

SANTA MONICA MOUNTAINS CONSERVANCY

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May 16, 2022

Ms. Erin Strelch
Major Projects Section
Department of City Planning
City of Los Angeles
200 North Spring Street, Room 1350
Los Angeles, California 90012



ENV-2016-4180-EIR, SCH no. 2018041016, 3003 Runyon Canyon Road

Dear Ms. Strelch:

The Santa Monica Mountains Conservancy (Conservancy) provides comments and recommendations on the Final Environmental Impact Report (FEIR) for the subject proposed project at 3003 Runyon Canyon Road (ENV-2016-4180-EIR), located half a mile interior to Runyon Canyon Park. The Conservancy is a California Environmental Quality Act (CEQA) Trustee Agency for projects potentially affecting natural resources in the precisely-mapped Santa Monica Mountains Zone, per the Conservancy Act (Public Resources Code Section 33000, et seq). The Conservancy is also the principal State planning agency in the Santa Monica Mountains Zone, which includes Runyon Canyon Park where the subject property is located as a private in-holding.

The Conservancy previously submitted comments and recommendations on the Draft Environmental Impact Report (DEIR) for the subject project in our letter dated September 23, 2019. This letter is intended to complement that 2019 DEIR letter.

The FEIR remains deficient and fatally flawed under CEQA in multiple respects and should not be certified. The deficiencies and flaws in the FEIR should pose questions as to whether each of the requested Discretionary Actions, especially the Specific Plan Exception (SPE) to allow construction within 50 feet of a prominent ridge in the Mulholland Scenic Parkway, are necessary for the property owner to attain the full use of the already developed subject property.

As currently proposed, the significant adverse impacts from the subject project, even if mitigated, would result in offsite damage to public resources within Runyon Canyon Park. These damages would result from the aesthetic/visual impacts both from the

visibility of the project itself, and additional Fire Department-required fuel modification (brush clearance) on the surrounding parkland. Damages to biological resources would result from brush clearance on parkland, nighttime lighting impacts from the use of the additional residence on the subject property, and increased usage of Runyon Canyon Drive to access the subject property during and after construction. Damage to visual and biological resources within Runyon Canyon Park also equate to damage to recreational resources in the one of the City's most popular hiking locations. Why would the City grant discretionary approvals to a project that would damage the resources of one of its most iconic public parks?

Misleading Project Description Due to False Basement

The project plans for the proposed 5,511 square-foot "basement" clearly depict a section of floor-to-ceiling windows which would be visible exterior to the residence. This false basement makes the subject proposed project a three-story residence, and the 5,511 square-footage of the bottom-most floor is not included in the square-footage for project provided in the Description. This omission makes the Project Description in the FEIR wholly deficient for falsely describing the project as a two-story residence with 6,982 square-feet of living space.

Inadequate Range of Feasible Alternative Projects

The FEIR, like the DEIR, makes the misleading claim that Alternative B: Reduced Size Project, described as the "Environmentally Superior Alternative", would result in the same environmental impacts as the primary Project, despite reducing the square-footage of the residence by 30 percent. Alternative B remains a disingenuous feign of an attempt to provide decision makers with the appearance of a less damaging project. The 30 percent size reduction still only applies to the 8,990 square-foot residence and does not address reductions to the proposed 6,454 square-feet of covered patio area, 2,475 square-foot of mechanical/electrical area, and 5,207 square-feet of basement. Nor does it address the approximately one-acre fill slope and its parallel 300-foot-long and ten-foot-tall retaining walls.

What the FEIR continues to fail to address is whether a reduced size project could be located elsewhere within the subject property so as to 1) eliminate construction activities within 50 feet of the prominent ridgeline, and/or 2) eliminate the need for the three retaining walls requested as a Zoning Administrator's Determination (ZAD).

A true reduced-size project with alternate siting that conforms to the topography of the subject property could reduce the damages that would result to public resources in

Runyon Canyon Park from brush clearance, lighting impacts, increased usage of Runyon Canyon Road, and visual impacts from the proposed residence itself. The burden of proof that such a project alternative would not reduce these adverse impacts and limit damages to public parkland lies squarely with the applicant. The FEIR is deficient for omitting any consideration of a true reduced-size project with alternative siting.

In the response to the Conservancy's 2019 letter on the DEIR (Response to Comment A3-6), the FEIR attempts to deflect from this responsibility by claiming that the two project alternatives (B and C) analyzed in the DEIR represent a reasonable range of project alternatives. (Alternative A: The "No Project" Alternative, is simply the standard perfunctory analysis of not implementing any project on the subject property that is common to all Environmental Impact Reports.) A truly reasonable range of feasible alternative projects for an already developed property that is interior to public parkland within the City's premier Scenic Corridor (Mulholland) would include an alternative that avoids construction and soil work impacts within 50 feet of a prominent ridgeline and limits the number of required retaining walls.

If there is no feasible alternative that could meet those requirements, this must be demonstrated by detailed analysis in the FEIR. By omitting this analysis, the FEIR has failed to demonstrate that a less damaging project with reduced square-footage is not feasible.

Inadequate Drainage Plans and Unanalyzed Significant Impacts

The FEIR remains flawed because there is still no analysis of how the project's drainage and runoff will be handled when it contacts public parkland. There are multiple potential biological, geological, recreational, and visual impacts that could result from the handling of onsite runoff, and the full extent of the damage to public parkland from additional run-off cannot be gauged without this analysis. This was a major omission in the DEIR, and it is a critical deficiency in the FEIR.

In the Responses to Comments (B1-67), the FEIR provides only the vague answer that the project will comply with City requirements for drainage after the final engineering for the project is complete. If the City determines that drainage structures such as concrete V-ditches or energy dissipaters are required where run-off from the approximately one-acre fill slope contacts parkland, these are potentially significant adverse impacts that must be addressed in the FEIR.

Significant Impacts to Public Parkland from Lighting and Increased Road Usage

Both the subject proposed project and Alternative B would introduce a substantially greater total amount of light into the Runyon Canyon Park habitat area no matter how well a project of that size is mitigated shy of having no windows. In addition, cars and delivery vehicles potentially using high beams would use the public road through the park at night. There are no vehicle trip number or time limitations in either the day or nighttime. Although the park is closed at night, it is a public resource, and by permission, researchers and groups can take night hikes in the park. An area that is now quite dark would experience substantial irreversible change in night illumination and thus result in substantial dark sky impacts and nighttime enjoyment of the park. For the above reasons both the proposed project and all its development alternatives would result in unavoidable significant adverse visual impacts.

The FEIR remains deficient because it continues to base multiple impact analyses, including analysis of nighttime lighting impacts, on the premise that just one couple (the current owners) will permanently occupy both residences. The FEIR analysis on traffic relative to biological, visual, and recreation impacts does not address the probable scenario that the house will host larger families and large parties in the near term. All the mitigation measures and analyses in the FEIR that address impacts from lighting and traffic are flawed because the traffic and visitor volumes cannot be controlled or enforced by the lead agency. Some limits must be established to make impact analysis conclusions.

To ensure that North Runyon Canyon Road is never lit, the FEIR must include a mitigation measure that prohibits lighting of the road to benefit the proposed project property. Though no lighting of North Runyon Canyon Road is currently proposed, there would otherwise be no restrictions preventing future owners of the subject property from installing their own lighting fixtures without the need for permits or future discretionary actions by the City.

To reduce the adverse impacts of increased use of North Runyon Canyon, the Conservancy recommends that the FEIR include a mitigation measure limiting the total number of permanent residents permitted to live in the existing and subject proposed residences at 3003 Runyon Canyon Road.

Please send all correspondence regarding this project, including hearing notices, to the attention of Paul Edelman, Deputy Director of Natural Resources and Planning, at 26800 Mulholland Highway, Calabasas, California 91302, or by e-mail to

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edelman@smmc.ca.gov. Conservancy staff may submit additional comments on the FEIR to decision-makers in advance of future public hearings.

Sincerely,

A handwritten signature in black ink that reads "Linda Parks". The signature is written in a cursive, flowing style.

LINDA PARKS
Chairperson