

1 WHEREAS on April 30, 2010, Plaintiff City of Agoura Hills (the "City") filed the
2 above-entitled action (the "Action") against Defendant U.S. Bank ("U.S. Bank") regarding
3 two deeds of trust that were held by U.S. Bank encumbering certain real property in the
4 County of Los Angeles, adjacent to the City of Agoura Hills: (a) that certain deed of trust
5 from Abraham Joshua Heschel Day School – West, a California nonprofit public benefit
6 corporation, as grantor, originally in favor of Mellon 1st Business Bank, N.A, as
7 beneficiary, dated June 16, 2005 and recorded on July 5, 2005 in the Official Records of the
8 Los Angeles County Recorder as Document No. 05 1571228, including all amendments,
9 renewals, extensions or modifications to such deed of trust (such deed of trust and all
10 amendments, renewals, extensions or modifications thereto being referred to herein as the
11 "alleged First DOT"), and (b) a separate \$550,000 deed of trust ("\$550K DOT"), which
12 alleged First DOT and \$550K DOT are the subject matter of this lawsuit;

13 WHEREAS, on January 26, 2011, this Court entered judgment in favor of U.S. Bank
14 after sustaining U.S. Bank's demurrers to the City's first amended complaint without leave
15 to amend;

16 WHEREAS, on March 18, 2011, the City filed a notice of appeal of the Court's
17 judgment;

18 WHEREAS, Trot, Canter and Gallop, LLC ("Trot") purchased the alleged First DOT
19 and the loans secured thereby from U.S. Bank on March 27, 2012, and subsequently
20 substituted into the appeal as the respondent in lieu of U.S. Bank;

21 WHEREAS, on October 24, 2012, the Court of Appeal issued its opinion reversing
22 the trial court's judgment in favor of Trot's predecessor U.S. Bank and on December 26,
23 2012, issued the remittitur;

24 WHEREAS, pursuant to a stipulation of the parties, on March 25, 2013, this Court
25 entered an order substituting Trot, the current holder of the beneficial interest in the alleged
26 First DOT and the current holder of the notes secured thereby, as a defendant in this action
27 in lieu of U.S. Bank;

28 ///

1 WHEREAS, the City and Trot have entered into a conditional settlement agreement
2 that requires certain administrative proceedings and/or conditions precedent to occur and
3 which, if they occur in compliance with the parties' agreement, will result in the Action
4 being dismissed; and

5 WHEREAS, the City and Trot wish to avoid the cost of unnecessary litigation during
6 the pendency of the agreement's required administrative proceedings and/or conditions
7 precedent; now, therefore:

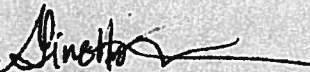
8 **IT IS HEREBY STIPULATED**, by and between the City and Trot, through their
9 respective undersigned counsel of record, as follows:

- 10 1. All proceedings in the Action shall be stayed for a period of 180 days from
11 the date of the Order of the Court, or until further order of the Court;
- 12 2. A status conference shall be set for a date in January 2014, or such later date
13 as is convenient for the Court, at which time the City and Trot shall report to
14 the Court on the status of the satisfaction of the certain administrative
15 proceedings and/or conditions precedent that are a prerequisite to the
16 completion of the settlement agreement and the dismissal of this Action; and
- 17 3. Either party may, at any time, and upon noticed motion, move the Court for
18 an order lifting the stay or taking some other action, should circumstances
19 warrant.

20
21 Dated: June 27, 2013

CANDICE K. LEE
CITY ATTORNEY
CITY OF AGOURA HILLS

RICHARDS, WATSON & GERSHON
A Professional Corporation
STEVEN R. ORR
GINETTA L. GIOVINCO

26
27 By: 
GINETTA L. GIOVINCO
Attorneys for Plaintiff
CITY OF AGOURA HILLS

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Dated: June 26, 2013

GARRETT & TULLY, P.C.
RYAN C. SQUIRE
JENNIFER R. SLATER

By: Jennifer Slater
JENNIFER R. SLATER
Attorneys for Defendant
TROT, CANTER AND GALLOP, LLC

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ORDER

Good cause appearing from the foregoing Stipulation, **IT IS HEREBY ORDERED**
as follows:

1. All proceedings in the Action shall be stayed for a period of 180 days from the date of this Order, or until further order of the Court;
2. A status conference shall be set for January _____, 2014, at _____ a.m. in Department 15 of the above-captioned court, at which time the parties shall report to the Court on the status of the satisfaction of the certain administrative proceedings and/or conditions precedent that are a prerequisite to the completion of the settlement agreement and the dismissal of this Action; and
3. Either party may, at any time, and upon noticed motion, move the Court for an order lifting the stay or taking some other action, should circumstances warrant.

Dated: _____

JUDGE OF THE SUPERIOR COURT

"Threat" letter to our attorney

Heschel school no longer

a threat

PARKER MILLIKENPARKER, MILLIKEN, CLARK, O'HARA, SAMUELIAN
A PROFESSIONAL CORPORATION

BRENT G. CHERRY

Direct Dial: (213) 683-6375
E-mail: bcherry@pmcs.com

June 11, 2012

Confidential Settlement CommunicationVia Facsimile ((310) 314-6434) OnlyFrank P. Angel
Law Offices of Frank B. Angel
2601 Ocean Park Blvd., Suite 205
Santa Monica, CA 90405Re: *Save Our Open Space Santa Monica Mountains, et al. v. County of Los Angeles, et al.*, LASC BS118371

Dear Frank:

Thank you for taking the time to discuss this matter with me last week, including a potential resolution based on your client's agreeing to support a proposed residential development (in lieu of the school) with 15 homes occupying approximately 19 acres of the subject property, while preserving the other 52 acres as open space. As I mentioned to you, my client already has discussed these plans with the City Manager for the City of Agoura Hills, and we understand that the City of Agoura Hills will support these plans. But we need your clients on board too.

I understand that your client already has had an opportunity to review these plans in joint meetings previously held at the City. Your clients apparently were not receptive to these plans at the time, so you and they may need to discuss the issues surrounding these plans and this litigation further. If you and/or your clients desire to review them further, the plans remain available for public review at the City. Similarly, should you or your client have any questions regarding these plans, please feel free to contact Benjamin Efrain ((310) 394-3622 ext 10). You have my permission to contact Mr. Efrain to discuss these proposed plans (but no other subjects).

Once your clients have had an opportunity to review and provide us with any comments regarding the plans, we would be happy to meet with you and your client any morning the week of June 25th (except Tuesday, June 26) to discuss a potential resolution. Please let us know when you and your client would like to meet.

Also, as we have discuss, if we cannot resolve this matter by finding a residential plan all interested parties will support, my client is prepared to move forward with the current CROA.

ATTORNEY AT LAW
THURGOOD
155 50 FLOWER STREET, LOS ANGELES, CA 90071-3449
(213) 683-6375 FAX (213) 683-4629
WWW.FMCS.COM

06/11/2012 12:28 PM

PARKER MILLIKEN

ATTORNEYS AT LAW

Frank P. Angel
June 11, 2012
Page 2

action to protect the Conditional Use Permit that allows us to construct a school on these 71 acres of land (the "CUP"). My client is prepared to take all necessary steps to protect this CUP and construct a school on this property.

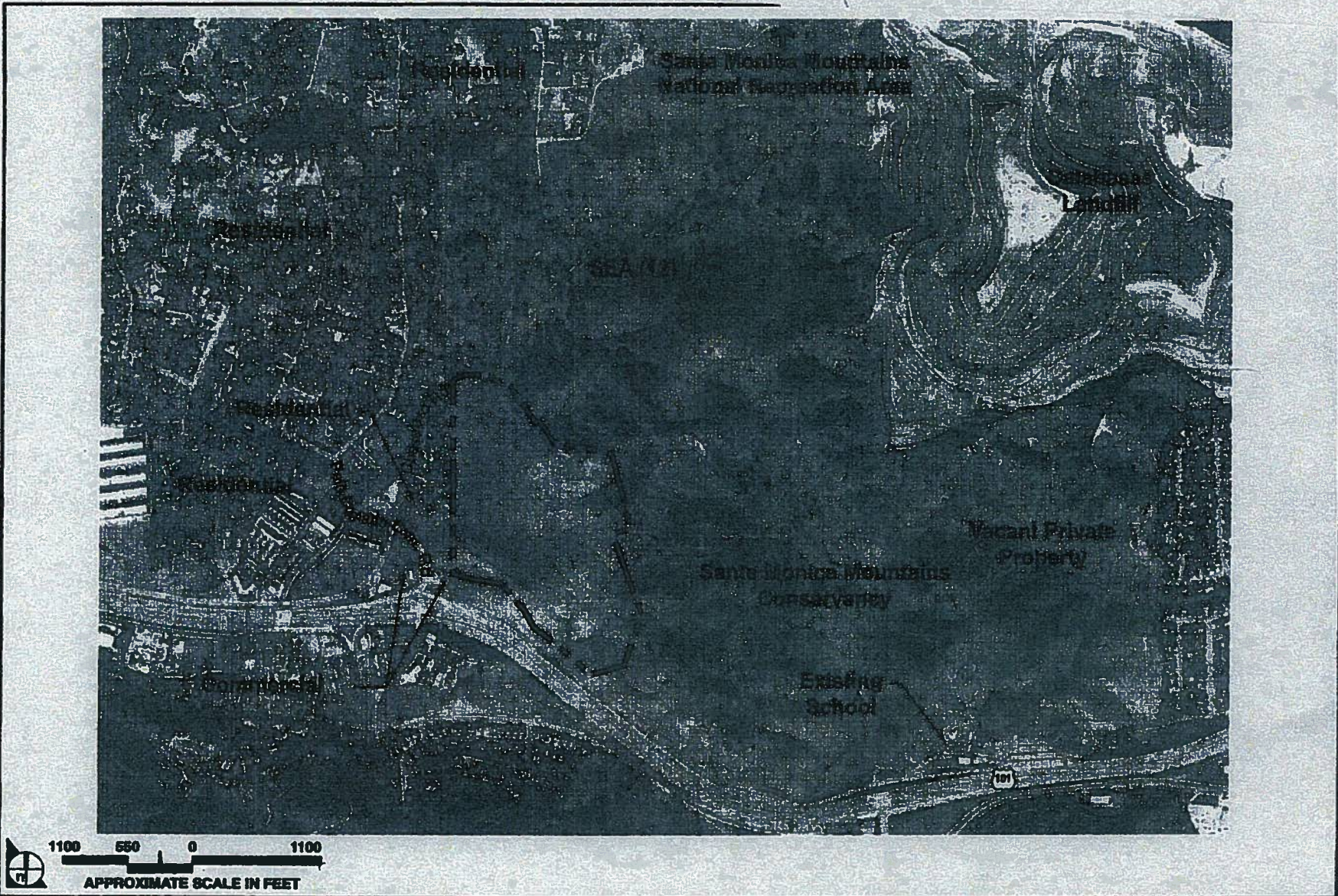
We look forward to your prompt response to this letter.

Sincerely,



Brent Chapman
Attorney at Law
Parker Milliken, LLP
1000 ...

cc: [illegible]
[illegible]



SOURCE: Impact Sciences, Inc. - March 2004

FIGURE 3.0-3

Surrounding Land Uses

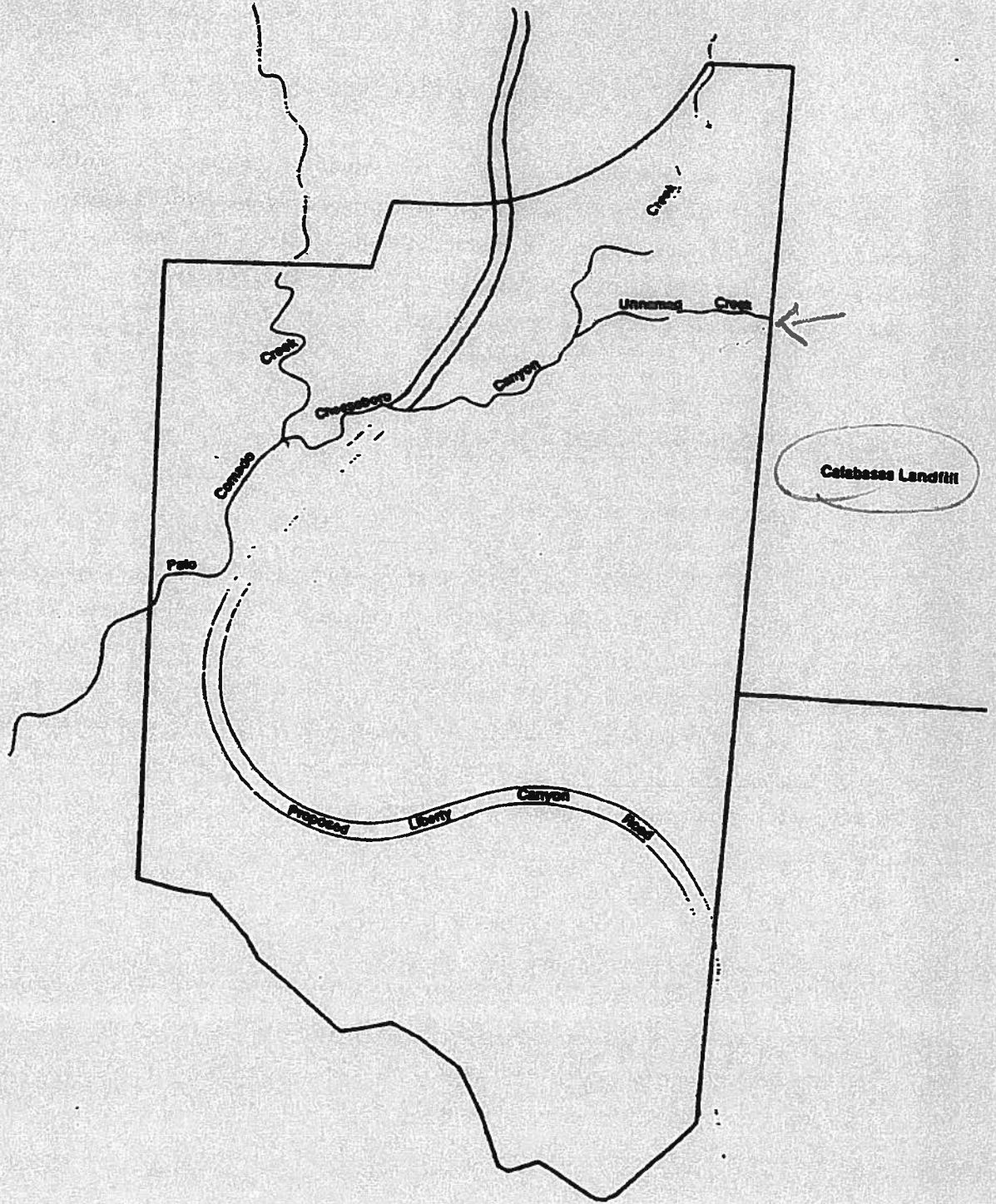


Figure 3-1
CREEKS ON THE LIBERTY CANYON PROPERTY
 Liberty Canyon Property
 Agoura, California



Source: ICF, 1989

FIGURE 1 - SITE LOCATION MAP

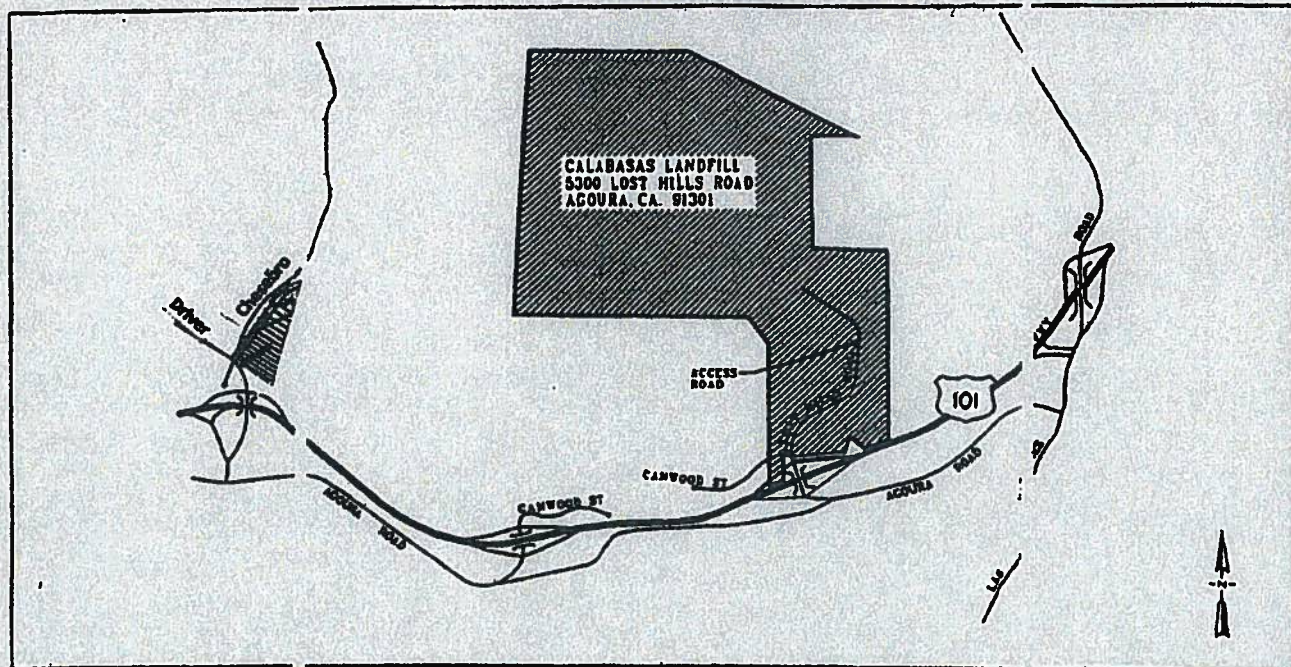


FIGURE 2 - IDENTIFIED SITE AREAS

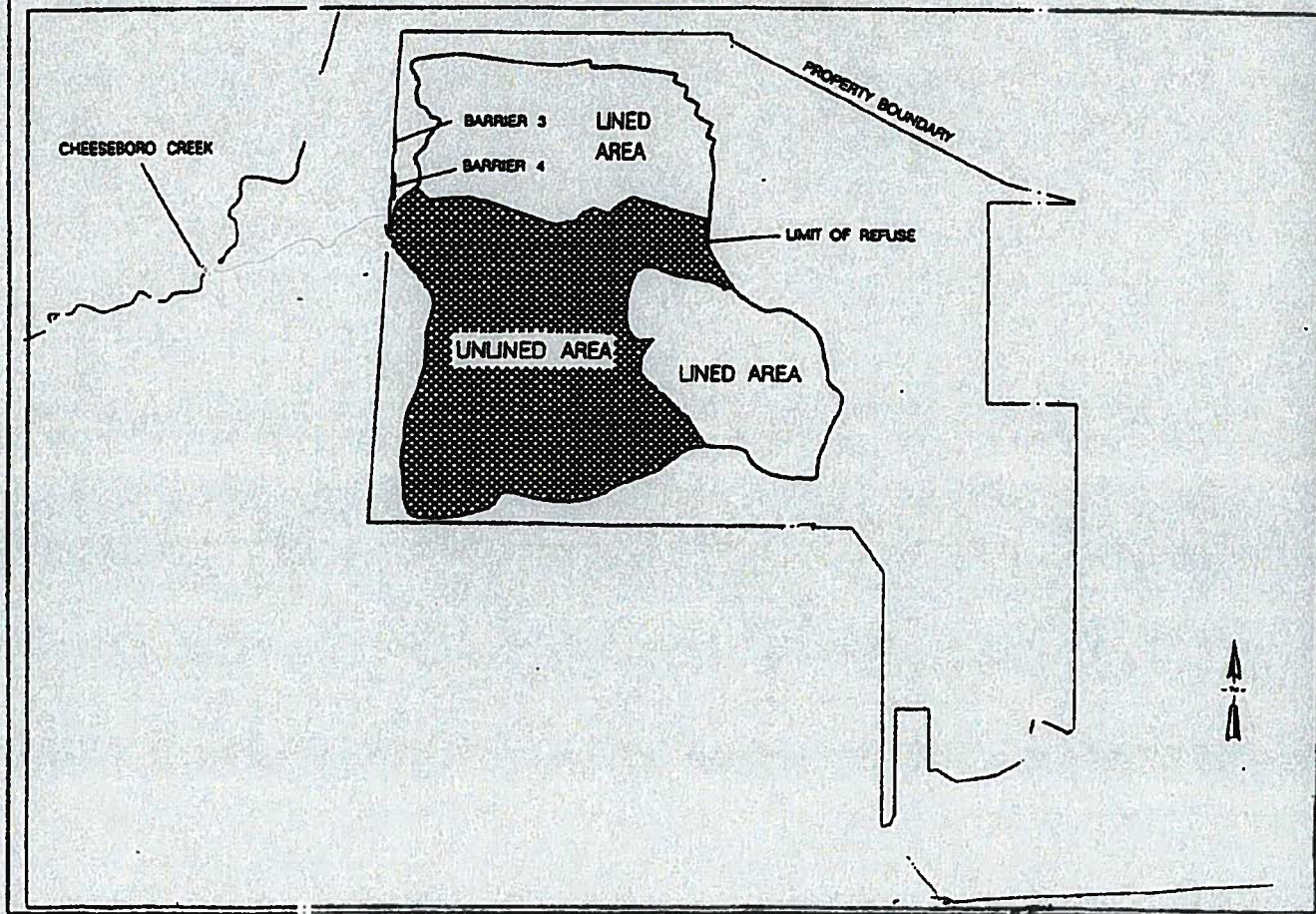


FIGURE 1 - SITE LOCATION MAP

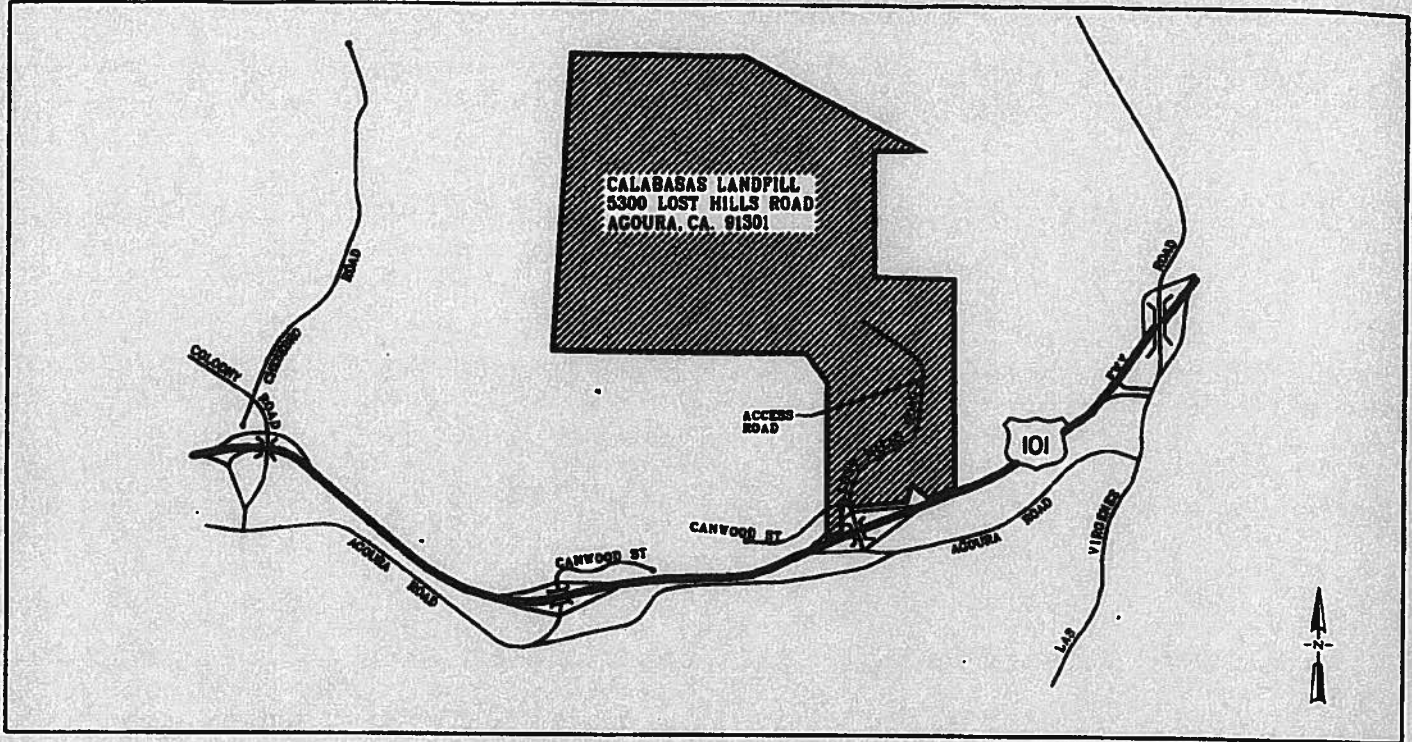
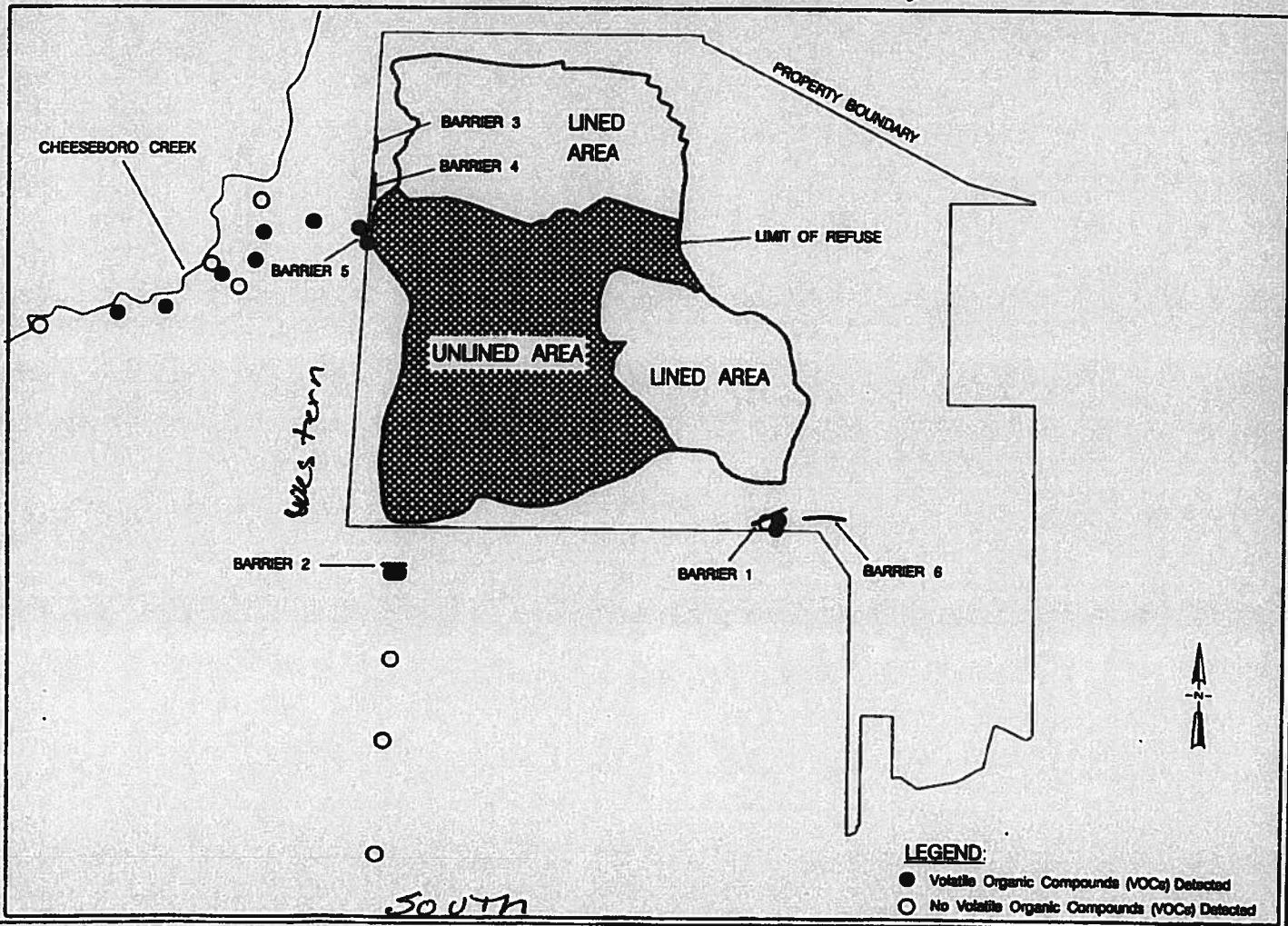
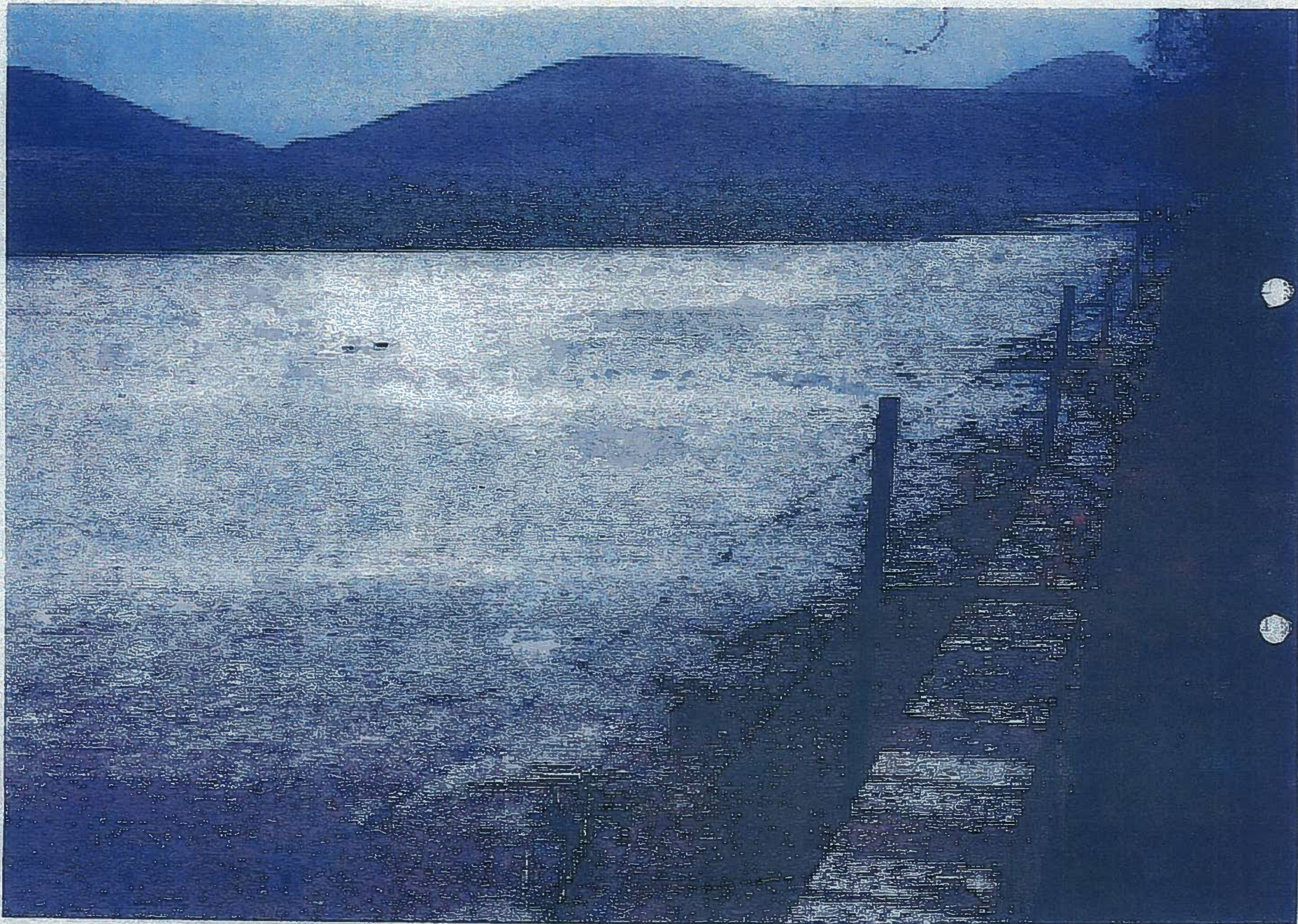


FIGURE 2 - IDENTIFIED SITE AREAS

OLD REPORT - Showing hits



Backyard Lake



10981

Site	Date	Enterococcus	Total	E.coli
6	1/20/2000	5	NM	NM
6	2/5/2000	5	NM	NM
6	3/4/2000	5	NM	NM
6	4/1/2000	86	NM	NM
6	5/6/2000	153	NM	NM
6	6/3/2000	223	NM	NM
6	7/8/2000	5	NM	NM
6	8/5/2000	4294	NM	NM
6	9/9/2000	7	NM	NM
6	10/7/2000	NM	NM	NM
6	11/4/2000	97	NM	NM
6	12/2/2000	31	NM	NM
6	1/6/2001	31	NM	NM
6	2/3/2001	10	NM	NM
6	3/3/2001	52	NM	NM
6	4/7/2001	438	NM	NM
6	5/5/2001	743	NM	NM
6	6/16/2001	23	NM	NM
6	7/7/2001	307	NM	NM
6	9/8/2001	509	NM	NM
6	10/6/2001	134	NM	NM
6	11/3/2001	10	NM	NM
6	12/1/2001	99	NM	NM
6	1/5/2002	42	789	5
6	2/3/2002	10	480	20
6	3/3/2002	53	1198	41
6	4/7/2002	20	NM	5
6	5/5/2002	259	2187	20
6	6/2/2002	148	2098	41
6	12/1/2002	109	906	10
6	1/12/2003	86	857	5
6	2/2/2003	10	677	5
6	3/2/2003	52	933	10
6	4/6/2003	52	1722	5
6	5/17/2003	145	2014	31
6	6/1/2003	29	1576	31
6	7/13/2003	616	24193	313

from: testing by Heal the Bay
 Cheebro Creek = site #6.
 Shaded = over normal allowed value

In order to ensure that the Strategic Action Plan would clearly reflect the unique open space needs and desires of the community, the Consultants were asked to work closely with City staff, the Open Space Task Force, elected officials, and potential regional open space partners.

2.5 OPEN SPACE TASK FORCE ACTIVITIES

The activities of the Open Space Task Force were devoted to four interactive public workshops. These workshops held in the following dates were devoted to discussing and providing input on the respective issues and items.

October 20, 1998	Workshop #1: Issue Identification and Priority Setting
November 17, 1998	Workshop #2: Understanding Conservation Tools
December 15, 1998	Workshop #3: Project Selection, Financing, Administration
May 18, 1999	Workshop #4: Presenting the Draft Implementation Plan

This report represents the culmination of these workshops and the efforts of the Open Space Task Force which, at its last meeting on May 18, 1999, unanimously endorsed this report and its recommendations and forwarded it to the City Council for adoption.

2.6 OPEN SPACE PRIORITIES

As a result of this open space implementation planning process, a clear picture has emerged as to the priorities for open space preservation within the City of Agoura Hills. In evaluating each of the 11 areas identified for preservation the Task Force divided preservation efforts among three different categories as outlined below:

- Priority A: Areas under immediate development pressure that need immediate attention.
- Priority B: Areas where protection is a high priority that demands a regular and consistent effort to preserve open space.
- Priority C: Areas that are important to protect, but that can wait for other priorities.

In evaluating individual areas, the Open Space Task Force proposed criteria and a methodology for determining the priority for preserving these areas. The Task Force agreed that the following criteria should be used:

- Lands Likely to be Developed
- Lands with Significant Viewshed / Visible from Public Roads
- Wildlife corridors
- Sensitive Lands and Riparian Corridors, and Watersheds
- Lands with Recreational Opportunities

The Task Force deemed that those areas considered having "Lands Likely to be Developed" to be the highest priority for protection, and actions to address these development pressures should be foremost in the strategy. Based on this classification system, the 11 different areas were scored by the Task Force as outlined below:

VENTURA COUNTY
 LOS ANGELES COUNTY



AGOURA HILLS OPEN SPACE

DESCRIPTION OF BASIC DISTRICTS		DESCRIPTION OF SPECIAL DISTRICTS	
RR	RURAL RESIDENTIAL	P	LOCAL PARK
RV	VERY LOW DENSITY	SP	SPECIFIC PLAN
RL	LOW DENSITY	SH	SCHOOL
RS	SINGLE FAMILY RESIDENTIAL	G	GOVERNMENT OFFICE
RM	MEDIUM DENSITY RESIDENTIAL	U	UTILITY
RH	HIGH DENSITY RESIDENTIAL	OW	OPEN WATER
		OS-R	OPEN SPACE-RESTRICTED
		OS-R/DR	OPEN SPACE-RESTRICTED/ DEED RESTRICTED
		S	STUDY
CS	SHOPPING CENTER COMMERCIAL		
CRS	RETAIL SERVICE COMMERCIAL		
CR	RECREATION COMMERCIAL		
BP-OR	BUSINESS PARK OFFICE RETAIL		
BP-M	BUSINESS PARK MANUFACTURING		



Open Space Areas Inside City Limits 2

Open Space Areas Outside City Limits 9

RESERVATION ACTION PLAN

DESCRIPTION OF OVERLAY DISTRICTS	
D	DRAINAGE WAY, FLOOD PLAIN, WATERCOURSE
GH	GEOLOGIC HAZARD
FC	FREEWAY CORRIDOR
OA	OLD AGOURA DESIGN
IH	INDIAN HILLS DESIGN
CD	CLUSTER DEVELOPMENT
	AGOURA VILLAGE
	+ THE NUMERICAL SUFFIX AFTER THE BASIC RESIDENTIAL DISTRICT (RL, RS, RM, RMH AND INDICATES THE MINIMUM LOT SIZE PERMITTED, RS-10,000 MEANS SINGLE FAMILY RESIDENTIAL 10,000 SQ. FT. MINIMUM LOT SIZE
	+ AFFIXED TO THE RS, RM, RMH AND RH INDICATES THE DENSITY PER ACRE, I.e. 10,000 SQ. FT. MINIMUM LOT SIZE, FOUR UNITS PER GROSS ACRE.



RRM DESIGN GROUP
 San Luis Obispo • Oakdale • Felton • San Francisco

Swan and Associates

Memorandum

To : The Conservancy
The Advisory Committee

Date: October 29, 2012

From :  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: Agenda Item 12 Consideration of resolution authorizing a grant application to the Wildlife Conservation Board for the acquisition of Liberty Canyon wildlife corridor expansion parcels on the north and south side of the 101 Freeway, unincorporated Los Angeles County.

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant application to the Wildlife Conservation Board for the acquisition of Liberty Canyon wildlife corridor expansion parcels on the north and south side of the 101 Freeway, unincorporated Los Angeles County.

Background: The Liberty Canyon cross-101-Freeway wildlife corridor is the most ecologically significant habitat linkage between the Santa Monica Mountains and the Simi Hills. No additional protected land has been added to this regional inter-mountain range wildlife corridor since approximately 2004 with the acquisition of the Abrams property on the south side of Agoura Road. The land acquisition program through 2004 created excellent conditions for a future freeway wildlife underpass and for clearly sub-optimal use of animal crossings using the Liberty Canyon Road freeway underpass. The current extent of public lands in the wildlife corridor on both sides of the 101 Freeway are shown on the attached figure.

Because a new wildlife tunnel may take many years to be funded, it makes great sense to expand the amount of protected land that works in concert with the existing Liberty Canyon Road underpass. Until earlier this year, as a compromise solution to ensure that animals could make their way from the south side of the Liberty Canyon Road underpass to public land located between Agoura Road and the freeway, park agencies worked with the City of Agoura Hills and the subject corner lot owner to provide for open and enhanced wildlife movement between the existing office building and the Caltrans freeway right-of-way. That property recently was foreclosed on leaving some uncertainty. The opportunity is ripe to acquire all or some of the undeveloped property surrounding this office building. Preservation of all five undeveloped parcels around the office building would provide exceptional connectivity both to the MRCA's Abram's property and to public open space on the southeast corner of Agoura Road and Liberty Canyon Road. The attached figure shows the APNs of the subject parcels.

There are also three important unprotected parcels on the north side of the freeway (APNs 2052-009-270, 2052-013-040, and 2052-013-041) that, if acquired, each individually would add

Agenda Item 12
October 29, 2012
Page 2

to the capacity of the Liberty Canyon wildlife corridor to safely convey the maximum number of species and animals. The attached figure shows the locations of these parcels.

APN 2052-009-270 abuts the north side of the freeway in the southwest corner of the habitat linkage. Permanent protection of this large parcel would guarantee near-core habitat conditions down to the freeway. Such conditions increase the probability of more species and individuals using the corridor over decades. This parcel is currently subject to litigation.

APN 2052-013-040 is situated in close proximity to the Liberty Canyon Road underpass and contains a section of blueline stream. This small parcel provides both prime buffer to the underpass area and quality riparian habitat.

APN 2052-013-041 is situated in close proximity to the Liberty Canyon Road underpass and contains a section of blueline stream with riparian scrub. This large parcel provides both prime buffer to the underpass area and would protect the entire ridgeline on the eastside of the corridor.

Bond funds sources are dwindling and the ability to get funding from the Wildlife Conservation Board becomes more competitive each month. The importance of the Liberty Canyon wildlife corridor is well-documented by the National Park Service staffs' animal tracking studies. The value of the corridor to the 100,000 acres of protected land in the Santa Monica Mountains and the Simi Hills is clear.

If authorized, staff would begin working to identify a staff sponsor with the California Department of Fish and to prepare a Land Acquisition Evaluation, willing seller status, and Department of General Services approved appraisals, all requirements to receive funding from the Wildlife Conservation Board.

STATE CAPITOL BLDG 2225
SACRAMENTO, CA 95834
TEL (916) 831-4333
FAX (916) 834-4333

CONSTITUENT OFFICE
2710 OCEAN PARK BLVD. STE. 2000
SANTA MONICA, CA 90402
TEL (310) 314-5214
FAX (310) 314-5222
TEL (310) 314-5217
FAX (310) 314-5222

California State Senate

SENATOR
FRAN PAVLEY
TWENTY-THIRD SENATE DISTRICT



COMMITTEES
NATURAL RESOURCES & WATER
COMMITTEE
APPROPRIATIONS
ENERGY UTILITIES &
COMMUNICATIONS
ENVIRONMENTAL QUALITY
TRANSPORTATION & HOUSING

August 22, 2012

Joe Edmiston
Executive Director
Santa Monica Mountain Conservancy
570 West Avenue Twenty-Six, Suite 100
Los Angeles, CA 90065

Dear Mr. Edmiston,

Please accept my recommendation that the Mountain Recreation and Conservation Authority (MRCA) apply to the Wildlife Conservation Board for Proposition 117 funds on behalf of Save Open Space (SOS) Santa Monica Mountains for acquisition of the Chesebro Meadow Liberty Canyon Wildlife Corridor property. The funds should include acquisition of property north of the 101, contiguous to the Chesebro Canyon and south of the 101 with the recent foreclosure of the proposed office complex on the NW corner of Liberty Canyon and Agoura Road. The property is on the SOS list of acquisition priorities, but only government agencies are allowed to apply for these funds.

As you know, Proposition 117 funds are meant to provide for the preservation of wildlife through the acquisition of vital habitat. The South Coast Wildlands Project has classified Liberty Canyon as one of the 15 critical biological linkage sites for California mountain lions. The Liberty Canyon underpass is the only viable 101 freeway crossing for mountain lions for miles in either direction. In 2009, a mountain lion designated P-12 crossed at Liberty Canyon Road. He has subsequently fathered cubs, including the two most recent mountain lion births this month in the Santa Monica Mountains. However, there is DNA evidence of inbreeding, and more measures need to be taken in order to help these new cubs survive, and to introduce new genetic material into the species.

Acquiring this property would go a long way towards preserving our precious mountain lion population. Therefore, this acquisition would meet the requirements of Proposition 117 for acquisition funding and would be in line with the priorities of partner agencies in the Santa Monica Mountains National Recreation Area (SMMNRA). As Chair of the Natural Resources and Water Committee and as the Senator representing the Western Santa Monica Mountains, this is one of my highest priorities.

If you have any questions or would like to discuss this matter further, please contact me at (310)314-5214. Thank you for your consideration.

Sincerely,

Fran Pavley

Senator Fran Pavley, SD 23

CC: Paul Edelman, MRCA
Mary Wiesbrock, SOS



Las Virgenes Homeowners Federation, Inc.

Post Office Box 353, Agoura Hills, California 91301

"The voice and conscience of the Santa Monica Mountains since 1968"

October 10, 2012

Joe Edmiston
Executive Director, Santa Monica Mountains Conservancy
570 West Avenue Twenty-Six,
Suite 100
Los Angeles, CA 90065

Dear Mr. Edmiston,

The Las Virgenes Homeowners Federation (LVHF) voted unanimously to support Senator Fran Pavley's recommendation that the Mountains Recreation and Conservation Authority (MRCA) apply to the Wildlife Conservation Board for Proposition 117 funds to acquire the Chesebro Meadow Liberty Canyon Wildlife Corridor property.

Acquisition should include the property north of the 101, contiguous to Chesebro Canyon and south of the 101 with the recent foreclosure of the proposed office complex on the NW corner of Liberty Canyon and Agoura Road.

Acquisition is absolutely critical to protect vital habitat and provide linkage for the preservation of wildlife – and, as you know, Proposition 117 funds are meant to provide for exactly that.

The South Coast Wildlands Project has also classified Liberty Canyon as one of the 15 critical biological linkage sites for California mountain lions.

Purchasing and interlinking wildlife corridors particularly near freeways is an urgency – and the Liberty Canyon underpass is the only currently viable 101 freeway crossing for mountain lions, coyotes, bobcats and other species who need to move through our protected lands in the hope that genetic diversity can persist to ensure long term viability of each species. Increasing the corridor buffer area with these lands would also add momentum to the new wildlife-only tunnel proposed to be built west of Liberty Canyon.

Acquiring this property must be a priority. LVHF believes it is essential to put these most critical habitat linkage parcels into public parkland ownership and we heartily endorse the Senator's recommendation to respectfully request the MRCA to apply for Prop 117 funds.

The purchase is consistent with the MRCA's mission to ensure that the Santa Monica Mountains and adjoining mountain ranges persist as ecologically functioning, linked habitat blocs.

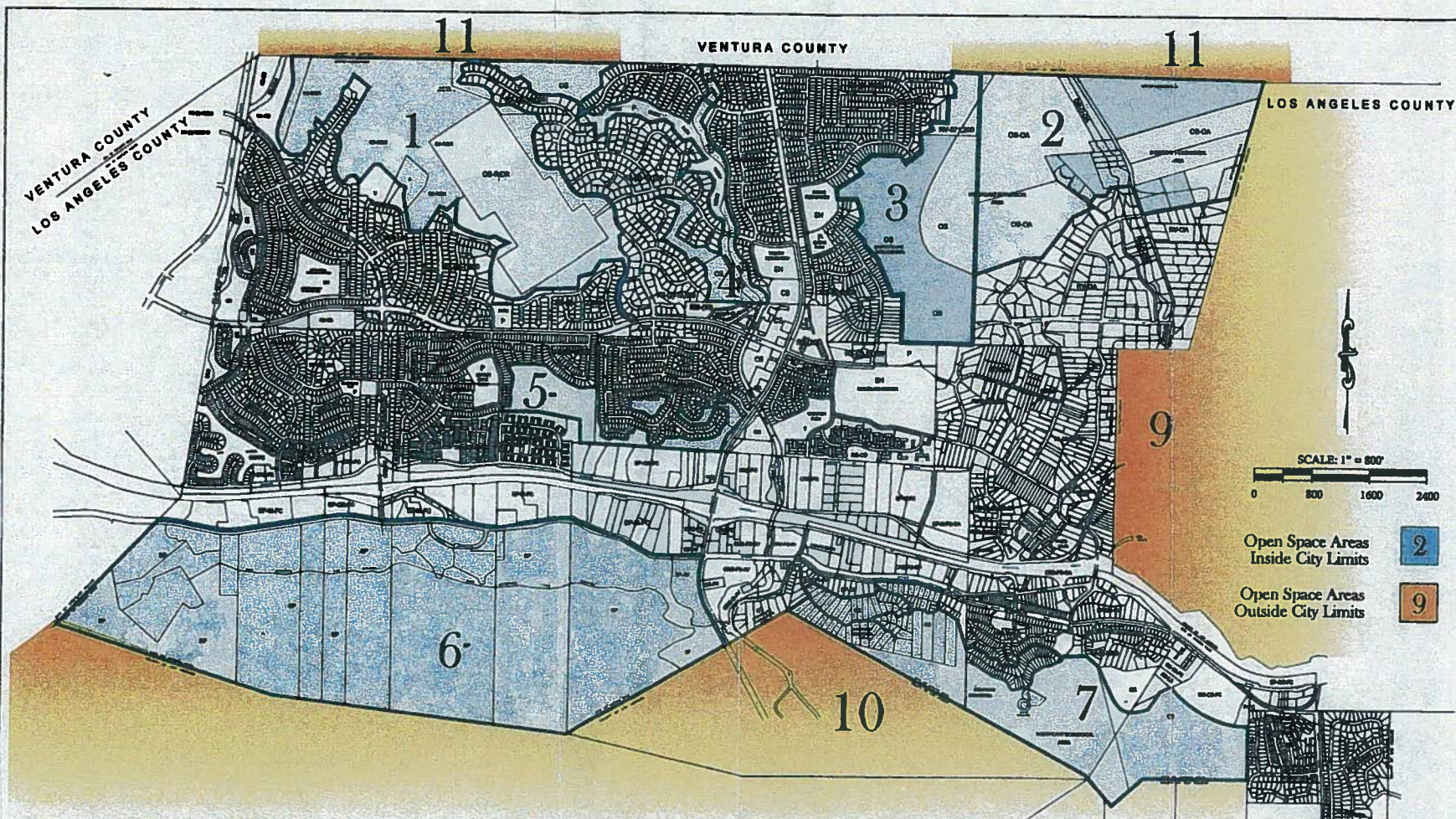
Sincerely and with best regards,

Kim Lamorie
President
LVHF



- Subject Properties
- SMMC MRCA Property
- Other Public Land

Agenda Item 12
 SM/MC
 10/29/12



AGOURA HILLS OPEN SPACE PRESERVATION ACTION PLAN

DESCRIPTION OF BASIC DISTRICTS		DESCRIPTION OF SPECIAL DISTRICTS	DESCRIPTION OF OVERLAY DISTRICTS
<ul style="list-style-type: none"> RD SERIAL RESIDENTIAL RV VERY LOW DENSITY RL LOW DENSITY RS SINGLE FAMILY RESIDENTIAL RM MEDIUM DENSITY RESIDENTIAL RH HIGH DENSITY RESIDENTIAL 	<ul style="list-style-type: none"> CC SHOPPING CENTER COMMERCIAL CS RETAIL OFFICE/COMMERCIAL CL RECREATION COMMERCIAL SP-10 BUSINESS PARK OFFICE RETAIL SP-20 BUSINESS PARK MANUFACTURING 	<ul style="list-style-type: none"> P LOCAL PARK SP SPECIAL PLAN SC SCHOOL GO GOVERNMENT OFFICE U UTILITY OV OPEN SPACE OS-1 OPEN SPACE RESTRICTED OS-2 OPEN SPACE RESTRICTED/DEED RESTRICTED S STUDY 	<ul style="list-style-type: none"> D DRAINAGE WAY, FLOOD PLAIN, WATERCOURSE DR DRILLING HAZARD FC FUTURE CORRIDOR CA OLD AGOURA DESIGN SB SHAW HILLS SPECIAL CLUSTER DEVELOPMENT AGOURA VILLAGE

* THE NUMERICAL SUFFIX AFTER THE BASIC RESIDENTIAL DISTRICT OR, IN THE CASE AND INDICATES THE MINIMUM LOT SIZE PERMITTED. OS-1 AND OS-2 ARE SINGLE FAMILY RESIDENTIAL. OS-3 AND OS-4 ARE MEDIUM DENSITY RESIDENTIAL. OS-5 AND OS-6 ARE HIGH DENSITY RESIDENTIAL.

* APPLIED TO THE RD, RM, RH AND RV INDICATES THE DENSITY PER ACRE, i.e. NUMBER OF MINIMUM LOT SIZE, FOUR UNITS PER ACRE ACRE.



BRN DESIGN GROUP
 San Luis Obispo • Ojai • Pismo • San Francisco
Swan and Associates

issue:

1. Agave Hills Open Space

Preservation Plan

2. SMMC vote - for funding for
project area



Oak
Saradna

1960's
phot of
Oak
Saradna

Map showing location CA04

2
City of Arroyo

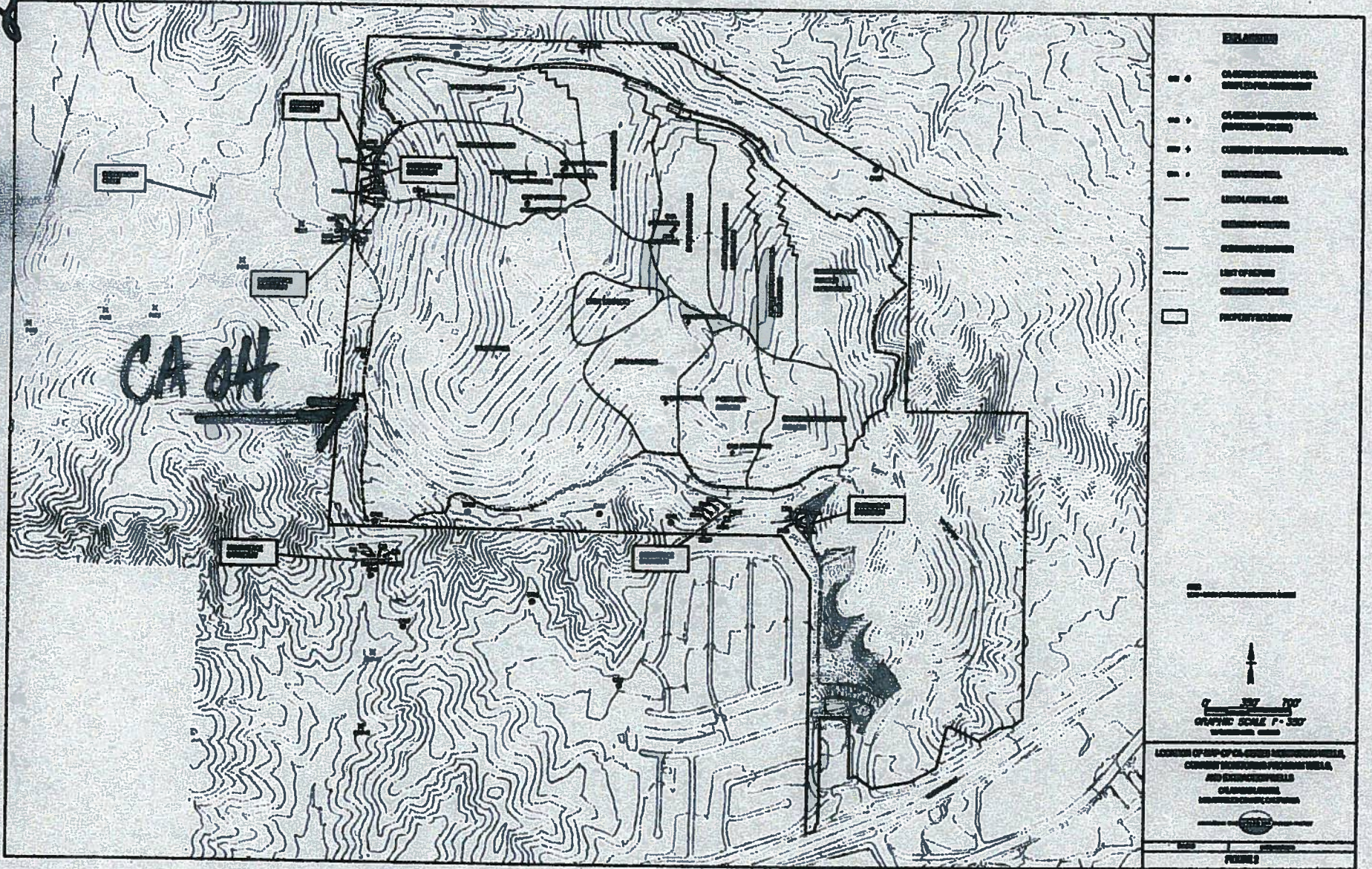


TABLE A-1

FIELD PARAMETERS AND LABORATORY ANALYTICAL RESULTS FOR SAM
DEEP BEDROCK GROUNDWATER MONITORING WELLS CA04 AND CA

Calabasas Landfill
Los Angeles County, California

Constituent ¹	Units ²	Sample Identification ³				
		CA04 09/24/14 14092400404	CA04 01/08/15 15010800379	CA04(DUP) ⁴ 01/08/15 15010800380	CA08 09/24/14 14092400389	CA08(DUP) 09/24/14 14092400388
Field Parameters						
Depth To Water (Field)	feet	127.10	127.07	nm ⁵	88.33	nm
Depth To Bottom (Field)	feet	280.34	280.77	nm	328.49	nm
Dissolved Oxygen (Field)	mg/L	6.69	6.37	nm	5.40	nm
Conductivity (Field)	µmhos/cm	2220	530	nm	6970	nm
pH (Field)	pH units	11.83	11.63	nm	11.18	nm
Temperature (Field)	deg C	24.80	22.45	nm	23.71	nm
Methane in Gas (Field)	%	<0.1	<0.1	nm	<0.1	nm
Oxygen in Gas (Field)	%	21	20	nm	20	nm
General Parameters						
Cyanide, Total	mg/L	<0.0050	NA	NA	<0.0050	<0.0050
pH (Laboratory)	pH units	NA	12.0 ⁷	12.0 ⁷	NA	NA
Anions						
Perchlorate	µg/L	0.21	NA	NA	0.41	0.42
Cations						
Iron	mg/L	1.0	NA	NA	1.4	1.7
Potassium	mg/L	NA	105	106	NA	NA
Metals						
Antimony	µg/L	<0.50	NA	NA	22.2	10.9
Arsenic	µg/L	<1.00	NA	NA	<1.00	<1.00
Barium	µg/L	83.5	NA	NA	176	154
Beryllium	µg/L	<0.50	NA	NA	<0.50	<0.50
Cadmium	µg/L	<0.25	NA	NA	0.61	0.82
Chromium	µg/L	1860	1800	1830	14.2	16.9
Hexavalent Chromium	µg/L	1800	1700	1700	5.6	5.0
Cobalt	µg/L	<2.00	NA	NA	<2.00	<2.00
Copper	µg/L	12.2	NA	NA	13.0	16.9

FIGURE 1 - SITE LOCATION MAP

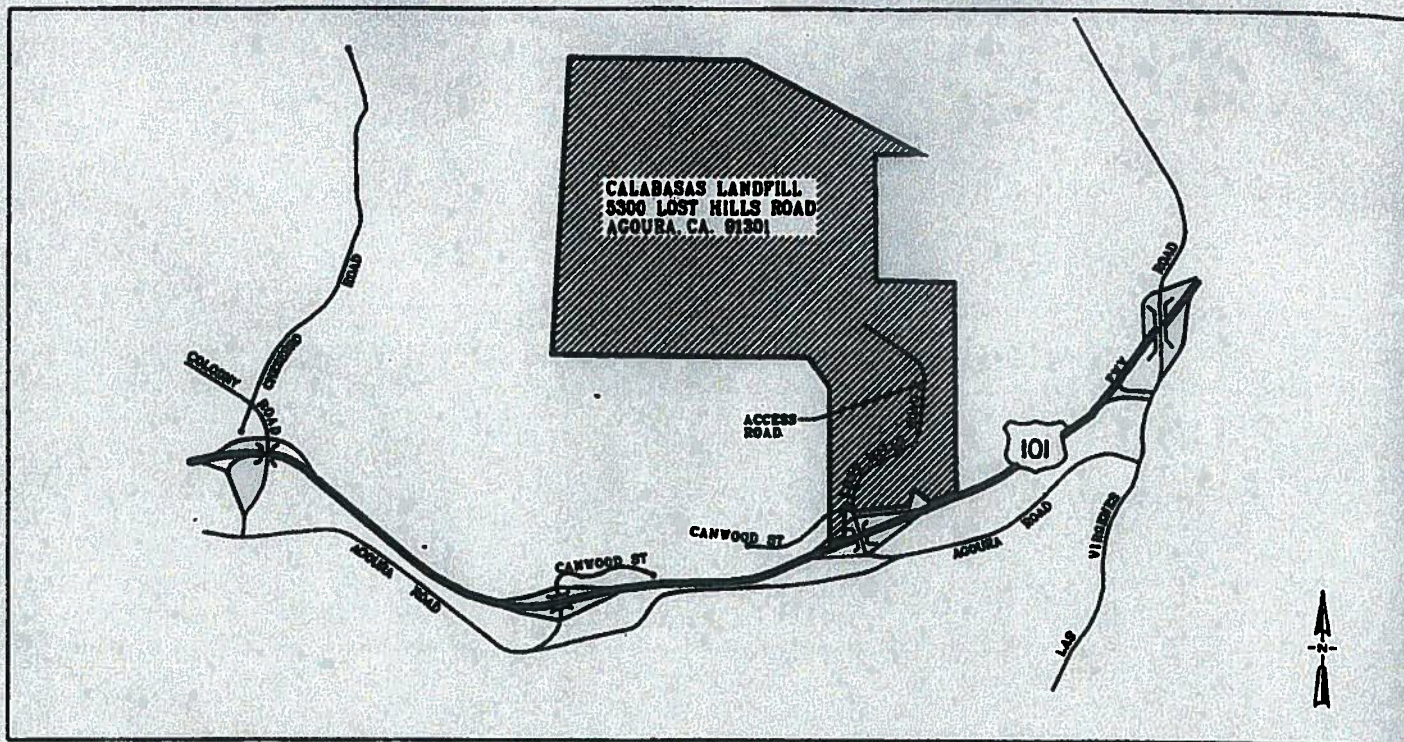
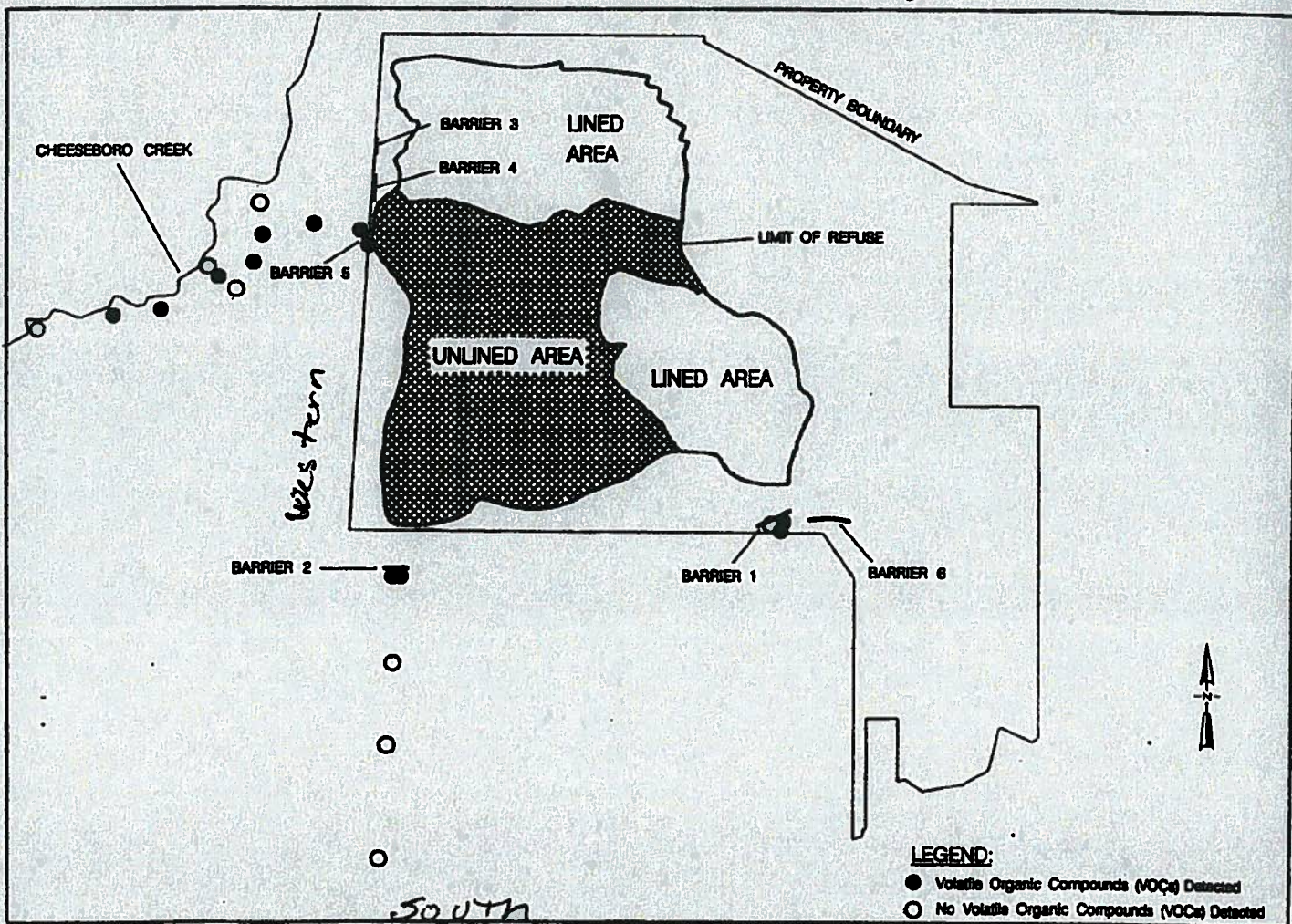


FIGURE 2 - IDENTIFIED SITE AREAS

OLD REPORT - Showing hits



20. Chemicals of Concern at barrier 5
21. Clement 1990 RA County Health Risk Assessment
22. Hazardous waste disposal areas
23. Site drainage
24. Leaking Rust site into groundwater

TABLE G-1

CURRENT CONSTITUENTS OF CONCERN LISTS FOR BARRIERS 1, 2, AND 5

Group ¹	Constituent	Monitoring Well Parameters ²							
		Unlined portions of the landfill							
		Barrier 5							
		R07A	R07B	R08B	M20S	P64S	P67S	P68S	P69S
Metal	Vanadium	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Metal	Zinc	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Gross Alpha Radioactivity	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Gross Beta Radioactivity	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Tritium	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Uranium	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Radium 226	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Radium 228	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Radium 226+228	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Cesium 137	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Strontium-90	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Radionuclide	Potassium-40	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Emergent Chemical	Perchlorate	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC
Emergent Chemical	1,4-Dioxane	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC	UCOC

1. VOC = volatile organic compound.
2. "MPa" = monitoring parameter; "UCOC" = uninvolved constituent of concern.
3. This constituent is naturally occurring in this well.
4. 1,2,3-Trichloropropane and N-Nitrosodimethylamine are also listed as emergent chemicals.

TABLE 2
CONSTITUENTS OF CONCERN FOR CORRECTIVE ACTION PROGRAM
IN ADDITION TO PARAMETERS LISTED IN TABLE 1

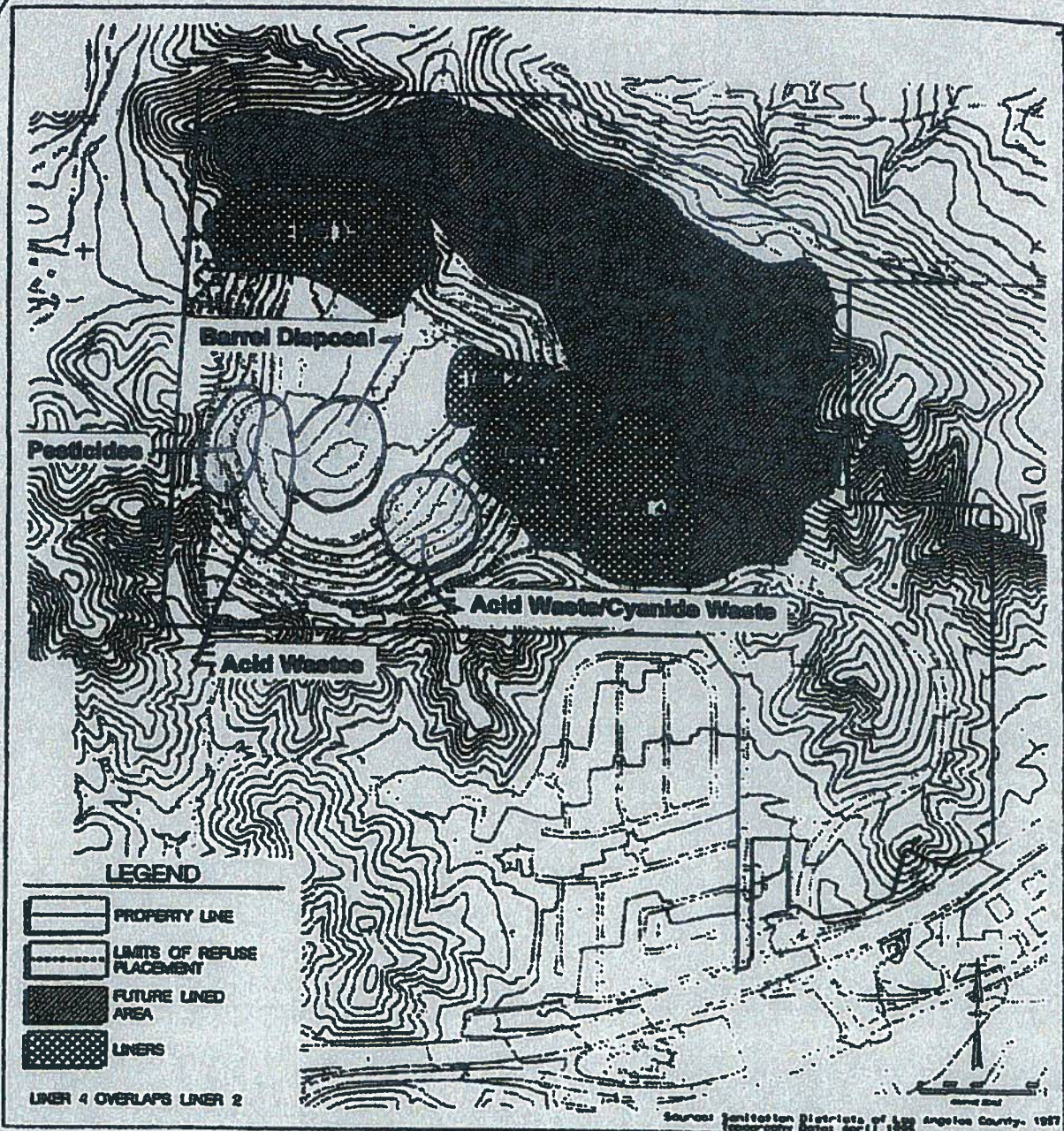
Additional General	Acid/Base/Neutral Extractable	Acid/Base/Neutral Extractable	Acid/Base/Neutral Extractable	Pesticides, Herbicides, &
CONDUCTIVITY	7, 12-DIMETHYLBENZ(A)ANTHRACENE	BENZO(B)FLUORANTHENE	PENTACHLOROPHENOL	Organophosphorus Compounds 2, 4, 5-T DINOSEB THIONAZIN DIMETHOATE DISULFOTON METHYL PARATHION ETHYL PARATHION PHORATE PP-DDE PP-DDD PP-DDT ALPHA-BHC LINDANE (GAMMA-BHC) HEPTACHLOR HEPTACHLOR EPOXIDE ALDRIN DIELDRIN ENDRIN TOXAPHENE METHOXYCLOR 2,4-D(ACID) 2,4,5-TP(SILVEX) BETA-BHC DELTA-BHC ENDOSULFAN I ENDOSULFAN II ENDOSULFAN SULFATE ENDRIN ALDEHYDE TECHNICAL CHLORDANE POLYCHLORINATED BIPHENYLS AROCCLOR 1016 AROCCLOR 1221 AROCCLOR 1232 AROCCLOR 1241 AROCCLOR 1260 AROCCLOR 1242 AROCCLOR 1254
TOTAL BOD	3, 3'-DIMETHYLBENZIDINE	BENZO(G,H,I)PERYLENE	PHENOL	
TOTAL COD	M-DINITROBENZENE	BENZO(K)FLUORANTHENE	2,4,5-TRICHLOROPHENOL	
IRON (FILTERED & TOTAL)	DIPHENYLAMINE	BIS(2-CHLOROETHOXY)METHANE	2,4,6-TRICHLOROPHENOL	
MANGANESE	ETHYL METHANESULFONATE	BIS(2-CHLOROETHYL)ETHER	N-NITROSODIPHENYLAMINE	
OIL & GREASE	FAMPHUR	BIS(2-CL-ISOPROPYL)ETHER	O-CRESOL	
TOTAL ORGANIC HALOGEN(TOX)	HEXACHLOROPROPENE	BIS(2-ETHYLHEXYL)PHTHALATE	M+P-CRESOL	
BORON	ISODRIN	4-BROMOPHENYL PHENYL ETHER	ETHYL METHACRYLATE	
FLUORIDE	ISOSAFROLE	BUTYLBENZYL PHTHALATE	METHYL METHACRYLATE	
TOTAL HARDNESS	KEPONE	2-CHLORONAPHTHALENE		
TOTAL CYANIDE	METHAPYRILENE	4-CHLOROPHENYL PHENYL ETHER		
TOTAL SULFIDE	3-METHYLCHOLANTHRENE	CHRYSENE		
	METHYL METHANESULFONATE	DIBENZ(A,H)ANTHRACENE		
Metals (Total and Filtered)	2-METHYLNAPHTHALENE	3,3'-DICHLOROBENZIDINE		
ARSENIC	1, 4-NAPHTHOQUINONE	DIETHYL PHTHALATE		
BARIUM	1-NAPHTHYLAMINE	DIMETHYL PHTHALATE		
CADMIUM	2-NAPHTHYLAMINE	DI-N-BUTYL PHTHALATE		
TOTAL CHROMIUM	O-NITROANILINE	2,4-DINITROTOLUENE		
COBALT	M-NITROANILINE	2,6-DINITROTOLUENE		
COPPER	P-NITROANILINE	DI-N-OCTYL PHTHALATE		
LEAD	N-NITROSODI-N-BUTYLAMINE	FLUORANTHENE		
MERCURY	N-NITROSODIETHYLAMINE	FLUORENE		
NICKEL	N-NITROSOMETHYLETHYLAMINE	HEXACHLOROBENZENE		
SELENIUM	N-NITROSOPPERIDINE	HEXACHLOROBUTADIENE	Additional Volatile Organic Compounds	
SILVER	N-NITROSOPYRROLIDINE	HEXACHLOROCYCLOPENTADIENE	ACROLEIN	
ZINC	5-NITRO-O-TOLUIDINE	HEXACHLOROBETHANE	ACRYLONITRILE	
ANTIMONY	PENTACHLOROBENZENE	INDENO(1,2,3-C,D)PYRENE	ALLYL CHLORIDE	
BERYLLIUM	PENTACHLORONITROBENZENE	ISOPHORONE	CHLOROPRENE	
THALLIUM	PHENACETIN	NAPHTHALENE	ISOBUTYL ALCOHOL	
TIN	P-PHENYLENEDIAMINE	NITROBENZENE	M-DICHLOROBENZENE	
VANADIUM	PRONAMIDE	N-NITROSODIMETHYLAMINE	METHACRYLONITRILE	
	SAPROLE	N-NITROSODI-N-PROPYLAMINE	PROPIONITRILE	
Acid/Base/Neutral Extractable	1,2,4,5-TETRACHLOROBENZENE	PHENANTHRENE	1, 1-DICHLOROPROPENE	
ACETOPHENONE	2,3,4,6-TETRACHLOROPHENOL	PYRENE	1, 3-DICHLOROPROPANE	
2-ACETYLAMINOFLUORENE	O-TOLUIDINE	2-CHLOROPHENOL	2-CHLOROBETHYL VINYL ETHER	
4-AMINOBIHENYL	O,O,O-TRIETHYLPHOSPHOROTHIOATE	1,2,4-TRICHLOROBENZENE	2, 2-DICHLOROPROPANE	
BENZYL ALCOHOL	SYM-TRINITROBENZENE	2,4-DICHLOROPHENOL		
P-CHLOROANILINE	ACENAPHTHENE	2,4-DIMETHYLPHENOL		
CHLOROBENZILATE	ACENAPHTHYLENE	2,4-DINITROPHENOL		
DIALATE	ANTHRACENE	2-METHYL-4,6-DINITROPHENOL		
DIBENZOFURAN	BENZIDINE	2-NITROPHENOL		
2, 6-DICHLOROPHENOL	BENZO(A)ANTHRACENE	4-NITROPHENOL		
P(DIMETHYLAMINO)AZOBENZENE	BENZO(A)PYRENE	4-CHLORO-3-METHYLPHENOL		

TABLE 4-18
SUMMARY OF ORGANIC CHEMICAL DISTRIBUTION
IN ENVIRONMENTAL MEDIA

LIBERTY CANYON HEALTH
RISK ASSESSMENT 1990

CHEMICAL	-----SUBSURFACE GAS-----		-----GROUNDWATER-----				-SURFACE WATER-	--SEDIMENTS--	--SOILS--	-----AMBIENT AIR-----	
	Soil Gas Survey	Soil Gas Confirmation Samples	Raw Landfill Gas	Field Screening Samples	Landfill Downgradient Wells	Landfill Upgradient Wells	Landfill Storm Water Runoff	Field Screening Investigation Results	SGD Test Pit Samples	Field Screening Investigation Results	Landfill Monitoring Data
Monocyclic Aromatic Hydrocarbons											
Benzene	X	X	X	X	X	X				X	X
Chlorobenzene				X						X	
m-Dichlorobenzene										X	
Ethylbenzene				X						X	
Toluene	X			X		X			X	X	
1,2,4-Trimethylbenzene										X	
Xylenes				X						X	
Halogenated Aliphatic Hydrocarbons											
Carbon Tetrachloride										X	
Chloroform			X		X	X	X				
1,1-Dichloroethane				X	X	X					
1,2-Dichloroethane			X		X	X					
1,1-Dichloroethylene				X	X	X					
cis-1,2-Dichloroethylene					X	X					
trans-1,2-Dichloroethylene					X	X					
1,2-Dichloropropane						X					
Ethylene Dibromide		X	X								
Freon 11											
Methylene Chloride		X	X		X	X				X	
Tetrachloroethylene	X	X	X		X	X				X	X
1,1,1-Trichloroethane		X	X				X			X	X
1,1,2-Trichloroethane										X	X
Trichloroethylene	X	X	X	X	X	X				X	
Vinyl Chloride			X		X	X					X
Phenols											
4-Nitrophenol							X				
Phenol						X					
Phthalates											
Diethylhexylphthalate						X	X		X		

4-55



Approximate Location of Hazardous Waste Disposal

Liner Areas

EXHIBIT 3-10

CALABASAS LANDFILL

MODIFIED BY SLOSSON AND ASSOCIATES

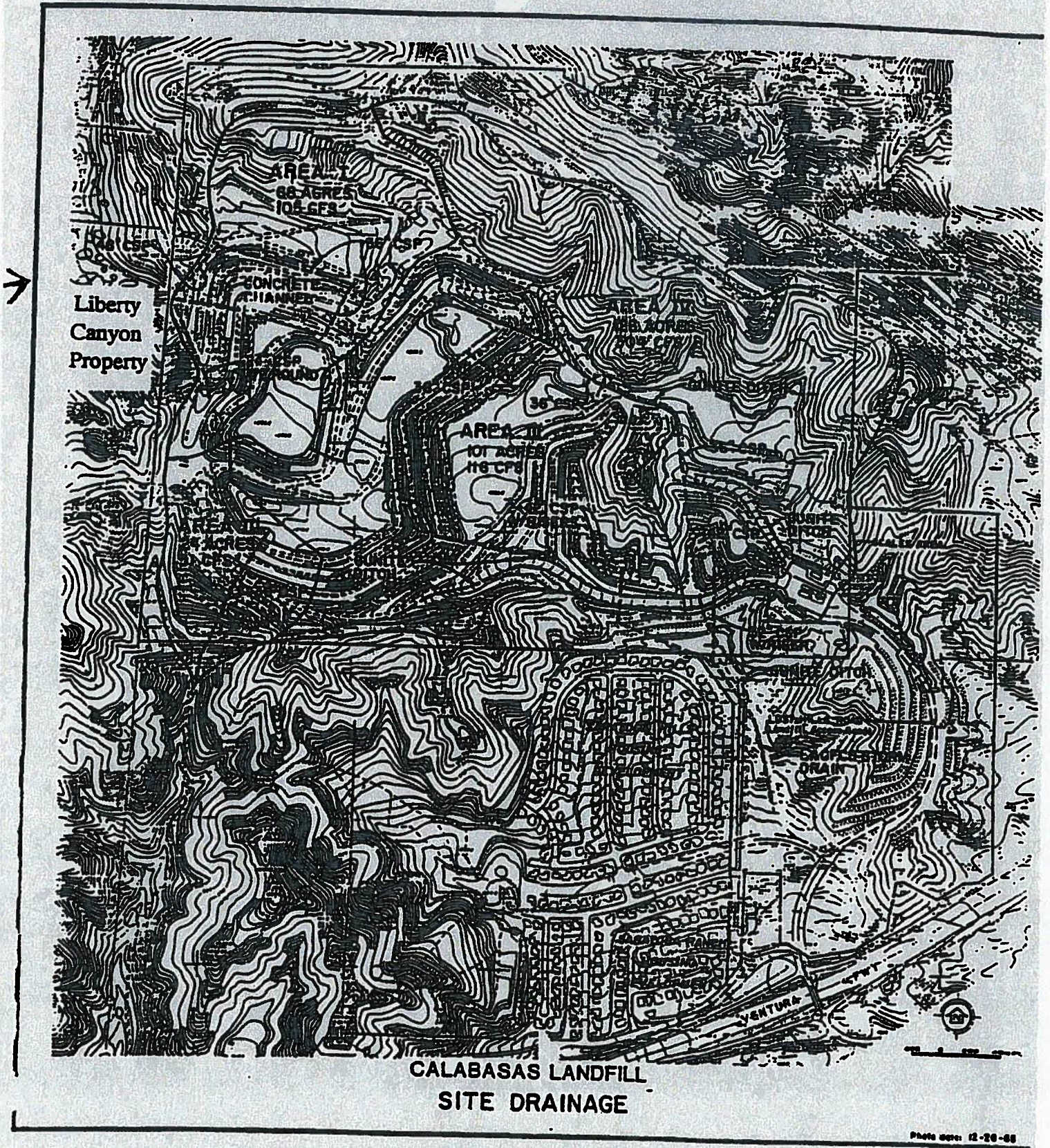


Photo used: 12-26-88

FIGURE 2-11: STORM DRAIN RUNOFF SYSTEM
Calabasas Landfill

Source: CSDLA, 1989

Response 2a.3 rebuttal

To protect ground and surface waters from petroleum hydrocarbons from leaking underground storage tanks, the State of California enacted legislation in 1983 (Health and Safety Code, Division 20, Chapter 6.7). Underground tank regulations promulgated under this legislation are designed to (i) ensure the integrity of all underground storage tanks, and (ii) detect any leaks. These regulations can be found in Title 23, California Code of Regulations, Division 3, Chapter 16.

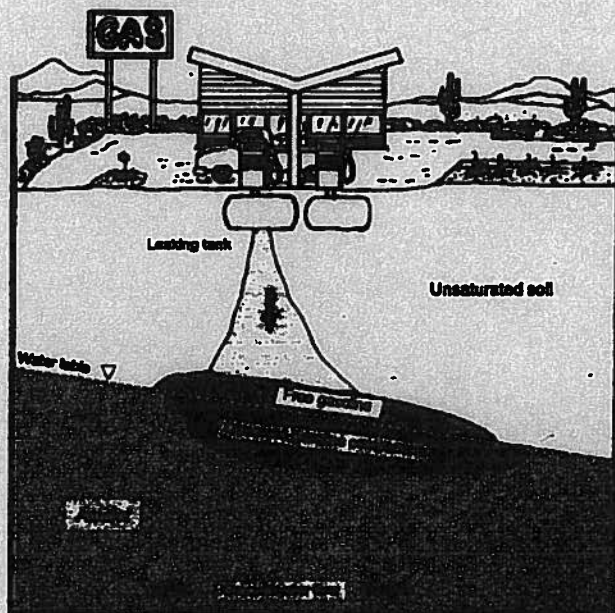


Figure 4-9. Leaking underground storage tank. This diagram illustrates how contamination of the vadose zone and pollution of ground water can result from leaks of gasoline from an underground storage tank (Adapted from Feltar, 1988).

To ensure the integrity of all underground storage tanks, the State's regulations require all counties in California to implement an underground tank permitting program. The counties have the flexibility to shift responsibility to local governments (known as Local Implementing Agencies), provided that the Local Implementing Agencies (LIAs) adopted appropriate ordinances before July, 1990 for implementing underground tank permitting programs that are at least as stringent as the Chapter 16 regulations. Under the permitting programs, a tank owner or operator must obtain an operating permit from the county or LIA in which the tank is located. Permit conditions include tank construction standards, monitoring requirements, unauthorized

release reporting, initial abatement procedures, and closure requirements. Furthermore, permitting procedures undertaken by LIAs include initial assessments of sites where pollution can have occurred. LIAs within the Los Angeles Region include: the Counties of Ventura and Los Angeles, and the Cities of Burbank, Glendale, Long Beach, Los Angeles (including the City of San Fernando), Pasadena, Santa Monica, San Buenaventura, Torrance, and Vernon.

Responsibility for overseeing investigations of groundwater pollution and corrective actions rests with the Regional Board. However, given the magnitude of the problems from leaking underground storage tanks in the Los Angeles Region, the Counties of Los Angeles and Ventura joined the State Board's Local Oversight Program (LOP), through which they share regulatory responsibility with the State. (Note that, in addition to their role in the LOP program, the Counties of Los Angeles and Ventura are also LIAs.) In order to provide practical guidance to regulatory agencies overseeing site investigations and corrective actions, the State Board has issued the *Leaking Underground Fuel Tank (LUFT) Field Manual*. This manual is not a policy or regulation; rather, it establishes procedures for verifying the occurrence of a leak from an underground fuel storage tank and for assessing the impact to soil and ground water.

To expedite the permitting process for sites requiring groundwater remediation, the Regional Board has adopted a general permit for the discharge of treated ground water, *Discharge of Ground Water from Investigation and/or Cleanup of Petroleum Fuel Pollution to Surface Waters* (Table 4-2). This general permit regulates the discharge of treated ground water, from petroleum fuel contamination sites, to surface waters, provided that the discharge meets the limitations and conditions of the general permit and does not exceed water quality objectives or impair beneficial uses of the receiving waters.

Leaks from underground storage tanks are not limited to petroleum fuels. Other hazardous substances, such as solvents, also leak and pollute ground and surface waters. Although remediation of such pollution is a high priority, limited funding is available for the investigation and cleanup of such sites. Accordingly, the current scope of the Underground Storage Tank Program is somewhat restricted to pollution from petroleum fuels.

Equine Estates

**To: Mary Wiesbrock
From: Kristeen Penrod**

Their response to comments on wildlife movement is woefully inadequate. The Proposed Project is located in a critical choke-point in the linkage that is already constrained to the minimum corridor width (2 km / 1.2 mi), thus any development would have significant and unavoidable impacts to wildlife movement. The map submitted under Comment 18, Cheseboro Meadow Key Parcel in the Linkage was produced by SC Wildlands to show the specific location of this critical parcel in the linkage and clearly depict the significant impact to this regionally important linkage. The "adjacent to 6,000 acres of contiguous habitat" is to the north of the project site where the linkage broadens considerably but the project itself is located in a narrow choke-point where further development cannot be mitigated. Significant conservation investments have already been made in the region but if this connection is reduced or severed the resource values they support could be severely diminished. The area of the proposed project is a "Key Parcel" in the linkage; in close proximity to the proposed wildlife overpass for the 101 freeway; identified as a Significant Ecological Area by Los Angeles County; included in the Rim of the Valley Corridor Study by National Park Service, and is important to the success of other regional conservation planning efforts (map attached).

The response to comments focused solely on mountain lion, yet a decade worth of new data was not included in the analysis for the DEIR (i.e., NPS Telemetry data from 1996 to 2004). Attached Figure 8. Least Cost Union Displaying Species Overlap is a draft working map that depicts the 1.5% least cost corridor for mountain lion described on page 18 of Penrod et al. 2006 showing that indeed only a slight increase in the corridor output for mountain lion includes the Liberty Canyon connection and recent telemetry data further supports the importance of this area for mountain lion. Liberty Canyon is the best potential connection for mountain lion but it is also essential for many of native species.

The response to comments regarding wildlife movement seems to dismiss the use of the property by other targeted focal species and did not evaluate the potential of the site to support the habitat and movement needs of the other 19 focal species analyzed in Penrod et al. 2016. The Santa Monica-Sierra Madre Connection (Penrod et al. 2006) was designed based on the habitat and movement requirements of 20 focal species, including 3 plants, 4 insects, 1 fish, 1 amphibian, 2 reptiles, 4 birds and 5 mammals (Table). These focal species cover a broad range of habitat and movement requirements such that planning adequate linkages for their needs is expected to cover connectivity needs for the ecosystems they represent. The South Coast Missing Linkages were designed to accommodate the full range of target species and ecosystem functions they are intended to serve, and if conserved should:

- Provide live-in and move-through habitat for multiple species. The linkages must be wide enough to provide live-in habitat for species with dispersal distances shorter than the linkage.**

- **Support metapopulations of smaller species.** Many species may require dozens of generations to move between target areas. These corridor dwellers need linkages wide enough to support a constellation of populations, with movements among populations occurring over decades.
- **Ensure availability of key resources.** Each linkage was designed to provide resources for all target species, such as host plants for butterflies and pollinators for plants.
- **Buffer against edge effects.** The linkages were designed to buffer against edge effects such as pests, lighting, noise, nest predation and parasitism, and invasive species.
- **Reduce contaminants in streams.** Upland buffers zones are needed along key riparian corridors to prevent aquatic habitat degradation.
- **Allow natural processes to operate.** The linkages must also allow natural processes of disturbance and recruitment to operate with minimal constraints from adjacent urban areas. All branches should be wide enough that temporary impacts due to fires, floods, and other natural processes do not affect an entire linkage simultaneously. Wider linkages with broader natural communities should be more robust to these disturbances.
- **Allow species and natural communities to respond to climatic changes.** The linkages were designed to cover an ecologically meaningful range of elevations and a diversity of microhabitats to accommodate elevational shifts that allow species to colonize new areas.

We appreciate the inclusion of the mitigation measures from Penrod et al. 2006 but any development in this choke-point cannot be mitigated. The conservation value of lands in the linkage may be threatened by a variety of factors that cause habitat loss, fragmentation and degradation. Industrial, commercial and residential development is by far the most severe threat. Development decreases abundance and diversity of native species, and promotes displacement of natives by non-native species. In California, these trends were evident for small mammals, birds, and butterflies (Blair 1996, Blair and Launer 1997, Sauvajot et al. 1998, Blair 1999, Rottenborn 1999, Strahlberg and Williams 2002), and loss of native species increased as housing density increased. Similar patterns were observed in Arizona for birds (Germaine et al. 1998) and lizards (Germaine and Wakeling 2001), birds in Washington state (Donnelly and Marzluff 2004), mammals and forest birds in Colorado (Odell and Knight 2001), and migratory birds in Ontario (Friesen et al. 1995). Conservation Biology Institute (2005) found negative effects of urbanization evident at housing densities as low as 1 dwelling unit per 40-50 acres. In general, housing densities below this threshold had little impact on birds and small mammals. Although some lizards and small mammals occupy residential areas, most large carnivores, small mammals, and reptiles cannot occupy or even move

through urban areas. Urban and industrial development also creates edge effects that reach well beyond the development footprint, impacting wildlife movement in several ways:

- Urbanization triggers further development of the road network, which increases the mortality and repellent effect of the road system (Van der Zee et. al 1992).
- Most terrestrial mammals that move at night will avoid areas with artificial night lighting (Rich and Longcore 2006). Artificial night lighting can impair the ability of nocturnal animals to navigate through areas (Beier 2006) and has been implicated in decline of reptile populations (Perry and Fisher 2006).
- Noise may also disturb or repel some animals and present a barrier to movement (Minton 1968, Liddle 1997, Singer 1978). Some reptiles (which “hear” ground-transmitted vibrations through their jaw (Hetherington 2005) are repelled even from low-speed 2-lane roads, resulting in reduced species richness (Findlay and Houlihan 1997), reducing road kill but increasing fragmentation of habitat.
- Pet cats can significantly depress populations of small vertebrates near housing (Churcher and Lawton 1987, Crooks 1999, Hall et al. 2000) killing millions of wild animals each year (Courchamp and Sugihara 1999, May and Norton 1996).
- Subsidized “suburban native predators” such as raccoons, foxes, and crows that exploit garbage and other human artifacts can reach unnaturally high densities, outcompeting and preying on other native species (Crooks and Soule 1999).
- Development may also cause an increase in the removal of nuisance animals, including wild predators for killing pets or hobby animals (Woodroffe and Frank 2005) and native herbivores that feed on ornamental plants (Knickerbocker and Waithaka 2005).
- There is also an increased risk of mortality to native plants and animals via pesticides and rodenticides, which kill not only their target species (e.g., domestic rats), but also secondary victims (e.g., raccoons and coyotes that feed on poisoned rats) and tertiary victims (mountain lions that feed on raccoons and coyotes; Riley et. al 2006).

- Formerly ephemeral streams may become perennial, making them more hospitable to non-native plants and animals that displace natives and reduce species richness (Forman et al. 2003). For example, irrigation of landscapes surrounding homes encourages the spread of Argentine ant populations into natural areas, where they cause a halo of local extinctions of native ant populations extending 200 m (656 ft) into native vegetation (Suarez et al. 1998, Bolger et al. 2000). Similar affects have been documented for amphibians (Demaynadier and Hunter 1998).
- Spread of some exotic (non-native) plants, namely those that thrive on roadsides and other disturbed ground, or that are deliberately introduced by humans.
- Disruption of natural fire regime by (a) increasing the number of wildfire ignitions, especially those outside the natural burning season (Viegas et. al 2003), (b) increasing the need to suppress what might otherwise be beneficial fires that maintain natural ecosystem structure, and (c) requiring firebreaks and vegetation manipulation, sometimes at considerable distance from human-occupied sites (Oregon Department of Forestry 2006).

Unlike road barriers (which can be modified with fencing and crossing structures), urban and industrial developments create barriers to movement which cannot easily be removed, restored, or otherwise mitigated. This project would severely encroach upon an already constrained and critically important wildlife movement corridor where significant conservation investments have already been made.

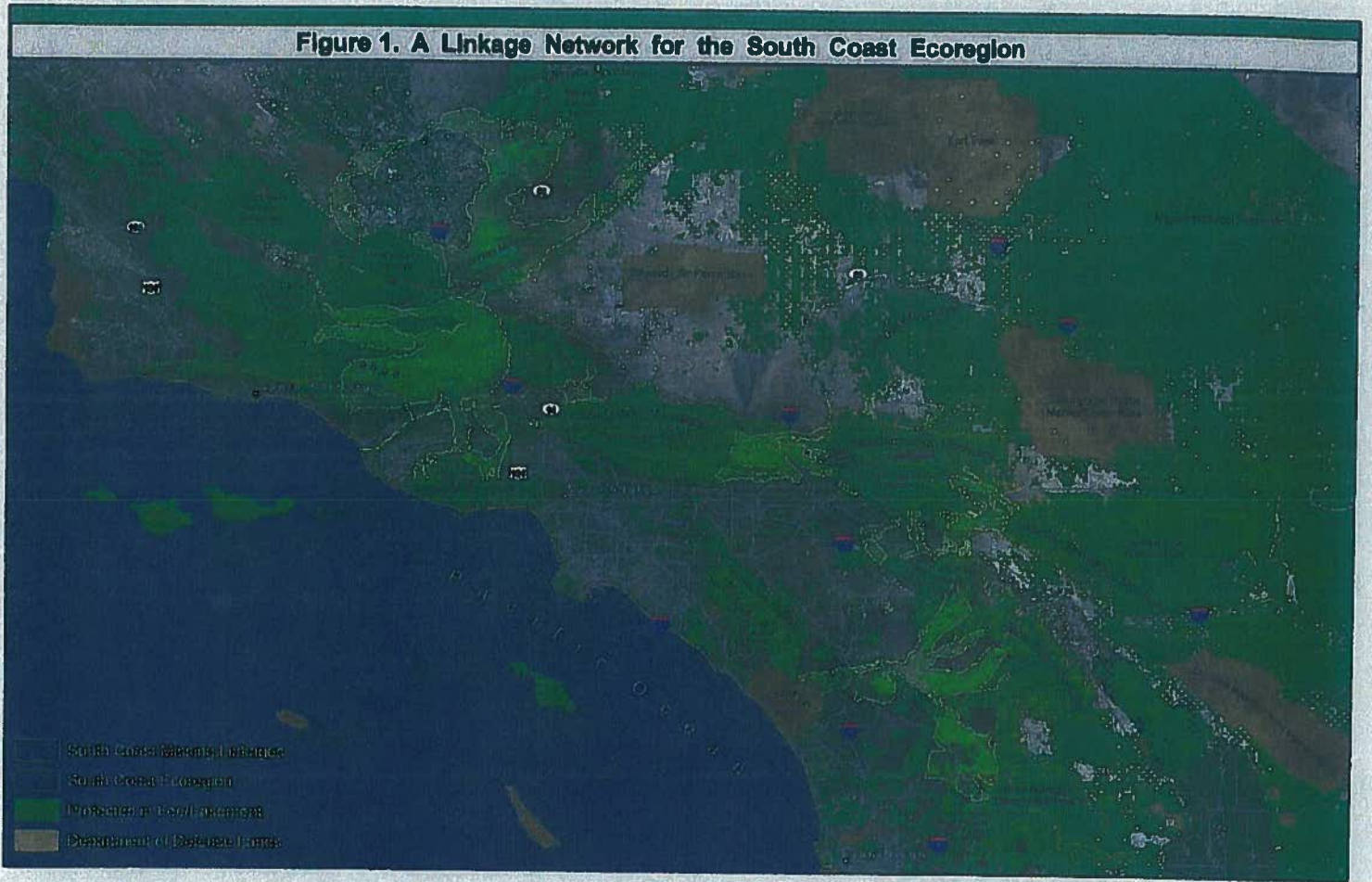
Kristeen Penrod, Conservation Director

Science & Collaboration for Connected Wildlands

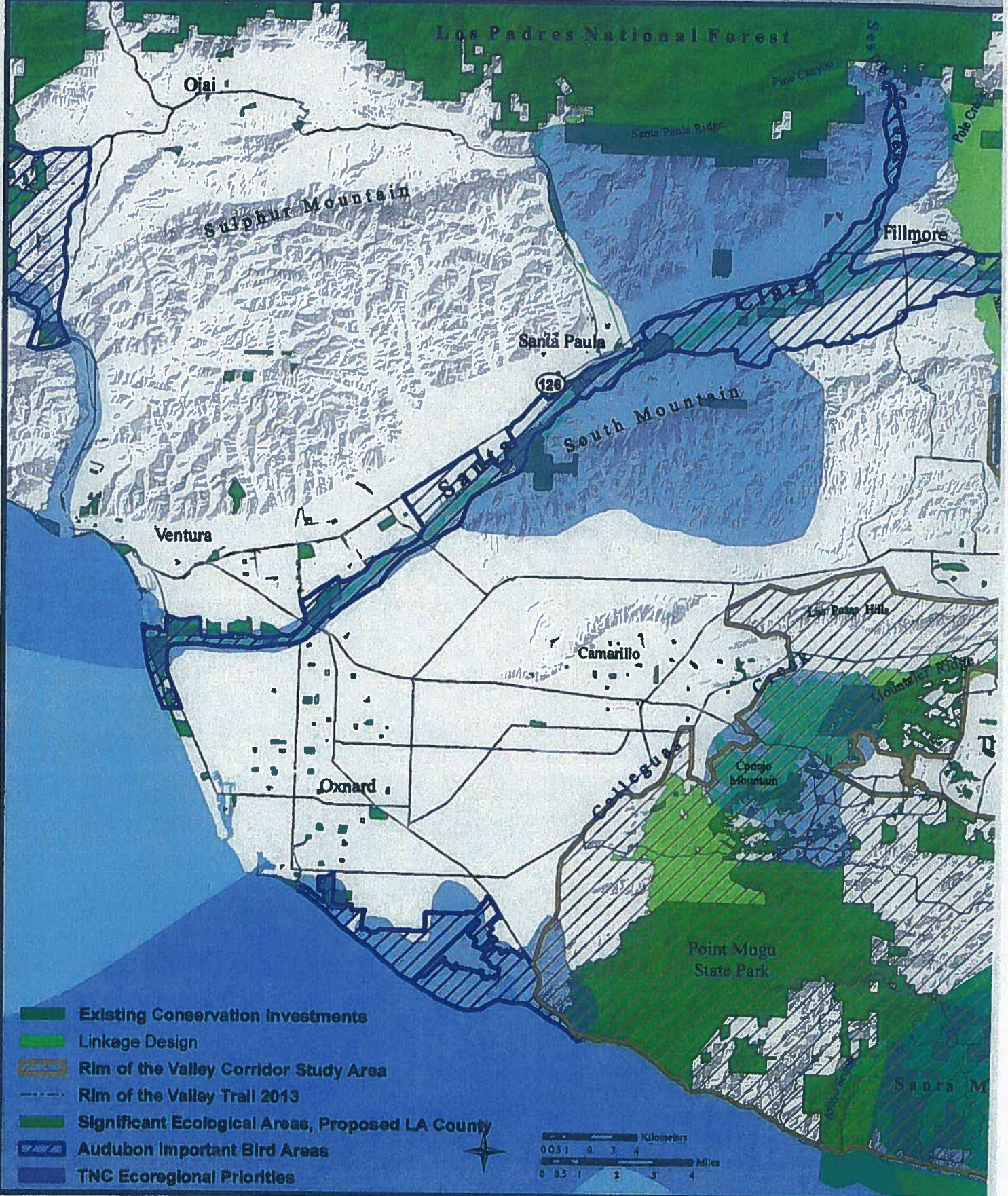
www.scwildlands.org (877) Wildland

Direct (206) 285-1916 Cell (626) 497-6492

Figure 1. A Linkage Network for the South Coast Ecoregion



Existing Conservation Planning Efforts in



Los Padres National Forest

Ojai

Sulphur Mountain

Santa Paula Ridge

Fillmore

Santa Paula

126

South Mountain

Ventura

Camarillo

Oxnard

Point Mugu State Park

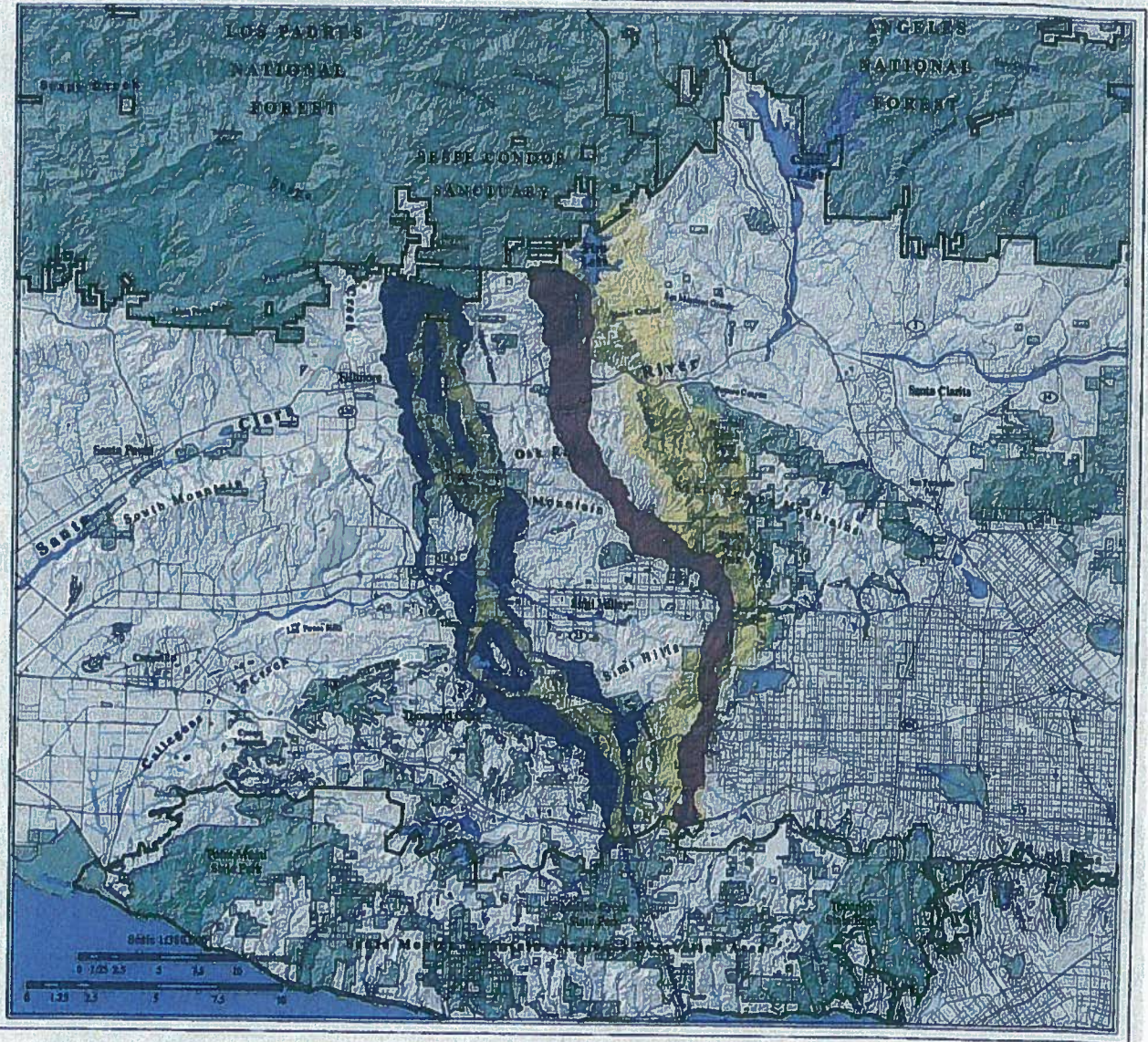
Santa M

Figure 8.
Least Cost Union
Displaying Species Overlap

Change: Mountain lion output was increased from 1% of the corridor output to 1.6%.

In this map, the mountain lion output is slightly transparent so that you can evaluate its overlap with the mule deer and badger output.

-  Mountain lion
-  Mule deer
-  Badger
-  Target Areas
-  Protected Lands
-  Lakes & Reservoirs
-  Hydrography
-  County Boundary
-  Roads



Map Produced By:

SOUTH COAST WILDLIFE
 March 2006
www.scvwildlife.org



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

August 20, 2015

Responses to Comments Rebuttal

Global Response 1 is wrong.

Page 8-3. Save Round Valley Alliance v. County of Inyo (2007) is entirely different situation on the second dwelling issue. This is not the same here we have a legal settlement and Escrow Instructions.. The City clearly agreed to in Addendum A which is part of and incorporated into the Standard Offer, Agreement, and Escrow Instructions for the Purchase of Real Estate (Vacant Land) dated June 18, 2013 between Equine, Estates, LLC (Buyer) and the City of Agoura Hills (Seller) 27. 5: The intended use of the property (the "Project", includes the construction (a) 15-residential homes, (b) a barn or guest house on each residential lot, etc. Inyo County clearly had no such agreement for guest houses with the developer for his project. Case law requires that the impacts of these guests' houses be analyzed because it is extremely likely that they will be built as they are described as the intended construction here. (See attached agreement)

Global Response 2-Rebuttal

The loss of this right of way/prescriptive easement: The existing pedestrian and horse trail in usage for many years from the road through this meadow to the public parkland is a significant impact. Adding the second and third trails restricted by the location to the residents only and not to the public does not mitigate this significant loss to the general public of this right of way/prescriptive easement established by usage of over 40 years.

Right of way is a term used to describe "the legal right, established by usage or grant, to pass along a specific route through grounds or property belonging to another", or "a path or thoroughfare subject to such a right".

Global Response 3.

A TIA is required to be part of this FEIR because #3: "This project will be adding AM peak traffic to an intersection (Driver and Chesebro Road) which is already identified as operating at an unacceptable level which is inconsistent with the Agoura Hills General Plan. And #5. The project may create a hazard to public safety because of a narrow entrance roadway, even narrower than the project's internal roadway.

p. 8-4. Am Peak –fails to describe actual delay conditions on Chesebro Road. New residents need to be disclosed how long it will take them to get through the Chesebro/Driver intersection in the AM Peak.

Buildout brings that Driver/Chesebro intersection from an unacceptable E (inconsistent with Agoura Hills General Plan) level to F which is gridlock. This is a significant effect is not even considered as an Environmental Factor (IS page 12)

When you add 11 cars,(really correct number is 15-30), to the AM Peak at this Driver/Chesebro stop sign, the back on Chesebro Road (from the project's homes as this is the only way out) and existing homes will be for a significant time it is a 4 way stop. That these 15 estates (with guest houses) will contribute one half to less than a one half a second delay time is not accurate. It appears that this traffic appendix is not looking at the actual AM Peak impacts on the Chesebro Road segment itself as required in the City's General Plan.

The results of the traffic study on the delay time as the back up on Chesebro Road reaches several more cars waiting to get through the 4 way stop fails to shows an analysis on how long the delay time will be for cars at the end of the line on Chesebro Road.

LOS E is unacceptable now, and to go to a worse LOS F is significant. The traffic section is required to be part of this FEIR.

p. 8-5. Traffic Engineers use the figure 12 trips per day for estate homes. These are estate homes. (See chart Estate =12 trips per dwelling unit)

p.8-6- The Driver Chesebro stop sign will not allow the traffic back up on Chesebro Road to function at an acceptable LOS per Agoura Hills General Plan. The project will be “the straw that breaks the camel’s back”, and this impacted intersection needs to be revealed/disclosed to the future residents of this project in the FEIR context. The FEIR needs to disclose this significant impact on the back up on Chesebro Road in the AM Peak when everyone is trying to get to work and/or take children to school.

Global Response 4: Traffic Secondary units

Court case doesn’t apply here. Inyo County did not a signed agreement to allow these guest units as is the case here.

Global Response 6: Wildlife Movement and Connectivity

Habitat Connectivity is defined as a “system of natural habitat areas, or corridors that connect larger areas of habitat that are vital to sustain wildlife populations.”

P8-10. The availability of funding to purchase this critical Liberty Canyon Wildlife Corridor property is relevant to the preparation of this EIR especially in the alternative section, and the most environmentally sensitive alternative.

P 8-11. The project site as mapped is part of the Liberty Canyon Wildlife Corridor. This property is also mapped as part of in the National Park Service, General Management Plan as linkage one for our national park, the Santa Monica Mountains National Recreation Area. (SMMNRA) This Liberty Canyon Wildlife Corridor linkage is the only recorded functional linkage where a mountain lion, P12 from north of the 101 Freeway is recorded to have crossed bringing new genetic viability to the mountain lion population south of the 101 in 2009.

The South Coast Linkage Study information given here in this discussion to rebut my letter #18 is not up to date . I turning in the email from Kristeen Penrod (the author of the 2006 study) which substantiates that Chesebro Meadow (this property) is in the linkage and is considered the “Highest priority Ranking.” (Penrod, email, August 14, 2014) Attached Penrod Map needs to be included in the FEIR for full disclosure and to correct this invalid response to comments.

The 2010 Agoura Hills General Plan that this project is not part of the Liberty Canyon Wildlife Corridor is incorrect and needs changing. The Initial Study also

was sent out to agencies with this incorrect information that this project was not part of the Liberty Canyon Wildlife Corridor.

“Any development within this narrow strip of land (Liberty Canyon Wildlife Corridor) would reduce the functionality of the (Liberty Canyon) wildlife corridor.” (Superintendent, SMMNRA Woody Smeck, 2007) Attached.

Large Mammal Movement Mapping Modeling

I am including witness observations of mountain lions on this property and a picture showing 5 mule deer at once. Deer trails led down into the Meadow of this property. The mountain lions hunt at night and this meadow contains Mule deer, their main prey. The project would destroy this meadow ecosystem with urban development. This urbanization would cause the loss of what Kristeen Penrod calls in 2014 a key parcel in the linkage with the highest priority ranking. The loss of this meadow from the development of 15 estates would significantly impact this Liberty Canyon Wildlife Corridor narrow chokepoint.

FEIR is wrong: The loss of this open space is a significant impact which can not be mitigated and requires a statement of overriding considerations.

8-13

The loss of this sensitive meadow ecosystem within the Liberty Canyon Wildlife Corridor is a significant impact which can not be mitigated and this new information requires recirculation.

Proposed and Existing Highway 101 Wildlife Crossing

In 2009 the radio collared mountain lion P12 crossed at the Liberty Canyon Wildlife Crossing. Also, in 2014 a mountain lion was killed attempting to cross, unsuccessfully at Liberty Canyon.

The telemetric data (which misses points in time) does not demonstrate that large carnivores are not attracted or funneled into the valley area adjacent to the existing houses along Chesebro Road. “In late February, P12 showed up in lower Chesebro Canyon, P12 was still hanging around in lower Cheeseboro on the evening of Monday March 2nd, sending out a signal only every two hours. At 1 am on Tuesday his signal showed him to be still in lower Cheeseboro, but at 3 am his signal showed he was on the south side of the freeway high-tailing it to Malibu Creek State Park. (per description for the LVHF newsletter Mar 2009). The

data (only every 2 hours) does not rule out that P12 might have checked out the Meadow for prey before heading over/under the freeway to the south side of our national park. Besides deer, mountain lions also eat smaller animals such as coyotes, raccoons, rabbits, squirrels, mice and rats also found in the meadow. I have confirmed with Seth Riley at NPS (email response) that they did not know where the mountain lion traveled to in the Liberty Canyon Wildlife Corridor area as the telemetry readings are only every two hours.

I am turning into the record all the mountain lion sightings in the Chesebro Meadow.

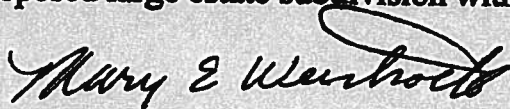
8-14. The proposed project will eliminate this open space meadow core habitat. The loss of this open space is significant and can not be mitigated.

Final EIR Mitigation Measures

The flat Chesebro Meadow valley area contains core foraging habitat in the significant Liberty Canyon Wildlife Corridor.. The old 2010 City's General Plan for this mapped Wildlife Corridor is incorrect. Its 5 years now, and this General Plan needs updating. The "flat development site" provides an ecosystem for foraging for the large carnivores. It is high value foraging habitat for mountain lions: deer and small mammals. Many people have witnessed mountain lions in this flat development area. (which is called the Chesebro Meadow). "Edge effects" are not mitigated.

The NPS Telemetry study does not support this conclusion. It's not scientific to make this conclusion because NPS does not make this conclusion with their telemetry studies.

There is a significant impact to biological resources by the loss of this meadow ecosystem. The migration measures do not mitigate this significant impact on the biological resources from the loss of this open space replaced by the development of the proposed large estate subdivision with 15 barns and/or guest houses.



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

2006 South Coast Linkage Study

Fig 12 - Mountain Lion P12 / Mule Deer Overlap (Crossed 2009)

Figure 12.
Least Cost Corridor
for
Mule deer
(*Odocoileus hemionus*)

Least Cost Corridor

- Highly Permeable
- Less Permeable
- Suitable Habitat*
- Target Areas
- Protected Lands
- Lakes & Reservoirs
- Hydrography
- County Boundary
- Roads

*This analysis was run from medium to high suitable habitat within targeted protected areas.



Map Produced By:



**SOUTH COAST
WILDLANDS**
June 2006
www.southcoastwildlands.org

Mountains, crosses the 101 Freeway at Las Virgenes and Crummer Canyons to enter the Simi Hills, heads toward Chatsworth Peak, and crosses the 118 Freeway at Santa Susana Pass into Rocky Peak Park, where both an overpass and bridged underpass are located. From there, the route follows Tapo and Salt Canyons in the Santa Susana Mountains down to the Santa Clara River, and traverses the river and Highway 126 to enter Hoiser Canyon. It then branches to encompass habitat on either side of Piru Lake Reservoir, with the most permeable path following the riparian habitats of Piru Creek to Lime Canyon toward Hopper Mountain in the Sespe Condor Sanctuary, and another route taking in habitat in upper San Martinez Grande Canyon to the east of the reservoir. The analysis captured medium to highly suitable habitat for puma moving between the Santa Monica and Sierra Madre Mountains along their preferred travel routes.

To evaluate the sensitivity of constraining the least cost corridor to the top 1% of the model output, criteria were relaxed and resulting paths were assessed for mountain lion. In general, when criteria were more inclusive (e.g. top 1.5%, 2%, 2.5%, and 3% of model output), the least cost corridors largely overlapped results obtained for mule deer and, to a lesser extent, badger (Figs. 11 and 12). For example, the top 1.5% output for mountain lion adds a north-south linkage from the Los Padres National Forest near Hopper Mountain, through Happy Camp Park in the Santa Susana Mountains, across Highway 118 at Alamos Canyon, through the Tierra Rejada Valley, and ultimately into the Santa Monica Mountains through the Simi Hills via Liberty Canyon. This route is nearly entirely overlapped by the least cost path for mule deer (Fig. 12). These results likely reflect the broad habitat tolerances of all three focal species and the ecological relationships between mountain lion and mule deer. Because of the observed interspecific overlap when criteria were relaxed for mountain lion and our desire to maintain quantitative consistency among the three focal species, we adhered to a definition of "most permeable" as only the top 1% of modeled results. It should be noted, however, that even small increases in the output percentage criteria leads to inclusions of additional paths for each species, with all "least cost paths" broadly overlapping.



Agreement + Escrow

Addendum A

This Addendum A (this "Addendum") is part of and incorporated into the Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate (Vacant Land) dated June 18, 2013 between Equine Estates, LLC ("Buyer") and the City of Agoura Hills ("Seller").

27. Effect of Addendum; Certain Definitions; Background Information. Buyer and Seller confirm the following:

27.1 In the event of any inconsistency between this Addendum and the provisions in paragraphs 1 through 26 of this Agreement, the terms of this Addendum shall govern.

27.2 Seller is sometimes also referred to herein as the "City". Buyer and Seller are referred to collectively herein as the "Parties" and individually as a "Party".

27.3 Trot, Canter and Gallop, LLC ("TCG"), which is an affiliate of Buyer, and the City are engaged in a legal dispute as to certain issues concerning the title and the priority of certain liens on the Property in a lawsuit presently pending before the Superior Court of State of California for the County of Los Angeles entitled *City of Agoura Hills v. Trot, Canter and Gallop, LLC, et al.*, Case No. BC436864 (the "Lawsuit").

27.4 TCG and the City entered into a Letter of Intent Dated March 7, 2013 (the "LOI") to outline the terms and conditions under which TCG or its affiliate would enter into a purchase and sale agreement, a pre-annexation agreement and a proposed development agreement, subject to sections 9682, et seq. of the Municipal Code for the City Agoura Hills ("Development Agreement"), with Seller for purposes of subdividing, developing and constructing 15-residential homes and related appurtenances on the Property, all subject to the public hearing and environmental processes prescribed by applicable law. This Agreement constitutes the purchase and sale agreement contemplated by the LOI.

27.5 The intended use of the Property (the "Project") includes the construction of (a) 15-residential homes, (b) a barn or guest home on each residential lot, (c) a horse corral on each residential lot, (d) a private street and equestrian trails, and (e) preserving portions of the Property as open space. A reasonably specific depiction of the nature of the subdivision is set forth in the Clive Dawson drawings dated March 7, 2013 (the "Drawings"), copies of which are attached to the LOI and deemed incorporated herein by this reference.

←
"just home"

27.6 For purposes of this Agreement:

(a) "EIR" means the Environmental Impact Report for the Project (to be obtained by Seller at Buyer's reasonable expense), and

(b) the "Final EIR" means the certification by the City of the final EIR and the expiration of the period during which such final EIR may be legally challenged, either (i) without such a legal challenge having been filed or pending or (ii) with any such a legal challenge having been fully and finally resolved to the satisfaction of Buyer in its sole discretion.

28. Purchase Price. The Purchase Price expressly includes any otherwise required contribution or payment by Buyer towards the Property's 2012/13 tax liability and any City post-entitlement "Inclusionary Housing In Lieu" or like fees for the 15-approved developable

JK

LS

ORD. 14-406

new stds adopted
for second units

Second Unit

Send to Phil

- The provision of Small Employee Housing, as defined in State law (for 6 or fewer persons).
- New definitions for Congregate Housing and Residential Care Facilities.

With the exception of the Small Employee Housing provisions (which are required to be completed by 2015), these zoning revisions are required to be completed in 2014, as noted in the Housing Element. The Planning Commission held a public hearing on March 6, 2014, and unanimously recommended approval of the attached draft Ordinance. Staff is now requesting the City Council conduct a public hearing to consider approval of the ordinance which addresses each of the zoning revisions mentioned above. Staff's analysis of the proposed zoning revisions is below.

Second Units

Second units are considered ancillary dwelling units to, and located on the same lot as, a primary, single-family residence. The Zoning Ordinance defines a "second unit" as "a detached or attached dwelling unit which provides complete, independent living facilities for one (1) or more persons. The unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation."

The Housing Element notes that a key element in satisfying the housing needs of all segments of the community is the provision of adequate sites for all types, sizes and prices of housing. Both the General Plan and Zoning Ordinance dictate where housing may be located, thereby affecting the supply of land available for housing. Second dwelling units offer several benefits. They can rent for less than apartments of comparable size and can offer affordable rental options for seniors and single persons. Second, the primary homeowners can receive supplementary income by renting out their second unit, which can help modest income and elderly homeowners remain in their homes.

Pursuant to State law, the City permits second units through a ministerial, non-discretionary process in all single-family residential zones, and has reduced the parking requirement to one covered space per unit and eliminated the requirement for connection to the public sewer system where not available. There are many large lots that can accommodate a second unit and, despite these changes to the ordinance in 2003, the City has seen few applications for second units. As such, the Housing Element called for the City to re-evaluate its second unit standards and assess refinements to better facilitate the provision of second units in existing and new development.

Staff is proposing to amend Zoning Ordinance Sections 9283.1 and 9654.6.B. to address three components of the second dwelling unit standards as an incentive to homeowners. One proposed change is to increase the maximum allowable size of the units from 640 square feet to 700 square feet. A second component is to relax the requirement on the exterior building materials. Currently, the construction of second units requires that the homeowner provide building materials and colors that are *identical* to the primary residence. Staff is recommended to the Planning Commission that only the exterior colors

of the building must be *the same* as the primary residence. The Planning Commission desired to retain design compatibility between the primary residence and a second dwelling unit and, therefore, recommended both the exterior building materials and colors be substantially the same as the primary residence.

The third proposed change to the second dwelling unit standards is to the parking requirement. One covered parking space (10' x 20') is required for a second unit. Staff's proposal is to allow for the required space to be uncovered if it is located in the buildable area of the lot (not in required yard areas). Staff is also recommending the parking space be allowed in the garage serving the primary residence if the two required parking spaces are also provided in the garage for the primary residence. In addition, for sake of clarity, staff recommends that the reference to "granny flats" be stricken from the parking ordinance. These proposed amendments included in the draft Ordinance for the City Council's consideration are as follows (strikethroughs signify deleted text, and underlined words signify proposed text):

***9283.1. Second unit standards**

All second units hereafter created shall conform to the following standards:

- A. Except for density limitation, all provisions of said land use districts shall be complied with;
- B. All second units shall be connected to either public or private water and sewer facilities;
- C. Such units shall not be held under separate ownership;
- D. The maximum size of a second dwelling unit shall be ~~six-hundred-forty (640)~~ seven hundred (700) square feet;
- E. Second units may be attached or detached from the primary residence. A detached second unit shall comply with the development standards of section 9606;
- F. Required on-site parking for a second unit per section 9654.6 may be located in any yard area and shall not preclude required parking and access for the primary residence;
- G. The exterior building materials and colors of second units shall be ~~identical to~~ substantially the same as the primary residence."

***9654.6.**

- B. *Parking spaces required.* The number of off-street parking spaces shall be no less than the following:

USE

PARKING SPACES REQUIRED

Residential

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Couple goes to far away places and gets married again and again



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"Agoura Equestrian Estates"

At the former Meschel Day School site in Agoura Hills.

Dear Neighbors,

Over the past few weeks it has been Equine Estates, LLC's pleasure to share with you its vision for the 71-acre former Meschel Day School property. To reiterate, consistent with the wishes of the Old Agoura community during the contentious battle against the Meschel School, Equine Estates has proposed to develop 15 equestrian estates on approximately 20 acres of the 71-acre property, while preserving the remaining 51 acres for open space, and as such, further protection for the Liberty Canyon Wildlife Corridor. These equestrian estates would also be consistent with the County's much supported North Area Plan. While others have opted to resort to innuendo and misinterpretation to attack this Project, it is Equine Estates' responsibility and obligation to provide accurate and factually based information to the community and decision makers. Below, we provide you with some very clear and factual information related to the proposed "Agoura Equestrian Estates":

• We have proposed fifteen one-acre minimum equestrian estates to be built on approximately 20 of the 71-acre property. For those unfamiliar with the City of Agoura Hills Zoning Code, the Residential Low Density Zone, in which the 15 homes are proposed, does allow for Accessory buildings or a "Guest Dwelling", as it does throughout Old Agoura in the comparable, and other zones. But it should be noted that such Accessory buildings cannot be under separate ownership, cannot be larger than 700 square feet, and cannot have a kitchen. Agoura Hills also requires such guest dwellings to be used "exclusively by temporary, nonpaying guests of the resident family." While some might have you believe that two single family homes can and will be built on any of the 15 lots, that is simply not true and conditions of approval relative to the proposed homes can reinforce this statement.

• Equine Estates has designed this project with the idea of protecting much of the natural beauty of the Santa Monica Mountains and the Liberty Canyon Wildlife Corridor. In fact, the project impact—on each thereof—on the Wildlife Corridor is fully analyzed in the Draft Environmental Impact Report (DEIR). Section, the DEIR confirms that the Liberty Canyon Wildlife Corridor should remain protected. (See DEIR, p. 4.3-34 - 4.2-39; 4.2-40 - 4.2-61.) "The 20-acre project site is not in a critical linkage for wildlife movement..." and "does not include any choke points and would not affect the Liberty Canyon overpass choke point..." In fact, "the project would provide a substantial open space buffer from the wildlife corridor, therefore impacts to wildlife movement would be considered less than significant given the more suitable movement pathways and habitat patches that occur within the wildlife corridor east of the project site." (Emphasis added.)

• There is no evidence that any hazardous substances that may runoff or leach from the Calabasas landfill (or any other source) will endanger the health and safety of any future residents at or around the project. After reviewing all available information, including further environmental testing that it performed, the City's environmental experts concluded: "There is no evidence to suggest that the development of 15 residences on the site would pose any short- or long-term threats to the health or safety of site residents."

• Please don't let unsubstantiated and undocumented accusations influence you. The Agoura Equestrian Estate proposal has undergone rigorous technical analysis as required by the California Environmental Quality Act. The purpose of this analysis is to determine and disclose, in a factual basis, any potentially significant environmental impacts associated with the development of the property. Let this document (the DEIR) be the guiding disclosure of the true impact associated with the 15 equestrian homes proposed on this property. The Project also will undergo further surveys to ensure that all protected flora and fauna species are protected before any construction commences.

Thank you very much for your continued interest and support for quality and thoughtful development in the community. If you would like further information about the project, please visit our website at www.EquestrianEstates.us. We look forward to our continued dialogue.

You can reach us at:
(805) 966-2888 ext 26
EquineEstates@fortuneco.us
www.EquestrianEstates.us

Sincerely,
Benjamin Efraim, on behalf of
Equine Estates, LLC Developer

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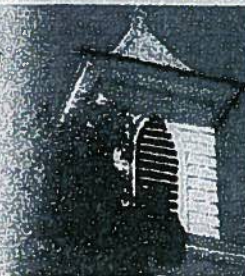


TABLE 1 (Continued)

May 2003

TRIP GENERATION RATE SUMMARY
(WEEKDAY)

LAND USE	DRIVEWAY ⁽¹⁾⁽²⁾ VEHICLE TRIP RATE	CUMULATIVE ⁽³⁾ VEHICLE TRIP RATE	PEAK HOUR AND IN/OUT RATIO	
			AM (IN:OUT)	PM (IN:OUT)
RESIDENTIAL ⁽³⁾				
→ Congregate Care Facility	→ 2 trips/dwelling unit	2 trips/dwelling unit	3% (6:4)	8% (5:5)
Mobile Home	5 trips/dwelling unit; 40 trips/acre	5 trips/dwelling unit; 40 trips/acre	9% (3:7)	12% (6:4)
Multiple Dwelling Unit:				
Under 20 dwelling units/acre	6 trips/dwelling unit	6 trips/dwelling unit	8% (2:8)	9% (7:3)
Over 20 dwelling units/acre	6 trips/dwelling unit	6 trips/dwelling unit	8% (2:8)	9% (7:3)
Single Family Detached:				
Urbanized Area ⁽¹⁾	9 trips/dwelling unit	9 trips/dwelling unit	8% (2:8)	10% (7:3)
Urbanized Area ⁽¹⁾	10 trips/dwelling unit	10 trips/dwelling unit	8% (2:8)	10% (7:3)
TRANSPORTATION FACILITIES ⁽³⁾				
Bus Depot	25 trips/1,000 sq. ft.	25 trips/1,000 sq. ft.	14% (7:3)	13% (3:7)
Transit Station (rail)	300 trips/acre	300 trips/acre	14% (7:3)	13% (3:7)

Notes:

- (1) From the 1990 Trip Generation Manual. Driveway rates reflect trips that are generated by a site. These rates are used to calculate the total number of trips that impact the project and its immediate vicinity.
- (2) Does not include trip rates for Centre City area. See Table 5.
- (3) San Diego Association of Governments (SANDAG), "Traffic Generators," San Diego, California, December 1996, and July 1998.
- (4) City of San Diego memo, "Trip Generation Rate for Churches," December 9, 1992.
- (5) Refer to Cumulative Vehicle Trip Rate column for reduced trip rates.
- (6) Ln = Natural logarithm; fitted curve logarithmic equation is used for Commercial Office and Regional Shopping Center. For example, the trip generation of an Office Building with 100,000 sq. ft. of GLA is: $Ln(T) = 0.756 Ln(100) + 3.95$, or $Ln(T) = 0.756 (4.60517) + 3.95$, or $Ln(T) = 3.481509 + 3.95$, or $Ln(T) = 7.431509$, which is 1,688 trips. The trip generation of a Regional Shopping Center with 1,000,000 sq. ft. of GLA is: $Ln(T) = 0.756 Ln(1,000) + 5.25$, or $Ln(T) = 0.756 (6.907755) + 5.25$, or $Ln(T) = 5.222263 + 5.25$, or $Ln(T) = 10.472263$, which is 35,322 trips. See Table 2 for calculated trip generation for selected sizes of Regional Shopping Centers, and Table 3 for calculated trip generation for selected sizes of Commercial Offices. GLA = Gross Leasable Area; T = trips; x = GLA in 1,000 square feet.
- (7) Institute of Transportation Engineers, "Trip Generation," 5th and 6th Editions, Washington, District of Columbia, 1991 and 1998.
- (8) Trips made to a site are Pass-By and Cumulative trips. See Appendix A for definitions of these trips. Cumulative rates are used to determine the community-wide impact of a new project.



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

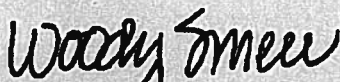
The National Park Service occasionally hosts community events that either stage at Cheeseboro Canyon Trailhead or make use of Cheesebro Road and the public trail network in the Simi Hills. Additionally, the peak use times for Cheeseboro Canyon Trailhead are Saturday and Sunday mornings from approximately 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 Sarvajot at (805)370-2339.

Sincerely,



**Woody Snieck
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**