

SANTA MONICA MOUNTAINS CONSERVANCY

LOS ANGELES RIVER CENTER & GARDENS
570 WEST AVENUE TWENTY-SIX, SUITE 100
LOS ANGELES, CALIFORNIA 90065
PHONE (323) 221-8900
FAX (323) 221-9001
WWW.SMMC.CA.GOV



January 27, 2025

Erica Aguirre, AICP
Principal Planner, Subdivisions
Los Angeles County Regional Planning Department
320 West Temple Street, 13th Floor
Los Angeles, California 90012

**Comments on Draft Environmental Impact Report
for The Trails at Lyons Canyon Project, Project No. 2021-001195- (5)
Case No(s). Vesting Tentative Tract Map No. 83301 (RPPL 2021003061),
Conditional Use Permit No. RPPL 2021003113
Zone Change No. RPPL 2021003163, Oak Tree Permit No. RPPL 2021003070
SCH No. 2022060346**

Dear Ms. Aguirre:

The Santa Monica Mountains Conservancy (Conservancy) finds that the proposed project for 510 dwelling units (462 condominiums and 47 senior affordable apartments) in the Santa Susana Mountains/Simi Hills Significant Ecological Area as currently mitigated would result in significant biological impacts to both oak woodlands and the Santa Susana Mountains ecosystem carrying capacity.

The Conservancy concurs that Draft Environmental Impact Report's (DEIR) reduced footprint Alternative C is the Environmentally Superior Alternative. However, the selected Alternative C footprint unnecessarily creates an extensive need to export dirt, and it inexplicably makes a public trail system not part of the project even though there is more than ample space and terrain for such use north and west of the proposed development footprint.

These footprint design decisions appear to be rooted in intentionally making the case that Alternative C can only partially meet the Project Objectives. That case cannot be sufficiently made because an equivalent scale reduced development footprint can easily be shifted northward and a bit westward resulting in even less biological impacts, less-to-zero export of soil, and a full public trail system. It is obvious that that Project Objectives can be met with a revised reduced footprint alternative that does a substantially better job of avoiding biological impacts and the multiple impacts of hauling thousands of cubic yards of dirt offsite. The range of DEIR alternatives will remain inadequate without a more strategically configured reduced footprint alternative.

For all intents and purposes, any project that eliminates 23 acres of oak woodland, 100 acres of chaparral, and 35 acres of coastal sage scrub and cuts down 265-plus SEA protected trees cannot have biological impacts that can be mitigated below a level of significance. The protection of 467 off-site acres that can never be developed, and the planting of 772 native trees, is most welcomed, but it does virtually nothing scientifically supportable to offset the above loss of ecosystem capacity in the Santa Susana Mountains. If the proposed protected offsite acreage possessed the terrain and legal access characteristics to make it potentially developable, the value of the mitigation would be exponentially greater. The DEIR will remain inadequate until it concludes that the proposed project would result in unavoidable significant adverse biological impacts, requiring an expanded statement of overriding considerations. Most importantly, a better-crafted reduced footprint alternative, with greatly reduced habitat and native tree impacts, could be mitigated below a level of biological impact significance.

Deferred mitigation is not allowed under the California Environmental Quality Act. The DEIR includes a provision that allows the applicant to forgo undetermined percentages of the planting and seven-year monitoring of 772 native trees if the applicant contends that there is insufficient suitable area onsite to accommodate the trees. Instead, the applicant would pay into the County's oak tree mitigation fund. That County fund mitigation option is inadequately defined to permit adequate monitoring compliance, and it is deferred. The DEIR includes no analysis of how, and in what measure, the County oak tree mitigation fund biologically mitigates for the loss of SEA protected trees. The DEIR will remain inadequate until it eliminates the option for the loss of protected trees to be mitigated via the County's oak tree mitigation fund.

The DEIR will also remain inadequate if it allows for the counting of existing sapling protected trees in the open space areas towards the mitigation requirement of planting 772 trees. Those sapling trees are extant and merely counting and mapping them does not help mitigate the loss of mature trees. We emphatically urge the County not to go down the road of allowing any existing oak trees to count towards required numbers of newly planted replacement trees.

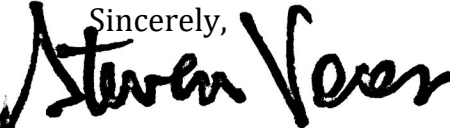
The FEIR must include language that prohibits the planting of any of the 772 mitigation trees within any portion of any either any Fire Department required fuel modification zone or otherwise landscaped area associated with the proposed development. Oak trees in fuel modification zones and in semi-formal landscaped areas on graded slopes and pads do not provide the range of ecological benefits of oak trees in undisturbed oak woodland conditions. We urge the County to require strong unambiguous FEIR mitigation and conditioning language that does not allow the planting of any of the 772 native mitigation trees in any portion of any either any Fire Department required fuel

modification zone or otherwise landscaped area associated with the proposed development.

Probably the two most intense infestations of the Gold Spotted Oak Borer (GSOB) insect in Los Angeles County are with five miles of the subject project in Whitney, East, and Rice Canyons. The Final FEIR must include some analysis of how GSOB could factor into the efficacy of the proposed project mitigation measures.

The proposed direct impacts to 4.94 acres of jurisdictional waters is significant and easily avoidable via slightly reduced footprint alternatives. The Conservancy urges the County to require all mitigation associated with jurisdictional waters to be implemented in the Santa Clara River watershed. The County can make that requirement and not leave it up to the California Department of Fish and Wildlife in the post FEIR period. If the applicant cannot mitigate for those impacts in the vast Santa Clara River watershed, then the applicant has the option of further avoiding such impacts to reduce the required mitigation acreage and other requirements.

Please address any correspondence to Paul Edelman, Deputy Director of Natural Resources and Planning, at (310) 589-3200, extension 128, edelman@smmc.ca.gov, or at the above letterhead address.

Sincerely,

STEVE VERES
Chairperson