

Communication from Public

Name: Garrett Weinstein

Date Submitted: 05/06/2022 03:51 PM

Council File No: 22-0499

Comments for Public Posting: Honorable Councilmembers: On behalf of the Santa Monica Mountains Conservancy, please accept the attached letter (dated May 6, 2022) with embedded maps addressing the CEQA appeal for CF 22-0499 into the record. The Conservancy supports the appeal by community members in Council District 4. Please address any questions to the attention of Paul Edelman at 310-589-3200 ext. 128, or by e-mail at edelman@smmc.ca.gov. Thank you, Garrett Weinstein

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May 6, 2022

Los Angeles City Council
Public Works Committee
City Hall
200 N. Spring Street
Los Angeles, California 90012

Support for CEQA Appeal – CF 22-0499
Notice of Categorical Exemption
2669 N. Bronholly Drive – Griffith Park Ecosystem

Honorable Councilmembers:

As a CEQA trustee agency for the Santa Monica Mountains, the Santa Monica Mountains Conservancy (Conservancy) urges the City Council to support the above-referenced CEQA appeal of a project contiguous with the Griffith Park core habitat area and adjacent to wooded public-owned open space. A less damaging project is essential for the public trust.

To adequately maintain vital habitat connectivity through narrow-width natural areas, impact analyses of proposed hillside developments must address all potential adverse effects on – in this case - the precisely mapped habitat blocks in the Conservancy's 2017 adopted *Griffith Park Area Habitat Linkage Planning Map*. The subject Categorical Exemption includes no habitat linkage analysis or mention.

The project is in the Santa Monica Mountains Zone as defined in Section 33105 of the Public Resource Code. The State legislature has declared that the zone represents an environmental resource of critical concern. Los Angeles County has also designated the Griffith Park natural area as a Significant Ecological Area (SEA).

The potential impacts of this project have not been analyzed as a development proposal within a critical environmental resource of concern. The proposed project property is a key connectivity element within habitat block 39L of the *Griffith Park Area Habitat Linkage Planning Map*. Habitat block 39L includes an approximately 10.5-acre peninsula of natural land that is seamlessly connected to the greater Griffith Park ecosystem. The subject 2669 N. Bronholly project is located in the most-narrow of all choke points within this southern extension of precisely mapped habitat block 39L. In short, being at the most-narrow choke point, any project proximate to that critical choke

point has the enhanced potential to sever approximately ten acres of habitat from the larger ecosystem, in particular the movement of larger mammals, reptiles, and ground birds--such as California quail. As a choke point element that keeps 10 acres of precisely mapped habitat connected to the fragile Griffith Park ecosystem, the subject parcel is a critical environmental resource of concern. Attached maps show how the proposed project footprint closes off this chokepoint.

For the following reasons, the Conservancy urges the City Council to fully support the CEQA appeal from the Bronholly & Carolus Residents Coalition and to deny adoption of the Categorical Exemption issued by the Bureau of Street Services. We urge the City Council to deny the Categorical Exemption with prejudice and require a Mitigated Negative Declaration as the minimum level of CEQA review for residential development of the subject property. To ensure long-term habitat connectivity, the same standard should apply for other private lots within this described choke point of the southern extension of habitat block 39L.

Furthermore, any categorical exemption cannot be utilized where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances including a habitat linkage choke point in an imperiled urban ecosystem of regional significance.

Project Description is Incomplete

The project description in the Categorical Exemption is inadequate in multiple ways. The project description **does not include** the following direct impacts on adjacent public parkland (APN 5580-018-903) owned by the Mountains Recreation and Conservation Authority (MRCA):

- 1) Trenching for a sewer line connection on MRCA fee simple land to reach a City easement shown on the civil plans.
- 2) Additional annual required 200-foot brush clearance on MRCA public land containing City protected trees.
- 3) Substantial alteration of (above ground and subsurface) drainage patterns to a protected coast live oak and its root system on public land from project specific grading and street widening.
- 4) Grading on MRCA land for a depicted rear lot accessory structure with its related infrastructure.

- 5) Undermining a steep roadside slope on MRCA parkland by expanding a section of road in a public right-of-way that narrows to a width of less than 16 feet in front of the above-described public open space.

The project description is further deficient because it does not address the project being in an element of a State-adopted Natural Resource Protection Plan (NRPP). Specifically, the project is in a precisely mapped habitat block (39L) in the Conservancy's 2017 *Griffith Park Area Habitat Linkage Planning Map* that has long been made available to the City Planning Department. That linkage planning map is an element of the Conservancy's 2021 *Eastern Santa Monica Mountains NRPP*.

The project description is further deficient because it does not address the project being located within the habitat of a small sub-population of the State-listed candidate threatened southern California mountain lion. The project habitat is indisputably connected to the Griffith Park core habitat area and is frequented by mule deer, the lions' preferred prey.

A further deficiency of the project description is a failure to disclose proposed offsite grading on other private property along the southwest property boundary related to a proposed accessory structure.

Perhaps the most glaring deficiency of the project description is the absence of any mention of the proposed rear-yard accessory structure and its' related infrastructure on the submitted civil plans.

The failure to date to analyze the potential impacts of the proposed accessory structure and its related infrastructure constitutes project piecemealing.

The Categorical Exemption cannot be adopted because the project description is grossly incomplete.

Lack of Habitat Linkage Avoidance or Mitigation

The proposed project would not maintain a permanent protected habitat linkage between the Griffith Park core habitat area and approximately ten acres of contiguous natural land located south of the subject lot in habitat block 39L. Such a wildlife movement linkage currently exists through the property via the absence of any human constructed barriers and the presence of a broad swath of contiguous navigable terrain

and overall high-quality natural vegetation cover. This project's design failure to avoid or mitigate for impacts to a habitat chokepoint that could sever approximately 10 acres from the contiguous habitat area of the Griffith Park ecosystem remains a significant, unmitigated biological impact.

Both the southernmost ten acres of habitat block 39L, and the cluster of parcels (including 2669 N. Bronholly Drive) that form a chokepoint between Griffith Park proper and the ten acres, collectively constitute an environmental resource of critical concern identified by the Conservancy, a State agency under the Natural Resources Agency. A categorical exemption is an inadequate level of environmental review for this project. A Class 3 categorical exemption cannot be used to address impacts to an environmental resource of critical concern identified by a State resource agency. A Class 3 categorical exemption cannot be utilized where a project may impact on an environmental resource of critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies (in this case a State resource agency).

To sever ten acres of such State agency precisely mapped habitat without addressing the impacts in habitat block 39L and the biological connectivity it provides at this location is in direct conflict with the CEQA mandates.

The subject property is located within numbered habitat block 39L on the Conservancy's adopted *Griffith Park Area Habitat Linkage Planning Map*. This planning map is part of the Conservancy's *Eastern Santa Monica Mountains Natural Resource Protection Plan* adopted in December 2021. Habitat block 39L is fully contiguous with and part of the core habitat of Griffith Park. Maps are attached showing the subject project and the proposed development overlain on the boundary of habitat block 39L. Because of this high-quality connectivity to Griffith Park that includes additional MRCA lands, the full range of wildlife species in Griffith Park including mountain lion, mule deer, bobcat, and grey fox can use the full extent of the subject southern extension of habitat block 39L as a resource area, including as a refuge area from wildfires.

The subject lot is part of an uncommon north-facing slope habitat within this mapped habitat block that also includes several other MRCA-owned parcels. Upon consultation, the MRCA staff stated that they acquired property in this north-facing slope area because it supports many native trees and other resources limited to more mesic chaparral habitat. The most recent, successful forays of Griffith Park mountain lion P-22 deep into the streets of Silver Lake show both the capability and interest of local mountain

lions to frequently explore all edges of their territories. Any animal in Griffith Park can travel to the southern tip of habitat block 39L without having to cross a road.

The Santa Monica Mountain's evolutionarily significant mountain lion population is a State-listed candidate threatened species and currently receives all the protections of a listed threatened species. As part of a large contiguous core habitat area with high quality chaparral and woodland vegetation, the subject portion of habitat block 39L is without question mountain lion habitat and habitat for the species' principal prey mule deer. The proposed project would both eliminate mountain lion habitat and permanently degrade the ecological value of MRCA parkland via required annual fuel modification and via lighting impacts from the new habitable structure and accessory structure. The potential adverse impacts of this permanent new fuel modification area have not been analyzed. Because the project site has clear ecological value for a State candidate threatened species, a Class 32 Categorical Exemption cannot be utilized.

Peninsulas of high-quality connected habitat in the eastern Santa Monica Mountains (such as the southern extension of habitat block 39L) serve a vital role in providing refuges in an already challenged and ever shrinking habitat system that still supports sub-populations of numerous medium and large-bodied mammal species. Such outlying habitat refugia provide both every day ecological value to multiple species and critical escape areas in the event of wildfires. It is critical that a non-fenced, permanently protected, adequate width habitat linkage remain on the southwestern end of the subject private property; if not, approximately ten acres of habitat would be eliminated from the Griffith Park ecosystem for larger terrestrial animal access. To date this potential adverse habitat linkage impact has not been addressed or mitigated.

The precise tipping points of the Griffith Park ecosystem to no longer sustain healthy subpopulations of mountain lion, bobcat, grey fox, and mule deer is not definitively known, but to many ecologists it has all but been reached, and without question comes closer every year – even month - with both the increasing incremental reduction in soil moisture from global warming causing vegetation decline and ongoing additional residential development including ADUs.

Potential ecological impacts to the overall Griffith Park area ecosystem, on both an acre-by-acre and native tree-by-tree basis must be analyzed on a more amplified level because of the ecosystem's limited size and tenuous connection to the remainder of the mountain range west of the 101 freeway in the Cahuenga Pass. To adequately mitigate project impacts to this Griffith Park area ecological system, project impact analyses (of

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all potential disturbance footprints) and permanent habitat protection mechanisms must be amplified or the ecological capacity of perhaps the most unique urban ecosystem in the world will undoubtedly soon suffer significant, irreversible declines in mammal species health and diversity.

To date there has been no analysis of potential ecological impacts of proposed trenching on MRCA parkland to connect to a City sewer line located on the MRCA property. Both this proposed trenching/sewer pipe connection and slope grading come within a few feet of a protected coast live oak tree on public land. This grading would be on two sides of the tree's canopy and would substantially change soil drainage patterns on both the side of and above the tree.

The actual proposed onsite grading would come within two feet of the protected oak tree's trunk according to the latest available civil plans. That close margin does not account for slough, remedial grading, or equipment maneuvering. A proposed cut slope flirts with the oak tree trunk and eliminates many cubic yards of earth upslope directly next to the tree thus totally altering the hillside drainage above and adjacent to the tree. The grading plans must be altered to better buffer the oak tree's support system and protect the structural and ecological integrity of the adjacent MRCA parkland. As it stands, much of the oak tree's root system would be severed or exposed.

The Conservancy urges the City Council to fully support the CEQA appeal from the Bronholly & Carolus Residents Coalition and to deny adoption of the Categorical Exemption issued by the Bureau of Street Services.

I write this letter as a biologist with thirty-three years as an ecological professional in the eastern Santa Monica Mountains. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Edelman", written over a light blue rectangular background.

PAUL EDELMAN
Deputy Director
Natural Resources and Planning

39L Griffith Park

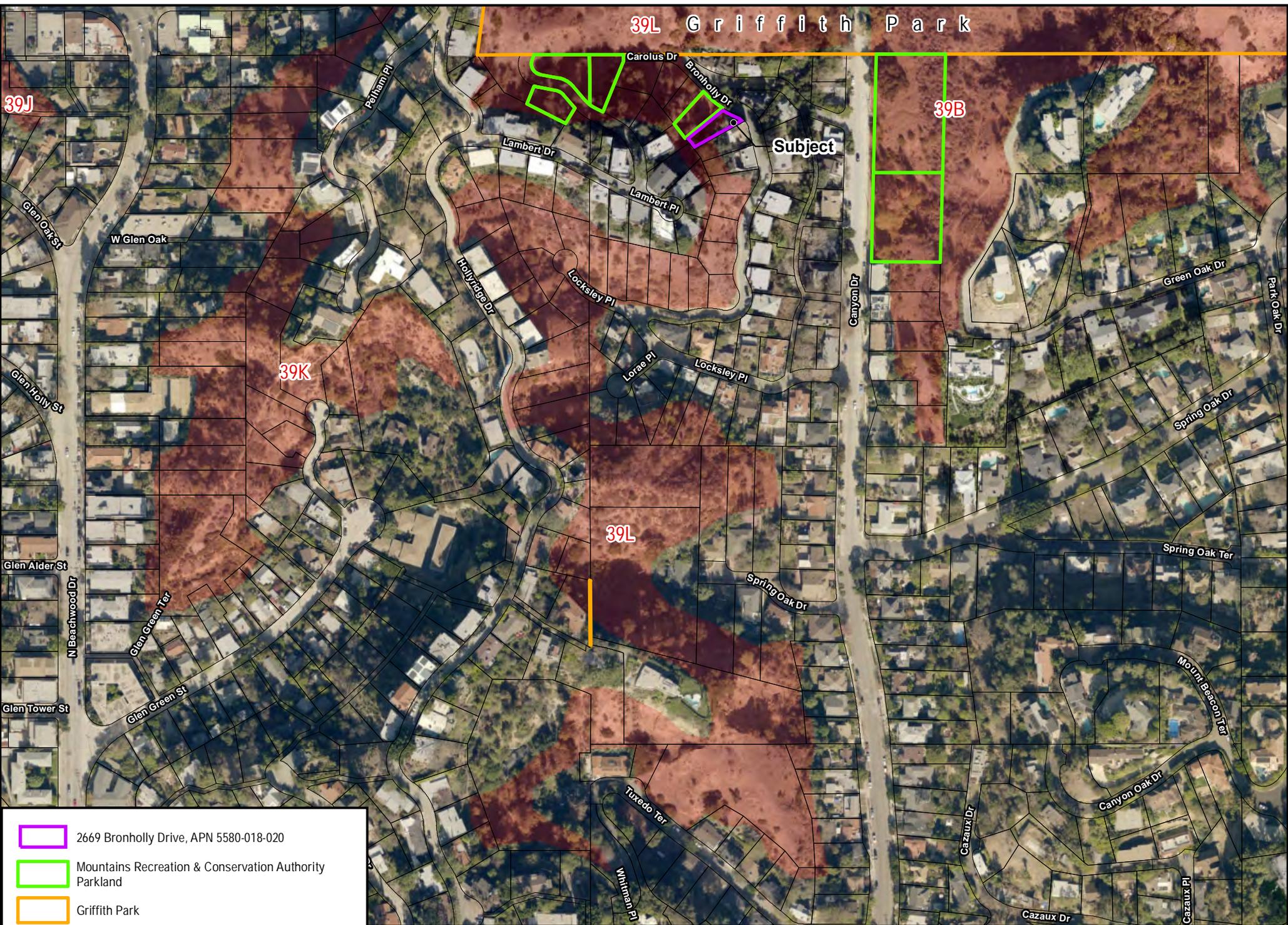
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Subject



-  2669 Bronholy Drive, APN 5580-018-020
-  Mountains Recreation & Conservation Authority Parkland
-  Griffith Park
-  Habitat Blocks (per Griffith Park Area Habitat Linkage Planning Map, adopted by the Santa Monica Mountains Conservancy December, 2017)

Habitat Block 39L

Griffith Park

Carolus Dr

Habitat Block 39L

Bronholly Dr

Habitat Block 39L
(continues further south)

2669 Bronholly Drive, APN 5580-018-020

Mountains Recreation & Conservation Authority
Parkland

Griffith Park

Habitat Blocks (per Griffith Park Area Habitat
Linkage Planning Map, adopted by the Santa Monica
Mountains Conservancy December, 2017)



 2669 Bronholly Drive, APN 5580-018-020

 Habitat Blocks (per Griffith Park Area Habitat Linkage Planning Map, adopted by the Santa Monica Mountains Conservancy December, 2017)

 Mountains Recreation & Conservation Authority Parkland

39L

39L

39L

39L continues further south

2661 Bronholly Drive

Bronholly Dr

2659 Bronholly Drive

