

# Key Acquisition in the Santa Monica-Sierra Madre Linkage





**Subject:** Fw: Santa Monica-Sierra Madre Connection  
**From:** Mary Wiesbrock (marywiesbrock@sbcglobal.net)  
**To:** fixequip@yahoo.com;  
**Date:** Wednesday, February 4, 2015 6:16 PM

Send this to Kinkos, and see if they can make you a good copy. It is a pdf. They are open now.

Mary

— Forwarded Message —

**From:** kristeen <kristeen@scwildlands.org>  
**To:** 'Mary Wiesbrock' <marywiesbrock@sbcglobal.net>  
**Sent:** Wednesday, August 13, 2014 12:01 PM  
**Subject:** RE: Santa Monica-Sierra Madre Connection

Hey there Mary,

I am delighted to tell you that the Cheeseboro Meadow Parcel **IS in the linkage** ☺ I've attached a map for your use in this important acquisition. Please let me know if you'd like any changes to the map. And, many many thanks for your enduring perseverance for conserving this connection with Save Open Space! You are one of my heroes ☺

→ FYI – when you go to Wildlife Conservation Board for funding this acquisition, you can let them know that this parcel is included in the Santa Monica-Sierra Madre Linkage CAPP that SC Wildlands is currently working on and will receive the highest priority ranking!

Best,

Kristeen Penrod, Conservation Director  
Science & Collaboration for Connected Wildlands  
<http://www.scwildlands.org/> (877) Wildland  
Direct (206) 285-1916 Cell (626) 497-6492

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**From:** Mary Wiesbrock [mailto:marywiesbrock@sbcglobal.net]  
**Sent:** Tuesday, August 12, 2014 3:05 PM  
**To:** kristeen@scwildlands.org  
**Subject:** Santa Monica-Sierra Madre Connection

If the Santa Monica-Sierra Madre Connection maps do not include this 71 acre property (bold black broken lines on location map), it would be great if the map can be updated to include it. If you need supporting material, we can mail it to you.

Mary







**February 24<sup>th</sup>, 2014**

**To whom it may concern,**

**I grew up in Agoura Hills and my parents still reside there on Colodny Dr. I often take runs in Chesabro park when I come for weekends. About a year ago, I was running along the main fire road and saw a mountain lion in the brush.**

**It was close enough to me that I stopped running and hid behind a bush to make sure it did not spot me and/or feel threatened. I waited until it ran off into the distance.**

**Thank you and please feel free to contact me with any questions you may have - (818) 262 - 9658**

**Courtney Stern**



**February 24, 2014**

**To the National Park Service Care of my friend, Larry Brown,**

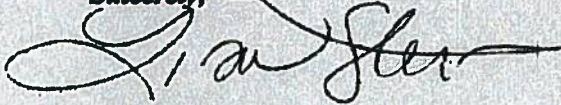
**My family and I have been residents of Old Agoura since 1989. From our home on Colodny Drive, we have a view of the entire meadow. We raised our children here and I want to recount an incident that I have shared previously with my friend Larry, and he has asked me to share with you.**

**One day, my adult Daughter, Courtney Stern, was jogging in Chesebro Park and encountered a Mountain Lion crossing the trail near the meadow. She was startled and frightened and hid behind a tree where she stayed put until the Lion was out of sight.**

**She immediately came home and told her Dad and I all about it.**

**My family and I support the Coalition to Save the Chesebro Meadow Wildlife Corridor and we believe the meadow should remain undeveloped and available to the many animals that use it. We have been hearing about a genuine wildlife crossing for years and we now hope to see it come to fruition.**

**Sincerely,**

A handwritten signature in black ink, appearing to read "Lisa Stern". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

**Lisa Stern  
5544 Colodny Drive  
Agoura Hills 91301**



*Stacey Goldstein*

5330 Chesebro Road  
Agoura Hills, CA 91301

February 24, 2014

Dear Park Service,

My name is Stacey Goldstein and I live at 5330 Chesebro Road, Agoura Hills, 91301. My home backs directly on Chesebro Meadow.

I have knowledge of two mountain lion sightings on Chesebro Meadow, one of which I personally witnessed with my own eyes, and a second, which was related to me by a reliable former neighbor who lived a couple of doors down and also backed on Chesebro Meadow. Her name is Mary Keenan; she has since moved out of the state, but she was also very adamant about keeping the area open.

One day, I came out to check on my horse who is ordinarily very calm, because I could see that he was agitated, as were the other horses in the area. At around that time, a neighbor called and told me that a mountain lion had been seen across the meadow and to be aware. I waited and watched and sure enough, I saw a large mountain lion moving across the meadow. Fortunately, it was moving away from my home and horses.

On another occasion, a mountain lion had chased a frightened young deer across the meadow and it jumped the wall into what was then, Mary Keenan's backyard which is adjacent to, and butts right up to the meadow. The pursuit had caused quite a commotion and unfortunately, when Mary went out in back to see what was going on, the deer jumped back over the wall and ran into the meadow. The following day she found the remains of the deer not far off.

Because I live here and spend time with my horses and donkeys, looking out over the meadow many times daily, I see wildlife that even a Ranger might never see. These include vast numbers of deer and coyotes, bobcats and myriad birds, including egrets, herons, hawks and kites.

One could conceivably live here for a lifetime and never see a mountain lion. These are stealthy, solitary animals who do not want to be seen. Nonetheless, we all know they are there, and there are numerous such stories among the local equestrians who ride in the park.

The notion that this meadow could become a tract of homes without devastating any future Wildlife Corridor is ludicrous; something only a developer would have the brass to put forth.

Thank you for taking the steps to ensure that this land is available to future generations of wildlife and the community.

I support the "Coalition to Save The Chesebro Meadow Wildlife Corridor" and I advocate the creation of a proper crossing under or over the 101 Freeway. I swear these comments to be truthful.

Sincerely,

*Stacey Goldstein*  
Stacey Goldstein



## **CHESEBRO MEADOW: A BRIEF HISTORY**

Actually, only this historical sketch of the property is brief. All of the details of Old Agoura's travail there would fill the pages of a thick book. The last iteration was a proposal by the now defunct Heschel School West to build a 750-student institution that would have generated 3000 new car trips per day and disrupted our lifestyles in many unacceptable ways. In the early 1970s, a federal prison was proposed, then developer Jerry Oren gained control when this parcel was part of a much larger piece. In 1980, Oren cut down an existing Oak forest just days before the enactment of the Los Angeles County Oak Tree Ordinance. Only after a local activist chained himself to that huge remaining specimen, at the first bend on Chesebro, was it saved from Oren's greed. A little later, after Oren was convicted of trying to swindle the Government, Congress authorized the purchase of the present larger parcel for addition to the Santa Monica Mountains National Recreation Area. All of it, that is, except for Chesebro Meadow. It was carved out of the parkland purchase deal to sell as a payback to Bob Hope, by the Santa Monica Mountains Conservancy, for his agreement to sell his other parcels for parkland. Peter Kyros was the lead executive for Potomac Investment Associates, who concocted the incredibly grandiose scheme to build a PGA Championship golf course along Palo Comado Creek, starting at the present end of Chesebro Road. Potomac optioned Chesebro Meadow and all of the undeveloped land on the West side of Chesebro Road, behind the homes on Colodny. Their plan for Chesebro Meadow was to grade off the tops of the hills for a business park and build homesites on both sides of Chesebro. Potomac went bust in one of the cyclic real estate crashes and the Meadow sat silent until Heschel bought it in 1998.

The City was with us in objecting to the Heschel plan when it was determined that it was going to cost an enormous amount of money to provide adequate access and mitigate the traffic additions. After it became obvious that the County was going to approve Heschel, no matter what, we (the Old Agoura Homeowners Association) joined with the environmental group Save Open Space to file a Superior Court lawsuit against the County under the California Environmental Quality Act. We asked the City to join us in the lawsuit. Instead, the City chose to deal with the County to have agreements with Heschel written into the approval which covered the City's costs involved in the access and traffic impacts. So, this was the first related major issue wherein the City's wariness of the legal system caused a City Council vote counter to our interests and priorities.

The destiny of Chesebro Meadow is the single most important personal issue I can recall as regards my presidency of the OAHA and its relationship to the City. The Council sold us out to the County, while adequately covering the City's financial exposure for Heschel's infrastructure. We passed the community hat, sued the County, Heschel went broke, and we delivered the Meadow's destiny to the Council on a silver platter. If it hadn't been for our actions, the Meadow would be an abandoned, rough-graded mess now.



Fast-forward to the City's recent legal quandary. When Heschel defaulted on their bank loans, we joined with our lawsuit co-plaintiff, Save Open Space, to petition the City to buy Chesebro Meadow at foreclosure auction. The title company involved made a recording mistake and placed a smaller loan as the senior note on the auction. The City was the only bidder and was awarded the sale. But US Bank refused to supply clear title, claiming the posting of the smaller loan was a clerical error. Relying on the City Attorney's advice, the City filed suit for clear title. An adverse ruling by the presiding judge caused the City to appeal the case. The City won the appeal, which sent the case back for a trial to determine title. At about this time, local resident Kirk Allegro, a seasoned real estate development professional, offered to negotiate with the bank for a cash settlement of the dispute for a fee of one dollar. The bank had just recently changed ownership, and Kirk's experience was that banks will often write off the loss in such cases and settle for much less than the disputed amount. City Manager Ramirez would not even consider Kirk's offer and basically kicked him out of his office. We don't know if the whole Council was aware of these specifics, but I got a call from Mayor Weber complaining about Kirk's "aggressiveness". It was a blunder for the City to not even let Kirk give it a try. It could have possibly ended the whole dispute then, at much less cost than continuing with an improbable trial.

What the City did instead, was to issue a Request For Proposal (RFP) to the development industry in an attempt to find a developer with an acceptable proposal that would bail the City out of the situation. It was almost as if the Council was tired of dealing with the whole situation by this time. We were not advised of this effort until much later when we asked how the resulting developer had materialized. Sending out the RFP, which led to the involvement of Trot, Canter, and Gallop, LLC, (T,C,&G) without notifying or consulting us was a second strategic blunder, which will be explained later. We met with T,C,&G and listened to their proposal to build lots for 13-to-15 equestrian type homes surrounding a cul-de-sac in the Meadow. But, we decided to stick to our preference for seeking ways to keep the Meadow undeveloped. This was particularly the case since our partner in the Heschel lawsuit, Save Open Space, has the unbending philosophy of keeping all possible land undeveloped.

All the while, we had searched for sources of public funds to buy the Meadow. The only fruitful avenue developed from a request for assistance to State Senator Fran Pavley. Proposition 117, The California Wildlife Protection Act Of 1990 provides millions of dollars per year for the purchase of lands determined to be critical for the preservation of wildlife habitat. The funds are controlled and allocated by the State Wildlife Conservation Board. This Board consists of the directors of State Fish and Game, the Senate Finance Committee, and the Secretary of Resources. Senator Pavley sits on that Board. She officially requested that the Santa Monica Mountains Conservancy apply for Prop 117



funds to purchase Chesebro Meadow. Some 85 Old Agourans attended the Conservancy meeting where the vote was unanimous to apply. The necessary steps for the application include an official appraisal of the subject property. That step is now in process by the Conservancy. The complicating issue to the acquisition and use of these funds is that it requires a willing seller with a clear title. That is why it was extremely important for the City to continue with the suit to obtain clear title and thus provide and be the willing seller. Or, in looking at the presumed second blunder by the City mentioned above, had Kirk Allegro been successful in negotiating a reasonable settlement with US Bank, a clear title would have been in hand for much less than is on the line now. This was worth a no-risk attempt, but was summarily brushed aside by the City.

Meanwhile, T,C,&G had pulled an end run on the City and bought out US Bank's legal position in the lawsuit over clear title against the City. So, the City was in the position of suing the developer for the title of property with which it is pursuing a development agreement. Catch 22 anyone?

And now, a combination of questionable legal advice and actions, coupled with other priorities in importance, has caused the entire Council to vote against a cause treasured by our neighborhood. The vote was clandestine, but we hear that it was 5-0. During our ongoing discussions with the Council Committee, we were assured that a vote would be held at a prior-noticed public hearing. After this public vote didn't happen, I challenged City Manager Ramirez on the failure of his prior assurance. I was then forwarded an email from City Attorney Steele, with the opinion that since the sale was part of a lawsuit settlement, that it had to be decided in closed session by the Council. That may be legally accurate, in part, but I feel that the Council hid behind the City Attorney to avoid an awkward confrontation with us. We were shocked to learn of the settlement and sales agreement by way of a call from an Acorn reporter seeking our reaction. The reaction was one of stunned silence.

The totality of the situation is now back to several uncertain possibilities. There are many steps that the developer and City must take and accomplish to meet the terms of the sale and development agreement. These include annexation of the property to the City and the completion of a full environmental impact report. The time frame for this is now projected to be at least 18 months. Keep in mind that the developer has no capital outlay to bear during this time, except for what unknown amount he paid to the bank for their position. The title company that screwed up the auction details is paying his legal fees. Still, in 18 months, a lot of things can happen. Over the decades, we have seen many seemingly inevitable land-use deals crumble for a variety of reasons. In the signed agreements between the City and the developer, either side can withdraw at will, and the lawsuit is reinstated.



**Also, if Senator Pavley is successful in procuring the Prop 117 funds to offer a buyout of the developer's position for all of the Chesebro Meadow's 71 acres, we will see what his reaction will be to the possibility of a quick huge profit on his relatively small investment.**

**Unless the net outcome of the Council's vote somehow reverses to one in our favor, this will continue to sear at my soul for a long time. Unless the tide of events thusly turns before election day, I will not vote for any incumbent. Over the decades, in light of the historic outcomes of many similar disputes, I have become a devoted advocate of Save Open Space Chair Mary Wiesbrock's philosophy: "NEVER GIVE UP".**

**Jess Thomas,  
President**



**COASTAL CONSERVANCY**

**Staff Recommendation  
January 29, 2015**

**LIBERTY CANYON WILDLIFE CROSSING:  
ENVIRONMENTAL ASSESSMENT AND PROJECT DESIGN**

**Project No. 14-048-01  
Project Manager: Deborah Ruddock**

**RECOMMENDED ACTION:** Authorization to disburse up to \$1,000,000 to the California Department of Transportation for environmental assessment and design of a wildlife crossing near the interchange of U.S. 101 and Liberty Canyon Road in the City of Agoura Hills, and to enter into a joint powers agreement with the Santa Monica Mountains Conservancy.

**LOCATION:** Agoura Hills, Los Angeles County

**PROGRAM CATEGORY:** Integrated Coastal and Marine Resources Protection

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**EXHIBITS**

- Exhibit 1: Project Location
  - Exhibit 2: Project Site
  - Exhibit 3: Photos
  - Exhibit 4: Project Letters
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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Section 31220 of the Public Resources Code, regarding integrated coastal and marine resources protection:

"The State Coastal Conservancy hereby authorizes the disbursement of one million dollars (\$1,000,000) to the California Department of Transportation (Caltrans) for environmental assessment and design of a wildlife crossing of U.S. 101 near Liberty Canyon Road in the City of Agoura Hills in Los Angeles County, and to enter into a joint powers agreement with the Santa Monica Mountains Conservancy to further this purpose, subject to the following conditions:

1. Prior to the disbursement of Conservancy funds for the project, Caltrans shall submit for the review and approval of the Executive Officer of the Conservancy ("Executive Officer") a



## LIBERTY CANYON WILDLIFE CROSSING

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environmental document, select a preferred alternative – overpass or underpass – and proceed to final engineering design.

Caltrans estimates the agency will complete work funded under the proposed authorization in mid-2017. Construction is forecast to be complete by late 2018. The crossing potentially would be the largest wildlife crossing in the world, spanning 10 lanes of freeway and 140 feet of asphalt.

### **Project Goal**

The proposed wildlife crossing is intended to restore connectivity between large blocks of important wildlife habitat in the inland Sierra Madre Mountains and the coastal Santa Monica Mountains. The South Coast Missing Linkages Project and the California Essential Habitat Connectivity Project identify the proposed project location, a section of US-101 near Liberty Canyon Road, as a critical link in the corridor between the mountain ranges used by the mountain lion (*Puma concolor*) and other wildlife (Exhibit 3).

The report “South Coast Missing Linkages Project: A Wildland Network for the South Coast Ecoregion” describes an innovative conservation strategy designed to maintain landscape connectivity and provide southern California’s plant and animal life the essential habitat it needs for survival. The goal is to conserve existing connections that are essential travel routes for wildlife and key to protecting fundamental biological and ecological processes in the South Coast region, considered to be one of the 25 most important “hotspots” of biological diversity on earth. South Coast Wildlands, a science-based conservation planning organization, produced the report and continues to manage a collaborative effort to accomplish its goals. Partners include National Park Service (NPS), U.S. Forest Service, California State Parks, The Wildlands Conservancy, Conservation Biology Institute, and The Nature Conservancy (TNC).

The *California Essential Habitat Connectivity Project* was a highly-collaborative endeavor sponsored by Caltrans and California Department of Fish and Wildlife (CDFW). The project produced a statewide map depicting areas essential for habitat connectivity to help infrastructure, land use, and conservation planners maintain and restore a connected California, while at the same time making infrastructure planning projects more cost-efficient. One key project strategy is to minimize the effects of existing barriers through creation of wildlife crossings or fish passage structures.

The NPS has been collecting and publishing data on large carnivore movements for over a decade, validating the importance of the Sierra Madre – Santa Monica Mountains corridor for sustaining wildlife populations in the region and demonstrating that the busy Highway 101 is a formidable barrier to wildlife movement. Animals with large home ranges, such as mountain lions, are essentially trapped within the Santa Monica Mountains, resulting in inbreeding and high mortality rates ([http://news.ucdavis.edu/search/news\\_detail.lasso?id=11005](http://news.ucdavis.edu/search/news_detail.lasso?id=11005)). Scientists and wildlife managers predict the mountain lion population will be extirpated without a safe Highway 101 crossing at the Liberty Canyon location. Loss of the region’s top predator will have significant negative consequences for the entire ecosystem.

The proposed wildlife crossing was envisioned more than a decade ago as a means of restoring the critical link in the regional migration corridor (See “Project History”). However, the recent death of a male mountain lion while trying to cross the highway near Liberty Canyon Road has given new urgency to the project (<http://articles.latimes.com/2013/nov/06/local/la-me-1105->



# NPS Management PLAN

## Wildlife Corridors

The establishment of wildlife corridors has been mandated now by Prop. 70, but I have yet to find the documentation. Prop. 70 implementation is the responsibility of the Santa Monica Mountains Conservancy, and by way of cooperative management, of the Park Service.

The establishment of wildlife corridors is also the operative policy of the SMNRA, as embodied in the Draft Natural Resource Management Plan for the SMNRA, issued in 1982. This Plan was subjected to review, and approved as it stood. It was never reprinted with a new cover, and is therefore still referred to as a draft. As with other administrative procedures adopted pursuant to legislation, it is binding upon Park Service personnel, and has the force of law.

The document states:

"One of the most important concepts for managing wildlife populations in the Santa Monica Mountains is the principle of maintaining open spaces between areas of urban development for purposes of wildlife movement. These 'wildlife corridors' are essential for stabilization of wildlife population dynamics with the carrying capacity of a specific habitat for a specific species. Without natural corridors for movement, certain populations of wildlife will become isolated within principal feeding areas, resulting in over-utilization of that habitat by a particular species. In a natural ecosystem, when the carrying capacity of a habitat is overextended by the number of individuals utilizing it, intraspecific competition will result in either emigration of individuals until the carrying capacity is reached, or population decline due to death by starvation, disease, or both.

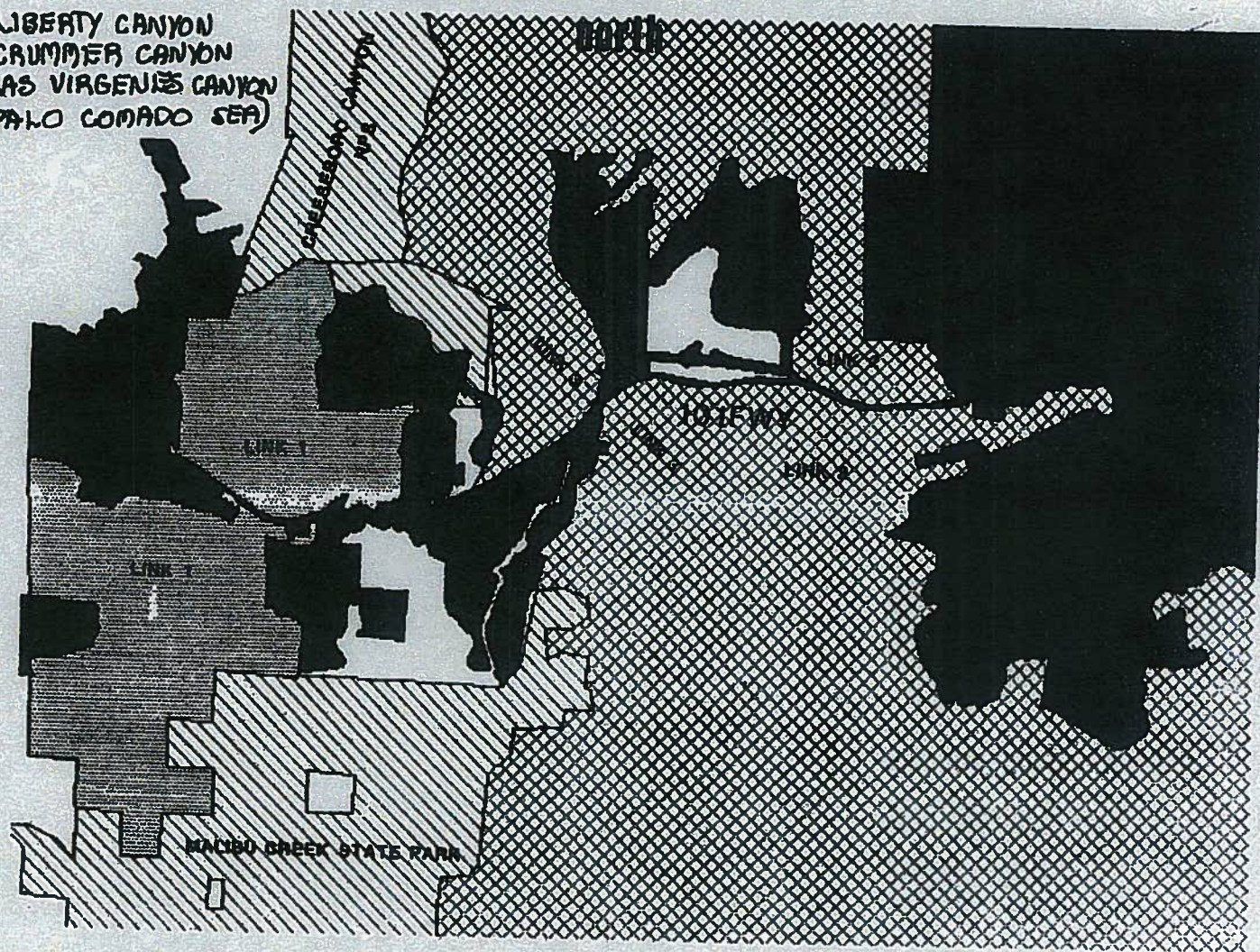
"The opposite of this situation is also true. When a wildlife population drops below the carrying capacity of the environment due to predation, disease or some other limiting factor, it becomes essential that another individuals of the species migrate into the area to breed with the existing population and replenish its numbers. Therefore, one of the primary tasks of the wildlife management program for the Santa Monica Mountains will be to identify essential wildlife habitats and corridors and make recommendations to local land management agencies and private landowners for protection of wildlife habitat to prevent localized extinction."

The recently issued Land Capability Study (1979) identifies a wildlife network connecting some 90,000 acres which encompass key habitats for wildlife. The identified network is declared to be the minimum requirement to maintain the ecological balance to support diverse and healthy wildlife populations. Palo Comado Canyon and Cheeseboro Canyon have been identified as an integral link in the wildlife network connecting the Santa Monica Mountains with the Simi Hills, and with the Santa Susana Mountains and San Gabriels beyond.



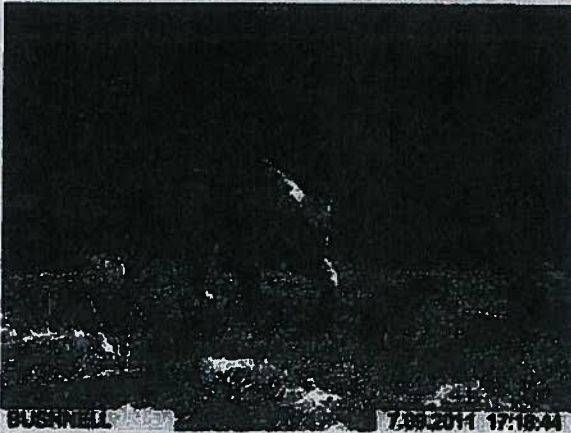
# HABITAT LINKAGES SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

- LINK 1 LIBERTY CANYON
- LINK 2 CRUMMER CANYON
- LINK 3 LAS VIRGENES CANYON  
(PALO COMADO SEA)



1 mile



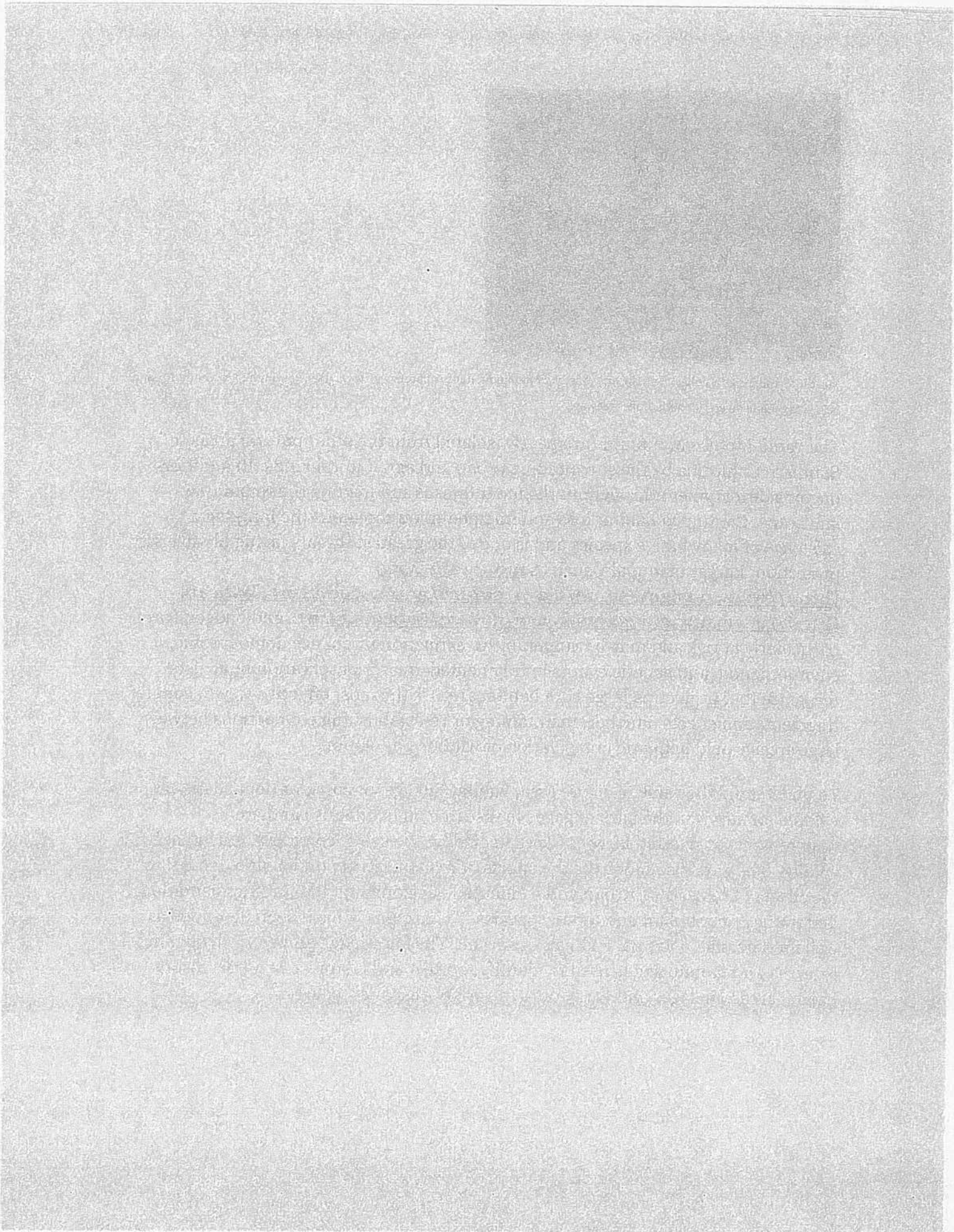


Meet P-12 and his GPS collar. He's the only one of 27 mountain lions collared over 10 years of research to cross the 101 and bring his genetic diversity south of the freeway.

The Santa Monica Mountains are nearly isolated from the other natural areas in Southern California by the surrounding urban and agricultural lands. In addition, ongoing development throughout the mountains is subdividing the remaining landscape. Continued habitat loss and fragmentation threatens the long-term existence of many native species and is one of the greatest threats facing biodiversity protection. Larger mammals, such as mountain lions (<http://www.nps.gov/samo/learn/nature/pumapage.htm>), bobcats (<http://www.nps.gov/samo/learn/nature/bobcats.htm>), and badgers, are particularly at risk and may be vulnerable to extinction by chance demographic, environmental, and genetic events in fragmented areas. Conservation biologists recognize that protecting large core habitat areas is the most effective way to counter fragmentation effects. Further, maintaining or re-establishing connections between large areas would help prevent isolation of wildlife populations.

To understand the value of a core area, habitat linkage, or corridor dependent on wildlife for survival, the park engages in research on habitat use and area requirements of selected target species, including the use of corridors and linkages by wildlife. The park also monitors the effects of human activity on wildlife, including the effects of recreation, urban and residential development, habitat fragmentation, and traffic. Target plant and animal species - "vital signs" - have been identified as well for detecting potential changes over time. The knowledge gained from ongoing research and monitoring is used to identify, protect and restore a network of core habitat areas, linkages and corridors at a variety of spatial scales.







## Last Stand

The survival of the elusive and mysterious mountain lions of the Santa Monica Mountains is at stake.

Written by Michael Harris

Illustration by Adam Batchelor







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**“There he was. I was on my hands and knees within 10 feet of a cornered and angry mountain lion perfectly camouflaged. I tried to keep the camera steady and the image of the lion in frame as I crawled closer. Just as I did, he turned and looked right at me with those large golden brown eyes. What an absolutely beautiful creature.”**

*Their nature and habits were once mysterious, hidden by darkness and the terrain they moved through silently and unseen. Mountain lions were feared and hunted — that fear only tempered by the awe of their beauty and power. We share the Santa Monica Mountains with them, but continuing development threatens their habitat and their survival. We don't consider mountain lions because we rarely see them and never hear them. This is not just another cause; we will be held accountable if we don't protect what is still wild and free.*

I'd been aware of the increase in wildlife and human encounters making headlines in the *Los Angeles Times*. But what would drive a mountain lion to enter an urban neighborhood or cross an eight-lane freeway? I felt a need to find out and tell the story. This became my documentary, *Ghost Cats of the Santa Monica Mountains*.

**A Journey Begins** — Bushes and tree branches whipped and scraped the side of the government Jeep as we made our way up the steep fire road. As we continued our climb, Seth Riley, National Park Service wildlife ecologist, turned to ask if either my cameraman, Dennis Lynch, or me get car sickness. We both answered no, though I was feeling anxious as we drove along the edge of a precipice with the canyon yawning hundreds of feet below.

We pulled to a stop at a small clearing and grabbed our gear. Seth had a map spread out on the hood of the Jeep. He would enter coordinates for the location of a male lion into a GPS device to narrow down where we might locate a kill site. Mountain lions are constantly on the move unless they have a kill. Seth figured there was a high probability the big cat was hunkered down in the area. We followed Seth down into a steep-sided ravine.

We came to a stop at the bottom of the ravine. We would have to crawl from this point on, so we decided to leave our gear behind and just take the camera. Soon we were on our hands and knees, ducking through thick foliage while keeping a keen lookout for

a lion. I had a cloud of dirt hovering over me, dirt my nose, in my mouth, gritting in my teeth, down pants and in my pockets.

Seth motioned us to where he knelt over a buried, half-eaten deer carcass. He estimated the lion was about two days old. As we made our way back, Seth would collect things along the way — scat patch of animal hair, the skull of a small animal and put his finds into plastic bags, the forensics for wildlife in the region.

Once upon a time, mountain lions roamed from the Atlantic to the Pacific and from northern British Columbia to southern Chile. Today in the U.S. they only survive west of the Mississippi. Known also as puma or cougar, the big cat was one of the most widely distributed land mammals on Earth. There is no exact estimate of the global population today, but it's thought that some 30,000 live in the West.

Pumas tread a path through the mythic and daily worlds of indigenous American peoples. The Zuni of New Mexico said that the Ancient Ones wanted the world to be guarded by those keen of sight, as the puma was the sentinel of the north. The Miwok of California described the puma as the ideal hunter — strong and brave, chief among the animals. The Tiwi Cougar Clan of the Zia Pueblo believed that if a hunter gave a supernatural ability, such as successful hunting, to each species of animal. To people whose survival depended on consistently procuring adequate food, the ability of the puma to kill game with apparent ease was highly respected.

**The Next Ride-Along** — The air was cold in the early morning darkness as we waited at Mulhollan Highway and Las Virgenes Canyon Road. My cameraman and I were to meet with Jeff Sikich, the biologist in charge of fieldwork for the National Park Service Mountain Lion Study Project. A remote camera had taken an image of a mountain lion without a GPS collar — exciting news that there was another lion in the mountains. Jeff had a line of traps set out to catch this big cat. There is a monitor on the trap that will immediately alert biologists when the trap has been triggered. In addition, they do a visual check each morning.

We found fresh scat and scrape marks. He would check three locations where traps were set but there was no lion to be found. I came away with a better understanding of what it takes to capture these big cats. I also realized I had a major problem: I was doing a film about mountain lions and needed footage of my “stars” to tell the story, and I wanted the experience of filming it myself.

Loss of critical habitat is still the greatest single threat to wildlife, and the lion is no exception. Development and roads reduce available habitat and fragments what remains, squeezing wildlife into



smaller and more isolated pockets. The mountain lion study has shown that significant challenges exist for the long-term survival of this population, including the many freeways that act as a near-absolute barrier to their movement.

Since 2002, the National Park Service has been conducting a study to learn more about the habits of mountain lions in and around the Santa Monica Mountains National Recreation Area. The goal is to help scientists understand mountain lion ecology and behavior in order to effectively preserve them in the region. So far, biologists have monitored more than 40 lions with GPS radio collars, helping them learn more about their movement patterns and identify threats to the viability of the lion population.

The size of a mountain lion's home range is around 200 square miles for adult males and 75 square miles for adult females. They are elusive and wary of people. Encountering one, let alone being attacked, is incredibly rare. Fear of the mountain lion is based on its size and power to do harm, not on its aggressiveness, because they are notoriously shy of humans. They are solitary creatures that live and hunt alone, only seeking each other out at mating time or when the female is raising her kittens. An adult male will mark and claim his home range and will not tolerate any male rivals in his territory.

One year after a female puma (P2) gave birth to a litter of four kittens, she was killed by her mate, P1. Biologists believe that she was either defending her kittens or P1 was attempting to breed, and P2's unwillingness led to the fatal encounter. Unfortunately, their father finally caught up with the kittens and killed two of his offspring. Another cub was killed by an unknown mountain lion. Only one from a litter of four would survive, and she would end up mating with her father.

**The Phone Call** — The early morning dew hung in the air when I got a call from Jeff. "Michael, we caught a lion!" He gave me directions and said to get there quickly. I reached the NPS vehicle, grabbed my camera and backpack and hopped into the truck. After a dusty ride up the rut-filled fire road, we reached the top of the mountain. There were two National Park Service personnel waiting with Jeff and Seth.

Jeff, Seth and I began to walk into the thick brush toward the captured lion while the others waited behind. As we drew near, Jeff instructed me to stay behind him at all times — no worries there — just as the big cat let out a deep rumbling. Seth broke off to make his way through the brush to the other side of the captured cat while we continued forward. Jeff was off my side now loading his blow dart. The growls were escalating. This lion was angry!

I dropped to my hands and knees and started to crawl and pushed the camera forward toward

the thrashing and growling. Across the way, Seth moved again, and as he did the lion jumped. I saw the movement, aiming the camera through a break in the brush. There he was. I was on my hands and knees within 10 feet of a cornered and angry mountain lion perfectly camouflaged. I tried to keep the camera steady and the image of the lion in frame as I crawled closer. Just as I did, he turned and looked right at me with those large golden brown eyes. What an absolutely beautiful creature.

Jeff and Seth moved in a coordinated effort — Seth first, to draw the lion's attention, which turned the big cat around. Then Jeff moved in quickly from behind. I got to my feet and found Jeff in the viewfinder as he raised the blowpipe and blew the dart, hitting the lion in his hindquarter. It was a perfect shot! We all moved back as the drug took effect.

About eight minutes later, we walked back in to find the lion sedated. They released the cable restraint from the lion's foot and carried him over to the staging area where they laid him down on a blanket. The biologists went to work, checking his temperature, taking a variety of body measurements and assessing his physical condition. They weighed him, measured his teeth to determine his age, took hair tissue and blood samples to provide valuable DNA. He weighed 98 pounds, was in great health, his age estimated to be to be 18 months.

Though he was young and smaller than an adult, he seemed plenty big to me. I couldn't get over how huge his paws were. His body was sleek, strong and muscular with a long flowing tail with a black tip at the end. You could see the strength and power of this animal. Fully grown he will weigh anywhere from 125 to 150 pounds.

After they outfitted him with a GPS tracking collar, they reversed the drug and carried him to a small clearing where we waited. It took about 10 minutes before he started to wake up. Still groggy, he shook his head, turned and looked back at us as he slowly started to make his way up the hillside to disappear into the brush.

**A Bridge to Survival** — The long-term survival of the mountain lion population in the Santa Monica Mountains depends on its ability to move between habitat regions to maintain genetic diversity and health. When a young male lion leaves the protective care of its mother at about 15 months old, they seek out their own territory, one that isn't already occupied by another male. Unable to find habitat that isn't claimed, they are pushed to the outer edges of open land, where their only options are to cross a major freeway or turn back and fight an adult male, winner take all.

The Santa Monica Mountains comprise roughly 250 square miles, but freeways, the ocean and the Oxnard plain surround the perimeters creating a

fragmented "island" habitat. To conserve populations of mountain lions, adequate habitats must be maintained in blocks of wilderness reserves connected by dispersal corridors. The National Park Service is working with Caltrans and other organizations to construct a wildlife corridor at Liberty Canyon, and the National Wildlife Federation has initiated a national campaign to promote awareness and raise funds for the project. The Liberty Canyon Project would restore a critical migration route severed 50 years ago when the 101 Freeway was constructed, from the Santa Monica Mountains to the Simi Hills, Santa Susana Mountains and Los Padres National Forest.

Jeff Sikich says, "Our local lions have the lowest genetic diversity ever recorded in North America, except in Florida where inbreeding led to reproductive failure. We've documented multiple instances of father-daughter inbreeding in the Santa Monica Mountains, which endangers their long-term survival. They are the last remaining large carnivores in this region, and it's amazing that we have them in the midst of increasing urbanization. The Santa Monica Mountains get millions of visitors every year, and the lions are still elusive, killing their natural prey, reproducing and raising their young. Through our research, we hope to determine how mountain lions can coexist with humans in this complex urban-wilderness environment."

Barbara Marquez, acting office chief in the Division of Environmental Planning at Caltrans, describes progress on the project to date. "The project study report for a crossing over the freeway has been completed, with funding from the Santa Monica Mountains Conservancy and the Mountains Recreation and Conservation Authority. We're starting the next phase, the project approval/environmental document, thanks to a grant from the California State Coastal Conservancy, that will analyze the environmental impacts associated with the crossing. The environmental document will be circulated to the public for input and ultimately result in a preferred alternative, which will then need to be fully designed."

X

*To support this vital research and the effort to create a safe wildlife crossing at Liberty Canyon visit [swlcalic.org](http://swlcalic.org).*



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## Cooper Ecological Monitoring, Inc.

Oak Park, CA

[www.cooperecological.com](http://www.cooperecological.com)

### Comments on Agoura Equestrian Estates FEIR

Prepared by: Daniel S. Cooper, President, Cooper Ecological Monitoring, Inc.

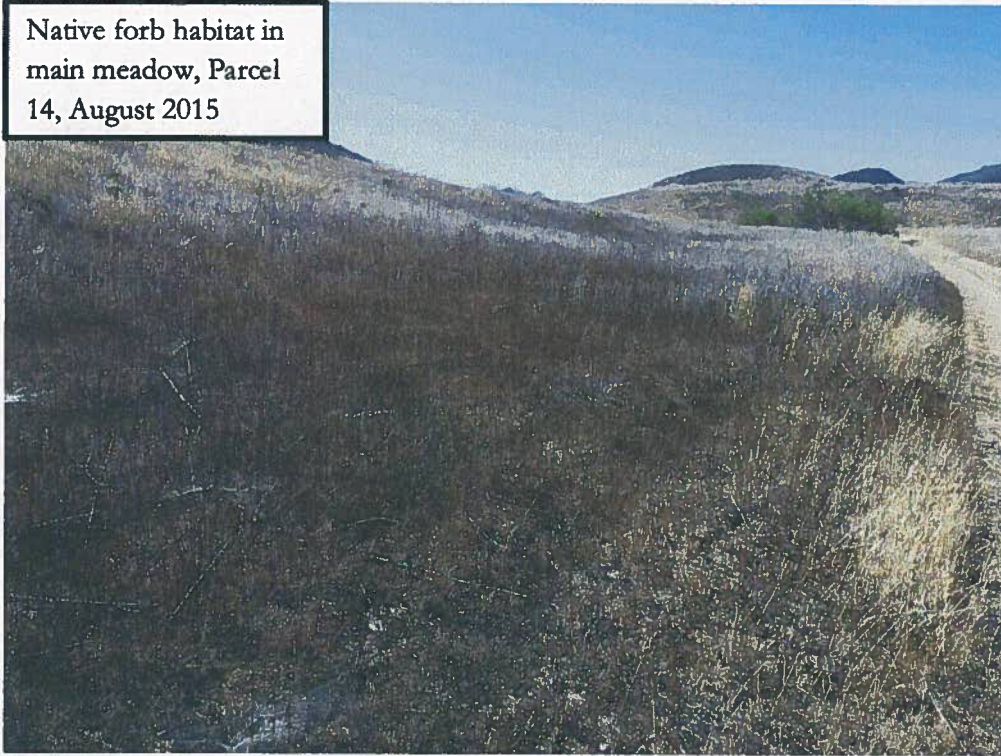
August 13, 2015

1. The dominant vegetation community of site was mischaracterized, listed as as “Annual Brome – Wild Oats – Upland Mustard Semi Natural Stands (Non-native Grassland)”. During a site visit in August 2015 I found it to actually be comprised of patches of this vegetation interspersed with extensive areas of natives, including fiddleneck (*Amsinckia* spp.) and clustered tarweed (*Deinandra fasciculata*). These areas are better classified as “Amsinckia Alliance”, which is native-dominated, with smaller areas of “Deinandra fasciculata Alliance”, which is treated as sensitive by CDFW (Sawyer et al. 2008; see also Sept. 2010 List of California Vegetation Alliances). Notably, two of the three mapped occurrences of round-leaf filaree (*California macrophylla*) are in habitat mapped in the FEIR as “Non-native Grassland” – this should be an indication that it was mischaracterized. In fact, many areas mapped as such in the FEIR support an exceptionally rich diversity of native wildflowers (most of which were detected in the revised 2015 floristic survey, yet not considered to comprise a community). Prior treatments of California vegetation have called these communities “California Annual Grassland” or “Wildflower Field” (e.g., Holland 1986), but newer ones (e.g., Sawyer et al. 2008) have used combinations of dominant species to describe them. Wildflower Field has been ranked G2 S2 (= sensitive), and many of its (newly recognized) constituent communities are now treated as sensitive by CDFW (e.g., *Lasthenia californica* – *Lupinus bicolor* – *Layia platyglossa* – *Bromus* spp., all of which occur on the subject property). The presence of so many native forbs throughout the site, many of which are locally rare (described below), indicates the entire area was dismissed, in error, as “non-native grassland”.

**Recommendation:** Entire property should be re-mapped with multiple visits throughout the year, including late summer, to capture the range of actual habitat present. Areas of *Deinandra fasciculata* should be noted, as should native wildflower-rich areas of “non-native grassland” which should be treated as sensitive habitat.

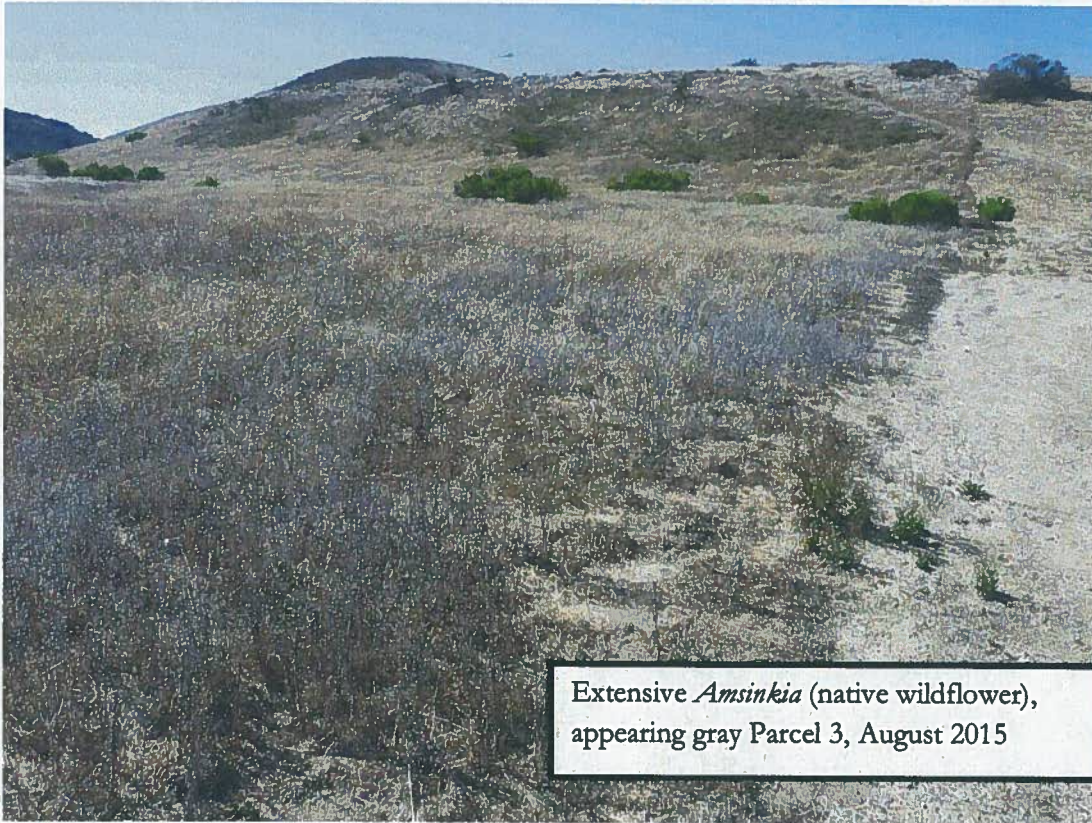


Native forb habitat in  
main meadow, Parcel  
14, August 2015



Note: Dark brown area in foreground is *Deinandra fasciculata* (native); grayer vegetation in middle distance is *Amsinckia* sp. (native); tan grass at right and upper left is wild oats (*Avena* sp.). This entire area was mapped by Rincon as “non-native grassland”.

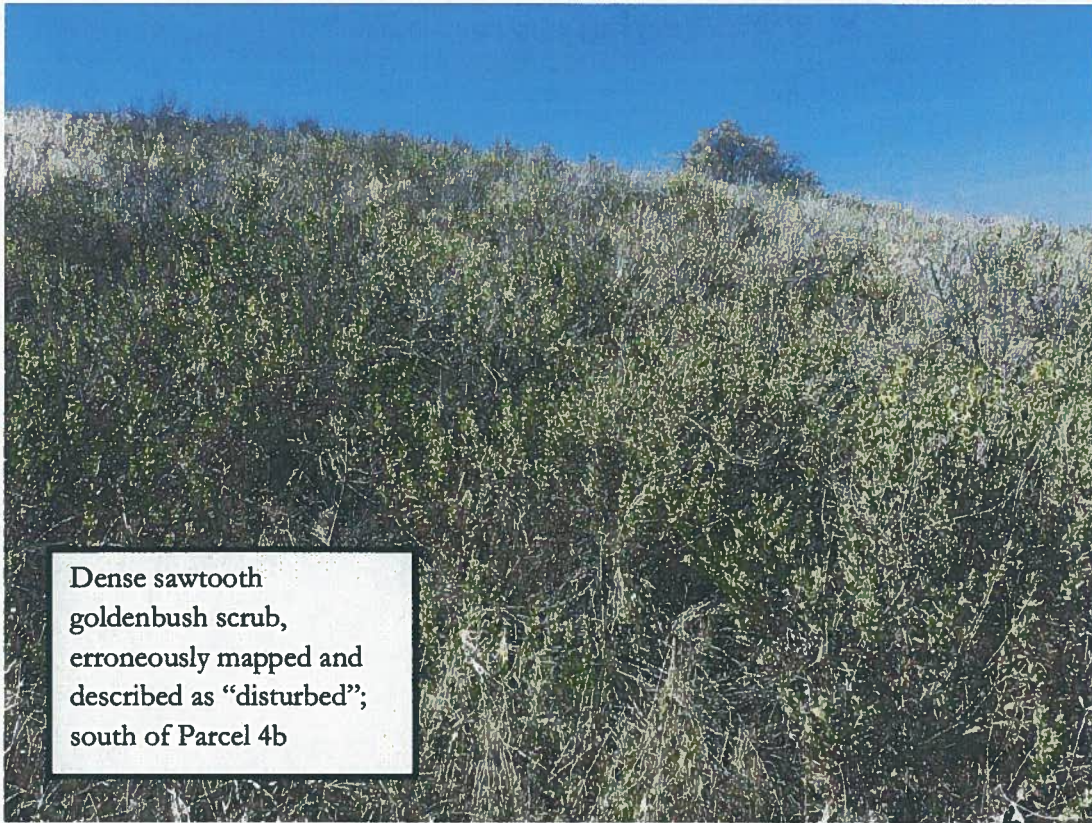




2. The polygon of goldenbush scrub in west-central portion of property, mapped as “Sawtooth Goldenbush – Golden Stars – Wild Oats Alliance”, was mischaracterized. Golden Stars is present, but does not appear to represent a co-dominant over the entire polygon; it is actually “Hazardia Alliance”, which is treated as sensitive by CDFW. This alliance appears to have been devised by Rincon; MCW2 (Sawyer et al. 2008:546) treats the “Hazardia squarrosa Shrubland Alliance” as a continuum from grass-dominated (including *Nassella pulchra*) to shrub-dominated (including *Artemisia californica*). That on the subject property was not observed to be “disturbed” during an August 2015 site visit, as claimed in the FEIR. Wild oat (*Avena* sp.) is present, but does not constitute a co-dominant; wild oat is not always an indicator of past disturbance as claimed by Rincon, but rather a ubiquitous weed that tells one little about the ecological integrity of the site (i.e., it is common in both disturbed and relatively pristine grassland and savannah habitat).

**Recommendation:** Entire property should be re-mapped with multiple visits throughout the year, including late summer, to capture the range of actual habitat present. Areas of sawtooth goldenbush scrub should be treated as sensitive habitat.





3. The proposed fuel modification zone extends into sensitive habitat, including area occupied by round-leaf filaree (*California macrophlla*). Mapping is not detailed enough to judge how much of the filaree population is within the fuel modification zone, but it appears to be significant. Despite the assurances of “Global Response 5”, there appears to be no way to ensure that future fuel modification is done correctly, as it is conducted owner-by-owner and can vary widely in terms of intensity, equipment used, herbicide applied, etc. Property owners are unlikely to construct masonry walls behind their properties as suggested in FEIR, and will likely defer to Fire Dept. which will push for a 200’ (or greater) fuel mod zone, possibly with disking, irrigation and other damaging activities (based on past experience).

**Recommendation:** Shift proposed development so that no structures are closer than 200’ from any population of round-leaf filaree, sawtooth goldenbush scrub (as re-mapped/corrected in the future), *Deinandra fasciculata* expanses, or other “wildflower field” habitat, most of which is located on the lower slopes of the grassy hillsides on the site. Development should be placed in truly disturbed non-native grassland (i.e., with little if any natives present).

4. No analysis of Los Angeles County Bird Species of Special Concern (see: Western Tanager Vol. 75(3) Jan/Feb 2009) was provided; several occur at the site, and one may breed (western meadowlark) in normal-rainfall years. This site represents one of the last potential nesting areas for western meadowlark on the coastal slope of Los Angeles County.



**Recommendation:** Conduct a proper faunal assessment during a normal-rainfall year. Determine status of western meadowlark at the site.

5. American badger and mountain lion are noted as having a “low potential” for occurrence. Few sources were cited, none relevant (e.g., the South Coast Missing Linkage reports are highly general and should not be used to evaluate local wildlife movement at the scale required for this analysis). The amount of surrounding open space (reportedly 6000 acres) vs. the proposed amount of development 22 acres is a misleading comparison, since the placement and orientation of the development is actually the important factor – developing at the very chokepoint of the corridor between the Simi Hills and Santa Monicas (i.e., the stretch from Cheseboro Rd. to Lost Hills Rd. that includes the subject property) would seem like a bad idea to ensure the survival of mountain lion and other sensitive species.

**Recommendation:** Consult with NPS biologists on mountain lion, mule deer, and other large mammal usage of area and present results; map badger dens in area to determine importance of meadow to that species.

6. Raptor breeding/foraging is to be mitigated by pre-work/construction monitoring. This suggests that if a raptor is found nesting, a buffer will be created until breeding activity is complete but then development will proceed. This is likely to eliminate future nesting possibilities; the design of the houses will render essentially the entire flat meadow unsuitable for raptor foraging (most raptors prefer flat, open grassland for foraging, which is now very rare in the region). A “pair” of White-tailed Kite (CA Fully Protected) was noted as present in the FEIR, but without details. This species no longer breeds regularly (= is extirpated from) the coastal slope of Los Angeles County and each pair should be fully documented and reported to CNDDB. A pair indicates breeding. If breeding is occurring here regularly (the habitat looks excellent – open, flat grassland near tall trees and a riparian stringer), it would be one of the few left in the Los Angeles area. Note that 2014 and 2015 were extremely poor years for kite reproduction in the region (due to drought) and the species was absent where usually found – but this is typical of the species (boom and bust pattern). The introduction of houses in the flat portion of the meadow will eliminate the best kite foraging habitat here, and further reduce breeding options. Long-eared Owl (California Species of Special Concern) is another species that could be present, and Rincon apparently did no night surveys to detect one. They prefer extensive grassland for foraging, and at least one territory is known from Palo Comado Canyon (D. Pereksta, formerly USFWS, pers. comm.).

**Recommendation:** Map all active and inactive raptor nests within 500’ of project site and conduct a proper raptor foraging study to determine usage of meadow (for example, see Malibu Local Coastal Plan guidelines for how to do this). Conduct night surveys for owls.

7. Improper references were cited to determine rare plant status. The 2015 floristic survey recorded several locally and state-rare plants, but only one (*California macrophylla*) was treated as “rare”, and mapping of plants of interest was uneven (some were mapped, some were not). An unpublished, unattributed NPS plant checklist from 2006 was cited as the authority for determining status, yet several other published/reputable sources are widely available,



including Prigge and Gibson (2013; see [http://www.smmflowers.org/bloom/ScientificNameLinks\\_Web.htm](http://www.smmflowers.org/bloom/ScientificNameLinks_Web.htm)), Calflora, the CNPS website, herbaria data online (Consortium of California Herbaria; see <http://ucjeps.berkeley.edu/consortium/>), and/or data from NPS (including from botanist Tarja Sagar who is familiar with this site).

Regionally-rare species such as *Lepidium latipes* and *Hordeum depressum* were not mapped on Figure 3 of the 2015 Rare Plant report (yet, oddly, were mapped in the original map in the EIR, 4.2-6), and several that were mapped appear to have been incompletely depicted. Even referring to the 2006 checklist, several species listed as “rare” in that checklist were ignored by Rincon in the detailed mapping shown in Appendix H (e.g., *Lepidium latipes*). Had Rincon reviewed these sources, they would have shown clearly that species like *Convolvulus simulans* (erroneously listed as *Calystegia pearsonii* in FEIR, probably out of confusion with its common name), *Hordeum depressum*, *Lepidium latipes* (misspelled in 2015 rare plant map), and *Brodiaea terrestris* ssp. *kernensis* (erroneously listed as *Brodiaea jolonensis* in 2015 plant list), among several others present are actually rare – and legitimately so. To take an example, they claim *Convolvulus simulans* is “uncommon” because of the word “uncommon” next to its name in the 2006 checklist; yet as of 2010 it was known from just three small locations in the Santa Monica Mountains/Simi Hills, one of which is the subject property (T. Sagar, NPS, unpubl. data). Even on the subject property Rincon seems to not have been able to locate the actual populations; a brief March 2015 site visit found at least one additional outside the area mapped by Rincon, much closer to the proposed development (basically within a parcel proposed for residential development).

Rincon also failed to understand CEQA requirement of rarity, which they themselves cite (correctly):

“According to CNPS, certain CRPR 4 species may be significant locally, and may warrant evaluated for impact significance during preparation of CEQA documents, based on CEQA Guidelines § 15125 (c) and/or § 15380. This may be particularly appropriate for:

- The type locality of a CRPR 4 plant,
- Populations at the periphery of a species' range,
- Areas where the taxon is especially uncommon (rare),
- Areas where the taxon has sustained heavy losses, or
- Populations exhibiting unusual morphology or occurring on unusual substrates (CNPS, 2015).”

In the FEIR, Rincon interpreted “uncommon (rare)” to just include “rare”, and not uncommon (see their treatment of *Convolvulus simulans*, which is known from just a handful of locations in Ventura and Los Angeles County – including the project site!), which several CNPS Rank 4 taxa clearly are, if not statewide, then certainly in the Los Angeles area (see Prigge and Gibson 2013).



Rincon also interpreted the above term “sustained heavy losses” to refer to losses from fire, which is puzzling, since fire often encourages wildflower blooms (including rare species), and the main driver of species decline in the region is clearly, overwhelming, residential development such as that proposed.

**Recommendation:** Conduct a proper floristic survey (in 2016) and map all occurrences of state- and locally-rare plants, even if they occur within development/fuel modification footprint. Consult with NPS biologists about how to do this.

*Convolvulus simulans*

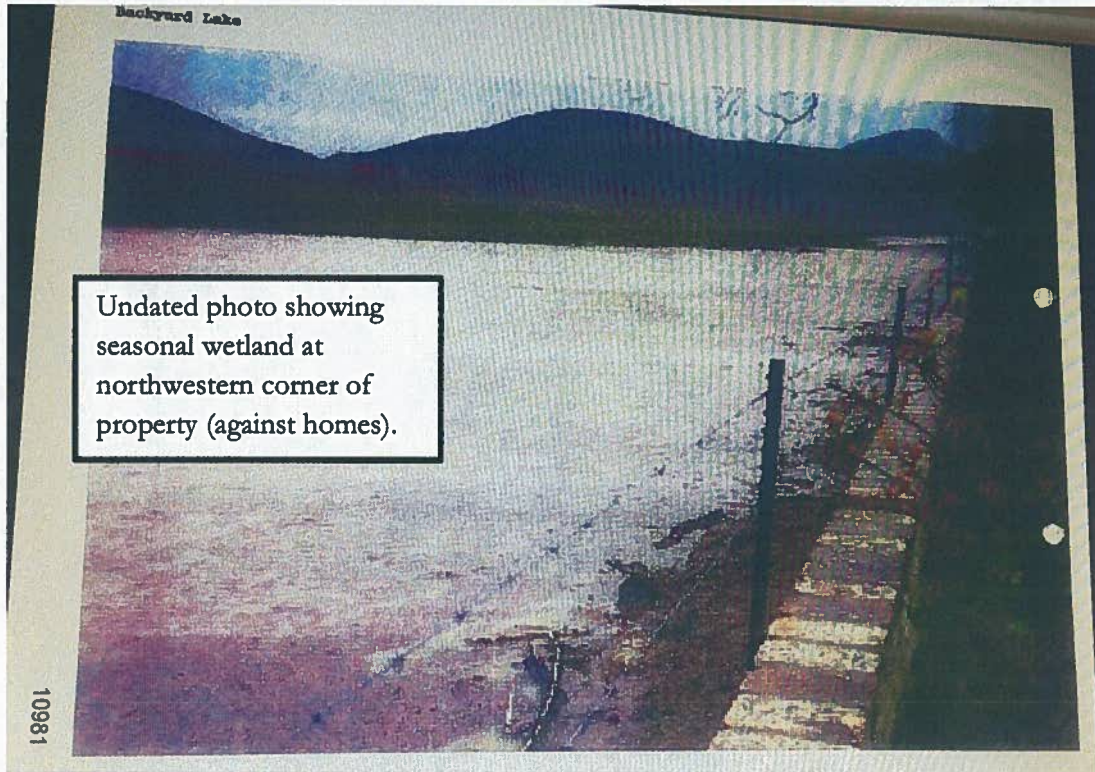
Photographed March 2015  
in/near Parcel 12 (along trail at  
north edge of meadow, near  
where shown in lower  
photograph).



8. The seasonal pond that forms during wet years in the northwest corner of the site (directly where houses are proposed) was not analyzed. It is possible Rincon didn't know about it; they cite a 2014 wetland delineation study, which would not have been possible to conduct since 2014 was a major drought year (results should be disregarded). The area seems ideal habitat for western spadefoot (California Species of Special Concern), which the FEIR erroneously lists as occurring only in “vernal pools”. Spadefoots, particularly those in southwestern California, breed in a variety of ephemeral aquatic habitats, including tire ruts

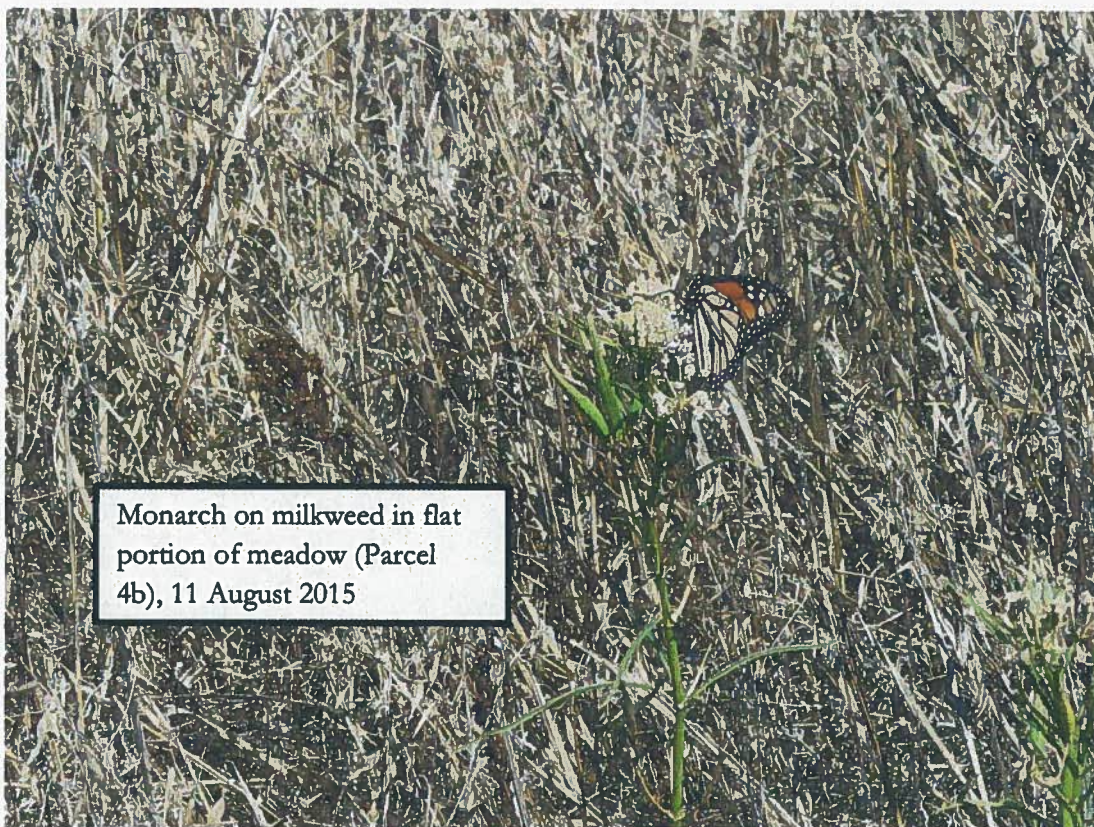


on dirt roads, borrow pits, large tarps, discarded tires and cattle troughs, etc. Even western toad, which has been observed using this pool, is significant since it has been widely extirpated in the Los Angeles area (e.g, Palos Verdes Peninsula, San Gabriel Valley). Photo of pooling below.



9. Monarch (butterfly) was listed as not occurring since they do not over-winter/bivouac; while they don't, in 2015, USFWS announced it was considering the Monarch for federal listing under the ESA. During an August 2015 site visit, multiple monarchs were observed flying through the meadow feeding on abundant narrow-leaf milkweed (*Asclepias fascicularis*). The impact of replacing this milkweed-rich, flat-meadow habitat on monarch should be evaluated.





**Recommendation:** Conduct a monarch study (late summer/fall) to determine usage of entire site by monarch, and importance of flat portion of meadow to the species.

Overall, the FEIR still could use some editing, due to the many typographical and factual errors to numerous to list here. Taking the CNDDDB/rare elements information alone, for example, “saltgrass flats” would not, as claimed support ensatina, black-bellied slender-salamander, or California chorus frog – these are woodland species; side-blotched lizard should be common at the site and was somehow missed; great egret should be a regular visitor, not “rare”; Swainson’s hawk should not be “not expected”, but “expected seasonally” when migrating throughout the region; horned lark would not be expected, unless Rincon can produce some information showing it to occur in the Chesebro/Agoura area within the past 30 years; merlin, which is regular here ([www.ebird.org](http://www.ebird.org)) would be “high probability”, rather than “low probability”; black-tailed jackrabbit is listed twice, etc. These don’t change the overall findings of the FEIR, but do indicate a lack of attention to detail or lack of local knowledge.



**Allison Cook**

---

**From:** John Hendra [jhendra@rcdsgmm.org]  
**Sent:** Tuesday, August 18, 2015 1:14 PM  
**To:** Allison Cook  
**Subject:** Comment letter-Agoura Equestrian Estates  
**Attachments:** 2015-8-18 Agoura Equestrian Estates Comment ltr.pdf

Hello Ms. Cook,

Attached please find a comment letter from the Resource Conservation District of the Santa Monica Mountains regarding the Agoura Equestrian Estates DEIR. Please enter this into the record for the upcoming meeting.

Thank you for your assistance.

Best regards,

John Hendra  
Operations Manager  
Resource Conservation District of the Santa Monica Mountains  
818/597-8627 x102  
Fax:818/597-8630  
[www.rcdsgmm.org](http://www.rcdsgmm.org)

Support the Resource Conservation District of the Santa Monica Mountains: [Donate](#).





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CONSERVATION DISTRICT  
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**18 August 2015**

**Delivered by email**

**Allison Cook**  
**City of Agoura Hills**  
**30001 Lady Face Court**  
**Agoura Hills, CA 91301**

**Re: Agoura Equestrian Estates Project – Tract No. 72316**

**EXECUTIVE OFFICER**  
Clark Stevens

**Dear Allison Cook,**

The Resource Conservation District of the Santa Monica Mountains (RCDSMM) appreciates the opportunity to comment on the Agoura Equestrian Estates Project potential impact to biological resources and wildlife connectivity. As a reviewing and resource agency in the Santa Monica Mountains, the RCDSMM is actively involved in monitoring local and endangered species within the Santa Monica Mountains, and is part of the design team for the Liberty Canyon Wildlife Crossings.

As has already been discussed by NPS (letter dated 2 March 2015) and the Santa Monica Mountains Conservancy (letter dated 2 March 2015), the current DEIR for this project does not adequately and completely address several issues related to the potential biological impacts that could result from approval of this project in its current configuration. While we understand from the applicant that some adjustments are even now underway to address some of these previous comments, we can only speak to the public record documents. We have also been asked by a neighborhood group to consider a comment letter of the DEIR by Cooper Ecological Monitoring of Oak Park, which is dated August 13, 2015 and therefore may not be a part of the public record. We have reviewed the Cooper letter as requested and note that its findings conflict with that of the submitted DEIR.

On the basis of our review of the DEIR, we generally concur with the comments of NPS and SMMC, and additionally note the following:

**Wildlife movement corridors**

The Liberty Canyon Wildlife Corridor, as mapped by the City of Agoura Hills, and connectivity to Simi Hills via parklands to the north are well documented and considered to be essential for continued viability of the Santa Monica Mountains population of mountain lions. The 49 acre open space provided in the design, shown as Lot 17, would provide buffer areas to the south and east of the developed portion of the project. We appreciate the efforts to locate the development adjacent to existing suburban development areas and in areas that are more heavily impacted by prior land-use to decrease the potential impacts on the corridor. However, the areas within Lots 9-15 on the north not only include fuel modification encroachment into the park, but could potentially increase





edge effects that would significantly reduce the ability of wildlife to make use of that portion of the wildlife corridor. Adjustment of the lot lines or building envelopes to make the buffer zone sufficient to protect native landscape on the north is recommended. It is our understanding from the applicant that such revisions are underway and we expect to see this in the new alternative.

**Impacts to oak savannah**

Oak savannah habitat is considered to be one of the most threatened plant communities throughout California and as such has been included as a priority for preservation by the California Oak Woodlands Conservation Act (AB 242). Within Los Angeles County, valley oak woodlands have been significantly reduced due to development impacts and comprise approximately 1% (5,500 acres) of all oak woodlands remaining in the unincorporated county (Los Angeles County Oak Woodlands Conservation Management Plan 2011). In recognition of the high threat to remaining valley oak woodlands, the county has implemented a no net loss policy in their most current General Plan (2014), and reviews impacts not only to individual oak trees, but also to the woodland as a whole.

It is not clear from the DEIR how identified impacts associated with grading, equipment storage and fuel modification in perpetuity would realistically be mitigated to less than significant, especially for the existing heritage valley oaks (such as Tree No 4, which has a dripline extending into the proposed Lot 15). We concur with NPS that the proposed lot lines be adjusted to avoid any impacts to Tree No. 4, adjustments we understand to be underway.

**Impacts to public parklands by fuel modification**

As mentioned above, adjustment of the lots or building envelopes to avoid all future fuel modification in public lands as well as the open space lots is recommended, and we look forward to reviewing the adjusted alternative that does so.

**Preservation of round-leaved filaree (*California macrophylla*)**

There are no precedents for restoring this species by developing new populations in areas where they are not naturally occurring. We therefore recommend total impact avoidance to protect this small remnant population. We understand that surveys were updated this spring, and that a buffer zone around this area that prevents any future fuel modification is to be provided, and look forward to confirmation of this in a modified alternative.

**Plant and animal species distributions and status**

We have been made aware of the concerns raised by Cooper Ecological monitoring (comments 13 August 2015) regarding the completeness and accuracy of the vegetation mapping, as well as the characterization of the fauna present on site presented in the DEIR. As a general practice, and particularly in light of the on-going drought conditions as well as the high potential for a variety of sensitive species on the property, we recommend that appropriate protocols be followed when preparing vegetation reports and maps, including multiple site visits during different seasons. Nevertheless, our comments reflect the maps available in the DEIR, and if these require revision we would then adjust our specific recommendations accordingly. Our comments are intended to identify recommended design revisions that will ensure sufficient buffer between areas that will





require fuel modification in perpetuity and these resources. At this point no alternative map exists to make such refinements in our recommendations, but we note that the significant discrepancies between the DEIR report and the Cooper letter would lead to differing appropriate development limits.

**Cumulative edge effects**

The DEIR does not adequately address the impacts of edge effects from fuel modification, lighting, domestic animals, rodenticides, and fencing approach on the adjacent core habitat. While the proposed buffer zone on the south (Lot 17) provides some protection, it does not preclude impacts to the round-leaved filaree and includes fuel modification into proposed open space. The impacts of filling in the natural drainage in Lot 1 and extending fuel modification from Lot 15 completely around Tree No. 4 are also significant impacts that can be avoided by adjustment of parcel lines and/or quantity. We note and support such revisions that we understand are ongoing in the project design documents.

**Drainage infrastructure**

In addition to addressing the proposed alteration of the natural drainage proposed for Lot 1, we encourage the applicant to develop general improvements to the on-site drainage and retention proposed in the current design. Extension of the natural drainage hollows of the upper parts of the property downslope more directly through the developed area, with naturalized and vegetated drainage swales and green infrastructural systems, would enhance the existing native habitat areas underlying the development lots, and create better corridors of wildlife habitat within the developed area. Currently, the proposed drainage system is rather linear and narrow, and it would benefit both the habitat functionality and perhaps the attractiveness of the development by widening these corridors, increasing their sinuosity, and re-vegetating them as riparian habitat enhancements.

The RCDSMM supports the well-organized and environmentally suitable use of property and agrees with both NPS and SMMC that it is possible to revise this design so that it both avoids identified impacts and yet provides for thoughtfully designed development of the property that minimizes the loss of functionality of a critical remaining wildlife habitat linkage area to the greatest extent possible. As part of the team working to enhance this linkage area and provide wildlife crossing opportunities at the Liberty Canyon drainage immediately east of the proposed project, we encourage the City to require that such adjustments be developed and look forward to reviewing them prior to approval.

Sincerely,

Clark Stevens, Architect  
Executive Officer



**From:** <Brigham>, Christy <[christy\\_brigham@nps.gov](mailto:christy_brigham@nps.gov)>

**Date:** Wednesday, June 10, 2015 8:51 AM

**To:** Benjamin Efraim <[befraim@fortuneco.us](mailto:befraim@fortuneco.us)>

**Subject:** Re: AEE: NPS / Liberty Canyon Wildlife Crossing & Agoura Equestrian Estates

Hi Ben,

Sorry to take so long to get back to you - I've been swamped!



**Ben,**

**I am attaching the NPS comment letter on Agoura Equestrian Estates that we submitted on the DEIR in March of this year. The letter is NPS's formal position on the development. The portion regarding the wildlife corridor states,**

**"Wildlife Movement Corridors (Sections 4.2.1(f, [g]) and 4.2.2 BIO-5) The DEIR provides a detailed summary of movement corridors and describes the project's location within the Santa Monica-Sierra Madre Mountains Connection (Penrod et al., 2006) and the Liberty Canyon Wildlife Corridor as mapped in the city's general plan. The DEIR concludes that, owing to the clustering of development adjacent to existing residential development, the 49-acre open space set-aside on the eastern side of the property would provide an adequate buffer between existing and proposed development. The project is situated along the main entrance into the 16,000-acre Simi Hills parkland and core habitat National Park Service Allison Cook, City of Agoura Hills, Agoura Equestrian Estates DEIR Page 2 March 2, 2015 region. NPS supports MRCA's efforts to protect the full property as public open space in accordance with NPS's goals and objectives to protect Liberty Canyon Wildlife Corridor. Acquisition would preserve existing open space within the wildlife corridor that provides forage and habitat for a number of mammals, birds, reptiles, amphibians, sensitive plants. In the event acquisition funding and a willing seller are not both available, the DEIR's preferred alternative and final project design should be based on maximal preservation of existing natural, scenic, and outdoor recreation values the property offers."**

**This reflects our identification of the subject property as being within the wildlife corridor and that no development within the wildlife corridor would be ideal. It also reflects our opinion that, given the lack of resources to purchase the property, the clustering of the development on the west side of the project area, on the other side of the ridge from the Liberty Canyon area, minimizes the impact of this development on the wildlife corridor.**

**As I mentioned to you in our face to face meeting, NPS does not have sufficient data to accurately predict how the proposed development might or might not impact wildlife movement within the area. Our data is not at a sufficient level of detail to conduct such analyses. Furthermore, we also cannot anticipate how the development might impact the wildlife corridor in the area based on our data. Wildlife within our studies have used less and**



more densely populated areas than what is proposed here and level of use is likely dependent on site specific features such as vegetation, landscape contours, lighting, noise, etc. that we do not fully understand.

As I mentioned to you in our meeting, NPS has remaining concerns regarding the viewshed and other issues as outlined in the attached letter.

Please feel free to contact me if you would like further clarification. I will send you the mountain lion map under a separate email.

Thank you for your interest and concern,

Christy

On Tue, Jun 2, 2015 at 10:03 PM, Benjamin Efraim  
<[BEfraim@fortuneco.us](mailto:BEfraim@fortuneco.us)> wrote:

Dear Christy,

Just a note to thank you again for your time and input today. I sincerely appreciate our candid exchange, and you clarifying that the proposed 15-lot subdivision ("Agoura Equestrian Estates") along Chesebro will not lead to the elimination of the Wildlife, as some individuals have claimed.

You also stated that you were not able to ascertain whether this proposed development would negatively impact or have no impact on the so called "Wildlife Corridor". That you did not know one way or the other.

Finally, I appreciate your recognition of and your observation that the manner in which the parcels are clustered within the development envelope design is mindful of maximizing the open space and placed away from the "Wildlife corridor".

Please feel free to "correct" my rendition of our discussions, if I did not accurately outline your position.

I look forward to receiving the screen shot you shared with Don and I, and any other visuals, maps, etc. that you could share with me to help me better understand the "Wildlife corridor", path of travel, and related factors.

Thank you !

Ben



**Benjamin Efraim**

**befraim@fortuneco.us**

**FORTUNE COMPANIES**

11911 San Vicente Blvd., Suite 375

Los Angeles, California 90049

T (805) 966-2888 ext 10

T (310) 394-3622 ext 10

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**From:** <Brigham>, Christy <christy\_brigham@nps.gov>

**Date:** Monday, May 18, 2015 3:38 PM

**To:** Benjamin Efraim <befraim@fortuneco.us>

**Subject:** Re: Liberty Canyon Wildlife Crossing & Agoura Equestrian Estates

Hi Ben,

The latest time that I could meet on Tuesday would be at 5:30 PM. I leave to go home at 6 PM. Our address is 401 West Hillcrest Dr. We are off the Lynn Road exit from the 101 freeway.

Let me know if 5:30 tomorrow works for you.

-Christy

On Fri, May 15, 2015 at 10:47 AM, Benjamin Efraim <BEfraim@fortuneco.us> wrote:

Hi Christy,

Thanks for your prompt reply. I appreciate it.

What would be the latest time next Tuesday afternoon (and your address please)?

Ben

**Benjamin Efraim**

**befraim@fortuneco.us**

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**From:** <Brigham>, Christy <[christy\\_brigham@nps.gov](mailto:christy_brigham@nps.gov)>  
**Date:** Thursday, May 14, 2015 5:54 PM  
**To:** Benjamin Efraim <[befraim@fortuneco.us](mailto:befraim@fortuneco.us)>  
**Cc:** "Beck, Melanie" <[melanie\\_beck@nps.gov](mailto:melanie_beck@nps.gov)>, Seth Riley <[seth\\_riley@nps.gov](mailto:seth_riley@nps.gov)>  
**Subject:** Re: Liberty Canyon Wildlife Crossing & Agoura Equestrian Estates

Hi Ben,

Seth is out of town and is pretty over-committed right now. I would be happy to meet with you to discuss our work with respect to wildlife crossing points along the 101 freeway and the importance of movement corridors.

I am available next week Monday morning before 10 or Tuesday any time after 1 PM.

Let me know if either of those timeslots works for you.

-Christy

On Thu, May 14, 2015 at 5:05 PM, Benjamin Efraim <[BEfraim@fortuneco.us](mailto:BEfraim@fortuneco.us)> wrote:

Thanks Melanie.

Dear Seth and Christy,

If you could kindly share a few dates and times in the coming two or three weeks that you would be available to meet, I would be very obliged.

Tuesdays (mornings or afternoons), Thursday afternoons or Fridays, in the morning generally work for me.

Thank you very much for your accommodation.



Warm regards,

Ben

**Benjamin Efraim**

**befram@fortuneco.us**

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**Los Angeles, California 90049**

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**From:** <Beck>, Melanie <melanie\_beck@nps.gov>

**Date:** Wednesday, May 13, 2015 5:48 PM

**To:** Seth Riley <seth\_riley@nps.gov>

**Cc:** Christy Brigham <Christy\_Brigham@nps.gov>, Benjamin Efraim <befram@fortuneco.us>

**Subject:** Liberty Canyon Wildlife Crossing & Agoura Equestrian Estates

Hi Seth -

I received a call yesterday from Benjamin Efraim, the private landowner of the Agoura Equestrian Estates project. He's cc'd here on this e-mail. He would like to know more about the proposed 101 crossing, since the Agoura Eques Estates project site ("Chesebro Meadow") is within the corridor and adjacent to the existing open space in lower Cheeseboro Cyn. Would you have about 30 mins to meet with him to brief him on the proposed crossing? He can meet here at the office or wherever works best for you. Feel free to reply-to-all or directly to Benjamin.



**Thanks! - Melanie**

**Melanie Beck, Outdoor Recreation Planner  
Santa Monica Mountains National Recreation Area  
National Park Service  
401 W. Hillcrest Dr.  
Thousand Oaks, CA 91360  
(805) 370-2346 voice  
(805) 370-1850 fax  
[melanie\\_beck@nps.gov](mailto:melanie_beck@nps.gov)**

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**Christy Brigham Ph.D.  
Chief of Planning, Science and Resource Management and Acting  
Deputy Superintendent for FY2015  
Santa Monica Mountains National Recreation Area  
401 West Hillcrest Dr.  
Thousand Oaks, CA 91360  
805-370-2339  
[Christy\\_Brigham@nps.gov](mailto:Christy_Brigham@nps.gov)**

**Adjunct Professor of Biology, California State University Northridge  
Adjunct Professor, Ecology & Evolutionary Biology, University of  
California Los Angeles**

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**Christy Brigham Ph.D.  
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**Adjunct Professor of Biology, California State University Northridge  
Adjunct Professor, Ecology & Evolutionary Biology, University of California Los  
Angeles**

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(1).pdf  
474 KB**

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## Allison Cook

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**From:** Allison Cook  
**Sent:** Wednesday, August 19, 2015 11:48 AM  
**To:** Linda Northrup; 'John O'Meara'; 'Curtis Zacuto'; 'Mike Justice'; Chris Anstead  
**Cc:** Nathan Hamburger; Doug Hooper  
**Subject:** FW: THURSDAY PLANNING COMMISSION MEETING  
**Attachments:** PLANNING COMMISSION LETTER.doc

Dear Chair Northrup and Commissioners:

Attached is a letter from Louise Rishoff, received today.

The comments raised in the letter have been addressed in the Final EIR, including Section 8.0 Responses to Comments. More specifically, you may want to refer to Section 4.2 Biological Resources and Mitigation Measure BIO-1(d) Pesticides, Herbicides, and Fertilizers and Rodent Control. With regard to lighting, the project would not include street lighting. The only lighting that may occur is with development of single family homes. Mitigation Measure Bio-1(c) Lighting Restrictions addresses lighting concerns. Page 4.2-59 discusses lighting, and lighting is also addressed on page 4.1-12 of Section 4.1 Aesthetics. The wildlife corridor is discussed in Section 4.2 of the Final EIR, particularly beginning on page 4.2-42 and in Section 8.0 Global Response 6. Flooding is discussed in Section 4.5 Hydrology and Water Quality, starting on page 4.5-14 and addressed in Mitigation Measures HWQ-5(a) and (b). Flooding is also discussed in Section 8.0 responses to comments, Verbal Response 6 and Responses 20.28 and 21.4.

If you have any further questions, please let me know. Thank you.

Allison Cook, AICP  
Assistant Planning Director  
City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301  
T 818-597-7310 F 818-597-7352

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**From:** Louise Rishoff [<mailto:lrishoff@roadrunner.com>]  
**Sent:** Wednesday, August 19, 2015 10:51 AM  
**To:** Allison Cook; Doug Hooper  
**Cc:** Linda Northrup  
**Subject:** THURSDAY PLANNING COMMISSION MEETING

Good morning:

I will attend Thursday night's meeting to read the attached letter into the record.

Thanks.  
Louise



This email is free from viruses and malware because avast! Antivirus protection is active.



**Louise Rishoff  
29639 Strawberry Hill Drive  
Agoura Hills, CA 91301**

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August 20, 2015

Re: August 20, 2015 Planning Commission meeting  
Annexation of Agoura Equestrian Estates project site

Chair Northrup and Commissioners:

I am a 33-year resident, former mayor and councilmember, and member of this Planning Commission in our formative years.

Below are four areas where I believe the EIR is seriously deficient.

1. The impacts will be severe on the planned wildlife corridor overcrossing that has drawn national attention and praise to Agoura Hills. The EIR provides only a passing reference to its existence, and no substantive analysis in the broader context. It is self evident that the corridor is going to be narrowed by this project on the north side of the freeway, as it already has been by development on the south along Agoura Road. This, at the same time that the overcrossing is designed to encourage wildlife to cross the 101 in order to increase genetic diversity. More analysis is needed.
2. There is no reason to light this development at all. It is not the suburbs. On its immediate west is Old Agoura, with no street lights, and as a result the only neighborhood in our city that can truly enjoy dark skies and starry nights as an essential part of its character. On the east are tens of thousands of acres of state and Federally-protected parkland. Lighting up streets and mini-mansions in a sea of darkness is light pollution and cannot be mitigated to "less than significant."
3. Likewise, the use of pesticides and herbicides should be prohibited entirely in an area so rich with wildlife and native plants. There is no way to mitigate the life threatening impacts, including as these toxins travel up the food chain. There are alternative methods for the control of pests and non-native plant species that accomplish the same goals, but are not identified or analyzed.



4. Lastly, there is a history of flooding on these 22 acres. Ask the long-time residents on Chesebro about the lake that forms on the property after severe winter storms, and why they built solid block walls on their eastern property lines. The answer is: to act as dams to protect their homes from those floods. This fact is entirely absent in the grading and hydrology analyses. With scientists projecting a "Godzilla" El Niño event for this coming winter, and climate change making it impossible to predict for later years, the flood hazard must be analyzed based on the site history.

Agoura Hills residents place a high premium on the protection and preservation of natural resources and open space. Identifying our city as "Gateway to the Santa Monica Mountains" had a very clear intent. It was as a reminder when making decisions such as this one that we are different. We moved here because Agoura Hills is different, and we are justly protective of all that makes us so.

Please do not recommend certification tonight. Instead recommend to the City Council that the gaps in the EIR receive further analysis in order to be deemed adequate, and that it be then be recirculated for public comment. Thank you.

Former Agoura Hills Mayors:

Louise Rishoff  
Darlene McBane  
Jeff Reinhardt  
Jack Koenig



## Allison Cook

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**From:** Allison Cook  
**Sent:** Wednesday, August 19, 2015 6:12 PM  
**To:** Linda Northrup; 'Mike Justice'; Chris Anstead; 'Curtis Zacuto'; 'John O'Meara'  
**Cc:** Nathan Hamburger; Doug Hooper  
**Subject:** Memorandum for Item at Commission Hearing 8-20-15  
**Attachments:** Colman Memo to PC (8-19-15).pdf

Dear Chair Northrup and Commissioners:

Here is another written correspondence received today from George Colman.

Please note the following information:

- The Agoura Equestrian Estates Project site and other adjacent areas to be annexed, as well as the entire City of Agoura Hills, is currently being considered for inclusion in the National Park Service's Rim of the Valley Special Resource Corridor Study. The Rim of the Valley "study area" includes about 650,000 acres in Los Angeles and Ventura Counties. If the City were to be ultimately included in this Rim of the Valley area, the NPS has stated that the City would retain regulatory authority for properties within its boundaries.
- All required CEQA and public hearing notices have been provided to the Resource Conservation District of the Santa Monica Mountains, LAFCO, Regional Water Quality Control Board, and U.S. Army Corps of Engineers. The Resource Conservation District submitted a letter to staff on Monday, which was forwarded to you via e-mail. City staff has been closely working with LAFCO, and LAFCO staff are aware of this project. No comments or other responses have been received by the Regional Water Quality Control Board or the U.S. Army Corps of Engineers. With regard to the Coastal Commission, the City of Agoura Hills and the project area are not within or in proximity to the Coastal Zone, so the Coastal Commission does not need to be noticed. The properties surrounding the project site are not owned by the State Parks Department or National Forest Service, so no notice is required. The Santa Clarita Watershed Recreation and Conservation Authority, to City staff's knowledge, does not have purview over the project site, given its location, and so no notice was provided. The Wildlife Corridor Conservation Authority pertains to the Puente-Chino Hills corridor area in the Los Angeles area, and so no notice was provided. Staff is not aware of an entity called Santa Monica Park Association, so no notice was provided.
- The Final EIR addresses potentially significant impacts, and incorporates mitigation measures that would reduce these impacts to a less than significant level. These include impacts to biological resources identified in the memorandum (see Section 4.2 Biological Resources and Section 8.0 Responses to Comments). Please note that there are no native wildlife nursery sites in the project vicinity.
- The Final EIR provides a discussion of the wildlife movement on the project site, and the Liberty Canyon Wildlife Corridor to the east of the project site. (See Section 8.0 Responses to Comments, Global Response 6, and Section 4.2 Biological Resources).
- Two flora surveys were conducted on the project site. In 2014, biologists conducted a survey during three separate days in the spring. In 2015, flora surveys were again conducted, specifically in March, April and June. (See Section 8.0 Responses to Comments Global Response 7 and Section 4.2 Biological Resources).
- The Final EIR references the Heschel West School EIR (2006), which was prepared for the same site by the County of Los Angeles. References to a previous EIR on the same site are common and expected in CEQA documents. The consultant preparing the current Final EIR, Rincon Consultants, Inc., did not rely on the Heschel



EIR for analysis. Rincon staff prepared separate project-specific analyses for the current Final EIR, including two years of biological surveys and testing for potential contaminants on the site, among other studies.

Please feel free to contact staff if you have any questions. Thank you.

Allison Cook, AICP  
Assistant Planning Director  
City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301  
T 818-597-7310 F 818-597-7352





CITY OF AGOURA HILLS  
2015 AUG 19 PM 3:10  
CITY CLERK

To: Planning Commission – City of Agoura Hills  
From: George Colman – 5676 Colodny Drive  
Re: Agoura Equestrian Estates Project

The Final EIR needs to be recirculated before a decision regarding approval can be made by this commission for the following reasons:

Firstly, many interested and concerned citizens, organizations and agencies were not informed nor participated with comments to the final draft. Of significance in this respect is this development site is an integral part of PLAN (Public Land Alliance Network) – Rim of the Valley Corridor Special Resource Study; this is a described interest of the federal government and particularly Congressman Adam Schiff and others in Congress. A short list of the agencies that to the best of my knowledge have not participated and should be as follows:

- The Coastal Commission
- State Parks Department
- Santa Clarita Watershed Recreation and Conservation Authority
- National Forest Service
- Wildlife Corridor Conservation Authority
- Resource Conservation District of The Santa Monica Mountains
- LAFCO (must be involved in the annexation process)
- Regional Quality Water Board
- U.S. Army Corp of Engineers
- Santa Monica Park Association

Secondly, many concerns related to environmental impact must be addressed in more detail because the project has a significant impact and a substantial adverse effect, either directly, or through habitat modification on species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations of the state and federal fish and wild life service; as well as substantial adverse effect on riparian habitat and other sensitive natural community; this development substantially effects the wet lands and interferes with the movement of wildlife species and established nature resident or migratory wildlife corridors, not to say that it also references and impeding of native wildlife nursery sites. It clearly discusses the identification of specific plants and suggested moving and replanting if necessary. This of course has no known record of results and many end up destroying this specific flora, certainly a significant impact.

Thirdly, it is very important to note that this development's impacts on two mapped wildlife movement areas – Liberty Canyon and Santa Monica – Sierra Madre Connection; the site is only 1000 west of the proposed wildlife corridor crossing.

There is significant interest expressed to this commission in letter from National Wildlife Federation dated 6/8/15.





Santa Monica Mountains Conservancy dated 3/2/15

George and Kathi Colman dated 7/15/15 referencing letter of U.S. Department of Interior (NPS) dated 7/10/01.

U.S. Department of Interior (NPS) dated 1/22/07 referencing the cumulative impacts to biological resources if this site is developed.

There is much more to review and discuss before this commission passes muster on this EIR that was not covered in the detail particularly the alternatives and investigations of problems. With the impact this site has on wildlife and flora the reduced sure alternative needs to be addressed. Certainly eight (8) homes would be the least attractive to an investor developer from a profit incentive, but would be the most acceptable to the wildlife community and the future of our significant Mediterranean climate and geography. Also have concern as to not having a thorough investigation of the flora existing at the site with the element of discovery in abeyance until two weeks before construction and then measures taken to mitigate the impact. How irresponsible is this.

I skirmish that the hired experts Rincon relied on the Heschel School ETR to do the job for them – saves money, faster and serves principle. However, that EIR is over eight years old and hides behind the Los Angeles County Planning Department and Board of Supervisors. A much different agency, and without the defined concern of local impacts as the commission should have.

In conclusion, approval of the EIR at this stage is premature; passing it on for approval of the City Counsel is an easy pass on of the responsibilities of this commission and a disregard of the ability to create a meaningful and significant open space for the future generations of residents and our flora, and wildlife.





## United States Department of the Interior

NATIONAL PARK SERVICE  
Santa Monica Mountains National Recreation Area  
401 West Hillcrest Drive  
Thousand Oaks, California 91360-4207

In reply refer to:  
L76 (SAMO/Heschel School)

January 22, 2007

Honorable Board of Supervisors of Los Angeles County  
Hall of Administration, Room 383  
500 W. Temple Street  
Los Angeles, CA 90012

Dear Honorable Supervisors:

The National Park Service thanks Los Angeles County for considering the following comments on the proposed Heschel West School, Project No. 98-062-(3), Conditional Use Permit (CUP) No. 98-062-(3). In providing comments at the invitation of permitting agencies, we assume a neutral position and do not support or oppose land development. In the cooperative federal/local partnership Congress envisioned for the Santa Monica Mountains National Recreation Area, however, we look to and appreciate the County's authority to prevent or minimize adverse impacts to park resources.

### Liberty Canyon Wildlife Corridor

We concur with the County's finding (Project Findings, No. 29, Pg. 21 of 27) that cumulative impacts to biological resources remain significant in spite of project conditions as summarized in the Statement of Overriding Conditions. As we stated in our comment letter dated May 17, 2005, Liberty Canyon wildlife corridor comprises a thin ribbon of open space and is the last suitable connection between the Santa Monica Mountains and Simi Hills capable of supporting wildlife movement. Its protection is of highest importance to the conservation of biological diversity in the Santa Monica Mountains. We appreciate efforts made by the applicant to reduce the overall development footprint; however, any development within this narrow strip of land would reduce the functionality of the wildlife corridor.

### Rodenticide Use Prohibition

We recommend the project be conditioned to prohibit the use of anticoagulant rodenticides. The park's large carnivore studies have confirmed that anticoagulant rodenticides incontrovertibly contribute to native wildlife mortality in areas adjacent to urban/suburban development in the national recreation area. Indeed, the U.S. Environmental Protection Agency has proposed a regulation banning the use of such rodenticides by persons other than licensed pesticide applicators. Finding No. 4.6-7 under the Facts of Finding for Section 4, Geotechnical Hazards (Page 10), recommends "immediate measures" to evict burrowing animals from slopes. Finding No. 4.6-7 and project conditioning should be amended to explicitly prohibit anticoagulant rodenticides as an eviction measure. Additionally, under the



Facts of Finding, Section 9, Biological Resources, a finding and project condition prohibiting any use of anticoagulant rodenticides on the school site should be added. We cannot overemphasize the need to eliminate anticoagulant rodenticides as a means to protect wildlife in the Liberty Canyon wildlife corridor as well as throughout the national recreation area.

Special Events

The National Park Service occasionally hosts community events that either stage at Cheeseboro Canyon Trailhead or make use of Chesebro Road and the public trail network in the Simi Hills. Additionally, the peak use times for Cheeseboro Canyon Trailhead are Saturday and Sunday mornings from approximately 7:00 a.m. to 12:00 noon. The project is conditioned to allow four special events per year, during non-peak hours. As the manager of special park events and of the heavily used Cheeseboro Canyon trailhead, we ask that Condition No. 30(I)(iii) be amended to include the National Park Service as a party to be notified in advance of major events.

Night Time Lighting

The County's Condition No. 30(s), prohibits night time lighting of the athletic field and is appropriate for wildlife protection in Liberty Canyon wildlife corridor. We appreciate the other project conditions requiring a lighting plan and the night time lighting curfew from 10:00 p.m. to 6:00 a.m. One source of artificial night time light that has been overlooked is unshielded windows emitting light from lights left on inside the building. We recommend an additional condition be added under Condition No. 30 that requires the applicant to mitigate this form of light pollution.

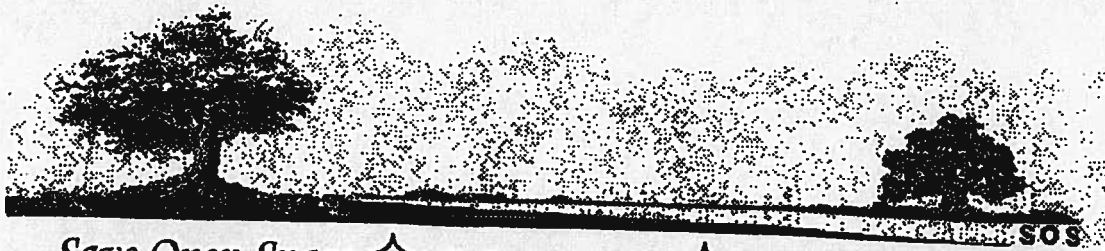
Thank you for the opportunity to comment. If you have questions, please call Ray Sauvajot at (805)370-2339.

Sincerely,

Woody Smeck  
Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy  
Ron Schafer, Superintendent, Angeles District, State Department of Parks and Recreation  
Dan Preece, District Manager, Resource Conservation District of the Santa Monica Mountains

SAMO:MBeck:mb:01/22/2007 f:/psrm/mbeck/~-/comments/heschel-4-BOS.doc



*Save Open Space* ✧ P. O. Box 1284 ✧ *Agoura, CA 91376*

January 23, 2007

**Re: Heschel West School County Project CUP No. 98-062**

**Los Angeles County Board of Supervisors  
821 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90607-4996**

**Dear Chair Zev Yaroslowsky and Board of Supervisors:**

**Development Monitoring System: NO. SP 86-173**

**The Heschel Project as proposed violates the Los Angeles County Plan. By court order, Los Angeles County had to implement Plan Amendment No. SP-86-173. As implemented, this DMS shall apply to all future urban development applications for..."conditional use permits", etc.**

**The DMS shall be employed in the initial study phase of the environmental review, which it was not. This project as proposed is: located in the Santa Monica Mts. This project puts urban density in an open space area adjacent to rural ranches thus making it within an urban expansion area. The initial study interpreted this last statement wrong thus violating the intent of the court order which mandated/created Plan Amendment No. SP-86-173.**

**The urban Heschel project with its 161,000 sq feet of buildings and a 200 car paved parking lot will bring urbanization/urban expansion to a rural area in the Santa Monica Mountains.**

**This EIR has not determined that it conforms to: these general plan policies in the DMS Plan Amendment:**

- Avoids premature conversion of undeveloped land to urban uses;**
- Promotes a distribution of population consistent with service system capacity, resource availability, environmental limitations, and accessibility.**
- Avoids hazard areas, such as flood prone, fire hazard area, soil instability, and toxic soil gas hits in project area per 1990 Clement HRA, and landfill air pollutants**



(1990 Clement), and liquefaction area. (As shown in the Canoga Park Quadrangle Seismic Hazard Zones August 1, 1997 map)

-Ensures that new development in urban expansion areas will occur and will pay for the expansion costs that it generates.

### **Urban Expansion**

Planning staff made an error when they marked that No or Urban Expansion qualification in the Initial Study. As defined in No. SP-86-173 Urban Expansion areas are: "areas where suitable non-urban land may be converted to urban uses as demand warrants." Urban expansion areas are defined by use of the following criteria: areas committed for urban development and planned for urban use in the near future, (per current zoning ordinance C-2 & R-1-30, 000 and General Plan Commercial and low density residential). Areas in close proximity to existing urban areas and service systems and unincorporated land suitable for urban use (i.e. without known major hazards or significant natural resources.)

Sincerely,

Mary E. Wiesbrock, Chair

Exhibit A: the Los Angeles County General Plan with Plan Amendment No SP 86-173. (Development Monitoring System)

January 23, 2007

Los Angeles County Board of Supervisors  
Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Re: Heschel project, County Project No. 98-062

Dear Chair Zev Yaroslavsky and Board of Supervisors:

The biological analysis of the impact of the Heschel project is lacking critical information.

**Santa Monica Mountains Zone**

The proposed Heschel development impacts a quality environment that serves as a significant and fragile wildlife area for southern California. The open space that would be replaced by this dense urban project is entirely within the Santa Monica Mountains Zone. The state legislature has recognized the importance of preserving this area and mandates protection of it in Section 33001 of the Public Resources Code: "The Legislature hereby finds and declares that the Santa Monica Mountains Zone, as defined in Section 33104, is a unique and valuable economic, environmental, agricultural, scientific, educational, and recreational resource which should be held in trust for present and future generations; that as the last large undeveloped area contiguous to the shoreline within the greater Los Angeles metropolitan region, comprised of Los Angeles and Ventura Counties. It provides essential relief from the urban environment, and that it exists as a single ecosystem *in which changes that affect one part may also affect all other parts: the preservation and protection of this resource is in the public interest.*" (emphasis added) (Enclosure #1 Public Resources Code 33001)

**Parkland Purchase for Fair Market Value**

While we support Heschel's right to exist, this particular location is not the right place for it. Plunking a huge urban school site into this spot compromises the public investment in the land all around it. Indeed, the flat portion slated for development is the part most critical to the regional wildlife habitat linkage in the Liberty Canyon Wildlife Corridor. Protection of this resource must take precedence over the need for a private school. To that end, the Santa Monica Mountains Conservancy has this land on its work program for purchase. (Enclosure 2: Santa Monica Mountains Conservancy Work Program) SOS submits correspondence indicating the SMMC's intention to purchase this property. (Enclosure 3: MRCA letter, April 19, 1993) State parkland bond money and/or Federal Land and Water Conservation money exist to purchase this valuable resource property at today's fair market value. Heschel could then buy an alternative site with better freeway access and existing signalization and would have money left over to finance building costs. Further negotiations to achieve these goals should be explored.



### **EIR is Inadequate: No Analysis of SMMC Comprehensive Plan**

This proposed Heschel project is located all within the Santa Monica Mountains Zone. There is no analysis on the compatibility of this proposed Heschel project with SMMC Comprehensive Plan. In rebuttal to statements in FEIR page 4.5-46, the property is NOT separated from the regional Liberty Canyon Wildlife Linkage. In fact, wildlife trails dot the Heschel property. Published maps of the project buildings and parking lot graded areas when compared to maps of this regional Liberty Canyon Wildlife Habitat linkage show that the project will destroy an essential part of the habitat linkage. The 166,450 square feet of buildings, huge parking lot, and terrain alteration--all requiring massive grading--destroys an essential part of this regional corridor. Furthermore, the terrain alteration/grading violates the Santa Monica Comprehensive Plan. This FEIR is inadequate in that there is no analysis of the proposed project and its inconsistencies with the SMMC Plan that Los Angeles County has adopted as an ordinance. (Appendix A: Submitted document/Santa Monica Mountains Comprehensive Plan and Land Use Map for Sub Area III)

### **EIR is inadequate: No Analysis on Inconsistencies with SMMNRA Resource Plans**

The FEIR is inadequate in that there is no analysis of inconsistencies with SMMNRA Resource Management Plans, in particular, Chapter V on the Visual and Biological Effects of Urbanization, Park Ecosystems and Threats. (Enclosures 4: Chapter V, 1994 SMMNRA Resource Plan) The published map as depicted in the 1982 SMMNRA Resource Management Plan shows link 1 in the Heschel project area. (Enclosures 5: 1982 SMMNRA Natural Resource Management Plan and Link Map)

### **SMMNRA General Management Plan EIS 2004**

Although this document focuses mainly on lands within the SMMNRA boundaries, it supports our conclusions about core habitat protection. Important statements support SOS's goal of preserving this site intact and finding an alternative site. Under habitat connectivity section page 158: "the primary need is to protect sufficient habitat for wildlife now. Linkages and corridors serve no wildlife protection purposes unless they connect large, contiguous blocks of protected open space. Without the core habitat and sufficient areas for foraging, breeding, and maintaining healthy populations would not occur." (Enclosure 6: SMMNRA General Management Plan EIS) Under the Affected Environment chapter, the Heschel effects include a significant impact to existing air quality, noise, soils and geology, floodplains, natural resources, fire, and visitor access and experience.

### **Project significantly impacts Liberty Canyon Regional Wildlife Linkage**

Analysis is missing from the EIR about the project's significant effect on the Liberty Canyon Wildlife regional linkage of which it is an essential part. Project specific impacts on common and special status wildlife and plant communities are significant.

Project specific impacts will be significant resulting in increased populations of non-native plants, increased light and glare, increased noise, increased traffic, increased smog, increased contaminants, and increased sediments. A well-functioning open space buffer area essential for wildlife foraging and cover will be replaced by dense urbanization consisting of 9 buildings totaling 166,000 sq feet and a 200 car parking lot. What was an open space pasture will be turned into a concentrated population of hundreds of people and thousands of new car trips a day. This impact on the Wildlife Corridor regional linkage cannot be ignored.

### **Map proves Heschel project part of Liberty Canyon Regional Habitat Linkage**

This project is considered part of the Liberty Canyon movement linkage. See maps from the Jordan Ranch and Ahmanson Ranch EIRs. (Enclosure 7: Base Map Envicon, July 1989) The map in the SMMNRA Resource Plan also shows this entire project area is a critical part of Link 1 in the SMMNRA Habitat Linkages. The habitat /open space where the Heschel project is proposed is part of the wildlife linkage. The proposed tunnel for the choke point has not been built, which makes this property's open space even more essential.

### **Critical Wildlife Corridor/Habitat Linkage Areas Nature Conservancy Study**

The proposed project area is a principle feeding area. The wildlife needs to be able to forage and find cover. This area provides that essential assessable habitat needed for a functional corridor. Steep hillsides and ridgelines do not provide the habitat for a viable corridor. The "Critical Wildlife Corridor/Habitat Linkage Areas between the Santa Susanna Mountains, the Simi Hills and the Santa Monica Mountain" prepared for The Nature Conservancy, Dec 1990 states: "On the north side of the freeway, **all** of the remaining land in the Liberty Canyon watershed is **essential** to ensure an adequate cross freeway linkage for target species." (Enclosure 8: Critical Wildlife Corridor/Habitat Linkage Areas, page 75). This report also states on page 74: "Maximum protection of surrounding lands, particularly adjacent to Liberty Canyon, should be a critical priority in protection of the regional habitat linkage system." The Santa Monica Mountains Conservancy in its March 24, 2003 comment letter on Heschel states: "The DEIR is incorrect in stating that the project will not indirectly impact wildlife movement within the corridor." (Enclosure 9: Letter SMMC, March 24, 2003) The Heschel project as proposed will destroy a critical core habitat area within the Liberty Canyon regional wildlife corridor.

### **Edge Effects**

Urban school buildings and a new urban population replacing an existing rural buffer area is incompatible development. The resulting significant edge effects such as noise and cars, and the loss of assessable flat land, flatland grasses, scrubs, and springs are significant impact to the mammals and sensitive bird species of the SMMNRA. Urban densities of 166,450 sq feet of buildings and resulting new concentrated population will



have a significant effect by destroying an existing essential regional wildlife habitat linkage area. Loss of additional habitat will further hurt the already precarious population of carnivores at the top of the food chain in the SMM Zone. The mountain lions, badgers, and bobcat populations are now declining. Without the top predators, the entire ecosystem

Several articles are pertinent to issue of protection of essential habitat like the habitat where the Heschel buildings and parking lot is proposed. Below is an abstract of one of the articles. The other articles will be submitted as enclosures.

**Mandatory Findings of Significance**

The Heschel project substantially degrades the quality of the environment of the Simi Hills, the Santa Monica Mountains Zone, and, thus, the Santa Monica Mountains National Recreational Area. This is a significant effect that was not made in the CEQA documentation. The project would reduce essential foraging, cover habitat, and wildlife corridor land for wildlife species particularly the already severely declining populations of the larger mammals: bobcats, American badgers, and mountain lions of the Santa Monica Mountains National Recreation Area. (SMMNRA). Their food sources, deer and rodents, are familiar residents of this flatland open field. Populations of the large carnivorous mammals of the Santa Monica Mountains have now already been severely impacted by anticoagulant poisons. This project will have a very significant impact on the regional habitat linkage system of the SMMNRA and the Santa Monica Mountains Zone.

Please vote to deny this project.

Sincerely,

Mary E. Wiesbrock, Biology degree  
Chair, Save Open Space/Santa Monica Mountains

Sue Boecker, former Ventura County Planning Commissioner

Mary Hubbard, M.A.Ed

Enclosure 10:

## Conservation Biology

Volume 17 Issue 2 Page 566 - April 2003

**To cite this article:** Seth P. D. Riley, Raymond M. Sauvajot, Todd K. Fuller, Eric C. York, Denise A. Kamradt, Cassity Bromley, Robert K. Wayne (2003)  
Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California

Conservation Biology 17 (2), 566-576.  
doi:10.1046/j.1523-1739.2003.01458.x

### Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California

**Abstract:** " Urbanization and habitat fragmentation are major threats to wildlife populations, especially mammalian carnivores. We studied the ecology and behavior of bobcats ( *Lynx rufus* ) and coyotes ( *Canis latrans* ) relative to development in a fragmented landscape in southern California from 1996 to 2000. We captured and radiocollared 50 bobcats and 86 coyotes, determined home ranges for 35 bobcats and 40 coyotes, and measured their exposure to development ( "urban association" ) as the percentage of each home range composed of developed or modified areas. Both species occupied predominantly natural home ranges. Adult female bobcats had low levels of urban association, significantly lower than coyotes, adult male bobcats, and young female bobcats. Home-range size was positively correlated with urban association for coyotes and adult male and young female bobcats, suggesting that human-dominated areas were less suitable than natural areas in some important way. Animals more associated with non-natural areas had higher levels of night activity, and both bobcats and coyotes were more likely to be in developed areas at night than during the day. Survival rates were relatively high and were not related to urban association, at least for animals >6-9 months of age. Mortality rates from human-related causes such as vehicle collisions and incidental poisoning were also independent of urban association. In this region, even the few animals that had almost no human development within their home range were vulnerable to human-related mortality. Carnivore conservation in urban landscapes must account for these mortality sources that influence the entire landscape, including reserves. For bobcats, preserving open space of sufficient quantity and quality for adult females is necessary for population viability."

Other articles on impacts of fragmentation and urbanization are included in this comment letter (Enclosure 10 continued: "Behavior responses of bobcats and coyotes to habitat fragmentation and corridors in an urban environment", "Use of highway undercrossings", "A southern California freeway is a physical and social



barrior to gene flow in carnivores", "Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California", "Roads and genetic connectivity"). Also submitted as a part of the record, is the report:South Coast Missing Linkage Project which depicts the valuable role that the Heschel project site serves in particular for the mule deer as depicted in Figure 13 as a Lease Coast Union yellow area. (Appendix B: Report South coast Missing Linkages Project)



*Inspiring Americans to protect wildlife  
for our children's future.*

June 8, 2015

Allison Cook, Principal Planner/Environmental Analyst  
City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301

RE: Letter of support for preserving Chesebro Meadow

Dear Allison,

This letter is provided on behalf of the National Wildlife Federation in support of preserving Chesebro Meadow as public open space. National Wildlife Federation is one of the oldest and largest wildlife conservation groups in the country, with 6 million supporters nationwide. Our organization provides a voice for wildlife, and is dedicated to protecting wildlife and habitat and inspiring the future generation of conservationists.

The National Wildlife Federation is committed to protecting wildlife across the nation through the conservation, restoration, and connection of critical wildlife habitat. We are particularly concerned about the plight of larger mammals, like mountain lions in Los Angeles County, which need expansive contiguous wildlife habitat corridors to survive. For this reason, we are working hard to help reconnect large landscapes of habitat currently fragmented by highways and urban development.

As you know, last year we signed an official MOU with the Santa Monica Mountains Fund, and partnered with the National Park Service and others to form the #SaveLACougars campaign to advocate and fundraise for the Liberty Canyon Wildlife Crossing. We thank the City of Agoura Hills for their support of this project.

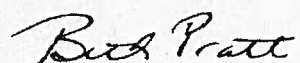
Preserving open space in the Santa Monica Mountains is vital to ensuring that mountain lions and all wildlife have a future in the area. As such we support the efforts to encourage the developer to be a willing and profitable seller of Agoura Equestrian Estates to a public open space agency like MRCA. As the National Park Service concluded in their review of the DEIR:

*NPS supports MRCA's efforts to protect the full property as public open space in accordance with NPS's goals and objectives to protect Liberty Canyon Wildlife Corridor. Acquisition would preserve existing open space within the wildlife corridor that provides forage and habitat for a number of mammals, birds, reptiles, amphibians, sensitive plants. In the event acquisition funding and a willing seller are not both available, the DEIR's preferred alternative and final project design should be based on maximal preservation of existing natural, scenic, and outdoor recreation values the property offers.*



**For all of these reasons, the National Wildlife Federation strongly supports adding Chesebro Meadow to the important designation of public open space in the Santa Monica Mountains.**

**Sincerely,**

A handwritten signature in cursive script that reads "Beth Pratt".

**Beth Pratt,  
California Director**



Allison Cook, Principal Planner  
City of Agoura Hills  
30001 Lady Face Court  
Agoura Hills, CA 91301

Re: Agoura Equestrian Estates  
Tract #72316  
DEIR Comment

Dear Allison,

You may recall that we are residents of Old Agoura and with respect to the above captioned matter submit a copy of a letter dated 7/10/01 to Mike Kamino from Arthur Eck, former Superintendent for the National Park Service.

Our purpose is to remind you that the issue of the Wildlife Corridor at Liberty Canyon is a long term one, and impact of any development must be weighed against the documented importance it has to preservation of our environment, and the wildlife and flora that are an intrinsic part of the Santa Monica Mountains and our valuable Mediterranean climate. A well-documented community of flora and fauna known throughout the world.

Former Superintendent Eck's letter repeats what has so often been expressed that "habitat fragmentation caused by human encroachment has been recognized as one of the greatest threats to wildlife survival." This development as proposed, is again another threat to the Liberty Canyon Wildlife Corridor, the last best remaining north-south habitat exchange in the central part of the mountain range. It is clear that the extent of the project and its completion will have a significant impact. We remain available to discuss this further.

Sincerely,

A handwritten signature in black ink, appearing to read 'George &amp; Kathi Colman', written over a horizontal line.

George & Kathi Colman  
818-889-6727  
5676 Colodny Drive  
Agoura, CA 91301



## Wildlife Corridor Habitat Protection

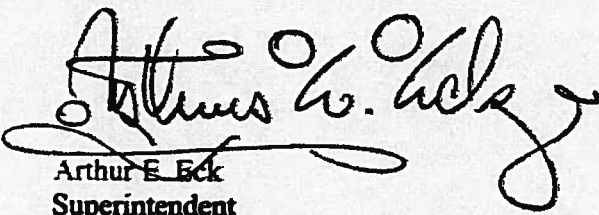
Wildlife corridor function and use depends on shelter provided by surrounding vegetation and adequate screening from development. Animals generally seek cover under vegetation and by following vegetated stream courses. The proposed project would impact the majority of oaks on the site, through removal, transplantation and encroachment, to the detriment of wildlife shelter. The project should be designed to reduce removals and eliminate encroachments into oak trees. After development, landscaping around the perimeter of the project should be with native plant species and provide screening and shelter for wildlife movement.

Additionally, the proposed project sites buildings within feet of stream courses. We recommend the City consult with State Department of Fish and Game (DFG) about qualifying for a Streambed Alteration Agreement. We understand DFG has jurisdiction over a stream's adjacent riparian habitat when determining whether or not a Streambed Alteration Agreement is necessary. Given the project's encroachment into oak trees adjacent to the stream courses, a permit may be necessary. At a minimum, we recommend a 100 foot setback from the streams based on other jurisdictions' guidelines for stream course protection.

✓ Habitat fragmentation caused by human encroachment has been recognized as one of the greatest threats to wildlife survival. In the Santa Monica Mountains, the Ventura Freeway and its adjacent development has disrupted nearly all habitat connectivity to open space north of the mountains. Over the course of 55 miles along the Ventura Freeway, from the east to the west end of the Santa Monica Mountains, the Liberty Canyon Wildlife Corridor is the last best remaining north-south habitat linkage in the central part of the mountain range. A tremendous investment of public funds has secured public parkland north and south of the freeway to protect this critical linkage. Proper design of the proposed office center is essential to ensure long-term survival of local wildlife and to uphold the public's investment in the corridor.

Thank you for considering the National Park Service's input. If we can be of assistance, please call Dr. Ray Sauvajot, Chief, Division of Planning, Science and Resource Management, at (805) 370-2339.

Sincerely,



Arthur E. Eck  
Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy  
Russ Guiney, Superintendent, Angeles District, Department of Parks and Recreation  
Margo Murman, Executive Officer, Resource Conservation District of the Santa Monica Mountains



## United States Department of the Interior

NATIONAL PARK SERVICE  
Santa Monica Mountains National Recreation Area  
401 West Hillcrest Drive  
Thousand Oaks, California 91360-4207

In reply refer to:  
L76 (SAMO)

July 10, 2001

Mr. Mike Kamino, Community Development Director  
City of Agoura Hills  
30101 Agoura Court, Suite 102  
Agoura Hills, CA 91301

Dear Mr. Kamino:

The National Park Service has reviewed the draft Mitigated Negative Declaration (MND) for the proposed Liberty Office Center, located at the northwest corner of Liberty Canyon Road and Agoura Road. We recommend the City require either an Environmental Impact Report (EIR) for the current project or require a revised project with a new Mitigated Negative Declaration. The basis for the recommendation is the significant impacts the project would have on the Liberty Canyon Wildlife Corridor.

### Wildlife Corridor Width

The draft MND's mitigation measures need to be strengthened to preserve the wildlife corridor and the habitat values intrinsic to facilitating wildlife movement. It would be ideal to have the parcel come into parkland ownership, and that option should be explored if the landowner is willing. Meanwhile, a more propitious design that accommodates both development and wildlife corridor protection would include a wider corridor along the north side of the project, as depicted in the Santa Monica Mountains Conservancy's 1998 Liberty Canyon Wildlife Corridor Project, "Critical [Wildlife Corridor] Enhancement Zone." The National Park Service supported the Conservancy's corridor project, including preservation of the "critical enhancement zone" encompassing all of Parcel 4 of the proposed project site.

As you may know, the National Park Service and other university-affiliated researchers have been monitoring wildlife use in and around the Liberty Canyon Wildlife Corridor. Use of the corridor has been documented by a variety of species, including bobcats, deer, raccoons, and spotted skunks. For example, radio-collared bobcats regularly utilize riparian habitats along Agoura Road and the Ventura Freeway, adjacent to and within the proposed project site. In addition, remote camera photography and track surveys show animals crossing under the freeway at the Liberty Canyon Road underpass and within the drainage tunnel beneath the freeway and proposed project site.



**SANTA MONICA MOUNTAINS CONSERVANCY**

RAMIREZ CANYON PARK  
5750 RAMIREZ CANYON ROAD  
MALIBU, CALIFORNIA 90265  
PHONE (310) 589-3200  
FAX (310) 589-3207  
WWW.SMMC.CA.GOV



March 2, 2015

Allison Cook  
City of Agoura Hills  
30001 Lady Face Court  
Agoura Hills, California 91301

**Agoura Equestrian Estates Project - Tract No. 72316  
Draft Environmental Impact Report Comments**

Dear Ms. Cook:

The Draft Environmental Impact Report (DEIR) for the subject project without any supporting evidence concludes that the subject property is "not considered essential for the Santa Monica Mountains-Sierra Madre Mountains Connection regional wildlife corridor." Some portion of the property may not be essential for the wildlife corridor as claimed; however, the DEIR is deficient for not addressing how the whole project could adversely impact this portion of the inter-mountain range habitat linkage that joins the Simi Hills to the Santa Monica Mountains. Such an analysis is impossible if the full project is not defined in the DEIR project description.

The DEIR is deficient both for not describing the whole proposed project and for not fully analyzing the whole project. The DEIR candidly and repeatedly states that potential adverse impacts from Phase 2 of the proposed project—which includes all of the pad grading (except lot 1), houses, guest houses, pools, horse facilities, tennis courts, lights and fences—are not fully addressed at this stage in the CEQA process. The body of the DEIR is silent on the limits of where the disturbance and development will occur on each lot other than the Phase 1 drainage, access road, and trail improvements would be. The DEIR is unclear as to whether the graded pad locations in Appendix B are final and definitive. Because of this lack of clarity and definition, it must be assumed that the Phase 2 pad locations and grading footprints are conceptual.

To support the exclusion of Phase 2 impact analysis, the partial DEIR justification is that the City of Agoura Hills building codes and standards would ensure that such development cannot result in substantial adverse impacts. That line of reasoning leaves extremely broad potential for how close development could be to the proposed protected open space. The one DEIR glimpse of this potential development distribution on large individual lots is the disclosure of potential brush clearance impacts. The DEIR includes the potential extent of

Allison Cook - Principal Planner  
Agoura Equestrian Estates Project - DEIR comments  
March 2, 2015  
Page 2

fuel modification (brush clearance) impacts on plant communities using the assumption that habitable structures would be built within 25 feet of relevant rear lot boundaries. However, the DEIR does not address the potential indirect impacts of lighting, noise, pets, and domestic animals within 25 feet of core Simi Hills habitat. In a habitat linkage, spacing and buffer areas are critical. The DEIR is deficient for not addressing the potential impact differential between habitable structures being confined to the interior two-thirds of lots versus in locations within 25 feet of proposed protected habitat.

The Phase 2 part of the project is the source of the greatest potential biological, visual, and water quality impacts. The potential biological, visual, and water quality impacts from the Phase 2 part of the project have a high probability of being significant even if the habitable structures are limited to the interior two-thirds of lots 6-15 which all abut proposed protected habitat. It is difficult to imagine a more clear cut scenario for project piece mealing.

The omission of the definitive location and nature Phase 2 development leaves a large and significant information gap from which to analyze the project. How close will all of the development components of lots 6-15 be to the adjacent core habitat? If the City of Agoura Hills building regulations and standards allow for habitable structures within 25 feet of proposed permanently protected open space, the DEIR must assume a worst case Phase 2 development scenario that each habitat-adjacent lot (lots 6-15) would have a guest house and lighted tennis court (or equivalent) within 25 feet of protected open space and in some cases to the property boundary if there is no legally required setback.

The DEIR must be modified and recirculated with an impact analysis based on the distance between the proposed development footprints and adjacent habitat for lots 6-15. The development footprint under the above use of this term includes limits of grading, houses, guest houses, pools, retaining walls, fenced animal enclosures, horse facilities, tennis courts, and all types of lighting and landscaping. There is no other option to adequately assess the proposed project's potential impacts.

#### **Impact of Southernmost Lots on Narrow Habitat Linkage Area**

Proposed lots 9-11 pose the greatest potential biological impacts to the habitat linkage and to the most unique plant community onsite. The subject regional habitat linkage that abuts the 101 freeway right-of-way narrows towards the southerly part of the project. Thus the proposed development in the southern portion of the site is spatially closer to the center of the habitat linkage. It is important that wildlife are attracted to, and can be comfortable



Allison Cook - Principal Planner  
Agoura Equestrian Estates Project - DEIR comments  
March 2, 2015  
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within, this southernmost habitat linkage area where both existing and future freeway crossing structures are located.

Now that the current preferred alternative in the Project Study Report being prepared by Caltrans locates a dedicated wildlife freeway overpass close to the subject property, any proposed development has a greater potential for permanent, unavoidable adverse impacts on the function of this future freeway crossing structure and on the habitat linkage as a whole, even if wildlife are still relegated to using the Liberty Canyon Road freeway underpass.

Another factor that compounds this potential narrowing of the habitat linkage is potential residential development over the ridgeline to the east. The new owners of APN 2052-013-040 told our staff last week that they want to develop an estate home on that five-acre lot on the edge of the protected habitat linkage leading to the Liberty Canyon Road freeway underpass. Development of this lot would have substantial cumulative impact in conjunction with the proposed project on 71 acres. In particular proposed lots 9-11 are located where this narrowing could potentially occur. The DEIR will remain deficient until this specific potential adverse narrowing of the habitat linkage is disclosed and analyzed.

The proposed development of lots 9-15 under all circumstances would reduce the habitat capacity of all the habitat from the eastern ridgeline down to the development itself. The indirect effects of residential development and a formalized public trail would reduce the remoteness quality of that whole west-facing flank of the watershed divide. Without question, human intolerant species would use this whole west facing flank to a much lesser degree if the proposed project were constructed. Approximately 50 percent of that west-facing flank is existing public protected land. So both the habitat linkage function and species diversity carrying capacity of existing public lands would be substantially reduced by the proposed project with any development configurations for Phase 2.

Without a detailed Phase 2 development plan, it can only be concluded that the proposed project would result in unavoidable significant adverse impacts to the subject habitat linkage. There are numerous development (grading and structures) footprint restrictions that could help avoid and thus lessen those impacts that are not included in the DEIR.

#### **Need Total Avoidance and Buffering of Unique Round Leafed Filaree Habitat**

At the end of February 2015 our staff observed scores of round leafed filaree plants on what appears to be the southern edge of proposed lots 7-8. Many of these plants were

Allison Cook - Principal Planner  
Agoura Equestrian Estates Project - DEIR comments  
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commingled with the DEIR mapped saw-tooth golden bush - golden stars - wild oat alliance. According to the National Park Service this filaree species is found in only one other location in the Santa Monica Mountains zone which includes the Simi Hills. Given the widespread occurrence of this species following three severe drought years, the population should be mapped and included in the CEQA review. The location of the filaree is towards the bottom of a gently sloped north-facing hill with what appears to be fine sandy soil.

The proposed DEIR mitigation measure to transplant the species is speculative and unproven. The microsites where the plant now occurs onsite does not appear to be too replicable. There also is no known evidence of successful restoration of this species in the Santa Monica Mountains zone.

Furthermore the DEIR states that the population could endure being in a habitat thinning zone which leaves 25 percent vegetation coverage. It is unknown how the species would respond to less vegetative cover and annual disturbance. Secondly how would the people doing the brush and grass clearance adequately avoid the species?

The DEIR is deficient for not concluding that proposed project would have an unavoidable significant adverse impact on this species. The DEIR was written before the widespread extent of the population became so apparent this winter and this spring. The project disturbance impact must be moved northward a sufficient distance such that 90 percent of the extant population is outside of all fuel modification and grading zones. The DEIR must also address proposed trail impacts through the population.

#### **Deficient Representation of Value of Site to Simi Hills Ecosystem**

There are many reasons why the whole subject 71-acre site is part of the Los Angeles County Significant Ecological Area system in the General Plan. The Simi Hills are a highly constrained mountain system with approximately 60-square-miles of contiguous habitat bound by either dense development or a freeway. If the Simi Hills cannot sustain or temporarily harbor a wildlife species, then that species, will not be able to replenish the whole Santa Monica Mountains population of that species.

The grassland, oak savannah, riparian, chaparral-coastal sage scrub vegetation complex in the southern half of the Simi Hills ecosystem has high wildlife habitat value and is an uncommon habitat in the adjacent Santa Monica Mountains. In particular, this habitat complex is valuable to a wide range of raptors for nesting and hunting. The last known



Allison Cook - Principal Planner  
Agoura Equestrian Estates Project - DEIR comments  
March 2, 2015  
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### **In Adequate Impact Analysis of Stormwater Infrastructure at Cheeseboro Creek**

The project as proposed would drain about 45 acres into a single pipe that crosses under Cheeseboro Road. That pipe would then terminate in Cheeseboro Creek with a large and complex dissipator structure. It appears that the pipe would enter Cheeseboro Creek perpendicular to the creek's direction flow. The DEIR provides no analysis on how this structure and its peak flows could adversely affect the hydrology, water quality, stability, and biology of Cheeseboro Creek. The DEIR appears deficient for not addressing the specific loss of riparian habitat to construct such a drainage system. It appears further deficient for addressing how crews would get access to main the structure. Have some potential habitat impacts been overlooked by the DEIR?

### **City of Agoura Hills First Offer to SMMC Pursuant to Public Resources Code § 33207(b)**

The DEIR should address if the City of Agoura Hills has an obligation to first offer the subject property to the Santa Monica Mountains Conservancy pursuant to Public Resources Code Section 33207(b).

### **In Adequate Range of Alternatives and Alternative Analysis**

*A* Why does the DEIR not designate an environmentally superior alternative other than the No Project alternative?

The depiction of the North Area Plan Alternative as being capable of spreading development over the whole site is flawed. The County may not be able to limit lot sizes but it can affect lot configuration and development footprints for such discretionary actions. The wholesale impacts of the lot configuration in the North Area Plan alternative is oversimplified and not realistic. This alternative is deficient. A project can easily be designed to provide all by-right North Area Plan allowances and still be wholly able to be annexed by the City.

The Clustered Development alternative appears purposefully designed to fail to meet the project objectives. An alternative project could be designed to reduce impacts to the habitat and habitat linkage by developing a single row of homes on a north-south axis located approximately 175 feet from the western property boundary. Such a design provides more valuable building sites and greatly avoids all substantial project impacts. Such a project alternative would be fully economically feasible based on the price the applicant is set to obtain the land for.

Allison Cook - Principal Planner  
Agoura Equestrian Estates Project - DEIR comments  
March 2, 2015  
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Both the project and all of the DEIR alternatives should not locate any development on lot 15 such that public parkland has to be annually brushed to protect a private home. The proposed project would cause such permanent disturbance to 3.9 acres of high quality habitat on protected land with a high visibility along Cheeseboro Road. What if the Santa Monica Mountains Conservancy did not allow such brush clearance on its land?

Both the project and all of the DEIR alternatives should require conservation easements on all of the undeveloped portion of lots that abut habitat or open space. Those conservation easements should prohibit any lighting elements.

Please direct any questions and all future documents to my attention at the above letterhead address or by email at [edelman@smmc.ca.gov](mailto:edelman@smmc.ca.gov).

Sincerely,



PAUL EDELMAN  
Deputy Director  
Natural Resources and Planning





CITY OF AGOURA HILLS  
2015 AUG 19 PM 3:09  
CITY CLERK

To: Planning Commission – City of Agoura Hills  
From: George Colman – 5676 Colodny Drive  
Re: Agoura Equestrian Estates Project

The Final EIR needs to be recirculated before a decision regarding approval can be made by this commission for the following reasons:

Firstly, many interested and concerned citizens, organizations and agencies were not informed nor participated with comments to the final draft. Of significance in this respect is this development site is an integral part of PLAN (Public Land Alliance Network) – Rim of the Valley Corridor Special Resource Study; this is a described interest of the federal government and particularly Congressman Adam Schiff and others in Congress. A short list of the agencies that to the best of my knowledge have not participated and should be as follows:

- The Coastal Commission
- State Parks Department
- Santa Clarita Watershed Recreation and Conservation Authority
- National Forest Service
- Wildlife Corridor Conservation Authority
- Resource Conservation District of The Santa Monica Mountains
- LAFCO (must be involved in the annexation process)
- Regional Quality Water Board
- U.S. Army Corp of Engineers
- Santa Monica Park Association

Secondly, many concerns related to environmental impact must be addressed in more detail because the project has a significant impact and a substantial adverse effect, either directly, or through habitat modification on species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations of the state and federal fish and wild life service; as well as substantial adverse effect on riparian habitat and other sensitive natural community; this development substantially effects the wet lands and interferes with the movement of wildlife species and established nature resident or migratory wildlife corridors, not to say that it also references and impeding of native wildlife nursery sites. It clearly discusses the identification of specific plants and suggested moving and replanting if necessary. This of course has no known record of results and many end up destroying this specific flora, certainly a significant impact.

Thirdly, it is very important to note that this development's impacts on two mapped wildlife movement areas – Liberty Canyon and Santa Monica – Sierra Madre Connection; the site is only 1000 west of the proposed wildlife corridor crossing.

There is significant interest expressed to this commission in letter from National Wildlife Federation dated 6/8/15.



Santa Monica Mountains Conservancy dated 3/2/15

George and Kathi Colman dated 7/15/15 referencing letter of U.S. Department of Interior (NPS) dated 7/10/01.

U.S. Department of Interior (NPS) dated 1/22/07 referencing the cumulative impacts to biological resources if this site is developed.

There is much more to review and discuss before this commission passes muster on this EIR that was not covered in the detail particularly the alternatives and investigations of problems. With the impact this site has on wildlife and flora the reduced sure alternative needs to be addressed. Certainly eight (8) homes would be the least attractive to an investor developer from a profit incentive, but would be the most acceptable to the wildlife community and the future of our significant Mediterranean climate and geography. Also have concern as to not having a thorough investigation of the flora existing at the site with the element of discovery in abeyance until two weeks before construction and then measures taken to mitigate the impact. How irresponsible is this.

I skirmish that the hired experts Rincon relied on the Heschel School ETR to do the job for them – saves money, faster and serves principle. However, that EIR is over eight years old and hides behind the Los Angeles County Planning Department and Board of Supervisors. A much different agency, and without the defined concern of local impacts as the commission should have.

In conclusion, approval of the EIR at this stage is premature; passing it on for approval of the City Counsel is an easy pass on of the responsibilities of this commission and a disregard of the ability to create a meaningful and significant open space for the future generations of residents and our flora, and wildlife.





## United States Department of the Interior

NATIONAL PARK SERVICE  
Santa Monica Mountains National Recreation Area  
401 West Hillcrest Drive  
Thousand Oaks, California 91360-4207

In reply refer to:  
L76 (SAMO/Heschel School)

January 22, 2007

Honorable Board of Supervisors of Los Angeles County  
Hall of Administration, Room 383  
500 W. Temple Street  
Los Angeles, CA 90012

Dear Honorable Supervisors:

The National Park Service thanks Los Angeles County for considering the following comments on the proposed Heschel West School, Project No. 98-062-(3), Conditional Use Permit (CUP) No. 98-062-(3). In providing comments at the invitation of permitting agencies, we assume a neutral position and do not support or oppose land development. In the cooperative federal/local partnership Congress envisioned for the Santa Monica Mountains National Recreation Area, however, we look to and appreciate the County's authority to prevent or minimize adverse impacts to park resources.

### Liberty Canyon Wildlife Corridor

We concur with the County's finding (Project Findings, No. 29, Pg. 21 of 27) that cumulative impacts to biological resources remain significant in spite of project conditions as summarized in the Statement of Overriding Conditions. As we stated in our comment letter dated May 17, 2005, Liberty Canyon wildlife corridor comprises a thin ribbon of open space and is the last suitable connection between the Santa Monica Mountains and Simi Hills capable of supporting wildlife movement. Its protection is of highest importance to the conservation of biological diversity in the Santa Monica Mountains. We appreciate efforts made by the applicant to reduce the overall development footprint; however, any development within this narrow strip of land would reduce the functionality of the wildlife corridor.

### Rodenticide Use Prohibition

We recommend the project be conditioned to prohibit the use of anticoagulant rodenticides. The park's large carnivore studies have confirmed that anticoagulant rodenticides incontrovertibly contribute to native wildlife mortality in areas adjacent to urban/suburban development in the national recreation area. Indeed, the U.S. Environmental Protection Agency has proposed a regulation banning the use of such rodenticides by persons other than licensed pesticide applicators. Finding No. 4.6-7 under the Facts of Finding for Section 4, Geotechnical Hazards (Page 10), recommends "immediate measures" to evict burrowing animals from slopes. Finding No. 4.6-7 and project conditioning should be amended to explicitly prohibit anticoagulant rodenticides as an eviction measure. Additionally, under the

Facts of Finding, Section 9, Biological Resources, a finding and project condition prohibiting any use of anticoagulant rodenticides on the school site should be added. We cannot overemphasize the need to eliminate anticoagulant rodenticides as a means to protect wildlife in the Liberty Canyon wildlife corridor as well as throughout the national recreation area.

#### Special Events

The National Park Service occasionally hosts community events that either stage at Cheeseboro Canyon Trailhead or make use of Chesebro Road and the public trail network in the Simi Hills. Additionally, the peak use times for Cheeseboro Canyon Trailhead are Saturday and Sunday mornings from approximately 7:00 a.m. to 12:00 noon. The project is conditioned to allow four special events per year, during non-peak hours. As the manager of special park events and of the heavily used Cheeseboro Canyon trailhead, we ask that Condition No. 30(1)(iii) be amended to include the National Park Service as a party to be notified in advance of major events.

#### Night Time Lighting

The County's Condition No. 30(s), prohibits night time lighting of the athletic field and is appropriate for wildlife protection in Liberty Canyon wildlife corridor. We appreciate the other project conditions requiring a lighting plan and the night time lighting curfew from 10:00 p.m. to 6:00 a.m. One source of artificial night time light that has been overlooked is unshielded windows emitting light from lights left on inside the building. We recommend an additional condition be added under Condition No. 30 that requires the applicant to mitigate this form of light pollution.

Thank you for the opportunity to comment. If you have questions, please call Ray Sauvajot at (805)370-2339.

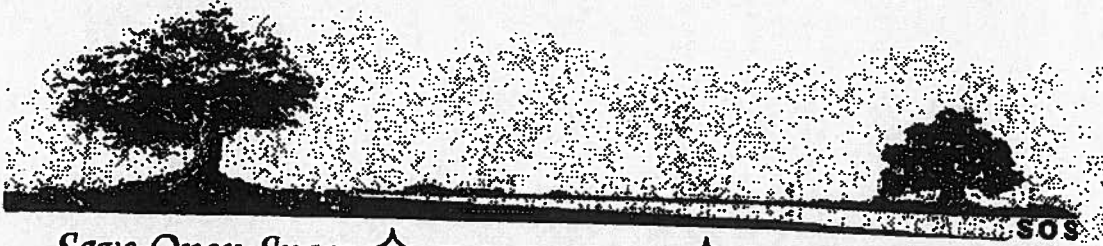
Sincerely,

Woody Smeck  
Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy  
Ron Schafer, Superintendent, Angeles District, State Department of Parks and Recreation  
Dan Preece, District Manager, Resource Conservation District of the Santa Monica Mountains

SAMO:MBeck:mb:01/22/2007 f:/psrm/mbeck/~-/comments/heschel-4-BOS.doc





*Save Open Space* ✧ P. O. Box 1284 ✧ *Agoura, CA 91376*

January 23, 2007

**Re: Heschel West School County Project CUP No. 98-062**

**Los Angeles County Board of Supervisors  
821 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90607-4996**

**Dear Chair Zev Yaroslowsky and Board of Supervisors:**

**Development Monitoring System: N0. SP 86-173**

**The Heschel Project as proposed violates the Los Angeles County Plan. By court order, Los Angeles County had to implement Plan Amendment No. SP-86-173. As implemented, this DMS shall apply to all future urban development applications for..."conditional use permits", etc.**

**The DMS shall be employed in the initial study phase of the environmental review, which it was not. This project as proposed is: located in the Santa Monica Mts. This project puts urban density in an open space area adjacent to rural ranches thus making it within an urban expansion area. The initial study interpreted this last statement wrong thus violating the intent of the court order which mandated/created Plan Amendment No. SP-86-173.**

**The urban Heschel project with its 161,000 sq feet of buildings and a 200 car paved parking lot will bring urbanization/urban expansion to a rural area in the Santa Monica Mountains.**

**This EIR has not determined that it conforms to: these general plan policies in the DMS Plan Amendment:**

- Avoids premature conversion of undeveloped land to urban uses;**
- Promotes a distribution of population consistent with service system capacity, resource availability, environmental limitations, and accessibility.**
- Avoids hazard areas, such as flood prone, fire hazard area, soil instability, and toxic soil gas hits in project area per 1990 Clement HRA, and landfill air pollutants**

(1990 Clement), and liquefaction area. (As shown in the Canoga Park Quadrangle Seismic Hazard Zones August 1, 1997 map)  
-Ensures that new development in urban expansion areas will occur and will pay for the expansion costs that it generates.

### Urban Expansion

Planning staff made an error when they marked that No or Urban Expansion qualification in the Initial Study. As defined in No. SP-86-173 Urban Expansion areas are: "areas where suitable non-urban land may be converted to urban uses as demand warrants." Urban expansion areas are defined by use of the following criteria: areas committed for urban development and planned for urban use in the near future, (per current zoning ordinance C-2 & R-1-30, 000 and General Plan Commercial and low density residential). Areas in close proximity to existing urban areas and service systems and unincorporated land suitable for urban use (i.e. without known major hazards or significant natural resources.)

Sincerely,

Mary E. Wiesbrock, Chair

Exhibit A: the Los Angeles County General Plan with Plan Amendment No SP 86-173. (Development Monitoring System)



January 23, 2007

Los Angeles County Board of Supervisors  
Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Re: Heschel project, County Project No. 98-062

Dear Chair Zev Yaroslavsky and Board of Supervisors:

The biological analysis of the impact of the Heschel project is lacking critical information.

**Santa Monica Mountains Zone**

The proposed Heschel development impacts a quality environment that serves as a significant and fragile wildlife area for southern California. The open space that would be replaced by this dense urban project is entirely within the Santa Monica Mountains Zone. The state legislature has recognized the importance of preserving this area and mandates protection of it in Section 33001 of the Public Resources Code: "The Legislature hereby finds and declares that the Santa Monica Mountains Zone, as defined in Section 33104, is a unique and valuable economic, environmental, agricultural, scientific, educational, and recreational resource which should be held in trust for present and future generations; that as the last large undeveloped area contiguous to the shoreline within the greater Los Angeles metropolitan region, comprised of Los Angeles and Ventura Counties. It provides essential relief from the urban environment, and that it exists as a single ecosystem *in which changes that affect one part may also affect all other parts: the preservation and protection of this resource is in the public interest.*" (emphasis added) (Enclosure #1 Public Resources Code 33001)

**Parkland Purchase for Fair Market Value**

While we support Heschel's right to exist, this particular location is not the right place for it. Plunking a huge urban school site into this spot compromises the public investment in the land all around it. Indeed, the flat portion slated for development is the part most critical to the regional wildlife habitat linkage in the Liberty Canyon Wildlife Corridor. Protection of this resource must take precedence over the need for a private school. To that end, the Santa Monica Mountains Conservancy has this land on its work program for purchase. (Enclosure 2: Santa Monica Mountains Conservancy Work Program) SOS submits correspondence indicating the SMMC's intention to purchase this property. (Enclosure 3: MRCA letter, April 19, 1993) State parkland bond money and/or Federal Land and Water Conservation money exist to purchase this valuable resource property at today's fair market value. Heschel could then buy an alternative site with better freeway access and existing signalization and would have money left over to finance building costs. Further negotiations to achieve these goals should be explored.

### **EIR is Inadequate: No Analysis of SMMC Comprehensive Plan**

This proposed Heschel project is located all within the Santa Monica Mountains Zone. There is no analysis on the compatibility of this proposed Heschel project with SMMC Comprehensive Plan. In rebuttal to statements in FEIR page 4.5-46, the property is NOT separated from the regional Liberty Canyon Wildlife Linkage. In fact, wildlife trails dot the Heschel property. Published maps of the project buildings and parking lot graded areas when compared to maps of this regional Liberty Canyon Wildlife Habitat linkage show that the project will destroy an essential part of the habitat linkage. The 166,450 square feet of buildings, huge parking lot, and terrain alteration--all requiring massive grading--destroys an essential part of this regional corridor. Furthermore, the terrain alteration/grading violates the Santa Monica Comprehensive Plan. This FEIR is inadequate in that there is no analysis of the proposed project and its inconsistencies with the SMMC Plan that Los Angeles County has adopted as an ordinance. (Appendix A: Submitted document/Santa Monica Mountains Comprehensive Plan and Land Use Map for Sub Area III)

### **EIR is inadequate: No Analysis on Inconsistencies with SMMNRA Resource Plans**

The FEIR is inadequate in that there is no analysis of inconsistencies with SMMNRA Resource Management Plans, in particular, Chapter V on the Visual and Biological Effects of Urbanization, Park Ecosystems and Threats. (Enclosures 4: Chapter V, 1994 SMMNRA Resource Plan) The published map as depicted in the 1982 SMMNRA Resource Management Plan shows link 1 in the Heschel project area. (Enclosures 5: 1982 SMMNRA Natural Resource Management Plan and Link Map)

### **SMMNRA General Management Plan EIS 2004**

Although this document focuses mainly on lands within the SMMNRA boundaries, it supports our conclusions about core habitat protection. Important statements support SOS's goal of preserving this site intact and finding an alternative site. Under habitat connectivity section page 158: "the primary need is to protect sufficient habitat for wildlife now. Linkages and corridors serve no wildlife protection purposes unless they connect large, contiguous blocks of protected open space. Without the core habitat and sufficient areas for foraging, breeding, and maintaining healthy populations would not occur." (Enclosure 6: SMMNRA General Management Plan EIS) Under the Affected Environment chapter, the Heschel effects include a significant impact to existing air quality, noise, soils and geology, floodplains, natural resources, fire, and visitor access and experience.

### **Project significantly impacts Liberty Canyon Regional Wildlife Linkage**

Analysis is missing from the EIR about the project's significant effect on the Liberty Canyon Wildlife regional linkage of which it is an essential part. Project specific impacts on common and special status wildlife and plant communities are significant.



Project specific impacts will be significant resulting in increased populations of non-native plants, increased light and glare, increased noise, increased traffic, increased smog, increased contaminants, and increased sediments. A well-functioning open space buffer area essential for wildlife foraging and cover will be replaced by dense urbanization consisting of 9 buildings totaling 166,000 sq feet and a 200 car parking lot. What was an open space pasture will be turned into a concentrated population of hundreds of people and thousands of new car trips a day. This impact on the Wildlife Corridor regional linkage cannot be ignored.

### **Map proves Heschel project part of Liberty Canyon Regional Habitat Linkage**

This project is considered part of the Liberty Canyon movement linkage. See maps from the Jordan Ranch and Ahmanson Ranch EIRs. (Enclosure 7: Base Map Envicon, July 1989) The map in the SMMNRA Resource Plan also shows this entire project area is a critical part of Link 1 in the SMMNRA Habitat Linkages. The habitat /open space where the Heschel project is proposed is part of the wildlife linkage. The proposed tunnel for the choke point has not been built, which makes this property's open space even more essential.

### **Critical Wildlife Corridor/Habitat Linkage Areas**

#### **Nature Conservancy Study**

The proposed project area is a principle feeding area. The wildlife needs to be able to forage and find cover. This area provides that essential assessable habitat needed for a functional corridor. Steep hillsides and ridgelines do not provide the habitat for a viable corridor. The "Critical Wildlife Corridor/Habitat Linkage Areas between the Santa Susanna Mountains, the Simi Hills and the Santa Monica Mountain" prepared for The Nature Conservancy, Dec 1990 states: "On the north side of the freeway, **all** of the remaining land in the Liberty Canyon watershed is **essential to ensure an adequate cross freeway linkage for target species.**" (Enclosure 8: Critical Wildlife Corridor/Habitat Linkage Areas, page 75). This report also states on page 74: "Maximum protection of surrounding lands, particularly adjacent to Liberty Canyon, should be a critical priority in protection of the regional habitat linkage system." The Santa Monica Mountains Conservancy in its March 24, 2003 comment letter on Heschel states: "The DEIR is incorrect in stating that the project will not indirectly impact wildlife movement within the corridor." (Enclosure 9: Letter SMMC, March 24, 2003) The Heschel project as proposed will destroy a critical core habitat area within the Liberty Canyon regional wildlife corridor.

### **Edge Effects**

Urban school buildings and a new urban population replacing an existing rural buffer area is incompatible development. The resulting significant edge effects such as noise and cars, and the loss of assessable flat land, flatland grasses, scrubs, and springs are significant impact to the mammals and sensitive bird species of the SMMNRA. Urban densities of 166,450 sq feet of buildings and resulting new concentrated population will

have a significant effect by destroying an existing essential regional wildlife habitat linkage area. Loss of additional habitat will further hurt the already precarious population of carnivores at the top of the food chain in the SMM Zone. The mountain lions, badgers, and bobcat populations are now declining. Without the top predators, the entire ecosystem

Several articles are pertinent to issue of protection of essential habitat like the habitat where the Heschel buildings and parking lot is proposed. Below is an abstract of one of the articles. The other articles will be submitted as enclosures.

**Mandatory Findings of Significance**

The Heschel project substantially degrades the quality of the environment of the Simi Hills, the Santa Monica Mountains Zone, and, thus, the Santa Monica Mountains National Recreational Area. This is a significant effect that was not made in the CEQA documentation. The project would reduce essential foraging, cover habitat, and wildlife corridor land for wildlife species particularly the already severely declining populations of the larger mammals: bobcats, American badgers, and mountain lions of the Santa Monica Mountains National Recreation Area. (SMMNRA). Their food sources, deer and rodents, are familiar residents of this flatland open field. Populations of the large carnivorous mammals of the Santa Monica Mountains have now already been severely impacted by anticoagulant poisons. This project will have a very significant impact on the regional habitat linkage system of the SMMNRA and the Santa Monica Mountains Zone.

Please vote to deny this project.

Sincerely,

Mary E. Wiesbrock, Biology degree  
Chair, Save Open Space/Santa Monica Mountains

Sue Boecker, former Ventura County Planning Commissioner

Mary Hubbard, M.A.Ed



Enclosure 10:

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## Conservation Biology

Volume 17 Issue 2 Page 566 - April 2003

**To cite this article:** Seth P. D. Riley, Raymond M. Sauvajot, Todd K. Fuller, Eric C. York, Denise A. Kamradt, Cassity Bromley, Robert K. Wayne (2003)  
Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California

Conservation Biology 17 (2), 566-576.  
doi:10.1046/j.1523-1739.2003.01458.x

### Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California

**Abstract:** " Urbanization and habitat fragmentation are major threats to wildlife populations, especially mammalian carnivores. We studied the ecology and behavior of bobcats ( *Lynx rufus* ) and coyotes ( *Canis latrans* ) relative to development in a fragmented landscape in southern California from 1996 to 2000. We captured and radiocollared 50 bobcats and 86 coyotes, determined home ranges for 35 bobcats and 40 coyotes, and measured their exposure to development ( "urban association" ) as the percentage of each home range composed of developed or modified areas. Both species occupied predominantly natural home ranges. Adult female bobcats had low levels of urban association, significantly lower than coyotes, adult male bobcats, and young female bobcats. Home-range size was positively correlated with urban association for coyotes and adult male and young female bobcats, suggesting that human-dominated areas were less suitable than natural areas in some important way. Animals more associated with non-natural areas had higher levels of night activity, and both bobcats and coyotes were more likely to be in developed areas at night than during the day. Survival rates were relatively high and were not related to urban association, at least for animals >6-9 months of age. Mortality rates from human-related causes such as vehicle collisions and incidental poisoning were also independent of urban association. In this region, even the few animals that had almost no human development within their home range were vulnerable to human-related mortality. Carnivore conservation in urban landscapes must account for these mortality sources that influence the entire landscape, including reserves. For bobcats, preserving open space of sufficient quantity and quality for adult females is necessary for population viability."

Other articles on impacts of fragmentation and urbanization are included in this comment letter (Enclosure 10 continued: "Behavior responses of bobcats and coyotes to habitat fragmentation and corridors in an urban environment", "Use of highway undercrossings", "A southern California freeway is a physical and social

barrior to gene flow in carnivores", "Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California", "Roads and genetic connectivity"). Also submitted as a part of the record, is the report:South Coast Missing Linkage Project which depicts the valuable role that the Heschel project site serves in particular for the mule deer as depicted in Figure 13 as a Lease Coast Union yellow area. (Appendix B: Report South coast Missing Linkages Project)





*Inspiring Americans to protect wildlife  
for our children's future.*

June 8, 2015

Allison Cook, Principal Planner/Environmental Analyst  
City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301

RE: Letter of support for preserving Chesebro Meadow

Dear Allison,

This letter is provided on behalf of the National Wildlife Federation in support of preserving Chesebro Meadow as public open space. National Wildlife Federation is one of the oldest and largest wildlife conservation groups in the country, with 6 million supporters nationwide. Our organization provides a voice for wildlife, and is dedicated to protecting wildlife and habitat and inspiring the future generation of conservationists.

The National Wildlife Federation is committed to protecting wildlife across the nation through the conservation, restoration, and connection of critical wildlife habitat. We are particularly concerned about the plight of larger mammals, like mountain lions in Los Angeles County, which need expansive contiguous wildlife habitat corridors to survive. For this reason, we are working hard to help reconnect large landscapes of habitat currently fragmented by highways and urban development.

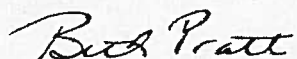
As you know, last year we signed an official MOU with the Santa Monica Mountains Fund, and partnered with the National Park Service and others to form the #SaveLACougars campaign to advocate and fundraise for the Liberty Canyon Wildlife Crossing. We thank the City of Agoura Hills for their support of this project.

Preserving open space in the Santa Monica Mountains is vital to ensuring that mountain lions and all wildlife have a future in the area. As such we support the efforts to encourage the developer to be a willing and profitable seller of Agoura Equestrian Estates to a public open space agency like MRCA. As the National Park Service concluded in their review of the DEIR:

*NPS supports MRCA's efforts to protect the full property as public open space in accordance with NPS's goals and objectives to protect Liberty Canyon Wildlife Corridor. Acquisition would preserve existing open space within the wildlife corridor that provides forage and habitat for a number of mammals, birds, reptiles, amphibians, sensitive plants. In the event acquisition funding and a willing seller are not both available, the DEIR's preferred alternative and final project design should be based on maximal preservation of existing natural, scenic, and outdoor recreation values the property offers.*

**For all of these reasons, the National Wildlife Federation strongly supports adding Chesebro Meadow to the important designation of public open space in the Santa Monica Mountains.**

**Sincerely,**

A handwritten signature in cursive script that reads "Beth Pratt".

**Beth Pratt,  
California Director**





Allison Cook, Principal Planner  
City of Agoura Hills  
30001 Lady Face Court  
Agoura Hills, CA 91301

Re: Agoura Equestrian Estates  
Tract #72316  
DEIR Comment

Dear Allison,

You may recall that we are residents of Old Agoura and with respect to the above captioned matter submit a copy of a letter dated 7/10/01 to Mike Kamino from Arthur Eck, former Superintendent for the National Park Service.

Our purpose is to remind you that the issue of the Wildlife Corridor at Liberty Canyon is a long term one, and impact of any development must be weighed against the documented importance it has to preservation of our environment, and the wildlife and flora that are an intrinsic part of the Santa Monica Mountains and our valuable Mediterranean climate. A well-documented community of flora and fauna known throughout the world.

Former Superintendent Eck's letter repeats what has so often been expressed that "habitat fragmentation caused by human encroachment has been recognized as one of the greatest threats to wildlife survival." This development as proposed, is again another threat to the Liberty Canyon Wildlife Corridor, the last best remaining north-south habitat exchange in the central part of the mountain range. It is clear that the extent of the project and its completion will have a significant impact. We remain available to discuss this further.

Sincerely,

A handwritten signature in black ink, appearing to read 'George &amp; Kathi Colman', with a long, sweeping underline.

George & Kathi Colman  
818-889-6727  
5676 Colodny Drive  
Agoura, CA 91301

### Wildlife Corridor Habitat Protection

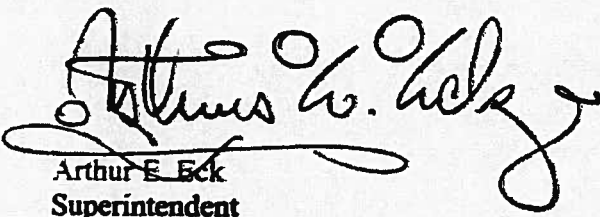
Wildlife corridor function and use depends on shelter provided by surrounding vegetation and adequate screening from development. Animals generally seek cover under vegetation and by following vegetated stream courses. The proposed project would impact the majority of oaks on the site, through removal, transplantation and encroachment, to the detriment of wildlife shelter. The project should be designed to reduce removals and eliminate encroachments into oak trees. After development, landscaping around the perimeter of the project should be with native plant species and provide screening and shelter for wildlife movement.

Additionally, the proposed project sites buildings within feet of stream courses. We recommend the City consult with State Department of Fish and Game (DFG) about qualifying for a Streambed Alteration Agreement. We understand DFG has jurisdiction over a stream's adjacent riparian habitat when determining whether or not a Streambed Alteration Agreement is necessary. Given the project's encroachment into oak trees adjacent to the stream courses, a permit may be necessary. At a minimum, we recommend a 100 foot setback from the streams based on other jurisdictions' guidelines for stream course protection.

✓ Habitat fragmentation caused by human encroachment has been recognized as one of the greatest threats to wildlife survival. In the Santa Monica Mountains, the Ventura Freeway and its adjacent development has disrupted nearly all habitat connectivity to open space north of the mountains. Over the course of 55 miles along the Ventura Freeway, from the east to the west end of the Santa Monica Mountains, the Liberty Canyon Wildlife Corridor is the last best remaining north-south habitat linkage in the central part of the mountain range. A tremendous investment of public funds has secured public parkland north and south of the freeway to protect this critical linkage. Proper design of the proposed office center is essential to ensure long-term survival of local wildlife and to uphold the public's investment in the corridor.

Thank you for considering the National Park Service's input. If we can be of assistance, please call Dr. Ray Sauvajot, Chief, Division of Planning, Science and Resource Management, at (805) 370-2339.

Sincerely,

  
Arthur E. Eck  
Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy  
Russ Guiney, Superintendent, Angeles District, Department of Parks and Recreation  
Margo Murman, Executive Officer, Resource Conservation District of the Santa Monica Mountains





## United States Department of the Interior

NATIONAL PARK SERVICE  
Santa Monica Mountains National Recreation Area  
401 West Hillcrest Drive  
Thousand Oaks, California 91360-4207

In reply refer to:  
L76 (SAMO)

July 10, 2001

Mr. Mike Kamino, Community Development Director  
City of Agoura Hills  
30101 Agoura Court, Suite 102  
Agoura Hills, CA 91301

Dear Mr. Kamino:

The National Park Service has reviewed the draft Mitigated Negative Declaration (MND) for the proposed Liberty Office Center, located at the northwest corner of Liberty Canyon Road and Agoura Road. We recommend the City require either an Environmental Impact Report (EIR) for the current project or require a revised project with a new Mitigated Negative Declaration. The basis for the recommendation is the significant impacts the project would have on the Liberty Canyon Wildlife Corridor.

### Wildlife Corridor Width

The draft MND's mitigation measures need to be strengthened to preserve the wildlife corridor and the habitat values intrinsic to facilitating wildlife movement. It would be ideal to have the parcel come into parkland ownership, and that option should be explored if the landowner is willing. Meanwhile, a more propitious design that accommodates both development and wildlife corridor protection would include a wider corridor along the north side of the project, as depicted in the Santa Monica Mountains Conservancy's 1998 Liberty Canyon Wildlife Corridor Project, "Critical [Wildlife Corridor] Enhancement Zone." The National Park Service supported the Conservancy's corridor project, including preservation of the "critical enhancement zone" encompassing all of Parcel 4 of the proposed project site.

As you may know, the National Park Service and other university-affiliated researchers have been monitoring wildlife use in and around the Liberty Canyon Wildlife Corridor. Use of the corridor has been documented by a variety of species, including bobcats, deer, raccoons, and spotted skunks. For example, radio-collared bobcats regularly utilize riparian habitats along Agoura Road and the Ventura Freeway, adjacent to and within the proposed project site. In addition, remote camera photography and track surveys show animals crossing under the freeway at the Liberty Canyon Road underpass and within the drainage tunnel beneath the freeway and proposed project site.

**SANTA MONICA MOUNTAINS CONSERVANCY**

RAMIREZ CANYON PARK  
5750 RAMIREZ CANYON ROAD  
MALIBU, CALIFORNIA 90265  
PHONE (310) 589-3200  
FAX (310) 589-3207  
WWW.SMMC.CA.GOV



March 2, 2015

Allison Cook  
City of Agoura Hills  
30001 Lady Face Court  
Agoura Hills, California 91301

**Agoura Equestrian Estates Project - Tract No. 72316  
Draft Environmental Impact Report Comments**

Dear Ms. Cook:

The Draft Environmental Impact Report (DEIR) for the subject project without any supporting evidence concludes that the subject property is "not considered essential for the Santa Monica Mountains-Sierra Madre Mountains Connection regional wildlife corridor." Some portion of the property may not be essential for the wildlife corridor as claimed; however, the DEIR is deficient for not addressing how the whole project could adversely impact this portion of the inter-mountain range habitat linkage that joins the Simi Hills to the Santa Monica Mountains. Such an analysis is impossible if the full project is not defined in the DEIR project description.

The DEIR is deficient both for not describing the whole proposed project and for not fully analyzing the whole project. The DEIR candidly and repeatedly states that potential adverse impacts from Phase 2 of the proposed project—which includes all of the pad grading (except lot 1), houses, guest houses, pools, horse facilities, tennis courts, lights and fences—are not fully addressed at this stage in the CEQA process. The body of the DEIR is silent on the limits of where the disturbance and development will occur on each lot other than the Phase 1 drainage, access road, and trail improvements would be. The DEIR is unclear as to whether the graded pad locations in Appendix B are final and definitive. Because of this lack of clarity and definition, it must be assumed that the Phase 2 pad locations and grading footprints are conceptual.

To support the exclusion of Phase 2 impact analysis, the partial DEIR justification is that the City of Agoura Hills building codes and standards would ensure that such development cannot result in substantial adverse impacts. That line of reasoning leaves extremely broad potential for how close development could be to the proposed protected open space. The one DEIR glimpse of this potential development distribution on large individual lots is the disclosure of potential brush clearance impacts. The DEIR includes the potential extent of



Allison Cook - Principal Planner  
Agoura Equestrian Estates Project - DEIR comments  
March 2, 2015  
Page 2

fuel modification (brush clearance) impacts on plant communities using the assumption that habitable structures would be built within 25 feet of relevant rear lot boundaries. However, the DEIR does not address the potential indirect impacts of lighting, noise, pets, and domestic animals within 25 feet of core Simi Hills habitat. In a habitat linkage, spacing and buffer areas are critical. The DEIR is deficient for not addressing the potential impact differential between habitable structures being confined to the interior two-thirds of lots versus in locations within 25 feet of proposed protected habitat.

The Phase 2 part of the project is the source of the greatest potential biological, visual, and water quality impacts. The potential biological, visual, and water quality impacts from the Phase 2 part of the project have a high probability of being significant even if the habitable structures are limited to the interior two-thirds of lots 6-15 which all abut proposed protected habitat. It is difficult to imagine a more clear cut scenario for project piece mealing.

The omission of the definitive location and nature Phase 2 development leaves a large and significant information gap from which to analyze the project. How close will all of the development components of lots 6-15 be to the adjacent core habitat? If the City of Agoura Hills building regulations and standards allow for habitable structures within 25 feet of proposed permanently protected open space, the DEIR must assume a worst case Phase 2 development scenario that each habitat-adjacent lot (lots 6-15) would have a guest house and lighted tennis court (or equivalent) within 25 feet of protected open space and in some cases to the property boundary if there is no legally required setback.

The DEIR must be modified and recirculated with an impact analysis based on the distance between the proposed development footprints and adjacent habitat for lots 6-15. The development footprint under the above use of this term includes limits of grading, houses, guest houses, pools, retaining walls, fenced animal enclosures, horse facilities, tennis courts, and all types of lighting and landscaping. There is no other option to adequately assess the proposed project's potential impacts.

#### **Impact of Southernmost Lots on Narrow Habitat Linkage Area**

Proposed lots 9-11 pose the greatest potential biological impacts to the habitat linkage and to the most unique plant community onsite. The subject regional habitat linkage that abuts the 101 freeway right-of-way narrows towards the southerly part of the project. Thus the proposed development in the southern portion of the site is spatially closer to the center of the habitat linkage. It is important that wildlife are attracted to, and can be comfortable

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within, this southernmost habitat linkage area where both existing and future freeway crossing structures are located.

Now that the current preferred alternative in the Project Study Report being prepared by Caltrans locates a dedicated wildlife freeway overpass close to the subject property, any proposed development has a greater potential for permanent, unavoidable adverse impacts on the function of this future freeway crossing structure and on the habitat linkage as a whole, even if wildlife are still relegated to using the Liberty Canyon Road freeway underpass.

Another factor that compounds this potential narrowing of the habitat linkage is potential residential development over the ridgeline to the east. The new owners of APN 2052-013-040 told our staff last week that they want to develop an estate home on that five-acre lot on the edge of the protected habitat linkage leading to the Liberty Canyon Road freeway underpass. Development of this lot would have substantial cumulative impact in conjunction with the proposed project on 71 acres. In particular proposed lots 9-11 are located where this narrowing could potentially occur. The DEIR will remain deficient until this specific potential adverse narrowing of the habitat linkage is disclosed and analyzed.

The proposed development of lots 9-15 under all circumstances would reduce the habitat capacity of all the habitat from the eastern ridgeline down to the development itself. The indirect effects of residential development and a formalized public trail would reduce the remoteness quality of that whole west-facing flank of the watershed divide. Without question, human intolerant species would use this whole west facing flank to a much lesser degree if the proposed project were constructed. Approximately 50 percent of that west-facing flank is existing public protected land. So both the habitat linkage function and species diversity carrying capacity of existing public lands would be substantially reduced by the proposed project with any development configurations for Phase 2.

Without a detailed Phase 2 development plan, it can only be concluded that the proposed project would result in unavoidable significant adverse impacts to the subject habitat linkage. There are numerous development (grading and structures) footprint restrictions that could help avoid and thus lessen those impacts that are not included in the DEIR.

#### **Need Total Avoidance and Buffering of Unique Round Leafed Filaree Habitat**

At the end of February 2015 our staff observed scores of round leafed filaree plants on what appears to be the southern edge of proposed lots 7-8. Many of these plants were



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commingled with the DEIR mapped saw-tooth golden bush - golden stars - wild oat alliance. According to the National Park Service this filaree species is found in only one other location in the Santa Monica Mountains zone which includes the Simi Hills. Given the widespread occurrence of this species following three severe drought years, the population should be mapped and included in the CEQA review. The location of the filaree is towards the bottom of a gently sloped north-facing hill with what appears to be fine sandy soil.

The proposed DEIR mitigation measure to transplant the species is speculative and unproven. The microsites where the plant now occurs onsite does not appear to be too replicable. There also is no known evidence of successful restoration of this species in the Santa Monica Mountains zone.

Furthermore the DEIR states that the population could endure being in a habitat thinning zone which leaves 25 percent vegetation coverage. It is unknown how the species would respond to less vegetative cover and annual disturbance. Secondly how would the people doing the brush and grass clearance adequately avoid the species?

The DEIR is deficient for not concluding that proposed project would have an unavoidable significant adverse impact on this species. The DEIR was written before the widespread extent of the population became so apparent this winter and this spring. The project disturbance impact must be moved northward a sufficient distance such that 90 percent of the extant population is outside of all fuel modification and grading zones. The DEIR must also address proposed trail impacts through the population.

#### **Deficient Representation of Value of Site to Simi Hills Ecosystem**

There are many reasons why the whole subject 71-acre site is part of the Los Angeles County Significant Ecological Area system in the General Plan. The Simi Hills are a highly constrained mountain system with approximately 60-square-miles of contiguous habitat bound by either dense development or a freeway. If the Simi Hills cannot sustain or temporarily harbor a wildlife species, then that species, will not be able to replenish the whole Santa Monica Mountains population of that species.

The grassland, oak savannah, riparian, chaparral-coastal sage scrub vegetation complex in the southern half of the Simi Hills ecosystem has high wildlife habitat value and is an uncommon habitat in the adjacent Santa Monica Mountains. In particular, this habitat complex is valuable to a wide range of raptors for nesting and hunting. The last known

golden eagle nest in the Santa Monica Mountains zone was in Cheeseboro Canyon a short distance north of the project site.

Any significant diminution of this grassland and oak savannah habitat most probably would preclude reoccupation by a pair of golden eagles. Likewise the space necessary for nesting pairs of other raptor species could be significantly impacted. The DEIR is deficient for not addressing these biological issues related to the proposed project and the DEIR alternatives. The proposed development area is part of a 30-acre grassland bordered by scrub and oak habitat. The spatial separation of this grassland makes it potentially ecologically unique by possibly allowing for smaller home range of both birds and raptors. Smaller home ranges equate to higher population density which helps offset the detrimental conditions of partial biological islands like the Simi Hills. The loss of such a grassland component to the Simi Hills ecosystem is a potentially significant biological impact. This grassland is rimmed by pockets of native bunch grass that over time will reestablish itself in area now occupied by non-native vegetation. New surveys should also be done for raptor nests given that the DEIR analysis is based on data following three record dry years.

Long time residents next to the subject project have photographic evidence of widespread and persistent ponding along the property edge just south of Cheeseboro Road. Such conditions favor the presence and long term persistence of spadefoot toads. Several residents stated to our staff that spadefoot toads breed in this lowland complex in wet years. This claim is highly probable. The DEIR is deficient for not considering the potential presence of spadefoot toads in the portion of the property designated as FEMA flood zone. Unless the area ponds this spring, the DEIR should include a mitigation measure that precludes any grading in the DEIR-designated FEMA flood plain limit area other than necessary for an access road and to drain the site. The DEIR should also include a mitigation that sets aside all of the area in Lot 1 as a potential spadefoot toad area. If spadefoot toads are unearthed when grading commences, or if they are present onsite before grading commences, a proven mitigation site will be available. Without a wet season that produces sufficient ponding to allow for a presence or absence survey, the DEIR will remain deficient with the specific above described mitigation measures.

#### **Need for Dedication of Open Space to Public Agency as Map Condition**

Deed restrictions and homeowner's association open space areas have a far higher potential not providing the long term mitigation of fee simple land dedications to public park agencies. The DEIR is deficient for not requiring that the open space dedication from the project go in fee simple to a public agency as a condition of map recordation.



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### **In Adequate Impact Analysis of Stormwater Infrastructure at Cheeseboro Creek**

The project as proposed would drain about 45 acres into a single pipe that crosses under Cheeseboro Road. That pipe would then terminate in Cheeseboro Creek with a large and complex dissipator structure. It appears that the pipe would enter Cheeseboro Creek perpendicular to the creek's direction flow. The DEIR provides no analysis on how this structure and its peak flows could adversely affect the hydrology, water quality, stability, and biology of Cheeseboro Creek. The DEIR appears deficient for not addressing the specific loss of riparian habitat to construct such a drainage system. It appears further deficient for addressing how crews would get access to main the structure. Have some potential habitat impacts been overlooked by the DEIR?

### **City of Agoura Hills First Offer to SMMC Pursuant to Public Resources Code § 33207(b)**

The DEIR should address if the City of Agoura Hills has an obligation to first offer the subject property to the Santa Monica Mountains Conservancy pursuant to Public Resources Code Section 33207(b).

### **In Adequate Range of Alternatives and Alternative Analysis**

*A* Why does the DEIR not designate an environmentally superior alternative other than the No Project alternative?

The depiction of the North Area Plan Alternative as being capable of spreading development over the whole site is flawed. The County may not be able to limit lot sizes but it can affect lot configuration and development footprints for such discretionary actions. The wholesale impacts of the lot configuration in the North Area Plan alternative is oversimplified and not realistic. This alternative is deficient. A project can easily be designed to provide all by-right North Area Plan allowances and still be wholly able to be annexed by the City.

The Clustered Development alternative appears purposefully designed to fail to meet the project objectives. An alternative project could be designed to reduce impacts to the habitat and habitat linkage by developing a single row of homes on a north-south axis located approximately 175 feet from the western property boundary. Such a design provides more valuable building sites and greatly avoids all substantial project impacts. Such a project alternative would be fully economically feasible based on the price the applicant is set to obtain the land for.

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Both the project and all of the DEIR alternatives should not locate any development on lot 15 such that public parkland has to be annually brushed to protect a private home. The proposed project would cause such permanent disturbance to 3.9 acres of high quality habitat on protected land with a high visibility along Cheeseboro Road. What if the Santa Monica Mountains Conservancy did not allow such brush clearance on its land?

Both the project and all of the DEIR alternatives should require conservation easements on all of the undeveloped portion of lots that abut habitat or open space. Those conservation easements should prohibit any lighting elements.

Please direct any questions and all future documents to my attention at the above letterhead address or by email at [edelman@smmc.ca.gov](mailto:edelman@smmc.ca.gov).

Sincerely,



PAUL EDELMAN  
Deputy Director  
Natural Resources and Planning



## Allison Cook

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**From:** Jess Thomas [fixequip@yahoo.com]  
**Sent:** Wednesday, August 19, 2015 4:30 PM  
**To:** Allison Cook  
**Subject:** Comment for FEIR hearing 8/20/15  
**Attachments:** Meadow FEIR comment.doc; 10981 backyard lake.pdf

Hi Allison,

Attached above is my comment for the record in tomorrow's hearing on the Agoura Equestrian Estates, and a photograph of the vernal pond flooding.

CU tomorrow,

Jess

**OLD AGOURA HOMEOWNERS ASSOCIATION  
IN ALLIANCE WITH  
THE COALITION TO SAVE CHESEBRO MEADOW WILDLIFE CORRIDOR  
6064 CHESEBRO ROAD  
AGOURA HILLS, CA 91301  
818-889-9965  
[directors@oldagoura.org](mailto:directors@oldagoura.org)**

August 18, 2015  
AGOURA HILLS PLANNING COMMISSION  
Re: FEIR Public Hearing for Agoura Equestrian Estates,  
To be heard on AUGUST 20, 2015.

Dear Commissioners,

Please accept this document as the comment and testimony of Jess Thomas in the above captioned matter.

The released and published FEIR contains two separate letters stating my comments. The first is dated February 5, 2015, and is located on page 8-259 of the FEIR and the second dated March 1, 2015 is on page 8-288. The first was put into the record at a planning commission hearing to take comment for the DEIR. The second was submitted electronically in response to developed content in the DEIR.

In the 3/1/15 letter, I made references to content that was missing, inadequately addressed, or mistaken. In itemized order below, I will show why the DEIR must be re-circulated in order for it to show the legally required environmental impacts.

In response 33.1, the consultant flatly states that the project will not interfere with the new Liberty Canyon freeway crossing. The reasoning is provided by referring to Global Response 6. The statement of non-interference is only supported there by saying that the crossing is some 3500-feet from the project boundary, with a 450-foot high ridge in between. The text doesn't state that there are well-worn trails between the project boundary and the corridor crossing site that show many wildlife tracks. NPS telemetric tracking is very limited in terms of the percentage of all large predators existing in this area. Local residents have reported the sighting of many deer, bobcats, and the occasional mountain lion in Chesebro Meadow for many decades. A young bobcat was killed by a car on Chesebro Road, immediately adjacent to the project site just this Spring. No studies are cited that show what distances from residential development are detrimental to the passage of various large species of wildlife. Furthermore, enormous amounts of grading are now proposed for the freeway crossing site, and that will greatly change the elevation barrier mentioned in Global Response 6.

Response 33.3 deals with my comment about the existence of vernal pools forming at the Northwest corner of the project site during years of extensive rain. This response states that since I offer no evidence of the pools having existed, the FEIR is not obligated to



consider the issue. The photograph that we are now entering into the record was retrieved from the Heschel School West EIR that the consultant states is incorporated by reference into this FEIR. The pond did exist and resulted in hundreds of frogs and toads breeding and depositing egg masses in the standing water. Many were killed by cars on Chesebro Road when they crossed to Chesebro Creek as the pond receded weeks later. The consultant directs readers to response 6.8 for more on the ponding issue. It reads as below:

“No evidence of ponding or the hydrological conditions that would facilitate spadefoot toad breeding habitat have been recorded on the project site during a 2014 jurisdictional delineation update, 2015 rare plant surveys, or previous studies (County of Los Angeles, 2006). Water must be present for more than three weeks for the toad to undergo complete metamorphosis. (Jennings and Hayes 1994). The soils on site are well drained (NRCS, 2015), and are not silts, and clays). No hydrophytic vegetation is present within the development area (County of Los Angeles, 2006; Rincon, 2015). Portions of Lot 1, Lot 2, and Lot 15 are within the floodplain, where Chesebro Creek may occasionally overflow. If spadefoot toads were detected during pre-construction surveys required under Mitigation Measure BIO-1(a), relocation, and CDFW and City notification would be required.”

I have never seen so many western spadefoot toads in one place before as were present during the ponding event pictured. Included in this comment is a picture of an adult spadefoot toad living happily today in an irrigated iris bed on the other side of the wall pictured in the vernal pond picture. I have notified Kelly Schmoker of the California Department of Fish and Wildlife of these facts and expect enforcement of the requirements in the quoted section above.

These two items are the extent of my comment responsibility on the status of the FEIR. The lack of adequate consideration and analysis on these two issues alone is sufficient to require the recirculation of the DEIR before considering the recommendation to forward a document to the City Council for a vote.

Jess Thomas,  
President: Old Agoura Homeowners Association  
Chair: The Coalition To Save Chesebro Meadow Wildlife Corridor

Backyard Lake



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