposed street location for the project is ill-conceived & poses a concrete hazard to auto & pedestrian traffic in the area. This is more completely detailed in the SOS response. In addition, the reported "traffic flow study" is inaccurate & possibly intentionally misleading. The traffic flow on San Feliciano in the morning & evening hours is much heavier & consistent that what is claimed by the project's developers. In the event that some form of the project is eventually approved (not a certainty), the new road into the project must be located at the existing intersection of San Feliciano & Cerrillos, with, at the very least, and "all way" stop sign control to remedy the potential hazard to *all* vehicles travelling on those streets (including residents of the proposed project).

**Response to Comment No. 35-3**

See Response to Comment No. A5-25 for an analysis of the sight considerations at the intersection of San Feliciano Drive and the proposed Project private street. Response to Comment No. A5-28 addresses the traffic study data collection and trip generation procedures.

(See Responses to Comment Nos. A5-23 through A5-43 for the SOS Assessment Attachment referenced above.)

**LETTER NO. 36**

Steve and Tania Klein  
4631 San Feliciano Drive  
Woodland Hills, CA 91364

**Comment No. 36-1**

As you are aware, the above-referenced development across the street from our home, one house south of the corner of San Feliciano and Cerrillos, has been purchased by a developer and has proposed to subdivide it into 19 lots on which 19 detached single-family residences are currently planned.

With respect to the proposed development, we would like to express our concerns and suggestions with regard to the development, having lived across the street from the property for over 30 years.

1. The size of the property, along with the topography, simply does not have sufficient room for the proposed 19 homes and would be inconsistent with the adjacent neighborhood that has been in place since the 1950's. The neighborhood is comprised predominantly of single story homes. The plan calls for the building of homes up to 3 stories, and, if permitted, would in effect "MacMansionize" the tract. Clearly, if the property is to be developed, the total number of lots and homes should be limited to no more than 12 two-story homes.

**Response to Comment No. 36-1**

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. The commenter otherwise expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 36-2**

2. Reviewing the proposal, the developer has indicated that extensive grading of the property will be required including, but not limited to, exporting materials in excess of 40 tons. During construction, estimated to be more than 30 months, this will put significant traffic congestion on to neighborhood streets, especially on San Feliciano, which is already heavily congested during the morning commute hours, and would dramatically increase noise from the construction site. There is also concern that this activity will significantly damage the existing neighborhood roads which surrounds the proposed project, especially on San Feliciano, passing the responsibility of the expense of repairs to potentially the City of Los Angeles taxpayers. As such, we would request that construction be limited to weekdays during the hours of 8 AM - 4 PM and that the developers agree to replace or repair any damaged streets or sidewalks.

**Response to Comment No. 36-2**

See Response to Comment No. A5-42 regarding the anticipated duration of Project construction activity and construction traffic management. Any damages to public streets or other public facilities resulting from Project construction would be the responsibility of the Project developer to repair or replace under City regulations. The commenter's request regarding limited construction hours is acknowledged and will be conveyed to the decision-making bodies for their review and consideration.

**Comment No. 36-3**

3. The proposal indicates that an extensive number of retaining walls will be required to divide and level the lots. This will change the natural topography of the land and thereby changing the natural drainage of the property. The ability of the current storm drain system handling additional runoff of the new development remains unclear. We would ask that drainage plans be reviewed and approved before commencement of any construction.

**Response to Comment No. 36-3**

See Response to Comment No. A5-29 regarding the potential storm drainage impacts of the Project. All drainage plans must be reviewed and approved by the City prior to the issuance of a grading permit.

**Comment No. 36-4**

4. The proposal also includes a new street, within the development, exiting onto San Feliciano and within 250 feet from the STOP sign at the corner of San Feliciano and Cerrillos. The road, as proposed, is placed on a downhill blind curve. San Feliciano is often used as a bypass from Mulholland to Topanga by way of San Feliciano, and visa-versa. We have continually witnessed, on a daily basis, cars, motorcycles and trucks driving through the intersection, and would add that vehicles often exceed the posted speed limit, while accelerating up the hill through the blind curve, at times even passing vehicles. It should also be noted that San Feliciano is cambered in the opposite direction of the curve at the proposed intersection.

As such, it is highly likely that the placement of the new road, as proposed, will significantly increase accidents involving vehicles, bicyclists, joggers, and pedestrians. This will be further aggravated by the fact that the proposal includes several houses facing San Feliciano at Cerrillos, and will have driveways that egress on to or in very close proximity to the existing three-way intersection at Cerrillos and San Feliciano. Given the safety issues of the currently proposed placement of the new road, it may be advisable to utilize the STOP at San Feliciano and Cerrillos and changing the exiting three-way STOP to a four-way Intersection/STOP. We would ask that the placement of the road and the three proposed homes be given additional study and consideration before approval by the City Planning Department.

**Response to Comment No. 36-4**

See Response to Comment No. A5-25 which addresses the sight distance considerations at the intersection of the proposed Project private street and San Feliciano Drive. See also Response to Comment No. A5-26 concerning the proposed home driveways at the San Feliciano Drive and Cerrillos Street intersection.

**Comment No. 36-5**

5. Given that this developer had previously owned and lost this property once before, we would request that evidence of a completion bond, in an amount sufficient to prevent the project from being lost or abandoned again, be required as condition of the City's approval.

**Response to Comment No. 36-5**

The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the commenter's request for a completion bond is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 36-6**

6. Lastly and most important to the community of Woodland Hills and the local homeowners adjacent to the property, is protection of oak trees on the property. As planned the developers intend to remove a large number of trees, including protected oaks. We would propose as part of the permit and approval process that the land and oak trees adjacent to the City of Los Angeles DWP property, also known as the Girard Reservoir, up to the south edge of the existing grove of oak trees, be dedicated to the Santa Monica Conservancy and preserved as natural parkland.

We greatly appreciate the opportunity to have our concerns and suggestions considered. Please do not hesitate to contact us if you should have any questions or additional information that you can share with us.

**Response to Comment No. 36-6**

As is stated in the Draft EIR, the Project Applicant is proposing to remove a total of 28 of the 199 trees on the Project Site in order to develop the Project. Of these 28 trees, 15 are coast live oaks, and of these 15, 12 have a current aesthetic rating of "poor" or "dead" (see the Tree Report in Appendix G of the Draft EIR). There are 155 coast live oaks on the Project Site; thus, the Project would preserve 140 of the 155 coast live oak trees on-site. Otherwise, commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the commenter's request that a portion of the Project Site be dedicated as parkland is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 37**

Michael Condro  
4724 Conejo Ave

**Comment No. 37-1**

Concern #1 / Map #1

Our house borders this development project and will impact my family the most, in my opinion, and here's why. If you look at the attached Map #1 I've drawn lines to represent the flooding we deal with everytime we have significant rain. Our House (Red) lays directly in the path of the Old Topanga River. The Blue represents the path the water takes when it rains. The Yellow represents the development planned housing project. With its' planned massive walls and extensive grading we're afraid and worried that the flooding will get extensively worse than it already is. Without specific plans for water diversion and a study that will show exactly where the flood waters will run, there's no way to tell what's going to happen until it rains and by then it will be too late. Right now we get anywhere between 1-4 feet of rushing water down our driveway every time it significantly rains. Who knows what will happen when the terrain is so heavily altered and walls re-direct the natural flow. My property will be changed forever with no possible fix except from my own pockets with excessive costs I'm sure. Not fair. It could also endanger my family's safety and ruin our house and property.

**Response to Comment No. 37-1**

For a discussion of Project storm drainage impact issues, see Response to Comment No. A5-29. The commenter describes the location of his house, which is located on the opposite side of and adjacent to the LADWP's Girard Reservoir property from the Project Site. Based upon the drawing provided by the commenter, the majority of the surface stormwater drainage from the Project Site would not flow toward the location of the commenter's home. As described in Response to Comment No. A5-29, the Proposed Project would utilize an on-site storm drain system that would outlet onto the existing drainage swale located within the northerly portion of the Site. The proposed on-site storm drain would not connect to the existing Los Angeles County Flood Control 81-inch diameter storm drain, located within the site. The on-site storm drain system would be designed to drain the proposed low point in the street shown on Figure III-4 of the Draft EIR and outlet into the existing on-site drainage swale. The existing drainage swale would be used as a bioswale to filter the runoff before it enters onto the public right of way of San Feliciano Drive.

As is detailed in the hydrology study prepared for the Project Site (included in Appendix E to the Draft EIR), with additional impervious surfaces, there would be a maximum 0.96 cubic feet per second (cfs) net increase in runoff during the 25-year return interval storm event with development of the site. This is considered a negligible increase and, as noted, development of the Project would not alter the Girard Reservoir parcel, nor would stormwater runoff from the developed portion of the Project Site be channeled onto the reservoir parcel.

**Comment No. 37-2**

## Concern #2 / Map #2

Traffic. Reports can only tell you what they want to tell you, but the residence know better and you should ask us. The surrounding streets particularly Independencia St., Dumetz Ave., and Ave Morelos, are very narrow. These streets, on a normal day, are navigational nightmares. The streets are way too narrow for double sided street parking. Many a car side mirror has met its doom. There is a little known short cut (Blue line) from Topanga Blvd. to San Feliciano Ave (where one of the proposed ENTRANCES to this development is going). The (Red line) is where the report thinks the traffic is going because Dumetz Ave. has a stop light. Not only will the Blue line short cut be travelled extensively, but will become the thorough fare of choice for the new residence, but to all the others who follow not knowing where they're going. This poses 3 major problems because Topanga Blvd is only a 2 lane street with no turn lanes make a left: 1) The potential backup of congested traffic going North on Topanga Ave and the danger that poses as the corner leading into Independencia is blind. Look back in reports and notice how many accidents already happen here. 2) Combine this with the addition to the already backed up traffic at Dumetz and you have yourself one major, dangerous traffic situation. You have family friendly businesses all around that corner and not only will lives be in danger, but the constant noise from screeching, honking and road rage will make that a very unpleasant corner to be around and businesses will suffer. Topanga Blvd. was not built to handle all the left turns that the years have brought. At certain times of the day it is a nightmare to drive and we usually avoid it at all cost dramatically affecting our lives forever, because with projects like the one proposed it only gets worse. Our quality of life is going down, not up. 3) Safety. There are countless children who live on and around these streets. Cars that use these side roads that aren't residence tend to speed. With the already twisting navigation, blind corners, and narrow streets our children will be at the forefront of this new and dangerous race track that will develop.

**Response to Comment No. 37-2**

With respect to Project traffic generation, see Responses to Comment Nos. A5-25 and A5-26. As noted in the Draft EIR, Project generated traffic is not expected to significantly impact any of the intersections within the study area.

See also Responses to Comment Nos. A5-25 and A5-26 with respect to traffic safety.

**Comment No. 37-3**

## Concern #3

Why do developers get to hack down our beautiful oak trees and destroy the ecosystem that has lived in that area and the reservoir forever decades? The open space and beauty was one of the main reasons we all bought here in the first place. Taking this away and to allow 19 3-story homes, that don't fit the landscape of our neighborhood is morally unjustified. Cutting down 400-600 year old oak trees, building 30 foot walls, literally disrupting the flow of traffic and nature, and changing the terrain and landscape at the base of a mountain might seem like a good idea to a limited few, but to the rest of us that see without blinders

understand that this is a bad idea. The Oak Trees were always the buffer between keeping the City of Woodland Hills beautiful and to stop over development. Isn't that what the Gerrard District and Mulholland Scenic Corridor are all about? The city made the laws for a reason and they shouldn't be ignored here.

Thank you for listening. I hope I made you think twice about approving this project, even if just for a second.

**Response to Comment No. 37-3**

The Project's consistency with applicable provisions of the Mulholland Scenic Parkway Specific Plan and its associated Design and Preservation Guidelines is discussed in Section V.G (Land Use) of the Draft EIR (specifically within Table V.G-4), as well as in Responses to Comments Nos. A5-5 and A5-7. As noted in Section V.B of the Draft EIR, the Proposed Project would preserve 140 of the 155 coast live oak trees located on the Project Site. The Project site plan has been designed to minimize disturbance to the majority of these oak trees.

See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. Otherwise, the commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 38**

James and Cynthia Dunn  
4635 Cerrillos Drive  
Woodland Hills, CA 91364

**Comment No. 38-1**

We are writing you today to ask for your denial of the current development plan of 19 single-family residences (proposed by Harridge Company) on 6.2 acres bordered by San Feliciano, Cerrillos and Mulholland Drives in its current form. In April, we and several members of the community attended a presentation made by Harridge of their proposed housing development, followed by questions and answers. After this meeting, there were many discrepancies between the proposed DEIR and what was presented by Harridge Co. We are convinced that this development is not in the best interest of our community. Here are some of our major concerns:

1) The Developer (Harridge Company) did not commit to being the builder of their proposed project. With that being said, there is a great possibility that the developer could sell the land to another entity. Do we start all over again with a new builder onboard? This is critical, as this same developer had previously owned this property, filed bankruptcy, regrouped and repurchased the land. What protection do we have if the developer were to start construction and then goes bankrupt or sells the property? We would like to request the builder to provide a bond in an amount sufficient to prevent the project from being abandoned or incomplete as a condition of the City's approval. And if the property was to be sold and developed that the new owner is held to the same approved plan of Harridge Co.

**Response to Comment No. 38-1**

See Response to Comment No. 9-8.

**Comment No. 38-2**

2) This project is within the Mulholland Scenic Corridor (plan) and should be held to the highest standards. As a homeowner since 1983, residents in this area have respected and obeyed this plan. We feel that the developer is violating many of the "purpose" points outlined on your website (<http://cityplanning.lacity.org/complan/specplan/pdf/mulhol.pdf>):

- i) To assure maximum preservation and enhancement of the parkway's outstanding and unique scenic features and resources.
- ii) To preserve Mulholland Drive as a slow-speed, low-intensity drive.
- iii) To assure that land uses are compatible with the parkway environment.

- iv) To assure that the design and placement of buildings and other improvements preserve, complement and/or enhance views from Mulholland Drive.
- v) To preserve the existing residential character of areas along and adjoining the right-of-way.
- vi) To minimize grading and assure that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains.
- vii) To preserve the natural topographic variation within the Inner and Outer Corridors.
- viii) To minimize driveway and private street access into the right-of-way
- ix) To preserve the existing ecological balance.
- x) To protect prominent ridges, streams, and environmentally sensitive areas; and the aquatic, biologic, geologic, and topographic features therein.
- xi) To protect all identified archaeological and paleontological resources.
- xii) To provide a review process of all projects which are visible from Mulholland Drive to assure their conformance to the purposes and development standards contained in the Specific Plan and the Landform Grading Manual.

### **Response to Comment No. 38-2**

See Responses to Comment Nos. A5-4 through A5-7, A5-16, A5-27, A5-30, and A5-37 with respect to the Mulholland Scenic Parkway Specific Plan and the Design and Preservation Guidelines. The Draft EIR also contains an analysis of Project consistency with the Specific Plan (see Section V.G, Land Use).

### **Comment No. 38-3**

3) The developer proposes extensive use of grading, removing several century-old oak trees, and exporting 40 tons of material from property.

- i) It should be noted that the community fought for 10 years that trees not be removed in an area above Cerrillos Drive and Buena Ventura in Woodland Hills. On January 19, 1993 a landslide (covered by the LA Times) occurred in this area due to a builder removing trees that anchored soil, plus they did a substandard job of grading. The city was left to rebuild Cerrillos Drive and Buena Ventura Street.

### **Response to Comment No. 38-3**

Comment acknowledged. The commenter expresses an opinion regarding development of the Proposed Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid

these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 38-4**

ii) Who is going to manage the traffic with oversized dump and construction trucks going to and leaving the property? The builder must be held responsible for repairing at the time of the development's completion, any damage to the streets, sidewalks and landscapes (including trees) outside of the construction site that were made by construction vehicles!

**Response to Comment No. 38-4**

See Response to Comment No. A5-42.

**Comment No. 38-5**

iii) We question if there has been geological expertise to evaluate proper drainage (as there is a natural spring running through the property) and assess if the current storm drains in the area can handle the additional water runoff from the development. Additionally, has an expert geologist evaluated all of the development's grading and that each home's foundation is built to the specific soil of this area. In the earthquake of 1994, a couple homes on San Feliciano had their foundation crack due to land reclamation. Giving the geology of the area we find the proposed combined retaining wall of 19 feet completely unacceptable in this area.

**Response to Comment No. 38-5**

Hydrology and geotechnical studies were each performed for the Project Site and are included in the Draft EIR as Appendices E and M, respectively. The geotechnical study was approved by the City's Department of Building and Safety on November 21, 2017. The tree report for the proposed project was approved by the City's Urban Forestry Division on December 19, 2017. The final grading plan for the Proposed Project has not yet been prepared, but will be subject to review and approval by the City Department of Building and Safety prior to the issuance of a Grading Permit. For a discussion of storm drainage, see Response to Comment No. A5-29.

**Comment No. 38-6**

iv) We have a concern about keeping with the Mulholland Corridor's scenic feature with the removal of the open-field and beautiful established Oak trees. Currently the proposed development area provides a home to wildlife (coyote, several species of birds, and other small animals) and new construction will definitely disrupt this ecological balance. The reason why we moved to this area was due the rustic open-field at the end of our block and the rolling front lawns on our street. We need to be rest assured that this new developed area will not become an eye sore and that the new homes blend in with the area with large expansive lawns. It is absolutely unacceptable to permit 3- story homes to be erected and all homes must have attached garages. Covered parking is not acceptable.

**Response to Comment No. 38-6**

As is discussed in the Draft EIR (see Section V.B, Aesthetics), the Proposed Project is concluded to have a less than significant impact with respect to scenic vistas and the surrounding visual character. For additional discussion of the proposed mitigation measures intended to reduce the Project's scenic and visual impacts, see Responses to Comment Nos. A3-14 and A5-27. See Response to Comment No. A5-32 regarding the Draft EIR project description's erroneous statement that the Project would include homes of up to three stories. Residences will be limited to two stories in height. The Project does not propose to include any covered parking, other than the garages at each of the homes.

**Comment No. 38-7**

4) The traffic on San Feliciano Drive and Mulholland Drive will be impacted during construction (30 plus months) and once the development is established. In addition to creating congestion for the residents of this neighborhood, there are five schools (Woodland Hills Elem, Louisville, AC Stelle, Chaparral, Calabasas High, Viewpoint) with close proximity to this project that draw traffic from outside the area. As it stands between 7:30am-8:00am and 2pm- 3:15pm, every school day, traffic is backed up on San Feliciano and Mulholland. The traffic study report used in DEIR is incomplete. The study should be conducted over several days, and specifically the aforementioned times.

**Response to Comment No. 38-7**

As stated in the Draft EIR, an overall construction period of approximately 26 months is expected for the Project. See Response to Comment No. A5-42 regarding construction period impacts and mitigation. See Response to Comment No. A4-3 and A5-28 with respect to the Project traffic study and analysis of traffic impacts.

**Comment No. 38-8**

5) The developer currently wants to add 3 homes that feed into a 3-way stop on San Feliciano at Cerrillos Drive, and an access street to the development 200 or so feet south of the stop sign. This is a blind curve and accidents in the making. Already considered a dangerous driving zone by our community, adults anxious to get to work or get their children to school frequently run the current stop sign on San Feliciano at Cerrillos Drive, and sometimes overtake a car stopped at the stop sign going north or pass slower moving vehicles going south even though it is a blind curve. It is suggested that the developer make the current stop, a 4-way stop at San Feliciano and Cerrillos Drives and the development's only access point off of San Feliciano.

**Response to Comment No. 38-8**

See Responses to Comment Nos. A5-25 and A5-26.

**Comment No. 38-9**

6) Access to the property from Mulholland Drive will be a challenge. As it stands, we have witnessed several near accidents of pedestrians crossing Mulholland at the signal across the Gelson's shopping center. Our own family members have experienced these near misses, at least 3 times in the last 4 years. There will have to be an extra margin in the road (turnout) for cars to enter and leave the development off of Mulholland safely.

**Response to Comment No. 38-9**

As is shown in the Draft EIR, the Project would include the construction of an acceleration/deceleration lane on the portion of Mulholland Drive adjacent to the proposed driveway entrance providing access to the homes in Lots 1-4.

**Comment No. 38-10**

7) We have seen the Warner Center grow into high density condos; we don't believe there is lack of housing in our area. However, Woodland Hills is below average in park space (vs LA County average), and now we are going to lose the beautiful open space at the bottom of Cerrillos Drive. When the land was first sold, we asked the Santa Monica Mountain Conservancy to purchase the land adjacent to Girard Reservoir. We would like the City of Los Angeles and DWP to consider this donation, to protect the oak trees, preserve this open space and what we can of the original Woodland Hills that we have admired for the past 33 years.

**Response to Comment No. 38-10**

See Response to Comment No. A3-10. The possibility of the Project Site being acquired as public parkland was evaluated as a Project Alternative in the Draft EIR.

**LETTER NO. 39**

Carol Aronson  
22272 Buena Ventura  
Woodland Hills, CA 91364

**Comment No. 39-1**

I have reviewed the Draft Environmental Impact Report (DEIR) and have the following contributions to be considered for preparation of the Final Environmental Impact Report (FEIR).

Applicability of the Mulholland Scenic Parkway Specific Plan

The (DEIR) is dismissive of the Specific Plan by planning to erect 19 homes and unnecessary retaining walls that are only needed because of the intention to significantly modify the existing topography. The intensive grading of this unique terrain blatantly conflicts with the purposes and Guideline of the Specific Plan. The DEIR has not sufficiently and accurately addressed:

1. Assuring that land uses are compatible with the parkway environment

**Response to Comment No. 39-1**

See Responses to Comment Nos. A3-7, A3-8, and A5-27.

**Comment No. 39-2**

2. Preserving the existing residential character of areas along and adjoining the right-of-way

**Response to Comment No. 39-2**

See Responses to Comment Nos. A5-7 and A5-8.

**Comment No. 39-3**

3. Minimizing grading and assuring that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains

**Response to Comment No. 39-3**

See Response to Comment No. A5-9.

**Comment No. 39-4**

4. Preserving the natural topographic variation within the Inner and Outer Corridors

**Response to Comment No. 39-4**

See Response to Comment No. A5-9. The Project Site is located within the Inner Corridor of the Mulholland Scenic Parkway. Project impacts with respect to the Mulholland Scenic Parkway Specific Plan are discussed in Section V.G (Land Use) of the Draft EIR.

**Comment No. 39-5**

5. Protecting prominent ridges, streams, and environmentally sensitive areas; and the aquatic, biologic, geologic, and topographic features therein.

**Response to Comment No. 39-5**

See Responses to Comment Nos. A5-7 and A5-9.

**Comment No. 39-6**

As acknowledged on page IV-4, the project site is located in the northern foothills of the Santa Monica Mountains. This section of the DEIR sets forth:

“the topography of the site and the surrounding area is variable with elevation changes, although the general trend is of a decreasing slope while moving northward (see Figure II-3). The surface elevation on the irregularly- shaped site fluctuates” . . .

Figure IV-1 Existing Site Plan clearly shows the topographic variation of the site which is further supported by the DEIR’s Table IV-2 Existing Slope Analysis. Recognizing these representations of the existing topography serves to emphasize the unique character of this property.

**Response to Comment No. 39-6**

Comment acknowledged. The commenter restates some of the information presented in the Draft EIR.

**Comment No. 39-7**

Photographs A-E provided in this section all confirm and accurately reflect the unique, rolling topography of this property. Photographs A-E and G-J show how surrounding areas are full of mature trees, characteristic of the immediate neighborhood. *Only Photo F, which is described as “Looking southwest at the commercial office building at the southwest corner of Mulholland Highway and Mulholland Drive” is deceptive.* It does not reflect the view from Mulholland and the ample tree plantings that front the street. This photograph and description is completely deceiving as the perspective appears to be a photograph taken from the edge of the retaining wall. It appears to be intentionally disregarding the substantial open space, grassy grove and mature trees between Mulholland Drive and the office area on the other side of the retaining wall.

The FEIR should include a photograph and description that accurately represents the view of the southwest corner of Mulholland Highway and Mulholland Drive. In order to avoid any confusion or misunderstanding, the DEIR must show that the commercial building is quite a distance from Mulholland Drive.

**Response to Comment No. 39-7**

Comment acknowledged. The commenter is expressing an opinion regarding the photographs included in the Draft EIR. No changes are being made to the photographs in the Draft EIR as the photographs that were utilized in the document provide an accurate representation of the local setting surrounding the Project Site. Additionally, the photograph cited in the comment (Photograph F) was intended to illustrate the mix of land uses within proximity of the Project Site. Additional photos of the vicinity of the intersection of Mulholland Drive and Mulholland Highway are shown in Section V.B (Aesthetics) of the Draft EIR; specifically Photographs P and R.

**Comment No. 39-8**

Cumulative Development Project Replacing the Woodland Hills Post Office

At page IV-13, the DEIR discusses a cumulative impact, “defined as an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts (CEQA Guidelines Section 15355). As stated in CEQA Guidelines Section 15130(a)(1), the discussion in an EIR need not discuss impacts that do not result in part from the Proposed Project evaluated in the EIR. Cumulative impacts may be analyzed by considering a list of past, present, and probable future projects producing related or cumulative impacts [CEQA Guidelines Section 15130(b)(1)(A)]. Only one cumulative development project was identified within a 1.5-mile radius of the Project Site:

Clarendon Street Apartments – 335 apartment units; 22055-22147 Clarendon Street, Woodland Hills; Case No. ENV-2015-1853-EIR; 1.3 miles from Project Site. I would like to point out that this project bears no resemblance to the Mulholland Drive project. The Clarendon Street Apartments are to be built on a site that is right next to the 101 Freeway on property the Woodland Hills Post Office has occupied for years. These apartments are nowhere near the Mulholland Scenic Parkway and therefore not subject to the same constraints as the Mulholland Drive property.

It may not be a CEQA requirement but the FEIR should include specific facts that distinguish the differences between the 2 projects in order to avoid any misconception that might exist regarding approval of a huge apartment complex on flat land as a justification for a 19 home project on a bucolic piece of land.

**Response to Comment No. 39-8**

The inclusion of cumulative development projects in environmental impact analyses conducted under CEQA is not for the purpose of providing justification for approval of the Proposed Project. As is stated in the Draft EIR (Section IV), cumulative impact analyses are required in order to identify the degree of impact that could result from development of the Proposed Project in combination with other unrelated developments in the nearby vicinity. Including this analysis is a means of attempting to forecast future

impacts resulting from all of the proposed and known development planned for an area, as opposed to considering each individual development proposal in isolation. Therefore, the Draft EIR does not use the Clarendon Street Apartments project as a justification for approving the Proposed Project.

### **Comment No. 39-9**

#### Significant Impact Misrepresented

In the DEIR section entitled “V. ENVIRONMENTAL IMPACT ANALYSIS, A. IMPACTS FOUND TO BE LESS THAN SIGNIFICANT”, a representation is made that “the City of Los Angeles has determined through the preparation of an Initial Study that the development and operation of the Proposed Project would not result in potentially significant impacts to the environmental concerns listed below. Therefore, no further review of these issues is necessary.”

This contention is not founded on accurate facts and specifically with regard to the section on page V.A-14 which addresses Population/Housing. This sections deals with the question: *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

It goes on to say, “The Proposed Project can be expected to generate a total resident population of 51 persons with development of all 19 single-family detached homes. This would not represent substantial population growth within the SCAG Subregion nor the Planning Area and represents a less than significant impact.”

This project proposes 2 and 3-story homes yet the DEIR indicates that with 19 homes, there is an expectation that only 51 people will live in those homes. That implies that these 3 and 4- bedroom homes will have only 2-3 occupants each. In a neighborhood that is highly sought after for residency and renown for excellent schools, the idea that the proposed project can be expected to generate a total resident population of 51 persons is implausible. The FEIR must address the unsubstantiated assertion and the conclusion that this is a less than significant impact.

I look forward to an FEIR that more accurately and sufficiently analyzes the facts related to proceeding with a development project on this unique land in the foothills of the Santa Monica Mountains.

### **Response to Comment No. 39-9**

See Response to Comment No. A5-27 with regard to the Draft EIR’s erroneous description of the Project as containing three-story homes. Residences will be limited to two stories in height. The estimate of Project population generation that was utilized in the Draft EIR is based on the residents-per-single-family home data contained in the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan, which is, in turn, based on Census Tract data for the area. However, even if more than 51 persons eventually reside in the Project following its completion, the Project would not represent substantial population growth within the SCAG Subregion, nor within the Community Plan area and would still represent a less than significant impact. City and regional planning documents utilize population growth projections that are based on

applicable zoning and General Plan land use designations of vacant properties. The Proposed Project is consistent with the zoning and land use designation for the Project Site and would represent less than the maximum permissible residential density for the site. Thus, the potential residential population of the Project would be within applicable City and regional planning growth projections.

**LETTER NO. 40**

Bruce Roberts  
4730 San Feliciano Drive  
Woodland Hills, CA 91364

**Comment No. 40-1**

The following is sent in response to the Draft Environmental Impact Report (“DEIR”) on the project referenced above, and to express my comments and concerns regarding the issues, deficiencies, and inadequacies of that draft Report.

The DEIR lists seven objectives for the Project Applicant’s Proposed Project (see page VII-2). However, the DEIR and tentative tract map either fail to meet, or raise serious questions about whether the proposal is able to conform with most of those objectives.

The DEIR and the tentative tract map also violate many of the objectives, policies, and principles of the applicable Community and Specific Plan.

In addition, the DEIR and tentative tract map fail to take into account many of the findings in the City’s earlier Planning Department Staff Report prepared in conjunction with the Division of Land Public Hearing of June 4, 2009 regarding development of the property.

As such, the DEIR, and in particular, the tentative tract map, should be analyzed and revised accordingly.

The seven stated objectives in the DEIR are as follows:

- 1) To create a new residential community of 19 single-family homes without displacing existing housing.
- 2) To help alleviate the current housing shortage by providing infill residential development on underutilized land.
- 3) To provide housing in close proximity to commercial areas and recreational areas.
- 4) To design the on-site circulation system to help ensure safe ingress and egress to and from the Project Site for existing and future area residents, and other motorists.
- 5) To design a project that is consistent with the predominant character of the style of the neighborhood and that connects with the surrounding suburban environment and reflects neighborhood and market needs.
- 6) To design landscape features that provide natural character and texture within the neighborhood suburban environment; that enhance the visual character of the development.
- 7) To allow development of the site while minimizing tree removal and landform alteration.

**Response to Comment No. 40-1**

The commenter asserts purported deficiencies of the DEIR. No support for any of these alleged deficiencies is presented in this comment. Further, while the comment does not provide evidence to support the assertions, it is understood that this is an introductory statement and that further elaboration is forthcoming in subsequent comments. The commenter is directed to Responses to Comment Nos. 40-2 through 40-11.

**Comment No. 40-2**

As discussed below, the DEIR and the tentative tract map fail to satisfy the 4th, 5th, and 7th objectives, and raise serious questions with regard to adequate compliance with the 6th objective.

There also is an issue as to the 2nd objective -- while a developer might consider undeveloped land “underutilized”, many residents consider the existence of open spaces, parkland, and areas of minimal development within a metropolitan area as well utilized land which is both desirable and important to issues of quality of life. Presumably this is why the Mulholland Scenic Parkway Specific Plan was created with its emphasis on the protection and enhancement of scenic resources.

**Response to Comment No. 40-2**

The comment expresses an opinion regarding the Project Objectives presented in the Draft EIR. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 40-3****The Failure to Provide For Safe Ingress and Egress – The Failure to Meet the 4th Objective**

The tentative tract map calls for access to 15 of the 19 lots by way of San Feliciano Drive, a residential street which already is at times busy and congested, and which often is utilized by motorists as an alternative to Topanga Canyon Boulevard (also a congested street).

Three of the lots (lots 11, 12, and 13) access directly onto San Feliciano Drive in a haphazard manner directly into oncoming traffic from both San Feliciano and Cerrillos Drives.

Eleven of the lots (lots 5-10 and 14-18) access San Feliciano Drive by way of a long cul-de-sac (the DEIR is inconsistent on whether this will be a public or private street). The point at which the cul-de-sac serving 11 lots, and the driveway for lot 14, enter onto San Feliciano Drive is near the base of a downhill “blind” curve on a two-lane street without a median or provision for a left turn lane.

The DEIR and the tentative tract map fail to properly acknowledge and adequately address these traffic flow and public safety related problems.

**Response to Comment No. 40-3**

See Responses to Comment Nos. A5-25 and A5-26.

**Comment No. 40-4****The Failure to Design A Project That Is Consistent With the Neighborhood – The Failure to Meet the 5th Objective**

As discussed below, the tentative tract map conflicts with many of the objectives, policies, and purposes of the governing Community and Specific Plans, and in particular, the required consistency with the surrounding neighborhood. Moreover, the DEIR fails to adequately address those objective, policies, and purposes in light of the proposed project.

Included among the objectives and policies of the Canoga Park - Winnetka - Woodland Hills - West Community Plan are the following:

- Preserving and enhancing the character and integrity of existing single family neighborhoods and the physical appearance of communities, protecting from encroachment by higher density residential uses, and promoting neighborhood preservation (Objective 1-1, policies 1-1.2, 1-1.4, 1-1.5, and 1.1-6)
- Preserving and enhancing the character and integrity of existing single family neighborhoods by seeking a high degree of compatibility and landscaping for new infill developments to protect the character and scale of existing residential neighborhoods, by considering factors such as neighborhood character and identity, compatibility of land uses, impact on livability, adequacy of services and public facilities, and traffic impacts, and by preserving existing views in hillside areas (Objective 1-3, policies 1-3.1, 1-3.2, and 1-3.3)
- Limiting the intensity and density of residential development in hillside areas by limiting development according to the adequacy of the existing and assured street circulation systems, ensuring the availability of adequate sewers, drainage facilities, fire protection services and facilities and other public utilities to support development within hillside areas, considering the topography and geology in any proposal for development, and requiring that any proposed development be designed to enhance and be compatible with adjacent development (Objective 1-5, policies 1-5.1, 1-5.2, 1-5.3, and 1-5.4)
- Encouraging the retention of passive and visual open space which provides a balance to urban development, and requiring development in major opportunity sites to provide public open space (Objective 5-1, policies 5-1.1 and 5-1.3) Included among the fundamental principles of the Mulholland Scenic Parkway Specific Plan are the following:
  - Assuring maximum preservation and enhancement of the parkway's outstanding and unique scenic features and resources, and preserving and enhancing land having exceptional recreational and/or educational value.

- Assuring that land uses are compatible with the parkway environment, and that the design and placement of buildings and other improvements preserve, complement and/or enhance views from Mulholland Drive.
- Preserving the existing residential character of areas along and adjoining the right-of-way, and minimizing grading and assuring that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains.
- Preserving the natural topographic variation within the Inner and Outer Corridors, and preserving the existing ecological balance.

The DEIR addresses a proposed development of 19 houses, each with a height of up to three stories or 36 feet. However, of the homes surrounding the property, very few are even two stories, as the neighborhood consists primarily of one story homes.

#### **Response to Comment No. 40-4**

The Draft EIR evaluated the consistency of the Proposed Project with the applicable objectives and policies of the Community Plan (see Table V.G-3 of the Draft EIR). See Response to Comment No. A5-27 with regard to the Draft EIR's erroneous description of the Project as containing three-story homes. Residences will be limited to two stories in height. The Draft EIR discusses land use compatibility issues in Section V.G and concluded that the Proposed Project would have a less than significant impact.

#### **Comment No. 40-5**

When the property development was brought before the City in 2009, the Planning Department Staff Report determined that the overall average lot size for the 15 residences within 100 feet of the property is 13,949 square feet (see page 20 of the Planning Department Staff Report). Moreover, based on the Chart attached to the Staff Report, the smallest lot of the 15 surrounding residences is 9,289.60 square feet.

However, according to the information reflected in the DEIR Proposed Lot Summary (Table III-1), the average lot size for the proposed 19 lots is 12,516 square feet (considerably smaller than the average lot size of the surrounding 15 residences). In fact, over 68% of the proposed lots (13 out of 19) are **smaller** than the average lot size of the surrounding 15 residences. For that reason alone, the proposed development is not compatible.

#### **Response to Comment No. 40-5**

Land use compatibility, as a consideration under CEQA, is not based upon average lot sizes. Rather, compatibility is evaluated on the basis of how a proposed land use "fits" or "complements" other existing land uses within the immediate vicinity. As is stated on page V.G-42 of the Draft EIR, this functional compatibility is defined as the capacity for adjacent, yet dissimilar, land uses to maintain and provide services, amenities, and/or environmental quality associated with such uses. Potentially significant functional land use compatibility impacts may be generated when a project hinders the functional patterns of use and relationships associated with existing land uses. It is understood that residential developments

of varying vintages will exhibit different characteristics. Most of the residential community surrounding the Project Site was first platted and developed during the “suburban” era of the 1950s and 1960s. Nonetheless, the difference in the average lot sizes between the Project and surrounding properties is less than 1,500 square feet, which is not a significant distinction and does not have an impact on the functional land use compatibility of the Project with the surrounding community.

**Comment No. 40-6**

This becomes even more of a concern for lots 14-18. Each of those lots is smaller than the smallest lot size of the surrounding 15 residences (5 out of 19 lots, or more than 25% of the total lots). Again, the proposed development is not compatible.

This also has resulted in a dramatic increase in the percentage of pad coverage for lots 14-18, and this lack of compatibility will be even more visually apparent if the houses on those lots are two (or three) stories.

**Response to Comment No. 40-6**

See Response to Comment No. 40-5. No three-story homes are proposed in the Project.

**Comment No. 40-7**

Another compatibility issue concerns street frontage. The Staff Report states at page 7 that the average street frontage for the 15 surrounding residences is 97.4 feet. It is difficult to tell from the tentative tract map provided, but it appears that a number of the lots on the cul-de-sac do not meet this.

In order to address this lack of consistency with the surrounding neighborhood, two of lots 14-19 ought to be eliminated, at least one of lots 11-13 ought to be eliminated, at least one of lots 5-10 ought to be eliminated, one of lots 1-4 ought to be eliminated, and the houses should be one story.

**Response to Comment No. 40-7**

See Response to Comment No. 40-5.

**Comment No. 40-8**

Moreover, it is imperative that advice and opinion of the Mulholland Design Review Board be first obtained before approval of an EIR or tentative tract map.

**Response to Comment No. 40-8**

The Mulholland Design Review Board has already provided initial comments on the tract map design. In addition, a public hearing regarding the tract map and consideration of the EIR will be scheduled after release of the Final EIR, at which any neighboring residents, property owners, interested parties, and members of the Design Review Board may attend. The design of each individual residence will also be

required to be reviewed by the Design Review Board through a subsequent process. See Responses to Comment Nos. A5-9, A5-27, A5-30, and A5-37.

**Comment No. 40-9**

**The Failure To Ensure Landscape Features that Provide Natural Character and Texture Within the Neighborhood Suburban Environment and that Enhance the Visual Character of the Development – The Failure to Ensure that the 6<sup>th</sup> Objective Is Met and Maintained**

The DEIR repeatedly references a landscape plan, and states that one will be proposed to fulfill the requirements of the Mulholland Scenic Parkway Specific Plan and Design and Preservation Guidelines, to preserve and enhance the unique character and scenic features of the Mulholland Scenic Parkway, and to fill the existing gaps in the vegetation along Mulholland Drive in order to block views of the proposed homes (see, *e.g.*, page III-7).

Yet there does not seem to be any guarantee or enforcement mechanism for keeping and maintaining such landscaping once the property and/or properties are sold. This also is a problem with respect to the risk of further subdivisions and construction of additional structures by subsequent property owners.

As such, a recorded private covenant should be required so that rules governing the use of the subdivided properties and their landscaping are both stated and binding on subsequent purchasers, and so that those rules can be enforced through private action as well as action by the City. In this regard, the creation of a properly funded governing homeowners association with customized CC&Rs is imperative to preserve proper landscaping and regulation of the properties.

**Response to Comment No. 40-9**

See Responses to Comment Nos. A5-27, A5-34, and A5-43. The Project Applicant anticipates that a property owners' association will be established for the Project.

**Comment No. 40-10**

**The Failure To Develop the Property While Minimizing Tree Removal and Landform Alteration – The Failure to Meet the 7<sup>th</sup> Objective**

Preservation of both the trees on the property and the existing topography are of primary importance to both the neighborhood and in the governing Community and Specific Plans.

The DEIR suggests only three options: no project; a park alternative; and the 19 lot proposed project. In light of the number of trees which will be removed under the proposed project, the extent of soil excavation and use of fill material, the need for extensive retaining walls, and the failure to adequately address storm drainage and water runoff issues (including the apparent elimination of an existing storm drain as a result of the proposed cul-de-sac intersecting San Feliciano Drive on top of that storm drain), the DEIR should consider other development plans which would have a far less negative impact on topography, ecology, and hydrology.

**Response to Comment No. 40-10**

See Responses to Comment Nos. A3-11 and A3-12 with respect to Project Alternatives. See Response to Comment No. A5-29 with respect to storm drainage.

**Comment No. 40-11**

**Conclusion**

In light of the failure to adequately address the issues raised by the proposed project, and its serious negative impact, the failure to adequately address the governing Community and Specific Plan objectives, policies, and purposes, and the failure to satisfactorily accomplish many of the applicant's own objectives, the DEIR should be revised to address and include alternatives for development which are not so radical, which would promote neighborhood consistency, which would seek to preserve and work with the property and its ecology and topography.

**Response to Comment No. 40-11**

While the comment does not provide specific evidence to support the assertions of deficiencies in the Draft EIR, it is understood that this is a conclusory statement and that further elaboration is provided in the previous comments. The commenter is directed to Responses to Comment Nos. 40-2 through 40-10.

**LETTER NO. 41**

Joyce Dillard  
PO Box 31377  
Los Angeles, CA 90031

**Comment No. 41-1**

Current regulatory watershed quality and degradation issues have not been addressed on the state and local level. Please address Ordinance 183833.

LA Regional Water Quality Control Board issued Municipal Separate Storm Sewer

Systems Permit ORDER NO. R4-2012-0175 NPDES PERMIT NO. C. It reads as follows:

***D. Permit Coverage and Facility Description***

*The Los Angeles County Flood Control District, the County of Los Angeles, and 84 incorporated cities within the Los Angeles County Flood Control District with the exception of the City of Long Beach (see Table 5, List of Permittees), hereinafter referred to separately as Permittees and jointly as the Dischargers, discharge storm water and non-storm water from municipal separate storm sewer systems (MS4s), also called storm drain systems. For the purposes of this Order, references to the “Discharger” or “Permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger, or Permittees herein depicting the major drainage infrastructure within the area covered under this Order are included in Attachment C of this Order.*

Upper Los Angeles River Watershed Group is in the Upper Los Angeles River Watershed Management Area with the City of Los Angeles as the Lead Agency in the preparation of the EWMP Enhanced Watershed Management Plans and the CIMP Coordinated Integrated Monitoring Program. There exists responsibility for the Receiving Water compliance issues:

- Los Angeles River Watershed Trash TMDL
- Los Angeles River Nitrogen Compounds and Related Effects TMDL
- Los Angeles River and Tributaries Metals TMDL
- Los Angeles River Watershed Bacteria TMDL
- Los Angeles Area Lakes TMDLs

**Response to Comment No. 41-1**

The comment describes certain aspects of the Regional Water Quality Board's Municipal Separate Storm Sewer permit, but does not raise a specific concern regarding the Draft EIR for the Proposed Project. The Project's compliance with applicable stormwater runoff and water quality regulations and permit requirements is discussed in Section V.A of the Draft EIR.

**Comment No. 41-2**

## WATER SUPPLY

Water supplies have not been identified after the Drought Declaration and lack of water. Cessation of water deliveries from the Department of Water Resources to the Metropolitan Water District occurred on January 31, 2014, with reduced delivery to the LADWP. Metropolitan has requested water rights for Feather River, but LADWP has not readdressed if any allocation is available under their jurisdiction. This source was not in any Integrated Resource Plan.

On January 17, 2014 and April 25, 2014, Governor Jerry Brown's California Drought Proclamations and Executive Orders of December 22, 2014, April 1, 2015 and November 13, 2015 along with the regulations approved by the State Water Resources Board need to be taken into consideration.

**Response to Comment No. 41-2**

The comment describes certain aspects of state water resources policy, but does not raise a specific concern regarding the Draft EIR for the Proposed Project. The Project's impact with regard to regional water supplies is discussed in Section V.A of the Draft EIR.

**Comment No. 41-3**

## CIRCULATION ELEMENT

There is no adopted Circulation Element which is a comprehensive infrastructure plan addressing the circulation of people, goods, energy, water, sewage, storm drainage, and communications. The Circulation Element is required by the State of California.

**Response to Comment No. 41-3**

The City's Mobility Plan 2035 serves as the Circulation Element of its General Plan. The comment does not appear to apply to the Proposed Project or the Draft EIR for the Proposed Project. Thus, no further response is warranted.

**Comment No. 41-4**

## FRAMEWORK ELEMENT

The project is not consistent with Framework Element Policy No. 3.3.2. Framework Element Policy No. 3.3.2 is the monitoring aspect of CEQA for the General Plan. It reads:

*3.3.2 Monitor population, development, and infrastructure and service capacities within the City and each community plan area, or other pertinent service area. The results of this monitoring effort will be annually reported to the City Council and shall be used in part as a basis to:*

*a. Determine the need and establish programs for infrastructure and public service investments to accommodate development in areas in which economic development is desired and for which growth is focused by the General Plan Framework Element.*

*b. Change or increase the development forecast within the City and/or community plan area as specified in Table 2-2 (see Chapter 2: Growth and Capacity) when it can be demonstrated that (1) transportation improvements have been implemented or funded that increase capacity and maintain the level of service,*

*(2) demand management or behavioral changes have reduced traffic volumes and maintained or improved levels of service, and (3) the community character will not be significantly impacted by such increases. Such modifications shall be considered as amendments to Table 2-2 and depicted on the community plans.*

*c. Initiate a study to consider whether additional growth should be accommodated, when 75 percent of the forecast of any one or more category listed in Table 2-2 (see Chapter 2: Growth and Capacity) is attained within a community plan area. If a study is necessary, determine the level of growth that should be accommodated and correlate that level with the capital, facility, or service improvements and/or transportation demand reduction programs that are necessary to accommodate that level.*

*d. Consider regulating the type, location, and/or timing of development, when all of the preceding steps have been completed, additional infrastructure and services have been provided, and there remains inadequate public infrastructure or service to support land use development. (P42, P43)*

The 2014 Growth and Infrastructure Report do not engage the infrastructure needs in today's regulatory framework and those needs are not addressed in this document.

#### **Response to Comment No. 41-4**

Project consistency with applicable policies of the Framework Element of the City's General Plan is discussed in Table V.G-2 of the Draft EIR. The specific policy referenced in the comment (Policy 3.3.2) is not applicable to private development proposals such as the Proposed Project and was thus excluded from the discussion in the Draft EIR.

**LETTER NO. 42**

Catherine Gairdner  
4641 San Feliciano Drive  
Woodland Hills, CA 91364

**Comment No. 42-1**

I am an owner of the property directly across the street from the proposed development. The following are my comments on the EIR:

1. This is an older neighborhood built in the 1950' with large single family one story homes. The developer is planning to build 2-3 story homes that are not conforming to the neighborhood.

**Response to Comment No. 42-1**

See Response to Comment No. A5-27 with regard to the Draft EIR's erroneous description of the Project as containing three-story homes. Residences will be limited to two stories in height. The Draft EIR discusses land use compatibility issues in Section V.G and concluded that the Proposed Project would have a less than significant impact.

**Comment No. 42-2**

2. A visual eye sore will be created with concrete walls to support slopes and to surround oak trees that will eventually die when the oak tree roots are bound. The developer will be long gone by the time this happens, but the damage will be done.

**Response to Comment No. 42-2**

See Response to Comment No. A5-27 regarding the visibility of the proposed retaining walls within the Project. See Response to Comment No. 14-13 regarding the impact of the proposed retaining walls on the preserved oak trees on-site and the required mitigation for such impacts.

**Comment No. 42-3**

3. A large amount of dirt will be removed from the property that will alter the landscape and will cause dust dirt, noise and traffic as trucks come in and out of the property.

**Response to Comment No. 42-3**

See Response to Comment No. A5-42 regarding construction impacts and their evaluation in the Draft EIR. See Response to Comment No. 13-1 regarding dust emissions from Project Site grading.

**Comment No. 42-4**

4. The site contains numerous wildlife that would be destroyed or removed including, coyotes, hawks, squirrels, rats, mice and other types of breeds. An existing rat problem in our neighborhood would drive more rats from the parcel towards our homes.

**Response to Comment No. 42-4**

See Response to Comment 15-3 regarding wildlife impacts, which were found to be less than significant. Generally, the native woodrats observed on-site can only construct their large nests in vacant buildings, trees, and rock outcroppings. With the exception of the equestrian barn and abandoned home, the Project Site would not be expected to support the common black rat (*Rattus rattus*) or Norway rat (*Rattus norvegicus*) that the commenter would be concerned about as those species are adapted to human presence and thrive in palm trees and cluttered garages, basements, and attics of inhabited areas. A basic rodent control program conducted in the two remaining structures prior to their demolition should adequately address the commenter's concerns. Accordingly, Project Design Feature D-7 has been added to Section V.D (Biological Resources) of the Draft EIR (see also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR):

D-7 Prior to the start of demolition activities at the Project Site, the Project Applicant shall contract with a pest control/pest extermination company to perform a survey of potential rodent issues on the Project Site. This survey will consist of setting traps for a period of time to establish whether or not a rodent problem exists. If a rodent problem is found, remediation shall begin approximately one month prior to the start of any demolition.

**Comment No. 42-5**

5. Traffic, already a problem on the streets of Mulholland and San Feliciano, would become greater. Already on San Feliciano, several new traffic signs have had to be installed to control the traffic. This project will dump another few hundred or so cars onto the already overburdened roads at peak hours.

**Response to Comment No. 42-5**

See Response to Comment No. A5-25. The Draft EIR concludes that traffic generated by the Proposed Project would have a less than significant impact on local roadways.

**Comment No. 42-6**

6. To destroy this area by removing numerous trees, especially live oaks, and to eliminate what little open space we have, does no benefit to the neighborhood. Air pollution will result as well as visual pollution which is against the Mulholland Scenic Corridor Plan to preserve open space.

**Response to Comment No. 42-6**

The commenter expresses opinions concerning the Project. Although these opinions do not present specific facts or criticisms of the Draft EIR, they will be forwarded to the decision-making bodies for their consideration.

**Comment No. 42-7**

7. The area will be overburdened by the extra traffic and close proximity to schools in the area that already face heavy morning and afternoon traffic. They are Louisville High School, Woodland Hills Elementary and a newer school near Mulholland Drive and Mulholland Highway.

**Response to Comment No. 42-7**

See Responses to Comment Nos. A4-3, A5-25, and A5-28.

**Comment No. 42-8**

8. Lot #17 is directly across the street from my house. The developer has a plan for a 11,593 lot. There is no room for a house on this lot without the removal of a huge ancient oak tree. The developer claims this tree would not be removed, but a visual look at the location proves the tree would have to be removed. This lot plan must be removed from the developer's plan. I have lazed the distance from the street to the base of the oak tree at only 24 yards. Clearly, there is a need for a further set-back.

**Response to Comment No. 42-8**

Given the address provided by the commenter, it is believed that the comment is referring to proposed Lot No. 12 of the Project and not to Lot No. 17, which is not across the street from any homes. As shown on Figure V.B-6 of the Draft EIR, Tree Nos. 183 and 184, both coast live oaks, are located within the San Feliciano Drive right-of-way adjacent to Project Lots 12 and 13. These two oak trees are located off-property and would not be impacted by the development of the proposed homes on these lots. Both trees would be preserved and the mitigation measures identified in the Draft EIR would ensure their protection and maintenance during Project construction activities.

**Comment No. 42-9**

9. It also appears that the developer will probably build few, if any of the homes on the developed lots. These lots will most likely be sold off to a builder or individual owners who will have no restrictions on the development of the individual houses that may have been agreed upon with this developer. Non-Conforming homes could therefore be built.

**Response to Comment No. 42-9**

Development on the site would be subject to any Mitigation and Monitoring Program adopted as part of the tract map subdivision. Individual home development would be subject to the provisions and design guidelines of the Mulholland Scenic Parkway Specific Plan. See Response to Comment No. 9-8.

**Comment No. 42-10**

10. The minimal storm drain that exists may not be able to handle additional run off of a new development.

**Response to Comment No. 42-10**

See Response to Comment No. A5-29.

**Comment No. 42-11**

11. Additional driveways will exit onto San Feliciano causing traffic and potential accident problems with an already heavily traveled street.

**Response to Comment No. 42-11**

See Responses to Comment Nos. A5-25 and A5-26.

**Comment No. 42-12**

This projected 30 month project clearly does not conform with the neighborhood or the general area. A more reasonable use for this property is to preserve the open space or to limit the development to a very small number of single story family homes that are of the lot size and design of the neighborhood.

**Response to Comment No. 42-12**

The Project construction period is estimated at 26 months, as disclosed in the Draft EIR. Otherwise, the commenter expresses an opinion regarding the Proposed Project but does not raise a specific concern regarding the Draft EIR. The comment will be forwarded to the decision-making bodies for their consideration.

**LETTER NO. 43**

John and Terry Poplawski  
4726 San Feliciano Drive  
Woodland Hills, CA 91364

**Comment No. 43-1**

The DEIR for this proposed project is very flawed and there needs to be a serious consideration requiring the developer come back with a valid, unbiased DEIR.

In the subsequent response, we have denoted many errors and misrepresentations by the developer. We feel that these issues rise to point that there should be a revised DEIR that fully addresses the issues raised in the following responses.

**Response to Comment No. 43-1**

While the commenter asserts purported deficiencies of the Draft EIR, it is understood that this is an introductory statement and that further elaboration is forthcoming in subsequent comments. The commenter is directed to Responses to Comments 43-2 through 43-72.

**Comment No. 43-2**

It is not felt that simply responding to ours and others concerns through the normal DEIR response process is adequate. The developer will simply contend that their interpretation of the City of Los Angeles and the Mulholland Scenic Parkway Specific Plan is correct and not adequately respond to valid concerns.

**Response to Comment No. 43-2**

Comment acknowledged. The commenter expresses an opinion regarding the Project or the Draft EIR. The responses to public comments on the Draft EIR have been prepared by the City, which is responsible for implementation of the Specific Plan and related ordinances.

**Comment No. 43-3**

A perfect example are the alternatives presented, none of which the developer will consider. They will argue they meet the requirements of CEQA and that there is no need for other alternatives. This makes the idea of presenting alternatives moot and not the intention of the CEQA.

**Response to Comment No. 43-3**

See Responses to Comments Nos. A3-11 and A3-12.

**Comment No. 43-4****RESPONSES TO CASE NUMBER: ENV-2005-2301-EIR**

The DEIR for this proposed project is very flawed and there needs to be a serious consideration requiring the developer come back with a valid, unbiased DEIR. In the subsequent sections of this writer's response, issues regarding misstatements and misrepresentation have been delineated and reach a level that suggest a more definitive DEIR be provided.

**Response to Comment No. 43-4**

While the commenter asserts purported deficiencies of the Draft EIR, it is understood that this is an introductory statement and that further elaboration is forthcoming in subsequent comments.

**Comment No. 43-5**

Starting with the two required Alternatives, the developer attempts to structure the DEIR to meet the intention of maximizing the number of houses that he wants to build on the site. Per the developer- Section 15126.6 (a) of the CEQA Guidelines states, " An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. An EIR is not required to consider alternatives which are *infeasible*."

**Response to Comment No. 43-5**

See Responses to Comment Nos. A3-11 and A3-12.

**Comment No. 43-6**

Stating that leaving the land alone does not meet the requirement of an Alternative since the developer would never consider this as an alternative and states so on Page VII-4 "As proposed, Alternative 1 would not satisfy any of the Projects objectives listed above." Based on this criteria you would have to consider Alternative 1 as *infeasible*.

**Response to Comment No. 43-6**

As is stated on page VII-4 of the Draft EIR, Section 15126.6(e) of the *CEQA Guidelines* requires that a "No Project" alternative be evaluated in all EIRs. By their very definition, "No Project" alternatives are feasible since they simply avoid any implementation of a project.

**Comment No. 43-7**

The second Alternative of turning the property into a park is also an alternative that the developer would not consider. On Page VII-7 the developer states; "As proposed, Alternative 2 would not fully satisfy any of the Project objectives listed above ... Once more this Alternative has to be considered *infeasible*."

**Response to Comment No. 43-7**

Contrary to the comment, the Draft EIR identifies the referenced alternative (Alternative 2 – Park Alternative) as being feasible. The questions of feasibility and whether or not an alternative is capable of achieving the defined Project Objectives are separate matters. In the case of Alternative 2, the alternative was determined to be feasible, but would not achieve many of the Project Applicant’s objectives.

**Comment No. 43-8**

Ironically, the developer offers the alternative of a park and describes the lack of parks in the Woodland Hills area. The developer then goes on to propose developing the only substantial undeveloped property in the Woodland Hills area thereby eliminating the one chance of providing the residents of Woodland Hills of a prospective park environment.

**Response to Comment No. 43-8**

Comment acknowledged. The commenter expresses an opinion about the parkland alternative for the Project Site, but does not offer a specific comment on the Draft EIR.

**Comment No. 43-9**

In this writer opinion, the DEIR should be revamped to provide *feasible* alternatives that could considered by the developer instead of the Proposed Project.

**Response to Comment No. 43-9**

As noted in the Draft EIR, the alternatives included in the Draft EIR are each feasible to implement. See also Responses to Comments A3-11 and A3-12.

**Comment No. 43-10**

In general the developer has portrayed the Proposed Project as a one that can be put in place without imposing any significant impacts that would require mitigation. Most of this approach is focused on misinterpreting the Mulholland Scenic Parkway Specific Plan (MSPSP) and minimizing the impacts of the Proposed Project. However, the developer needs significant relieve from the impositions of the MSPSP and City of Los Angeles Planning Agencies.

**Response to Comment No. 43-10**

The entitlements being requested by the Project Applicant for the Proposed Project are fully disclosed in Section III of the Draft EIR. An analysis of the Project’s consistency with the MSPSP is presented in Section V.G of the Draft EIR. Otherwise, the comment presents an opinion regarding the interpretation of the MSPSP but does not offer any supporting information. Thus, no further response is warranted.

**Comment No. 43-11**

For instance, on Page V G-39, the DEIR states: "With approval of the requested discretionary action from the City of Los Angeles, the Proposed Project could be found not to conflict with the Mulholland Scenic Parkway Specific Plan." ... The developer goes on to list the discretionary actions that are required.

This is a very duplicitous statement and seems to offer a way that the developer can escape the requirement of the MSPSP. The argument is that if the City approves these discretionary actions there would be no need for the Mulholland Scenic Corridor Design Review Board. This is in conflict with the rest of the DEIR which acknowledges that MSPSP has jurisdiction of the Proposed Project and that Project needs to accommodate these Guidelines.

**Response to Comment No. 43-11**

The commenter appears to misinterpret the referenced text on page V.G-39 of the Draft EIR. The Draft EIR states that, with approval of the requested discretionary actions, the Project could be found to no longer conflict with specific provisions of the MSPSP pertaining to those actions. However, as is noted elsewhere in Section V.G of the Draft EIR (specifically, see Table V.G-4), the homes to be built as part of the Project would still require review by the Mulholland Scenic Corridor Design Review Board.

**Comment No. 43-12**

Attempting to evade the restrictions of the MSPSP seems to be the prevailing pattern by the developer. Throughout the DEIR, the developer tries to interpret the Guidelines in a manner that obfuscates the Project's violation of those Guidelines. For example, the DEIR states that three story houses are permitted by MSPSP Guidelines while the Guidelines offer that three story houses are not permitted.

**Response to Comment No. 43-12**

See Response to Comment No. A5-27 with regard to the Draft EIR's erroneous description of the Project as containing three-story homes. The Project would solely consist of homes up to two stories in height.

**Comment No. 43-13**

Throughout the document, the developer misrepresents MSPSP requirements and restrictions and then goes on to determine that issues are less than significant, based on their flawed interpretation of the MSPSP. Examples are replete: grading, retaining walls, view shed, roadways, etc.

**Response to Comment No. 43-13**

See Responses to Comment Nos. A5-5 and A5-16 with respect to the MSPSP requirements and design guidelines, generally. See Responses to Comment Nos. A5-9, A5-25, A5-30, and A5-37 with respect to grading and retaining walls. See Responses to Comment Nos. A5-24 and A5-25 with respect to roadways and driveways. See Responses to Comment Nos. A5-27 and A5-43 with respect to visual impacts.

**Comment No. 43-14**

What results is that this Proposed Project will require substantial approval for discretionary actions from the City of Los Angeles and Mulholland Scenic Corridor Design Review Board. In its present form, the Proposed Project cannot be built without the City of Los Angeles granting significant discretionary actions to the current guidelines for houses on this property.

**Response to Comment No. 43-14**

The commenter makes correct statements regarding that discretionary actions are required for the Project and which are disclosed in the Draft EIR, but does not state a specific concern regarding the Draft EIR. The Project does not request any amendments, exceptions, or deviations from the standards of the Mulholland Scenic Parkway Specific Plan.

**Comment No. 43-15****COMPATIBILITY WITH THE NEIGHBORHOOD**

Throughout the DEIR there is a constant contention that the project will be compatible with the existing neighborhood. That argument is not true. The existing neighborhood consists of one story ranch type homes. There are no two story homes and certainly no three story homes.

The proposed project is, as it stands, in violation of MSPSP, specifically Guideline 31 and Guideline 50. These provisions stipulate that building height is a factor that needs to be compliant with the existing homes and a three story is certainly not compatible.

**Response to Comment No. 43-15**

See Response to Comment No. A5-27 with regard to the Draft EIR's erroneous description of the Project as containing three-story homes. The Project would solely consist of homes up to two-stories in height.

See Responses to Comment Nos. A5-16 and A5-27 with regard to Project consistency with applicable components of the Specific Plan Design and Preservation Guidelines.

**Comment No. 43-16**

THE MSPSP also stipulates, under Guideline 50, that a **BUILDING FOOTPRINT RADIUS MAP** needs to be presented showing the surrounding homes that would serve as a measure of compatibility. Although there are other diagrams and maps that focus on MSPSP requirements, there is no map for this requirement.

**Response to Comment No. 43-16**

The Draft EIR is not intended to serve as the vehicle for responding to all applicable documentation submittals as required under the MSPSP. The referenced Building Footprint Radius Map, as well as other

documentation concerning the Project and/or the individual homes to be constructed as part of the Project, will be required of the Project Applicant prior to the issuance of any building permit by the City.

**Comment No. 43-17**

The DEIR on Page 1-1, (the first page of the DEIR) and on Page 111-1, makes a singularly erroneous statement contending, " . . . would have a maximum of three stories or 36 feet, as established in the Mulholland Scenic Parkway Specific Inner Corridor regulations." The MSPSP, in fact, prohibits three story homes through the provisions of Guideline 31 and 50.

**Response to Comment No. 43-17**

See Response to Comment No. A5-27 with regard to the Draft EIR's erroneous description of the Project as containing three-story homes. The Project would solely consist of homes up to two-stories in height.

**Comment No. 43-18**

The MSPSP provisions and adherence to these Guidelines regarding height limitations can be seen all along the Mulholland Highway. The fact is that there are **no** three story residential nor commercial buildings anywhere on the Mulholland Highway Scenic Corridor.

**Response to Comment No. 43-18**

See Response to Comment No. A5-27 with regard to the Draft EIR's erroneous description of the Project as containing three-story homes. The Project would solely consist of homes up to two stories in height.

**Comment No. 43-19**

If the developer made the Proposed Project one of single stories it would go a long way to eliminate a number of issues that are a result of the proposed three story houses. First, it would eliminate some of the view shed problems that require mitigation measures. Second, elimination of three story houses would prove to be beneficial to the unspoken issue of three story houses impinging on the oak trees.

**Response to Comment No. 43-19**

See Response to Comment No. A5-27 with regard to the Draft EIR's erroneous description of the Project as containing three-story homes. The Project would solely consist of homes up to two stories in height.

**Comment No. 43-20**

In a number of houses three story buildings would put many oak trees and other flora in deep shadows for part of the day. Oak trees need full sunlight and will not do well if they are deprived of sunlight. With no three story houses, none of the flora will be negatively impacted

**Response to Comment No. 43-20**

As discussed in Response to Comment A5-27, the Draft EIR contains an error in the description of the Proposed Project. The Project would not include any three-story homes, but would consist entirely of homes with a maximum of two stories. See Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

**Comment No. 43-21****GRADING**

The DEIR indicates that the proposed project is in compliance with MSPSP regulations regarding the total amount of grading that is permitted based upon the project's acreage. (One cubic yard for every four square feet of site area.)

The total grading proposed, however, does not comport with Guideline 1 of the MSPSP. That Guideline 1 states: *"Minimize the amount of grading and the use of retaining walls. Design structures and grading to fit the natural topography and existing conditions of the site, rather than making changes in the topography to accommodate the structure ..."*.

The grading proposed violates this stricture in a number of ways. First, the grading proposed is excessive. Per the DEIR, 61% of the site will be graded. This level of grading means that not that just 61% of the site is graded, but the reality is that almost *all* of the functional site is being graded since there are steep slopes and groves of trees that cannot be graded. For practical purposes, all of the level surface will be graded and transformed from the natural topography that currently exists into graded pads for houses and the introduction of a street.

**Response to Comment No. 43-21**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed grading and conformance with applicable Specific Plan Design and Preservation Guidelines.

**Comment No. 43-22**

Guideline 10 states that grading should be minimized and not alter the site to fit the project. The grading proposed; however, is for the expressed purpose of changing the natural topography in order to allow the maximum number of homes that can built on the site and in direct contradiction of Guideline 10.

**Response to Comment No. 43-22**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed grading and conformance with applicable Specific Plan Design and Preservation Guidelines.

**Comment No. 43-23**

In regarding the one cubic yard for every 4 square feet - MSPSP Guideline 10 states that even though a project is within these maximums, "... *these limits may still be recommended for disapproval if the amount and/or design grading impacts the scenic resources of Mulholland Drive, is incompatible with the natural contours of the mountain terrain, or is incompatible with the Parkway Environment.*" A reasonable person would find that the level and type of grading does violate this provision and should not be approved.

This issue is further confound by the developer's lack of a required Grading Plan that would show what is being graded and for what purpose.

**Response to Comment No. 43-23**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed grading and conformance with applicable Specific Plan Design and Preservation Guidelines.

**Comment No. 43-24**

The DEIR project proposal indicates that there will be an extensive network of retaining walls.

- One wall 140 ft. long with a height varying from .5 to 10 ft. tall
- One wall 80 ft long with a height of 10 ft.
- Two walls 120 ft. long with the heights reaching 19 ft
- One wall 120 ft long with variable heights up to 5 ft.
- One wall 60 ft long with a variable height up to 8 ft

Guideline 1 states: "*Minimize the amount of grading and the use of retaining walls. Design structures and grading to fit the natural topography and existing conditions of the site, rather than making changes in the topography to accommodate the structure ...*". The MSPSP underlying premise is to have any development in their area of jurisdiction maintain the natural setting of the Mulholland Corridor. Constructing of **5000** square feet of unnatural retaining walls does not conform to this basic aesthetic and, regardless as to intervening foliage, building structures, etc., will still be out of place and contrary to the intention of construction in the Inner Corridor.

**Response to Comment No. 43-24**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed retaining walls and conformance with applicable Specific Plan Design and Preservation Guidelines. See Response to Comment No. A5-30 with respect to the visual impact of the proposed retaining walls and the error in the Draft EIR regarding the maximum height of the proposed retaining walls (11 feet, not 19 feet).

**Comment No. 43-25**

MSPSP further indicates that when there are retaining walls, they should be constructed in a way that approximates the natural terrain that the retaining walls are impacting. MSPSP asks that natural features remain untouched, but when there is a need for construction the intervention should maintain the natural topography as much as possible. The developer has chosen not to follow this instruction or aesthetic, but by **willful** design is maximizing the space for home construction through inappropriate retaining wall design. They state, " ... The Project will utilize retaining walls, where practical, rather than manufactured slopes." (Page V B-14) This is in total contradiction to the MSPSP instructions.

**Response to Comment No. 43-25**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed retaining walls and conformance with applicable Specific Plan Design and Preservation Guidelines.

**Comment No. 43-26**

As to specifics, MSPSP allows a maximum height of 10 ft.; so the proposed project is out compliance with Guideline 28 for one of the retaining walls. This would require the MSPSP to grant an exemption, along with approving the whole of the 520 ft of retaining wall.

**Response to Comment No. 43-26**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed retaining walls and conformance with applicable Specific Plan Design and Preservation Guidelines. See also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR, concerning the total length of retaining walls proposed for the Project.

**Comment No. 43-27**

The exemption by MSPSP is only one part of the problem with the retaining wall issue. The proposed project is also out of compliance with a number of Los Angeles City sections and will require that a Zoning Administrator Determination be granted for the retaining walls, as they are presently proposed.

**Response to Comment No. 43-27**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed retaining walls and conformance with applicable Specific Plan Design and Preservation Guidelines. The necessary discretionary actions with respect to the proposed retaining walls are described in the Draft EIR (see Section III and Section V.G).

**Comment No. 43-28****ROADWAYS**

The DEIR makes frequent references to public and private streets, but there is a great deal of confusion as to the intent of the developer. For instance, On Page 11-1, the DEIR states that there will be a "new *public street* to run from San Feliciano Drive into the site." On page V G-19, the DEIR states, "The Proposed Project would provide a *private access road* from San Feliciano Drive ... "

This writer feels that this is a serious issue that needs clarification. It is assumed that private street would not require any standards as to width, set-backs, sidewalks, etc. All that would be needed would be approval by the Planning agencies. On the other hand, if it was a public street, there would be a need for consistency with Los Angeles City requirements as to the above parameters and it would seem that there would be a necessity of making that street part of the City of Los Angeles.

#### **Response to Comment No. 43-28**

See Response to Comment No. A5-24.

#### **Comment No. 43-29**

Outside of the statement that this roadway would be public, there is no comment in the DEIR as to how this would be accomplished. It would seem that there is some type of procedure that is required to make a street a public street. After all the City of Los Angeles would ultimately have to take responsibility for that street after construction. Are they obligated to do so? What if the City decides not to obligate themselves with this new street? How does that impact the Proposed Project? What if the proposed street is not felt to be safe? The DEIR has no answers to these questions because it just makes a statement and offers that a public street will magically appear and failing to provide this information is a serious issue as to the validity of this DEIR.

#### **Response to Comment No. 43-29**

See Response to Comment No. A5-24.

#### **Comment No. 43-30**

This writer feels that the option of a public street is actually the most desirable alternative. The Proposed Project is in a Very High Fire Hazard Severity Zone. As a result, it would be prudent for the Proposed Project's main street to be readily accessible by fire apparatus since there will be a great deal of open area in the Project that could pose a fire danger. (A private street might only provide minimal access.)

#### **Response to Comment No. 43-30**

See Response to Comment No. A5-24. The proposed private street would be constructed to public street requirements with respect to fire and other emergency equipment access.

**Comment No. 43-31**

In addition, the proposed street appears to be ill conceived. The egress and exit of the proposed street is at point where San Feliciano Drive is at its narrowest. If there are any vehicles parked, (which is often true), it becomes a very narrow roadway from which to enter or exit the Proposed Project. More importantly, the site of the street is at a place where there is very limited visibility. Vehicles coming from Mulholland Highway driving downhill come out of a blind curve just where the proposed street is being sited. There is limited visibility for the drivers on San Feliciano Drive regarding the proposed street and there would be similar restrictions for any vehicle entering or exiting the Proposed Project. Anyone using this proposed street will do so at great risk.

**Response to Comment No. 43-31**

See Response to Comment No. A5-25.

**Comment No. 43-32**

This situation is in direct violation of MSPSP Guideline 26 which states: "Provide adequate visibility and site distance for oncoming traffic where any driveway meets the road. A visibility study may need be provided, which would be subject to the review and approval of the Department of Transportation."

**Response to Comment No. 43-32**

See Response to Comment No. A5-25.

**Comment No. 43-33**

It needs to be further noted, that drivers proceeding in either direction on San Feliciano Drive do so in excess of the speed limits. (Over the years, the City has put in additional stop signs and speed bumps to mitigate the speed issue.) In addition, the reality of the traffic on San Feliciano Drive is that there are long lines of traffic during rush hours and school traffic which would prevent drivers from entering or exiting the Proposed Project during these timeframes.

**Response to Comment No. 43-33**

See Responses to Comment Nos. A5-25 and A5-28.

**Comment No. 43-34**

Considering these issues, it is believed that a public street would require significant engineering by the City of Los Angeles before the street would be "approved" or "accepted" ?. Their input would look at the above issues and make a determination as to appropriateness of the developer's plan which is felt to pose a serious danger to drivers.

**Response to Comment No. 43-34**

The City's Bureau of Engineering and Department of Transportation review and provide recommendations regarding the tract map design, including improvements to adjacent public right-of-ways and private street. If the City determines that there are safety or engineering issues with the design, then these will be required to be remedied with the City prior to any approval of a final tract map. See Responses to Comment Nos. A5-24 and A5-25.

**Comment No. 43-35****SCENIC IMPACT**

The DEIR indicates that Proposed Project will have an impact on the issue of *Scenic Vistas*. Due to the grading, retaining walls and three story houses, there will be a significant impact on the scenic qualities that are currently found on the undeveloped site.

**Response to Comment No. 43-35**

The Draft EIR concluded that the Project's scenic impacts would be less than significant with implementation of Project Design Feature B-1, requiring the development and implementation of a landscaping plan for the Project Site.

**Comment No. 43-36**

On Page II-4, the developer argues that mitigation issues are not required because the impact will be less than significant. That is based upon a proposed landscape plan that will reduce the visibility of the grading, retaining walls, etc.

Although this may be allowed under MSPSP Guidelines, there are a host of issues that make this a very poor mitigation plan. First, it will take 5 years to fully grow out the plantings, (MSPSP requires a 3 year Plan.) Second, who will be responsible for maintaining the plantings? A new owner may decide they don't like the plantings and cut them down, thereby making the house in violation of MSPSP Guidelines regarding views from Mulholland Highway. Third, the plantings will occur when the houses are built, so it will take 5 years of homeowner efforts in bring the plantings to the level of mitigation. Will all of the homeowners be proficient in maintaining these plantings for that 5 year period of time?

**Response to Comment No. 43-36**

See Responses to Comment Nos. A3-14, A5-27, A5-34, and A5-43.

**Comment No. 43-37**

The DEIR also states that "*... the reduced visibility of the oak trees could be considered damage to a scenic resource, ...*" (Page II-6) The mitigation offered is the planting of replacement trees that are required by the removal of living oak trees and other flora on the property. I have no idea how this works.

**Response to Comment No. 43-37**

As is discussed in Section V.B of the Draft EIR, in order to receive permission to remove protected coast live oak trees from the Project Site to accommodate the Project, the Project Applicant would be required to replace each removed oak tree at a 2:1 ratio. This requirement has been incorporated into the Landscape Plan that is included as Project Design Feature B-1 in the Draft EIR.

**Comment No. 43-38**

If you build houses that are inappropriate and dramatically impact the *scenic resources*; planting a bunch of small trees is not going to change the impact. The only way to not impact the *scenic resources* is to not build on the property in the first place. However, if there its to be construction, the houses should be designed to minimize the impact on *scenic resources* through single story, ranch style houses that are integrated into the topography of the property with the intent to lessen the impact on the *scenic resources*.

**Response to Comment No. 43-38**

See Response to Comment No. A5-27. Under CEQA, environmental impact analysis must identify the impacts of the project being proposed by a project. In this case, the City has established procedures for permitting the removal of protected trees such as coast live oaks and for the replacement of such trees when their removal cannot be avoided in order to build a project. These procedures have been incorporated into the Landscape Plan that is included as Project Design Feature B-1 in the Draft EIR. Otherwise, the comment presents an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 43-39**

The DEIR on Page II-9 states that the loss of views on the site will be a significant impact. The mitigation, once more, is planting trees that are required as mitigation for the removal of protected trees. If you impact the currently undisturbed woodland by grading and put up retaining walls - planting trees, that will require decades to replace the visual character, is not an appropriate mitigation. The developer needs to submit a better mitigation plan.

**Response to Comment No. 43-39**

See Responses to Comment Nos. A3-14, A5-27, A5-34, and A5-43.

**Comment No. 43-40**

On the same page, the DEIR states, "Therefore, the retaining wall would not substantially damage scenic resources and their impact with respect to scenic resources would be less than significant." I do not know how 520 feet of retaining walls some up to 19 feet in height would not impact the *scenic resources* in a negative way. You have an undisturbed property with significant scenic desirability and then you grade and build retain walls and propose that these impacts are not significant. This is a very poor argument and the

developer needs to acknowledge that this impact is significant and needs appropriate mitigation to overcome the issue.

**Response to Comment No. 43-40**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed retaining walls and conformance with applicable Specific Plan Design and Preservation Guidelines. See Response to Comment No. A5-30 with respect to the visual impact of the proposed retaining walls and the error in the Draft EIR regarding the maximum height of the proposed retaining walls (11 feet, not 19 feet).

**Comment No. 43-41**

**WILDLIFE**

The DEIR treats the proposed project site as an isolated environment for flora and fauna. The contention is that there is no connection between the property and the closely accessible wildlife environments found in the Santa Monica Mountains and the proposed property is not a part of the Santa Monica Mountain environment.

This is an inherently flawed argument. First, the property is adjacent and contiguous with the 6+ acres of DWP property. That acreage has been not been disturbed since 1981 when the reservoir was drained. That means that for the past 37 years flora and fauna have been able to flourish in that environment as if it was a wild area. As for the property itself, the owners have been vacant from the property since the 1980s which also allows the flora and fauna to revert back to wild setting. For all practical purposes the two properties need to be seen as a single entity where there has been little intervention by humans for over 35 years.

**Response to Comment No. 43-41**

See Responses to Comment Nos. A3-2 and A3-4.

**Comment No. 43-42**

The DEIR further contends that this general area is an urbanized environment therefore it cannot be a "wild" setting. However, all of the homes in the area were built in the 1950's which means that over 60 years the wildlife in the area has been able to accommodate the urbanized development and flourish as breeding colonies for various species.

These timeframes of 35 to 60 years are a very significant period of time. Just consider the changes that have occurred in a 40 year timeframe. What was Los Angeles like in 1920 versus 1960? How did the San Fernando Valley change from 1940 to 1980? How about the USA 1900 to 1940? That 40 years has allowed species to fully accommodate the urbanized portion of the neighborhood.

**Response to Comment No. 43-42**

See Response to Comment No. A3-2.

**Comment No. 43-43**

The DEIR contends that an isolated environment will lead to an "extinction" of wildlife due to lack of contact with other naturally occurring species. By that supposition, and the DEIR's contention that the proposed project does not serve as a wildlife corridor, there should be NO animals in the proposed area after the 40 years of purported isolation from the adjacent Santa Monica Mountains. However, that "extinction event" has not resulted as is evident by the frequent sighting of deer, coyotes, raccoons, opossums, and skunks. There are known breeding pairs of bobcats, frequent sightings of raccoons with pups, skunks involved in breeding behavior and packs of coyotes with pups. The evidence of these animals is a *prima facie* argument that the property is, in fact, an area that has significant connectivity to the 'wild' areas that abut the property. All of this supports the idea that 12+ acres are a viable, important breeding and nesting area for the species that inhabit the Santa Monica Mountains.

**Response to Comment No. 43-43**

See Response to Comment No. 15-3.

**Comment No. 43-44**

The single most egregious error in the DEIR is the contention that the proposed project property is isolated from the Santa Monica Mountains. There are in fact, a number of corridors that lead deep into the Santa Monica Mountains. Directly across Mulholland Highway is the Alizondo Park - a passive park which is essentially a greenbelt. That property connects with an arroyo, at Topanga Blvd., that leads deep in to the Santa Monica Mountains. (This is very evident on the various overhead pictures of the area.) There is another corridor where the blue line stream is intercepted by Mulholland that also allows access to Santa Monica Mountains. There are two other undeveloped, native areas. One adjacent to Gelsons, the other a Santa Monica Mountain Conservancy property with a hiking trails that leads to native land south of the property. The only prohibition for movement to and from these areas is the traffic on Mulholland Highway. In regards to the above, the only time that wildlife would be transitioning across Mulholland Highway would be at night when there is very little traffic and would present little difficulty for transit.

**Response to Comment No. 43-44**

See Response to Comment No. A3-2.

**Comment No. 43-45**

Another area of contention with the DEIR is the survey done regarding the flora and fauna on the property. The report from TeraCor contends that there were few animals and reptiles present on the property. That would be true for a group of people tramping through the site during day light hours and having the fauna hiding during this exercise. As everyone in the neighborhood knows, the raccoons, possums, skunks, gray foxes, coyotes, deer, bobcats and other species are only active in the night time hours. The TeraCor survey did not try to identify these animals during the evenings when they could have observed the animals leaving nesting areas, dens, and other related habitats many of which could be on the proposed project property.

**Response to Comment No. 43-45**

See Response to Comment No. 15-3. The General Biological Assessment, included in Appendix G of the Draft EIR, states that raccoons, possums, skunks, gray foxes, coyotes, deer, and bobcats can be present on-site.

**Comment No. 43-46**

TeraCor argues that all of the animals that would be present are "urbanized" species. This is a fallacious argument. Take away all of the homes and place the property in the Santa Monica Mountains and what would you find as animals present in this wild environment? You would find raccoons, skunks, opossums, coyotes, etc. All of these species are present in the Santa Monica Mountains as "un-urbanized" animals which can move from the wild areas to the urbanized areas without any changes in their behavior regarding breeding and nesting. These species are indigenous to wild areas of Southern California and should not be stigmatized as isolated fauna only found in urbanized areas.

(The only animals that are not present on the project property are mountain lions and brown bears. In regards to mountain lions, there is a monitored mountain lion in the Topanga area and it is possible that it frequents the area being considered by the DEIR. One neighbor also reports that she observed a mountain lion in her front yard on one occasion.)

**Response to Comment No. 43-46**

See Response to Comment No. 15-3. Species that are less tolerant of human presence and alterations generally are not present on small, disturbed sites such as the Project Site. As described in Section V.D of the Draft EIR and Section 4.0 of the General Biological Assessment, a number of common and urban-tolerant species may utilize the property for foraging, including coyote, red-tailed hawk, great horned owl and urban-tolerant songbirds. Wildlife usage of the site is likely largely restricted to common mammals, reptiles and avian species. The species described by the commenter are expected to occur on-site.

**Comment No. 43-47**

The DEIR states: *"Therefore the potential occurrence for rare, non-listed species is, in part, predicated on the presence of appropriate support resources, species mobility, extent of habitat disturbance, consecutiveness to adjoining habitats, and other facilitating or constraining factors"*. As to these provisions, the isolated nature of the project property and the adjacent DWP property will provide "support resources", the lack of any human intervention in 40 years indicates low "habitat disturbance" and it has been shown that there is "connectedness to adjoining habitats". That creates the possibility of rare species being present on the property or on the DWP property.

The DEIR acknowledges the issue of the possibility and probability of a "special status species" on-site. (Page VII-5.) In analyzing the alternative of leaving the property in its natural state, it states, *"Therefore no impacts would occur to the special status species that occur, or have the potential to occur, on-site."*

SEE PIC

**Response to Comment No. 43-47**

See Response to Comment No. A3-2. The Draft EIR (at Section V.D, Biological Resources) discloses the potential for certain special status species to occur on the Project Site and provides mitigation for potential Project impacts to such species.

**Comment No. 43-48**

As they state in their project presentation, TeraCor's approach is "predictive". I assume that means they know what should be there and what shouldn't be there and they survey from that premise. They did not approach this project from the mindset of trying to find rare species, but looked at the property as a generic piece of land that had predicative flora and fauna and, lo and behold, they did not see any rare species. As they stated, (*...provides general information on potential presence of sensitive species and habitats. The biological assessment is not an official protocol-level survey for listed species.*) Page V D-1.

**Response to Comment No. 43-48**

As described in Section 2.0 of the General Biological Assessment (see Appendix G of the Draft EIR), the assessment is habitat based and, in part, predictive with regard to determining the presence of animal species. The evaluation for presence of sensitive organisms included such variables as availability of support resources (such as rock outcrops, flowing water, specific host plants, nesting sites, etc.), the size of the property and the history of disturbance. The likelihood of potential occurrences is further predicated on the known distribution of species, and their overall habitat requirements and preferences.

**Comment No. 43-49**

TeraCor did not find these rare species because they conducted a very cursory examination of a 6.2 acre property. (Three individuals surveyed the 6.2 acre property on a single day each one doing a separate task.) Obviously, a rare species would be hard to find since it consists of few individuals and is rare because it doesn't occur often. In addition, three individuals walking through the property overturning vegetation and taking pictures off trees and birds, would have led to fauna "taking ground" until the disturbance was over. There is no indication that TeraCor setup any blinds or passive reconnaissance when they surveyed the property, a procedure that would take out the human impact of the survey. I would argue that a more vigorous survey be done. One possibility would be having the Santa Monica Mountain Conservancy conduct their own survey in order to validate TeraCor's initial, cursory survey.

**Response to Comment No. 43-49**

As described in Section 2.0 of the General Biological Assessment (see Appendix G of the Draft EIR), survey field work was initially conducted on January 21<sup>st</sup> and February 12<sup>th</sup>, 2006. An updated field survey was conducted on May 19<sup>th</sup>, 2015 and a follow-up mapping exercise was performed on July 10<sup>th</sup>, 2015. Surveys were therefore conducted during the winter, spring, and summer seasons, maximizing the

likelihood of finding a more diverse array of flora due to timing of seasonal annual blooming. During the surveys, the Site's biological resources were assessed for both general biological resources and for specific support resources for several rare species with potential to occur on-site or in the area. Reptile and amphibian species were inventoried by turning debris, and scanning sunning and foraging areas. Bird species were identified by call and use of binoculars. Common mammals were identified by sight or sign evidence. Surveys of this type, duration, and frequency are considered the state of the practice for general biological assessments. Focused surveys for specific species are only warranted where evidence is found that such species are actively utilizing the area to be developed. For the Project Site, the Draft EIR includes mitigation measures designed to reduce the potential Project impact on special status species to a less than significant level (specifically, Mitigation Measures D-1 through D-5).

#### **Comment No. 43-50**

Based on the above, I do not think that TeraCor's contention that the subject of Biological Resources can be considered to be insignificant and therefore not needed to be mitigated. For many reasons, the project property and the DWP property should not be considered an isolated island, but are in fact, a vibrant, extension of the Santa Monica Mountains and mitigation should be based on how one would deal with the development of an integral part of the Santa Monica Mountains.

#### **Response to Comment No. 43-50**

See Responses to Comment Nos. A3-2 and A3-4.

#### **Comment No. 43-51**

##### **COMPETENCY**

Under SECTION 15151 of the CEQA Guidelines it states: "The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure." This DEIR does not meet that level of sufficiency. There is a pattern of comments by the developer that misconstrue guidelines for this project and there is inadequacy regarding technical portions of the DEIR which render this DEIR inadequate.

#### **Response to Comment No. 43-51**

While the commenter asserts purported deficiencies of the Draft EIR, it is understood that this is an introductory statement and that further elaboration is forthcoming in subsequent comments.

#### **Comment No. 43-52**

There are misstatements:

- The DEIR states that one objective is: *"To design a project that is consistent with the predominant character of the style of the neighborhood ..."* (Page VII-2 ) However, there are no three story homes in the project area, so the project is not consistent with the predominant character of the neighborhood and makes this statement a lie.

**Response to Comment No. 43-52**

As discussed in Response to Comment A5-27, the Draft EIR contains an error in the description of the Proposed Project. The Project would not include any three-story homes, but would consist entirely of homes with a maximum of two stories. See Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

**Comment No. 43-53**

- MSPSP does not permit three story houses

**Response to Comment No. 43-53**

See Response to Comment No. 43-52.

**Comment No. 43-54**

- MSPSP does not allow retaining walls as proposed in the project

**Response to Comment No. 43-54**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed retaining walls and conformance with applicable Specific Plan Design and Preservation Guidelines. See Response to Comment No. A5-30 with respect to the visual impact of the proposed retaining walls and the error in the Draft EIR regarding the maximum height of the proposed retaining walls (11 feet, not 19 feet).

**Comment No. 43-55**

- MSPSP does not allow the grading as proposed in the project

**Response to Comment No. 43-55**

See Responses to Comment Nos. A5-30 and A5-37 with regard to the Project's proposed grading and conformance with applicable Specific Plan Design and Preservation Guidelines.

**Comment No. 43-56**

- Contrary to the DEIR, (Page I-4) there were, in fact, *scoping meetings* that impacted the Original Project by ordering the developer to eliminate condominiums from the original plan and substitute single family homes. In various meetings the planning agency reduced the number of homes from 23 to a maximum of 19 homes with the indication there could be further reductions when the developer brought their plan back for review. The homes being considered were not three story homes because the planning agency specifically denied three story homes in lieu of condominiums: a request that was made by the developer. The previous planning meetings further restricted the houses on Mulholland Highway to be one story houses.

**Response to Comment No. 43-56**

The commenter appears to be referring to public hearings that were held on the Original Project and not to meetings held for the specific purpose of soliciting input on the proposed scope of the Draft EIR. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. 43-57**

The developer indicates there will be 38 covered parking spaces, but the tract map does have those parking structures included nor is there space for those structures.

**Response to Comment No. 43-57**

The Draft EIR is referring to the garages proposed for each of the 19 homes of the Project. See also Response to Comment No. A5-31 and Section 3, Revisions, Clarifications, and Corrections to the Draft EIR.

**Comment No. 43-58**

- The developer states that there was no action on the Original Project, however, the City did finalize the EIR and the City did take action on the Original Project in form of various public meetings.

**Response to Comment No. 43-58**

As is stated in Section I of the Draft EIR, no final action was taken on the Original Project by the City. While the City did prepare a Final EIR, the previous Project Applicant placed its application on hold and no final certification of the EIR was ever completed, nor was final City action taken with respect to the Original Project by the decision-making bodies.

**Comment No. 43-59**

- The developer argues that the drainage from the project will go to Girard Reservoir which is physical impossibility since the Reservoir is higher than the proposed project. (Page V A-12)

**Response to Comment No. 43-59**

The comment identifies an error in the Draft EIR. In order to rectify this error, the paragraph following the second question (in bold type) on page V.A-12 of the Draft EIR has been deleted and replaced with new text as follows (see also Section 3, Revisions, Clarifications, and Corrections to the Draft EIR):

~~Currently, the existing largely unimproved Project Site drains northeasterly into the abandoned Department of Water and Power Girard Reservoir, which carries off-site drainage into the San Feliciano storm drain. The Proposed Project would result in an improved site that would convey runoff via streets into the same storm drain system, and no impacts are anticipated to occur.~~

Storm runoff from the entire Project Site is currently conveyed by overland flow into the existing Los Angeles County Flood Control District (LACFCD) storm drain system in San Feliciano Drive. Portions of the existing 81-inch County storm drain system and its fifteen-foot easement currently run through the southwest portion of the site. Storm runoff travels from the eastern, southern, and western ends of the Project Site to the middle of the site and flow north toward San Feliciano Drive. The easterly boundary of the site is bordered by the Girard Reservoir. An existing 30-inch City storm drain system parallel to the centerline of Mulholland Drive collects runoff from the southern side of the road. The runoff from the northern side of Mulholland Drive and the associated undeveloped area along the road right-of-way is currently conveyed by overland flow into the Project Site, where it is ultimately conveyed to the existing LACFCD system.

Following Project development, runoff from the undeveloped and preserved open space portion of the Project Site would follow its existing natural flow path through native vegetation along Girard Reservoir into the existing LACFCD storm drain system at San Feliciano Drive. In addition to this natural flow, runoff from a portion of the developed area on-site would be collected by drainage inlets, which would then join the overland flow from the open space area of the site in the natural drainage course. Runoff from the remainder of the developed portion of the Project Site would be conveyed and collected by catch basins on-site for treatment prior to conveyance into the existing LACFCD storm drain system. As shown in Appendix E, the differences in the pre-Project and post-Project peak runoff flow rates is small enough to be considered negligible. Therefore, no impacts are anticipated to occur.

#### **Comment No. 43-60**

• The developer states that the project ... "would not substantially increase stormwater runoff", however there will be new public and private streets which will funnel 1 acre of stormwater onto Mulholland Highway and San Feliciano Drive and would substantially increase stormwater runoff.

#### **Response to Comment No. 43-60**

Appendix E of the Draft EIR contains the hydrology study prepared for the Proposed Project. According to this report (see Tables 1 and 2), the total 25-year storm event runoff volume from the Project Site under existing conditions is 25.86 cubic feet per second (cfs). Under the proposed conditions following development of the Project, this same storm event runoff volume is projected to be 26.82 cubic feet per second. The study concludes that this 0.96 cfs difference is small enough to be considered negligible.

#### **Comment No. 43-61**

• The developer states that they have: "No alternative location for the Proposed Project was evaluated as no such sites are currently owned by the Project Applicant." **This not true.** The developer has an extensive catalogue of properties that are owned or under development.

Properties in Northridge, Chatsworth, "Frogtown", Lamert Park, Reseda, Koreatown, Hollywood, etc. Many of these are single family home developments that can serve as an alternative.

**Response to Comment No. 43-61**

Different sites for which other development projects are currently planned were not considered to be “available” for the purpose of serving as alternate sites for the Proposed Project. Also, other properties located in substantially different portions of the City were not considered as being suitable as replacement locations for the Proposed Project. Further, Alternative 1 in the Draft EIR evaluates the functional equivalent of utilizing an alternative site for the Proposed Project as far as impacts to the Project Site and its immediate surroundings are concerned.

**Comment No. 43-62**

- The developer contends that *"Therefore, the retaining wall would not substantially damage scenic resources and their impact with respect to scenic resources would be less than significant."* This statement is an impossibility. 5000 Square Feet of retaining walls cannot do anything other than damage the scenic resources.

**Response to Comment No. 43-62**

See Response to Comment No. 43-24.

**Comment No. 43-63**

- The developer states that there will a new *public street* and then states that it will be a *private street*. Obviously it cannot be both.

**Response to Comment No. 43-63**

See Response to Comment No. A5-24.

**Comment No. 43-64**

- The developer states there will be 38 covered parking spaces, in addition to garages, but none of the material submitted by the developer shows these parking spaces nor is there any place to put these structures.

**Response to Comment No. 43-64**

See Responses to Comment Nos. A5-31 and 43-57.

**Comment No. 43-65**

There are missing technical components:

- There is no **Canopy Map**, a requirement of MSPSP

**Response to Comment No. 43-65**

The Draft EIR is not intended to serve as the vehicle for responding to all applicable documentation submittals as required under the MSPSP. See Response to Comment No. 30-9 regarding a tree canopy map. This map, as well as other documentation concerning the Project and/or the individual homes to be constructed as part of the Project required by the MSPSP, will be required of the Project Applicant prior to the issuance of any building permit by the City.

**Comment No. 43-66**

- There is no **Building Footprint Radius Map**, a requirement of MSPSP.

**Response to Comment No. 43-66**

See Response to Comment No. 43-16.

**Comment No. 43-67**

- There is no **Grading Plan**, a requirement of MSPSP.

**Response to Comment No. 43-67**

The final grading plan for the Proposed Project has not yet been prepared but will, along with the other documentation required under the MSPSP, be required by the City from the Project Applicant prior to the issuance of any grading permit for the Project.

**Comment No. 43-68**

- There is no **Visibility Study**, a requirement under Guideline 26 of the MSPSP.

**Response to Comment No. 43-68**

Section V.G of the Draft EIR contains a viewshed analysis that corresponds to the visibility study required under the MSPSP (see pages V.G-29 through V.G-38).

**Comment No. 43-69**

- The TeraCor report mentions the previous biological survey, but leaves out the findings of a biologically significant species on the property in the previous survey.

**Response to Comment No. 43-69**

No additional sensitive species were detected during the initial surveys. The three sensitive species detected subsequent to completion of all of the surveys included coastal whiptail, oak titmouse and Cooper's hawk.

**Comment No. 43-70**

- The TeraCor biological survey was cursory and not conducted in a manner that would not identify rare species nor identify the nocturnal species that live on the property.

**Response to Comment No. 43-70**

See Response to Comment No. 43-49.

**Comment No. 43-71**

- The DEIR states a public street will be built but there is no reference as to how that public street will be "licensed" or "permitted" by the City of Los Angeles nor the physical and technical requirements for that street.

**Response to Comment No. 43-71**

See Response to Comment No. A5-24.

**Comment No. 43-72**

The above misstatements and the lack of documentation, raises two questions. One, does the DEIR have a pattern of erroneous information that is designed to mislead the public regarding the project? (Good Faith) Two, does the inclusion of false information and the lack of necessary documentation foster the belief that the DEIR is, in fact, poorly researched and as a result is inadequate for the purposes of this project? (Inadequacy). It is up to the persons vetting this DEIR to seriously consider this information and make a judgement accordingly.

**Response to Comment No. 43-72**

The commenter expresses questions regarding the adequacy and tone of the Draft EIR but does not raise any specific points requiring a response. Asserted errors in the Draft EIR have been stated by the commenter in previous portions of this letter and are addressed above (see Responses to Comment Nos. 43-5 through 43-71). However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. 44**

Beth and Sean Mellick  
22144 Avenida Morelos  
Woodland Hills, CA 91364

**Comment No. 44-1**

We live at 22144 Avenida Morelos and have many many concerns about the new development that is being considered.

Please consider the following issues:

1. New proposed street will be located on a blind curve and will present safety issues to oncoming traffic.
2. Homes located on San Feliciano and Cerrillos have driveways that exit out into intersection causing safety concern.

**Response to Comment No. 44-1**

The commenter is directed to Responses to Comments A5-25 (regarding the new proposed street location) and A5-26 (regarding the driveway locations).

**Comment No. 44-2**

3. Concerns around scenic impact to viewsheds.

**Response to Comment No. 44-2**

See Responses to Comment Nos. A3-14 and A5-27.

**Comment No. 44-3**

4. Projects impact to traffic given already heavy traffic flow, especially around peak periods.

**Response to Comment No. 44-3**

The Project traffic impacts were adequately analyzed and addressed according to City of Los Angeles criteria in the Project Traffic Study and the Draft EIR. As indicated by the results in Table V.I-3 of the Draft EIR, those impacts would be well below the levels of significance.

**Comment No. 44-4**

5. Ability of current storm drain system to be able to handle additional runoff of new development.

**Response to Comment No. 44-4**

See Response to Comment No. A5-29.

**Comment No. 44-5**

6. Extensive use of retaining walls, both in height and length

**Response to Comment No. 44-5**

See Responses to Comment Nos. A5-9, A5-27, and A5-30.

**Comment No. 44-6**

7. Proposal for 3 story homes and compatibility with surrounding neighborhood.

**Response to Comment No. 44-6**

Residences will be limited to two stories in height. See Response to Comment No. A5-32.

**Comment No. 44-7**

8. Concern around adequate protection of Oak trees on the property and true extent of removal.

**Response to Comment No. 44-7**

See Response to Comment No. A5-34.

**Comment No. 44-8**

9. Extensive use of grading on the property including exporting 40 tons of material from property.

**Response to Comment No. 44-8**

See Response to Comment No. 38-3.

**Comment No. 44-9**

10. Alternatives to land-use including a possible pocket park.

**Response to Comment No. 44-9**

See Response to Comment No. A5-35.

**Comment No. 44-10**

11. Lack of HOA to protect Oak trees and common areas such as shared driveway on Mulholland Dr.

**Response to Comment No. 44-10**

See Responses to Comment Nos. A5-40 and A5-43.

**Comment No. 44-11**

12. Construction concerns impacting quality of life for a prolonged period of time (estimated to be a 30 month project).

We hope that you will hear our concerns and stop this project from happening.

**Response to Comment No. 44-11**

See Response to Comment No. A5-42.

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### 3. REVISIONS, CLARIFICATIONS, AND CORRECTIONS

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#### INTRODUCTION

This section provides corrections and additions that have been made to the text of the Draft EIR. These changes include revisions which have been made in response to comments on the Draft EIR; revisions that are necessary to clarify the Project description or the environmental analysis; and revisions to correct non-substantive errors in the text of the Draft EIR. The corrections and additions are organized by section and page number as they appear in the Draft EIR. Text deleted from the Draft EIR is shown in ~~strikethrough~~ and new text is underlined. None of the following additions or corrections to the Draft EIR disclose a new significant impact or a substantial increase in the severity of a significant and unavoidable impact disclosed in the Draft EIR.

#### COVER

Under the “Project Description” heading, revise the second sentence to read: “Each residence would have three or four bedrooms and would have a maximum height of ~~three~~ two stories or 36 feet, as established by the Mulholland Scenic Parkway Specific Plan Inner Corridor regulations.” (Refer to Responses to Comment Nos. A3-14, A5-32, 14-1, 43-20, and 43-52 in Section 2.)

Under the “Project Description” heading, delete the fourth sentence as follows: “~~There would also be 38 covered parking spaces for residents.~~” (Refer to Response to Comment No. A5-31 in Section 2.)

Under the “Project Description” heading, revise the fifth sentence to read: “A new ~~public~~ private street constructed to public street standards would provide vehicular access from San Feliciano Drive to 11 of the homes.” (Refer to Response to Comment No. A5-24 in Section 2.)

#### SECTION I. INTRODUCTION

On page I-1, revise the second sentence of the first paragraph under the “Proposed Project” heading to read: “Each residence would have three or four bedrooms and would have a maximum height of ~~three~~ two stories or 36 feet, as established by the Mulholland Scenic Parkway Specific Plan Inner Corridor regulations.” (Refer to Responses to Comment Nos. A3-14, A5-32, 14-1, 43-20, and 43-52 in Section 2.)

On page I-1, revise the last sentence of the first paragraph under the “Proposed Project” heading to read: “The Project would provide a total of 38 covered parking spaces, ~~including~~ consisting of a two-car garage for each unit.” (Refer to Response to Comment No. A5-31 in Section 2.)

On page I-1, revise the first sentence of the fourth paragraph to read: “For site access, the Project proposes to construct a new ~~public~~ private street, with a 54-foot wide right-of-way, which would extend from San Feliciano Drive into the Project Site and would end in a cul-de-sac, providing access to 11 of the proposed homes.” (Refer to Response to Comment No. A5-24 in Section 2.)

On page I-1, revise the last sentence to read: “The Project would utilize ~~four~~ six retaining walls ranging from 0.5 to ~~49~~ 11 feet in height in lieu of slopes to reduce the number of impacted coast live oak trees.” (Refer to Response to Comment No. A5-30 in Section 2.)

## SECTION II. SUMMARY

On page II-1, revise the second sentence of the first paragraph to read: “Each residence would have three or four bedrooms and would have a maximum height of ~~three~~ two stories or 36 feet, as established by the Mulholland Scenic Parkway Specific Plan Inner Corridor regulations.” (Refer to Responses to Comment Nos. A3-14, A5-32, 14-1, 43-20, and 43-52 in Section 2.)

On page II-1, revise the last sentence of the first paragraph to read: “The Project would provide a total of 38 covered parking spaces, ~~including~~ consisting of a two-car garage for each unit.” (Refer to Response to Comment No. A5-31 in Section 2.)

On page II-30, add the following text before the start of Table II-2, Project Conditions of Approval:

However, many of the Conditions of Approval identified in the 2004 Initial Study reiterate existing regulatory compliance measures, or have been replaced with updated regulations since the study. Therefore, only measures which mitigate impacts beyond regulatory standards are carried forward and incorporated into the Mitigation Monitoring Program. The following defines which Conditions of Approval have been determined to be appropriate for the Mitigation Monitoring Program:

### Mitigation Measures

**Cultural Resources:** Conditions for the inadvertent discovery of archeological resources and human remains, with monitoring beyond Municipal Code standards, are included in the MMP. Mitigations for the inadvertent discovery of paleontological resources were replaced with a more stringent mitigation program requiring monitoring during all grading activities.

### Regulatory Compliance Measures

**Geology and Soils:** Conditions require compliance with submitted Geotechnical Reports and cite conformance with the City of Los Angeles Building Codes and Municipal Codes, which reflects regulatory compliance, and are therefore not included in the MMP.

**Hydrology and Water Quality:** Conditions require compliance with various City codes pertaining to SUSMP and implementation of BMP, which reflects regulatory compliance, and are therefore not included in the MMP.

**Public Services:** Conditions include payments to schools and libraries already required by the City as part of the building permit application and subdivision process. In addition, conditions regarding fire safety have since been updated and superseded, and are included as regulatory compliance as part of the submitted Fire Department tract map conditions. Since these conditions all reflect regulatory compliance, they are not included in the MMP.

Utilities and Service Systems: Conditions require applicant payment of any required infrastructure upgrades, and conformance with standard conservation measures identified in a 2004 letter from the Los Angeles Department of Water and Power. Current building codes already require energy and water efficiency for buildings. Therefore, since these measures reflect regulatory compliance, they are not included in the MMP.

### SECTION III. PROJECT DESCRIPTION

On page III-1, revise the fourth sentence of the last paragraph to read: “Each unit would have three or four bedrooms and would have a maximum height of ~~three~~ two stories or 36 feet, as established by the Mulholland Scenic Parkway Specific Plan Inner Corridor regulations.” (*Refer to Responses to Comment Nos. A3-14, A5-32, 14-1, 43-20, and 43-52 in Section 2.*)

On page III-2, in Table III-1, change all references reading “New ~~Public~~ Street” to “New Private Street”. (*Refer to Response to Comment No. A5-30 in Section 2.*)

On pages III-3 and III-5 (Figure III-1, Regional and Vicinity Map and Figure III-3, Aerial Photograph of Project Site), the figures have been revised to indicate that a small sliver of land along San Feliciano Drive (APN 2076020900) that is owned by the Los Angeles Department of Water and Power is not a part of the Project Site. The revised figures are provided at the end of this Section.

On page III-7, revise the first sentence in the paragraph under the “Parking” sub-heading to read: “In compliance with the standard parking requirements of the Los Angeles Municipal Code (LAMC), the Project would be providing two covered parking spaces per dwelling unit in the form of two-car garages, for a total of 38 covered parking spaces for the 19 single-family homes.” (*Refer to Response to Comment No. A5-31 in Section 2.*)

On page III-7, revise the second sentence in the paragraph under the “Parking” sub-heading to read: “~~Public~~ Parking would be available on the proposed ~~public~~ private street, plus spaces in private driveways would accommodate parking for guests and visitors.” (*Refer to Response to Comment No. A5-30 in Section 2.*)

On page III-7, revise the second sentence in the paragraph under the “Street Lighting” sub-heading to read: “Street lighting on the new ~~public~~ private street would be consistent with City standards.” (*Refer to Response to Comment No. A5-30 in Section 2.*)

On page III-8, revise the third paragraph under the “Site Grading” sub-heading to read: “All manufactured slopes would have a maximum horizontal to vertical ratio of 2 to 1. The project would utilize retaining walls in lieu of slopes to preserve additional protected species trees on the Project Site. ~~Three~~ Six irregularly shaped retaining walls are proposed. The locations of the walls are shown on Figure III-4. The maximum height of the walls would be ~~40.5~~ 11 feet, which would occur on Lot 10.” (*Refer to Response to Comment No. A5-30 in Section 2.*)

On page III-8, revise the paragraph under the “Access” sub-heading to read: “Direct access to the Proposed Project homes would be from (i) a new ~~public~~ private street to run from San Feliciano Drive into the site,

providing access to 11 homes, and terminating in a cul-de-sac, (ii) direct driveways from San Feliciano Drive for four of the homes, and (iii) a private driveway from Mulholland Drive giving access to four other homes. The new ~~public~~ private street would be approximately 54 feet wide (including sidewalks) and would not be gated. The Proposed Project layout is shown in Figure III-4. A deceleration lane and an acceleration lane, each 100 feet in length, would be added to the westbound side of Mulholland Drive in order to facilitate safe entry to and exit from the proposed private driveway. (Refer to Responses to Comment Nos. A3-7 and A5-24 in Section 2.)

On pages III-12 and III-13, revise the sentence at the bottom and top of the two pages to read: “The Project proposes six retaining walls with a total of ~~510~~ 640 linear feet.” (Refer to Response to Comment No. A5-30 in Section 2.)

#### **SECTION IV. ENVIRONMENTAL SETTING**

No corrections required.

#### **SECTION V.A. IMPACTS FOUND TO BE LESS THAN SIGNIFICANT**

On page V.A-4, change Regulatory Compliance Measure A-1 to Mitigation Measure A-1.

On page V.A-5, delete Regulatory Compliance Measure A-2, as it has been replaced by Mitigation Measures A-3 through A-7.

On page V.A-7, revise Mitigation Measure A-7 to read as follows:

**A-7** The monitor shall maintain daily monitoring logs that include the location where monitoring was conducted, the rock unit encountered, fossil specimens or samples recovered, and associated specimen or sample data and corresponding geologic and geographic site data. A final technical report of findings summarizing the results of the mitigation program shall be prepared by the paleontologist. The report shall be prepared in accordance with ~~SVP~~ Society of Vertebrate Paleontology and museum repository requirements.

On page V.A-8, change Regulatory Compliance Measure A-8 to Mitigation Measure A-8 and revise subparts (d) and (e) to read as follows:

- d. The most likely descendant has 48 hours after being allowed access to the site to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- e. If the descendant does not make recommendations within 48 hours after being allowed access to the site, the owner shall reinter the remains in an area of the property secure from further disturbance.

On page V.A-9, add Mitigation Measure A-9 as follows:

A-9 Prior to commencing any ground disturbance activities including excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site, the Applicant, or its successor, shall retain and pay for archeological monitors, determined by the City's Office of Historic Resources to be qualified to identify subsurface tribal cultural resources. The archeological monitors shall observe all ground disturbance activities on the project site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archeological monitor shall be assigned to each location where the ground disturbance activities are occurring.

Prior to the commencement of any ground disturbance activities at the project site, the Applicant, or its successor, shall notify any California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project that ground disturbance activities are about to commence and invite the tribes to observe the ground disturbance activities, if the tribes wish to monitor.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by the qualified archeologist, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning, Office of Historic Resources.
2. If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
3. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the Applicant, or its successor, reasonably concludes that the tribe's recommendations are reasonable and feasible.
4. In addition to any recommendations from the applicable tribe(s), a qualified archeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.

5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the archaeologist; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.

6. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by a qualified archaeologist and determined to be reasonable and appropriate.

7. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 5 above.

8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.

9. Notwithstanding paragraph 8 above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and shall comply with the City's AB 52 Confidentiality Protocols.

On page V.A-12, the paragraph following the second question (in bold type) has been deleted and replaced with new text as follows:

~~Currently, the existing largely unimproved Project Site drains northeasterly into the abandoned Department of Water and Power Girard Reservoir, which carries off-site drainage into the San Feliciano storm drain. The Proposed Project would result in an improved site that would convey runoff via streets into the same storm drain system, and no impacts are anticipated to occur.~~

Storm runoff from the entire Project Site is currently conveyed by overland flow into the existing Los Angeles County Flood Control District (LACFCD) storm drain system in San Feliciano Drive.

Portions of the existing 81-inch County storm drain system and its fifteen-foot easement currently run through the southwest portion of the site. Storm runoff travels from the eastern, southern, and western ends of the Project Site to the middle of the site and flow north toward San Feliciano Drive. The easterly boundary of the site is bordered by the Girard Reservoir. An existing 30-inch City storm drain system parallel to the centerline of Mulholland Drive collects runoff from the southern side of the road. The runoff from the northern side of Mulholland Drive and the associated undeveloped area along the road right-of-way is currently conveyed by overland flow into the Project Site, where it is ultimately conveyed to the existing LACFCD system.

Following Project development, runoff from the undeveloped and preserved open space portion of the Project Site would follow its existing natural flow path through native vegetation along Girard Reservoir into the existing LACFCD storm drain system at San Feliciano Drive. In addition to this natural flow, runoff from a portion of the developed area on-site would be collected by drainage inlets, which would then join the overland flow from the open space area of the site in the natural drainage course. Runoff from the remainder of the developed portion of the Project Site would be conveyed and collected by catch basins on-site for treatment prior to conveyance into the existing LACFCD storm drain system. As shown in Appendix E, the differences in the pre-Project and post-Project peak runoff flow rates is small enough to be considered negligible. Therefore, no impacts are anticipated to occur.

*(Refer to Response to Comment No. 43-59 in Section 2.)*

On page V.A-17, the following paragraph has been added before the second paragraph (under the sub-heading “Recreation”):

As shown in the Mulholland Scenic Parkway Specific Plan (on Map 1), the proposed Mulholland Core Trail is located along the south side of Mulholland Drive across the roadway from the southern boundary of the Project Site. The State Legislature has also designated the proposed Rim of the Valley Trail along this routing. The Proposed Project would not have any direct effect on these trails, as the Project would not make any modification to the south side of Mulholland Drive. The visual impact of the Project as experienced from these trails would be the same as is discussed in Section V.B, Aesthetics, of this Draft EIR for the Mulholland Drive corridor in general.

*(Refer to Response to Comment No. A3-9 in Section 2.)*

On page V.A-18, the second paragraph has been revised to read as follows:

The Project Site is served by the Los Angeles Aqueduct Filtration Plant (LAAFP), which has a capacity to treat approximately 600 million gallons per day (mgd) and is currently operating at 75 percent of its capacity. The current average annual flow through LAAFP is approximately 324 million gallons per day. LAAFP treatment capacity for any project is generally considered to be sufficient if the project’s water demand is accounted for in LADWP’s total City demand projections of the most recently adopted Urban Water Management Plan (UWMP). Demand projections in the UWMP are based upon growth projections developed by the Southern California Association of

Governments (SCAG) for use in their Regional Transportation Plan. These growth projections for the City of Los Angeles are based, in part, on the land use designations contained in the City Community Plans. Because the Proposed Project is consistent with the current land use designation of the Project Site, the growth it represents has been accounted for in the UWMP and would not constitute a significant impact with respect to water demand. The Proposed Project would consume approximately 4,807 gallons of water daily (or 0.005 mgd), and therefore, implementation of the Proposed Project is not expected to significantly alter existing treatment operations at the LAAFP measurably reduce the LAAFP's capacity. The Proposed Project would have a less than significant impact.

*(Refer to Response to Comment No. A1-1 in Section 2.)*

On page V.A-19, the second paragraph has been revised to read as follows:

The LADWP is responsible for providing water services to the Project Site. The LADWP can generally supply water to developments within its service area, except under extraordinary circumstances. The 2010 Urban Water Management Plan projects a supply of 555,477 AFY in 2015. Any shortfall in LADWP controlled supplies (groundwater, recycled, conservation, Los Angeles Aqueduct) is offset with MWD purchases to rise to the level of demand. The adequacy of water supply for a project is based on the project's consistency with the demographic projection from the Regional Transportation Plan (RTP) by the Southern California Association of Governments (SCAG). LADWP works closely with the City of Los Angeles, Department of City Planning to develop and update the UWMP every five years. The UWMP identifies short-term and long-term water resources management measures to meet growing water demands during normal, single-dry, and multiple-dry years over a 25-year horizon. The City's water demand projection in the UWMP was developed based on the RTP demographic projection by SCAG. In general, projects that conform to the demographic projection from the RTP by SCAG and are currently located in the City's service area are considered to have been included in LADWP's water supply planning efforts in the UWMP. Because the Proposed Project is consistent with the current Community Plan land use designation of the Project Site, the growth it represents is considered to have been accounted for in the UWMP and therefore would not constitute an addition to currently planned for levels of future water demand. Thus, the ~~The~~ Project would have a less than significant impact upon water supplies.

*(Refer to Response to Comment No. A1-2 in Section 2.)*

## **SECTION V.B. AESTHETICS**

On page V.B-15, revise the fourth full sentence in the first paragraph to read: "The proposed homes would have a maximum height of ~~three~~ two stories or 36 feet, as established by the Mulholland Scenic Parkway Specific Plan Inner Corridor regulations." *(Refer to Responses to Comment Nos. A3-14, A5-32, 14-1, 43-20, and 43-52 in Section 2.)*

On page V.B-15, revise the sixth sentence in the first paragraph to read: “Street lighting in conformance with City standards is proposed on the ~~public~~ private street that would enter the site from San Feliciano Drive.” (Refer to Response to Comment No. A5-24 in Section 2.)

On page V.B-17, revise the first sentence in the first bullet point to read: “A pair of irregularly shaped retaining walls is proposed to wrap around Lots 9 and 10. In total these walls would be approximately 120 feet in length and would have variable heights ranging up to approximately ~~49~~ 11 feet.” (Refer to Response to Comment No. A5-30 in Section 2.)

On page V.B-17, revise the first sentence in the third bullet point to read: “A sixth retaining wall would be located in the front yard of Lot 13 adjacent to the proposed ~~public~~ private street right-of-way.” (Refer to Response to Comment No. A5-24 in Section 2.)

On page V.B-20, revise the second sentence in the first paragraph under the “Light and Glare Impacts” sub-heading to read “There would be lighting from the low intensity carriage lights proposed to be mounted on the exterior walls of the homes and from the minimum level of ~~public~~ street lighting required by the City.” (Refer to Response to Comment No. A5-24 in Section 2.)

On pages V.B-24 and V.B-25, Project Design Feature B-1 has been revised to read as follows:

**B-1** The Project Applicant shall prepare and implement a Landscape Plan. The Landscape Plan ~~shall~~ provides planting and maintenance guidance for common landscaped areas, slopes, and undeveloped building pads. The Project Applicant shall be responsible for the Plan's implementation until the individual homes are occupied by residents who will take over landscape maintenance responsibilities. The Landscape Plan shall be subject to the review and approval by the Mulholland Scenic Parkway Specific Plan Design Review Board and the City of Los Angeles' Planning Department prior to issuance of the grading permit. ~~To ensure its implementation, the Landscape Plan shall be incorporated into the Project's conditions of approval. Landscaping and irrigation for each lot shall be fully installed prior to the issuance of the Certificate of Occupancy for the residence on any individual lot.~~ Major features of the landscape plan shall include:

- 1) A listing of plant species appropriate for use for both temporary slope stabilization purposes and long-term landscaping designs for common slope and private yard areas. The plan shall emphasize the use of drought-tolerant, fire retardant, native plant species. Only non-invasive non-native plant species shall be included in the listing of acceptable planting materials. In addition, wherever practical, plants which are relatively pest resistant and which require a minimum of added nutrients shall be utilized in landscaping;
- 2) Retention of a landscape contractor thoroughly familiar with the provisions of the Landscape Plan for ongoing implementation of the Landscape Plan;
- 3) Preservation and protection of existing trees and shrubs, wherever possible. Procedures for the care and maintenance of native trees retained on the Project Site shall be specified, and shall include supplemental irrigation for trees located along the existing

fill slope supporting Mulholland Drive (including the areas in which Tree Nos. 18-35, 186, and 192 are located) during the rainy season. The Project Applicant shall provide protected tree maintenance information to the purchasers of individual homes within the Proposed Project; and

- 4) Utilization of a design that achieves the total screening of Project homes from the Mulholland Drive public right-of-way through the planting of new native trees and shrubs.

*(Refer to Response to Comment No. A3-18 in Section 2.)*

On page V.B-25, Project Design Feature B-2 has been revised to read as follows:

**B-2** ~~Entrance and all forms of street~~ Lighting within the Project Site shall focus illumination downward and into the Project Site. A combination of shielding, screening, and directing the lighting away from off-site areas shall be utilized to minimize "spill-over" effects onto adjacent roadways, properties and open space areas. Wherever possible, lighting fixtures shall be located on the shielded side of the visual barriers.

On page V.B-26, Project Design Feature B-5 has been revised to read as follows:

**B-5** Use of "glowing" fixtures that would be visible from adjacent properties ~~existing communities~~ or public roads shall be prohibited. A glowing fixture is a lantern style fixture, or any fixture that allows light through its vertical components.

On page V.B-26, Project Design Feature B-6 has been deleted as it is duplicative of Project Design Feature B-21:

~~**B-6** Exterior building finishes shall be non-reflective and use natural subdued tones.~~

On page V.B-26, Project Design Feature B-7 has been revised to read as follows:

**B-7** All roofs visible from Mulholland ~~Highway~~ Drive shall be surfaced with non-reflective materials.

On page V.B-27, Mitigation Measure B-12 has been revised to read as follows:

**B-12** The preserved trees, especially the protected species trees, within 50 feet of the proposed construction areas shall be fenced with a temporary chain-link (or similar) protective fence at their driplines (or at the location of approved encroachment) prior to the start of any on-site grading. This fencing shall remain intact until the City of Los Angeles' Planning Department or Urban Forestry Division, Bureau of Street ~~Maintenance~~ Services allows it to be removed or relocated.

On page V.B-27, Mitigation Measure B-14 has been revised to read as follows:

**B-14** No other on-site protected species trees shall be encroached upon within their driplines other than ~~what is being requested~~ those identified in the Horticultural Tree Report in Appendix G of the Draft EIR.

On page V.B-27, Mitigation Measure B-15 has been revised to read as follows:

**B-15** No over-excavation outside of any cut and/or fill slopes (“tops” or “toes”) for the proposed construction shall occur within the dripline of any on-site oak trees, unless required by the Project’s structural engineer and approved by the Department of Building and Safety Grading Division, Department of City Planning, and Urban Forestry Division, Bureau of Street Services.

On page V.B-27, Mitigation Measure B-16 has been revised to read as follows:

**B-16** No landscape, irrigation lines, utility lines, and/or grade changes shall be designed and/or installed within the dripline of any protected trees, unless approved by the ~~City of Los Angeles’~~ Department of City Planning Department or Urban Forestry Division, Bureau of Street Maintenance Services.

On page V.B-27, Mitigation Measure B-19 has been revised to read as follows:

**B-19** During construction, eExamination of the trees to be retained shall be performed monthly by a qualified arborist to ensure that they are being adequately protected and maintained. Prior to the ~~completion of the Project~~ issuance of a Certificate of Occupancy for each residence, a qualified arborist shall certify in a “letter of compliance” that all concerned tree policies have been adhered to.

On page V.B-28, Mitigation Measure B-21 has been revised to read as follows:

**B-21** All Project homes shall incorporate earth-tone palettes and non-reflective, ~~more~~ naturalistic building materials for exterior surfaces.

## **SECTION V.C. AIR QUALITY**

No corrections required.

## **SECTION V.D. BIOLOGICAL RESOURCES**

On page V.D-12, revise the second paragraph to read as follows:

Habitat values within the Project Site are substantially diminished because the areas adjacent to the site have become developed. The site is surrounded by existing development, heavily-traveled roadways, and highly disturbed areas. Although open space within Alizondo Park and lands administered by the Mountains Recreation and Conservation Authority (MRCA) is located proximate to the Project Site, development is present in between the Project Site and these open space areas. This development presents a barrier to wildlife movement from the Project Site to

these park areas, and vice-versa. Further, Mulholland Drive constitutes a danger to mobile organisms due to high traffic volumes. Because the site Project Site is isolated from any larger blocks of similar habitat, the features a limited extent of native vegetation communities on-site, and due to the corresponding low potential for movement through the disjunct parcels of open space or parkland in the vicinity, the site is not considered to be an important wildlife corridor.

*(Refer to Response to Comment No. A3-3 in Section 2.)*

On page V.D-20, add Mitigation Measure D-6 reading as follows:

**D-6** A 1600 et seq. notification shall be prepared if the CDFW determines any on-site feature to be jurisdictional following submission of a preliminary jurisdictional determination. This Notification for an LSA Agreement will facilitate the determination of avoidance and mitigation measures such as, but not limited to, avoidance or construction best management practices if impacts to any CDFW jurisdictional drainages identified on the Project Site are determined by CDFW. If on-site features are concluded to be jurisdictional by CDFW and would be impacted by the Project, mitigation measures may include, but are not limited to protection in perpetuity and enhancement of on- or off-site mitigation lands that include drainages as negotiated under the LSA Agreement.

*(Refer to Response to Comment No. A2-8 in Section 2.)*

On page V.D-20, add Project Design Feature D-7 reading as follows:

**D-7** Prior to the start of demolition activities at the Project Site, the Project Applicant shall contract with a pest control/pest extermination company to perform a survey of potential rodent issues on the Project Site. This survey will consist of setting traps for a period of time to establish whether or not a rodent problem exists. If a rodent problem is found, remediation shall begin approximately one month prior to the start of any demolition.

*(Refer to Response to Comment No. 42-4 in Section 2.)*

## **SECTION V.E. GREENHOUSE GAS EMISSIONS**

No corrections required.

## **SECTION V.F. HAZARDS AND HAZARDOUS MATERIALS**

No corrections required.

## **SECTION V.G. LAND USE AND PLANNING**

On page V.G-40, revise the second sentence in the second paragraph under the second bullet point to read: “The Project proposes six retaining walls with a total of ~~510~~ 640 linear feet.” *(Refer to Response to Comment No. A5-30 in Section 2.)*

**SECTION V.H. NOISE**

On page V.H-28, revise Mitigation Measure H-9 to read as follows:

**H-9** Temporary sound barriers, capable of achieving a sound attenuation of at least 12 dBA (e.g., construction sound wall with sound blankets) at 50 feet of distance, and capable of blocking the line-of-sight to the adjacent residences shall be installed ~~as feasible~~.

On page V.H-28, revise Mitigation Measure H-11 to read as follows:

**H-11** ~~The Project Applicant shall locate~~ Construction staging areas and the operation of earthmoving equipment shall be located as far away from vibration-sensitive receptors as possible.

On page V.H-28, revise Mitigation Measure H-12 to read as follows:

**H-12** ~~The Project Applicant shall ensure that~~ Heavily loaded trucks used during construction shall be restricted to Mulholland Drive and Topanga Canyon Road, and shall be routed away from residential streets surrounding the Project Site.

**SECTION V.I. TRANSPORTATION AND TRAFFIC**

On page V.I-19, revise the first two paragraphs under the “Project Access” sub-heading to read as follows:

A cul-de-sac new ~~public~~ private street, extending southerly into the Project Site from San Feliciano Drive, would provide vehicular access for 11 of the 19 homes. Four homes would have direct driveway access on San Feliciano Drive. A private driveway, extending northwesterly into the site from Mulholland Drive, would serve the four remaining homes. A deceleration lane and an acceleration lane on Mulholland Drive would also facilitate entry to and exit from this private driveway. There would be no internal vehicular connection between the new ~~public~~ private street and Mulholland Drive.

The new ~~public~~ private street would intersect a straight section of San Feliciano Drive. The speed limit on San Feliciano Drive is 25 miles per hour (MPH). Assuming a design speed of 35 MPH for San Feliciano Drive, i.e., 10 MPH higher than the 25 MPH speed limit, the current Caltrans Design Manual, 6th Edition indicates a stopping sight distance of 250 feet for a 35 MPH design speed. Stopping sight distance is the distance required by the driver of a vehicle, traveling at a given speed, to bring the vehicle to a stop after an object on the roadway becomes visible. In this case, the object would be either a vehicle on San Feliciano Drive proceeding toward the new ~~public~~ private street intersection or a vehicle on the new ~~public~~ private street waiting to turn onto San Feliciano Drive. Based on measurements on the Project tract map, it is estimated that a stopping sight distance of 250 feet would be provided for either vehicle at this new ~~public~~ private street location.

*(Refer to Response to Comment No. A5-24 in Section 2.)*

On page V.I-20, revise the paragraph under the “Parking” sub-heading to read: “In compliance with the standard parking requirements of the Los Angeles Municipal Code (LAMC), the Project would be providing two covered parking spaces per dwelling unit, in the form of two-car garages, for a total of 38 covered parking spaces for the 19 single-family homes. ~~Public~~ Parking would be available on the proposed ~~public~~ private street, plus spaces in private driveways would accommodate parking for guests and visitors.” (Refer to Responses to Comment Nos. A5-24 and A5-31 in Section 2.)

On page V.I-24, add Project Design Feature I-1 and revise the heading “Mitigation Measures” and subsequent text to read as follows:

## **PROJECT DESIGN FEATURES/MITIGATION MEASURES**

### **Project Design Features**

**I-1** To ensure that vehicles using the Project internal roadway are visible from westbound San Feliciano Drive, the red curb on the southeast corner of the internal Project roadway and San Feliciano Drive intersection will be extended. The red curb shall be continued for 25 feet along the straight curb on the south side of San Feliciano Drive to the east of the intersection.

### **Mitigation Measures**

Because no significant traffic impacts have been identified, no mitigation measures are required.

(Refer to Response to Comment No. A5-25 in Section 2.)

## **SECTION VI. GENERAL IMPACT CATEGORIES**

No corrections required.

## **SECTION VII. ALTERNATIVES**

No corrections required.

## **SECTION VIII. PREPARERS OF THE EIR AND PERSONS CONSULTED**

No corrections required.

**LEGEND:**

- TRACT BOUNDARY
- PROPOSED LOT LINE
- PROPOSED RETAINING WALL
- EASEMENT LINE (W=WIDTH)
- SD—SD PROPOSED STORM DRAIN
- S—S PROPOSED SANITARY SEWER
- 1020 PROPOSED CONTOUR
- (1020) EXISTING CONTOUR
- s—s EXISTING SANITARY SEWER
- sd—sd EXISTING STORM DRAIN
- g—g EXISTING GAS LINE
- w—w EXISTING WATER LINE
- STREET LIGHT
- ▲ TRAFFIC SIGNAL W/STREET LIGHT
- +○ FIRE HYDRANT
- GAS/WATER METER
- △ GAS/WATER VALVE
- ▲ SIGNAGE
- ▭ PROPOSED SLOPE
- TREE

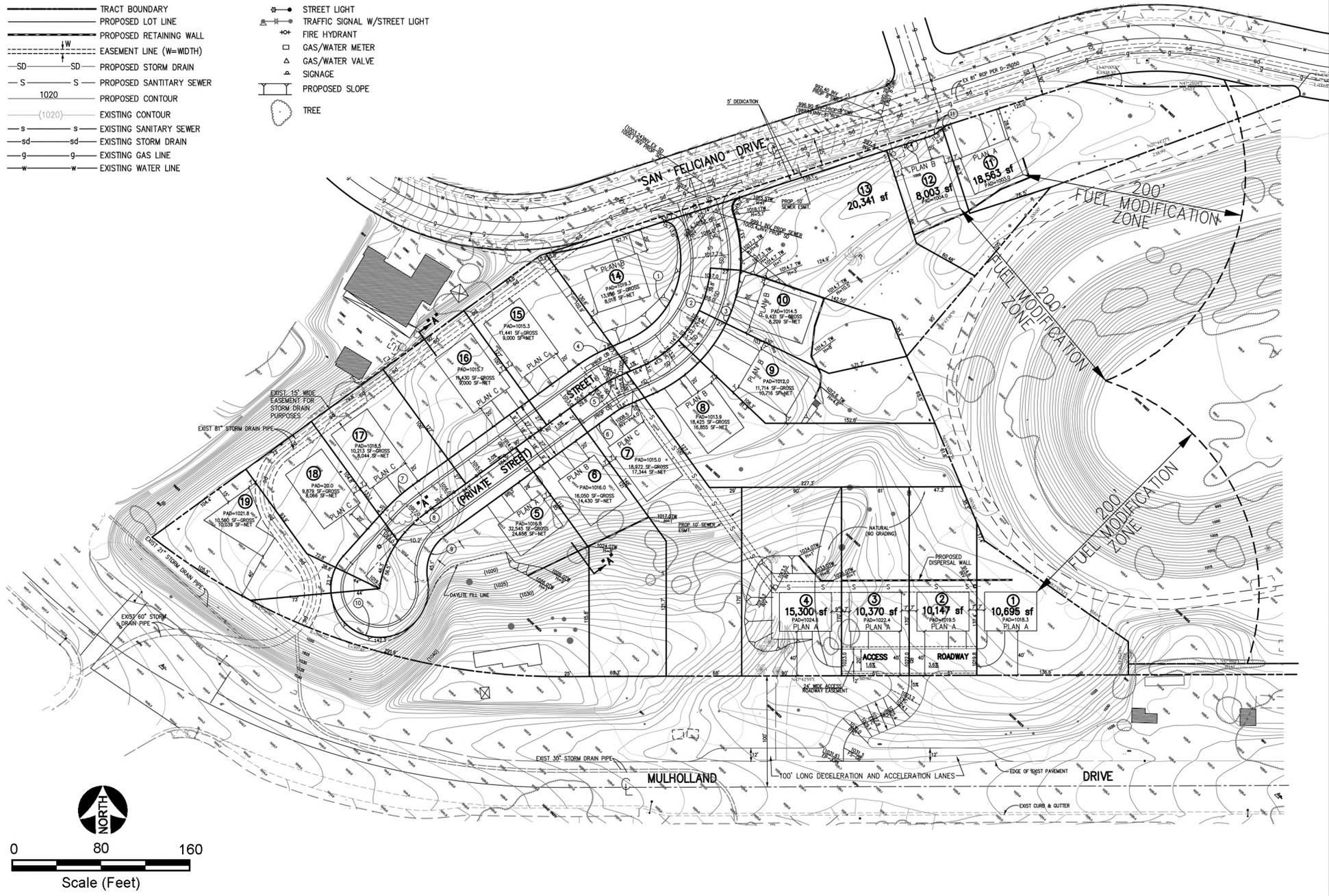
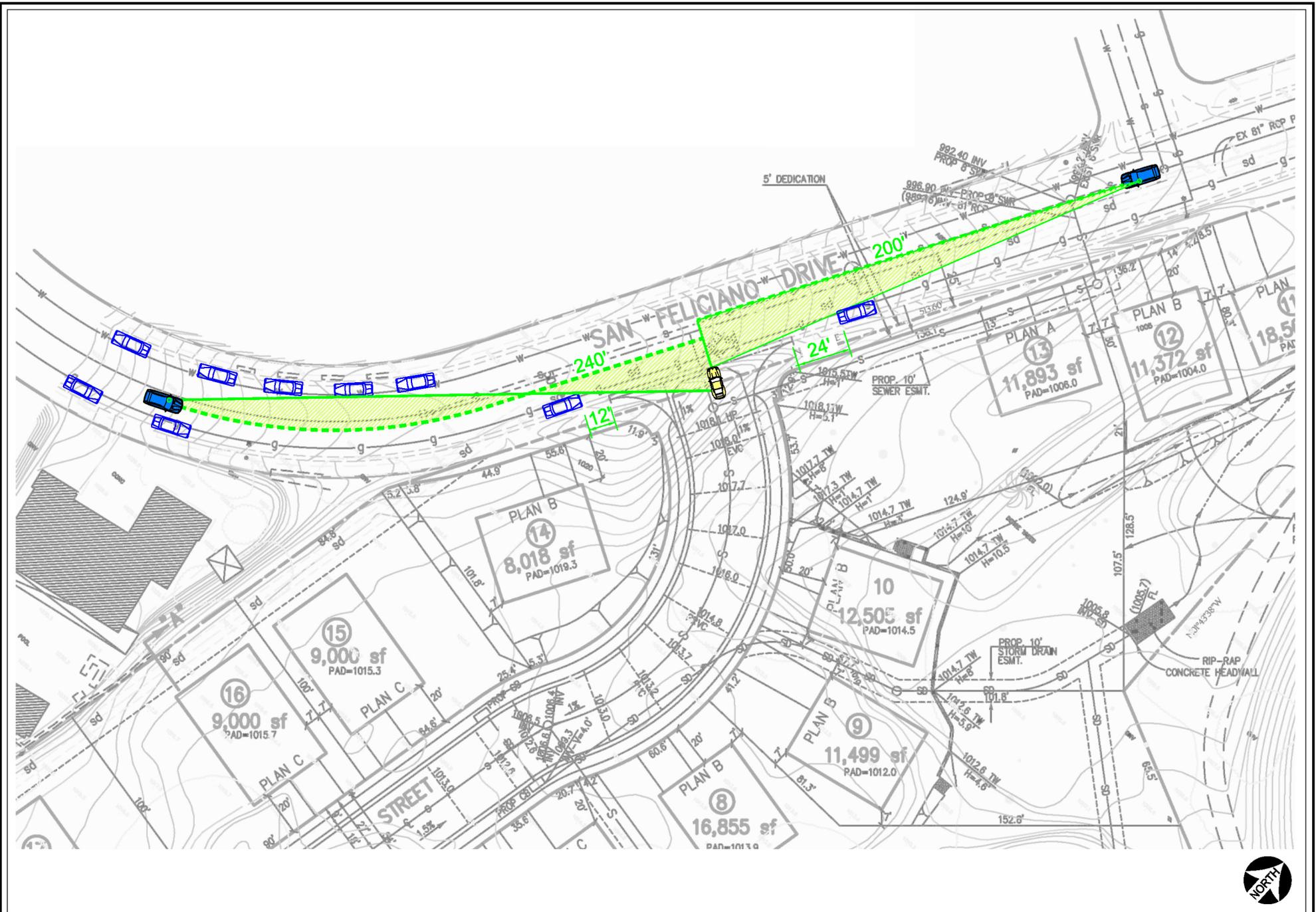


Figure 1  
Fuel Modification Buffer Area Map



Source: Crain & Associates, 2016.

Figure 2  
Stopping Sight Distance Analysis

# MITIGATION MONITORING PROGRAM

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**Vesting Tentative Tract No. 67505**

**Case Number: ENV-2005-2301-EIR**

**State Clearinghouse Number: 2005111054**

## **A. INTRODUCTION**

This Mitigation Monitoring Program (“MMP”) has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a “reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” In addition, Section 15097(a) of the State CEQA Guidelines requires that a public agency adopt a program for monitoring or reporting mitigation measures and project revisions, which it has required to mitigate or avoid significant environmental effects. This MMP has been prepared in compliance with the requirements of CEQA, Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines.

The City of Los Angeles is the Lead Agency for the Project and therefore is responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however, until mitigation measures have been completed, the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. The evaluation of the Project’s impacts takes into consideration project design features and identifies mitigation measures to avoid or reduce potentially significant environmental impacts. This MMP is designed to monitor implementation of the project design features and mitigation measures identified for the Project.

## **B. ORGANIZATION**

As shown on the following pages, each project design feature and mitigation measure for the Proposed Project is listed and categorized by impact area, with an accompanying discussion of the following:

- **Enforcement Agency:** The agency with the power to enforce the project design feature or mitigation measure;
- **Monitoring Agency:** The agency to which reports involving feasibility, compliance, implementation and development are made;
- **Monitoring Phase:** The phase of the Proposed Project during which the project design feature or mitigation measure shall be monitored;
- **Monitoring Frequency:** The frequency at which the project design feature or mitigation measure shall be monitored; and
- **Action Indicating Compliance:** The action of which the Enforcement or Monitoring Agency indicates that compliance with the required project design feature or mitigation measure has been implemented.

## **C. ADMINISTRATIVE PROCEDURES AND ENFORCEMENT**

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each project design feature and mitigation measure and shall be obligated to provide verification, as identified below, to the appropriate monitoring and enforcement agencies that each project

design feature and mitigation measure has been implemented. The Applicant shall maintain records demonstrating compliance with each project design feature and mitigation measure listed below. Such records shall be made available to the City upon request.

During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant, the election of which is in the sole discretion of the Applicant), approved by the City of Los Angeles Department of City Planning which approval shall not be reasonably withheld, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with mitigation measures and project design features within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of written notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

#### **D. PROGRAM MODIFICATION**

The project shall be in substantial conformance with the project design features and mitigation measures contained in this Mitigation Monitoring Program. The enforcing departments or agencies may determine substantial conformance with project design features and mitigation measures in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a project design feature or mitigation measure may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval, complies with CEQA Guidelines, Sections 15162 and 15164, including by preparing an addendum or subsequent environmental clearance to analyze the impacts from the modifications to or deletion of the project design features or mitigation measures. Any addendum or subsequent CEQA clearance shall explain why the project design feature or mitigation measure is no longer needed, not feasible, or the other basis for modifying or deleting the project design feature or mitigation measure. Under this process, the modification or deletion of a project design feature or mitigation measure shall not require a modification to any project discretionary approval unless the Director of Planning also finds that the change to the project design features or mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

# Mitigation Measures and Project Design Features

## Aesthetics

### *Project Design Features*

**B-1** The Project Applicant shall prepare and implement a Landscape Plan. The Landscape Plan shall provide planting and maintenance guidance for common landscaped areas, slopes, and undeveloped building pads. The Project Applicant shall be responsible for the Plan's implementation until the individual homes are occupied by residents who will take over landscape maintenance responsibilities. The Landscape Plan shall be subject to the review and approval by the Mulholland Scenic Parkway Specific Plan Design Review Board and the City of Los Angeles' Planning Department prior to issuance of the grading permit. Landscaping and irrigation for each lot shall be fully installed prior to the issuance of the Certificate of Occupancy for the residence on any individual lot. Major features of the landscape plan shall include:

- 1) A listing of plant species appropriate for use for both temporary slope stabilization purposes and long-term landscaping designs for common slope and private yard areas. The plan shall emphasize the use of drought-tolerant, fire retardant, native plant species. Only non-invasive non-native plant species shall be included in the listing of acceptable planting materials. In addition, wherever practical, plants which are relatively pest resistant and which require a minimum of added nutrients shall be utilized in landscaping;
- 2) Retention of a landscape contractor thoroughly familiar with the provisions of the Landscape Plan for ongoing implementation of the Landscape Plan;
- 3) Preservation and protection of existing trees and shrubs, wherever possible. Procedures for the care and maintenance of native trees retained on the Project Site shall be specified, and shall include supplemental irrigation for trees located along the existing fill slope supporting Mulholland Drive (including the areas in which Tree Nos. 18-35, 186, and 192 are located) during the rainy season. The Project Applicant shall provide protected tree maintenance information to the purchasers of individual homes within the Proposed Project; and
- 4) Utilization of a design that achieves the total screening of Project homes from the Mulholland Drive public right-of-way through the planting of new native trees and shrubs.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Pre-construction and Construction

**Monitoring Frequency:** Once, at plan check; Once, prior to issuance of any Certificate of Occupancy

**Action Indicating Compliance:** Issuance of Certificate of Occupancy

- B-2** Lighting within the Project Site shall focus illumination downward and into the Project Site. A combination of shielding, screening, and directing the lighting away from off-site areas shall be utilized to minimize "spill-over" effects onto adjacent roadways, properties and open space areas. Wherever possible, lighting fixtures shall be located on the shielded side of the visual barriers.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

- B-3** Lighting fixtures that cut off light directed to the sky shall be installed in combination with an expanded tree canopy to minimize atmospheric light pollution.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

- B-4** The use of exterior up-lighting fixtures for building facades and trees shall be prohibited. Only down-lighting for exterior-building mounted fixtures shall be permitted.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

- B-5** Use of "glowing" fixtures that would be visible from adjacent properties or public roads shall be prohibited. A glowing fixture is a lantern style fixture, or any fixture that allows light through its vertical components.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

- B-7** All roofs visible from Mulholland Drive shall be surfaced with non-reflective materials.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

### *Mitigation Measures*

- B-11** The replacement trees shall be planted in the newly landscaped areas of the Project.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during planting

**Action Indicating Compliance:** Field inspection sign-off

- B-12** The preserved trees, especially the protected species trees, within 50 feet of the proposed construction areas shall be fenced with a temporary chain-link (or similar) protective fence at their driplines (or at the location of approved encroachment) prior to the start of any on-site grading. This fencing shall remain intact until the City of Los Angeles' Planning Department or Urban Forestry Division, Bureau of Street Services allows it to be removed or relocated.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- B-13** All footing excavations within the driplines shall be dug by hand work only, to a maximum depth of 5 feet (or to a depth that CAL-OSHA, OSHA or local codes allow). Any excavation below the approved depth may be done with acceptable machinery. All footings within the preserved tree driplines shall be of “post type” rather than of “continuous type” to lessen potential root damage.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- B-14** No other on-site protected species trees shall be encroached upon within their driplines other than those identified in the Horticultural Tree Report in Appendix G of the Draft EIR.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- B-15** No over-excavation outside of any cut and/or fill slopes (“tops” or “toes”) for the proposed construction shall occur within the dripline of any on-site oak trees, unless required by the Project’s structural engineer and approved by the Department of Building and Safety Grading Division, Department of City Planning, and Urban Forestry Division, Bureau of Street Services.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- B-16** No landscape, irrigation lines, utility lines, and/or grade changes shall be designed and/or installed within the dripline of any protected trees, unless approved by the Department of City Planning Department or Urban Forestry Division, Bureau of Street Services.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- B-17** The bare areas within the driplines of any on-site or overhanging protected trees, or within 50 feet of approved grading/construction near protected trees shall be covered with an insect and disease free organic mulch (minimum depth of 2 inches thick and no closer than 6 inches from their trunks and extending to approximately 10 feet outside the dripline).

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- B-18** Mature protected trees to be retained shall be examined by a qualified arborist prior to the start of construction. Some of the Project's saved protected trees are in need of minor dead wood removal. No major structural pruning shall be permitted. A qualified arborist shall complete all dead wood removal and/or pruning.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- B-19** During construction, examination of the trees to be retained shall be performed monthly by a qualified arborist to ensure that they are being adequately protected and maintained. Prior to the issuance of a Certificate of Occupancy for each residence, a qualified arborist shall certify in a “letter of compliance” that all concerned tree policies have been adhered to.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- B-20** Copies of the Horticultural Tree Report for the Project, the City’s Protected Tree ordinance, and the Mulholland Scenic Parkway Specific Plan shall be maintained on-site during all Project construction.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- B-21** All Project homes shall incorporate earth-tone palettes and non-reflective, naturalistic building materials for exterior surfaces.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety, Department of City Planning

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Plan Review

**Action Indicating Compliance:** Plan Approval

- B-22** All public utilities shall be situated underground.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Plan Review

**Action Indicating Compliance:** Plan Approval

### **Air Quality**

#### ***Mitigation Measures***

**C-1** All off-road construction equipment greater than 50 hp shall meet U.S. EPA Tier 3 emission standards, where available, to reduce NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions at the Project Site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

**Enforcement Agency:** SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety, Department of City Planning

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

**C-2** The use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) shall be required. If the City determines that 2010 model year or newer diesel trucks cannot be obtained, the City shall require trucks that meet U.S. EPA 2007 model year NO<sub>x</sub> emissions requirements in their place.

**Enforcement Agency:** SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety, Department of City Planning

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

**C-3** At the time of mobilization of each applicable unit of equipment, a copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided to the City.

**Enforcement Agency:** SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety, Department of City Planning

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign off

## **Biological Resources**

### *Mitigation Measures*

- D-1** The 15 removed coast live oak trees shall be replaced with a minimum 36-inch box-size specimen coast live oaks at a minimum 2:1 ratio.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during planting

**Action Indicating Compliance:** Field inspection sign-off

- D-2** Native trees and shrubs shall be utilized on-site in the landscape plan. Commercially available ornamental trees may be utilized on-site as long as 1) the species is not prohibited for installation by the City of Los Angeles Public Works Department along right-of-ways, and 2) the species has not been identified by the California Invasive Plant Council as an invasive risk in Southern California.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Landscape Plan Review

**Action Indicating Compliance:** Landscape Plan Approval

- D-3** Habitat alteration or removal shall be performed outside of the bird nesting season which extends approximately from March 15 through July 31. Should habitat need to be removed during bird nesting season, a detailed nesting survey must be performed by a qualified biologist to determine if active nests are present prior to removal of support resources.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction and Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- D-4** Construction fencing (orange safety fencing) shall be placed around the perimeter of the work site during periods of active construction work, including site grading. Periodic monitoring to insure that fence boundaries are maintained shall be conducted.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- D-5** Written and verbal instructions will be provided to all construction personnel on-site contractually obligating these personnel to respect the natural environment and to avoid, to the extent feasible, causing intentional harm to wildlife on-site during construction activity.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- D-6** A 1600 et seq. notification shall be prepared if the CDFW determines any on-site feature to be jurisdictional following submission of a preliminary jurisdictional determination. This Notification for an LSA Agreement will facilitate the determination of avoidance and mitigation measures such as, but not limited to, avoidance or construction best management practices if impacts to any CDFW jurisdictional drainages identified on the Project Site are determined by CDFW. If on-site features are concluded to be jurisdictional by CDFW and would be impacted by the Project, mitigation measures may include, but are not limited to protection in perpetuity and enhancement of on- or off-site mitigation lands that include drainages as negotiated under the LSA Agreement.

**Enforcement Agency:** Los Angeles Department of Building and Safety; California Department of Fish and Wildlife

**Monitoring Agency:** Los Angeles Department of Building and Safety; California Department of Fish and Wildlife

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Prior to issuance of a Grading Permit

**Action Indicating Compliance:** Grading Permit issuance

### *Project Design Features*

**D-7** Prior to the start of demolition activities at the Project Site, the Project Applicant shall contract with a pest control/pest extermination company to perform a survey of potential rodent issues on the Project Site. This survey will consist of setting traps for a period of time to establish whether or not a rodent problem exists. If a rodent problem is found, remediation shall begin approximately one month prior to the start of any demolition.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Once, prior to start of demolition activities

**Monitoring Frequency:** Once, at notification

**Action Indicating Compliance:** Demolition approval

### Cultural Resources

#### *Mitigation Measures*

- A-1** If any archaeological materials are encountered during the course of Project development, all further development activity shall be halted in the area of the discovery and:
- a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center located at California State University Fullerton, or a member of the Society of Professional Archaeologists (SOPA), or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact.
  - b. The archaeologist's survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study, or report.

- d. Project development activities may resume once copies of the archaeological survey, study, or report are submitted to the South Central Coastal Information Center at California State University Fullerton.
- e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** If materials are encountered

**Action Indicating Compliance:** Field inspection sign-off

- A-3** Prior to construction, the services of a qualified vertebrate paleontologist approved by the Los Angeles County Vertebrate Paleontology Department (LACM) and the City of Los Angeles shall be retained to implement a mitigation program during earth-moving activities associated with development of the parcel.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once prior to start of construction

**Action Indicating Compliance:** Field inspection sign-off

- A-4** The paleontologist shall develop a formal agreement with a recognized museum repository, such as the LACM, regarding the final disposition and permanent storage and maintenance of any fossil remains, as well as the archiving of associated specimen data and corresponding geologic and geographic site data, that might be recovered as a result of the mitigation program, and the level of treatment (preparation, identification, curation, cataloguing) of the remains that would be required before the entire mitigation program fossil collection would be accepted by the repository for storage.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once prior to start of construction

**Action Indicating Compliance:** Field inspection sign-off

- A-5** Earth-moving activities (particularly grading and trenching for pipelines) shall be monitored by a paleontologic construction monitor. Monitoring shall include the inspection of fresh exposures created by grading of the unnamed marine shale and in the younger alluvium to allow for the recovery of larger fossil remains. Monitoring will be conducted on a full-time basis in areas underlain by the marine shale, and a half-time basis once trenching has reached a depth 5 feet below previous grade in areas underlain by younger alluvium. As soon as practicable, the monitor shall recover all vertebrate fossil specimens, a representative sample of invertebrate or plant fossils, or any fossiliferous rock or sediment sample that can be recovered easily. As warranted, fossiliferous sediment samples shall be recovered from the younger alluvium and processed to allow for the recovery of smaller fossil remains (total weight of samples will not exceed 6,000 pounds). The location and proper geologic context of any fossil occurrence or sampling site shall be documented, as necessary. The monitor shall have the authority to divert grading temporarily around a fossil site until the fossil remains have been evaluated and, if warranted, the remains and/or a fossiliferous rock or sediment sample have been recovered.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- A-6** All fossil specimens recovered from the Project Site as a result of the mitigation program, including those recovered as the result of processing fossiliferous sediment samples, will be treated (prepared, identified, curated, catalogued) in accordance with designated museum repository requirements. As appropriate, a sample of the marine shale will be submitted to a commercial laboratory for microfossil analysis; a sample of fossilized bone, shell, or wood from the younger alluvium will be submitted for carbon-14 dating analysis; and/or a sample of the alluvium will be submitted for pollen analysis.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** If materials are encountered

**Action Indicating Compliance:** Field inspection sign-off

- A-7** The monitor shall maintain daily monitoring logs that include the location where monitoring was conducted, the rock unit encountered, fossil specimens or samples recovered, and associated specimen or sample data and corresponding geologic and geographic site data. A final technical report of findings summarizing the results of the mitigation program shall be prepared by the paleontologist. The report shall be prepared in accordance with Society of Vertebrate Paleontology and museum repository requirements.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection and, for final report, once prior to issuance of Certificate of Occupancy

**Action Indicating Compliance:** Field inspection sign-off

- A-8** In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
- a. Stop immediately and contact the County Coroner.
  - b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the coroner has 24 hours to notify the Native American Heritage Commission.
  - c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.
  - d. The most likely descendant has 48 hours after being allowed access to the site to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
  - e. If the descendant does not make recommendations within 48 hours after being allowed access to the site, the owner shall reinter the remains in an area of the property secure from further disturbance.
  - f. If the owner does not accept the descendant's recommendations, the owner or the descendant may request mediation by the Native American Heritage Commission.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase: Construction****Monitoring Frequency: If materials are encountered**

**A-9** Prior to commencing any ground disturbance activities including excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site, the Applicant, or its successor, shall retain and pay for archeological monitors, determined by the City's Office of Historic Resources to be qualified to identify subsurface tribal cultural resources. The archeological monitors shall observe all ground disturbance activities on the project site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archeological monitor shall be assigned to each location where the ground disturbance activities are occurring.

Prior to the commencement of any ground disturbance activities at the project site, the Applicant, or its successor, shall notify any California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project that ground disturbance activities are about to commence and invite the tribes to observe the ground disturbance activities, if the tribes wish to monitor.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by the qualified archeologist, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning, Office of Historic Resources.
2. If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
3. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the Applicant, or its successor, reasonably concludes that the tribe's recommendations are reasonable and feasible.
4. In addition to any recommendations from the applicable tribe(s), a qualified archeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal

cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.

5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the archaeologist; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.
6. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by a qualified archaeologist and determined to be reasonable and appropriate.
7. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 5 above.
8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
9. Notwithstanding paragraph 8 above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and shall comply with the City's AB 52 Confidentiality Protocols.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

### **Hazards and Hazardous Materials**

#### *Mitigation Measures*

**F-3** A minimum of two full working days (48-hours) prior to the commencement of earthmoving activities on the Project Site, the grading contractor shall contact Underground Service Alert of Southern California (Dig Alert) to obtain a listing of underground utilities in the vicinity of the Project Site. The location of all pipelines in the vicinity of proposed grading shall be clearly marked prior to commencement of grading activities.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once, prior to issuance of Grading Permit

**Action Indicating Compliance:** Grading Permit issuance

### **Noise**

#### *Mitigation Measures*

**H-4** Construction and demolition activities shall be scheduled to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

**H-5** The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized. Examples include the use of drills, jackhammers, and pile drivers.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- H-6** Noise construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- H-7** Equipment warm-up areas, water tanks, and equipment storage areas shall be located a minimum of 150 feet from the adjacent, off-site residential buildings.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- H-8** All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dBA at 50 feet of distance.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- H-9** Temporary sound barriers, capable of achieving a sound attenuation of at least 12 dBA (e.g., construction sound wall with sound blankets) at 50 feet of distance, and capable of blocking the line-of-sight to the adjacent residences shall be installed.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- H-10** Two weeks prior to the commencement of construction at the Project Site, notification must be provided to the off-site residential uses located along Mulholland Drive and San Feliciano Drive, and to Louisville High School, disclosing the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Two weeks prior to construction

**Monitoring Frequency:** Once, at notification

**Action Indicating Compliance:** Contractor sign-off

- H-11** Construction staging areas and the operation of earthmoving equipment shall be located as far away from vibration-sensitive receptors as possible.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- H-12** Heavily loaded trucks used during construction shall be restricted to Mulholland Drive and Topanga Canyon Road, and shall be routed away from residential streets surrounding the Project Site.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

### **Transportation/Traffic**

#### ***Project Design Features***

- I-1** To ensure that vehicles using the Project internal roadway are visible from westbound San Feliciano Drive, the red curb on the southeast corner of the internal Project roadway and San Feliciano Drive intersection will be extended. The red curb shall be continued for 25 feet along the straight curb on the south side of San Feliciano Drive to the east of the intersection.

**Enforcement Agency:** LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Pre-occupancy

**Monitoring Frequency:** Once; prior to issuance of Certificate of Occupancy

**Action Indicating Compliance:** LADOT approval and issuance of Certificate of Occupancy