

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



August 16, 2016

Regional Planning Commission
Los Angeles County
320 West Temple Street
Los Angeles, California 90012

**Park Vista Road, Liberty Canyon, CUP Modification No. RPPL2016002885
August 17, 2016 Hearing, Item 7**

Dear Planning Commissioners:

Santa Monica Mountains Conservancy (Conservancy) requests that the following three conditions be added to any approval of the proposed Conditional Use Permit (CUP) Modification No. RPPL2016002885 for CUP CP02-201 and Environmental Assessment No. 201500175 to allow retroactive authorization for 2,544 cubic yards of import grading for the subject project. A sum of violations and a substantial condition breach warrant and provide nexus for these three conditions.

If the Commission does not incorporate these three additional conditions, then we recommend that the Commission postpone acting on the item, until appropriate mitigation is identified and assured to adequately address the violations in this biologically significant area.

- (1) Open Space Lot 9 Dedication to Conservancy. Tract No. 53100 (Sheet 4 of 7) includes a note that states "Open space lot 9 to be dedicated to Santa Monica Mountains Conservancy by separate document." This dedication shall be made to the Santa Monica Mountains Conservancy or its assignee, the Mountains Recreation and Conservation Authority. The retroactive approval of the unauthorized grading shall not become effective until such dedication is accepted by a public park agency and recorded in the Los Angeles County Recorder's office.
- (2) Open Space Conservation Easement. Tract No. 53100 designates an area as limits of open space conservation easement (identified as "R" on the legend) to be granted to the Santa Monica Mountains Conservancy by separate document over multiple existing parcels. This grant shall be made to the Santa Monica Mountains Conservancy or its assignee, the Mountains Recreation and Conservation Authority. The retroactive approval of the unauthorized grading shall not become effective until such grant is accepted by a public park agency and recorded in the Los Angeles County Recorder's office.

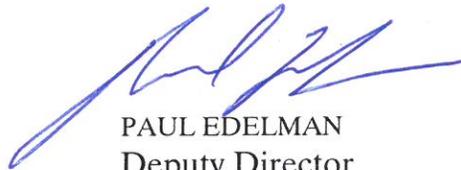
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- (3) Open Space Native Vegetation Easement. Tract No. 53100 designates an area as limits of the open space native vegetation easement (identified as "CC" on the legend) to be granted to H.O.A. by separate document over multiple existing parcels. This grant shall also be made to the Mountains Recreation and Conservation Authority. The retroactive approval of the unauthorized grading shall not become effective until such grant is accepted by the Mountains Recreation and Conservation Authority and recorded in the Los Angeles County Recorder's office.

The site is part of the regionally significant wildlife movement corridor connecting the Santa Monica Mountains with the Simi Hills and ultimately the Santa Susana Mountains via Liberty Canyon. The site abuts Liberty Canyon Natural Preserve in Malibu Creek State Park. The Conservancy and Mountains Recreation and Conservation Authority own open space land to the west and northwest.

Given this history of repeat violations at the site, the biological significance of the site and surrounding area, and the adverse impacts to biological resources resulting from the tract, these three additional conditions must be incorporated into any retroactive approval of unauthorized grading. It would not be prudent for the County to wait to lock down the open space protections until the applicant or new owner returns to Regional Planning for any future permits (e.g., building permits). If the Commission does not incorporate the above-mentioned conditions at the hearing, we recommend that the Commission postpone action on the approval until appropriate additional mitigation for the violations is assured. If you have any questions, please contact me by phone at (310) 589-3200, ext. 128 or via email at edelman@smmc.ca.gov. Thank you for your consideration.

Sincerely,



PAUL EDELMAN
Deputy Director
Natural Resources and Planning

cc: Steven Jones, Land Divisions Section,
Los Angeles County Department of Regional Planning