

The Sunland-Tujunga Neighborhood Council (STNC) is unable to support the Canyon Hills project as proposed and based on the available information to date. We respect a property owner's right for reasonable economic use of their property. However, subdivisions must respect the existing ordinances, Community Plan [part of General Plan] objectives, policies, programs and standards until such time as there is a compelling reason to materially change them in an organized, thoughtful manner with adequate public dialogue, and only after having exhausted all other creative solutions to both protect the property owner's rights and the best interests of the community. If it is truly deemed necessary to change the plan, then it should be done in such a manner as to afford the local community meaningful, substantive, and informed participation early in the process, not simply an 11th hour wish list, having been placed in a defensive position.

We do not believe that all opportunities to balance these interests have yet been exhausted. Although the Canyon Hills project has attempted to interpret and incorporate certain aspects of the existing plans, policies, and programs, some serious concerns do remain unaddressed with regard to future quality of life impacts of this development, as well as the impact on the ability of the community to engage in meaningful planning with a long-term view. As a voice for the local community, we cannot offer endorsement of any project outright under those circumstances until we are satisfied that all efforts have been exhausted to achieve the balance.

Given that it is undoubtedly more difficult to develop land in areas of steep topography with challenges regarding ingress/egress, and installation of new infrastructure, the result seems to always be pressure for increased density beyond that which is currently allowed under existing land use plans, and ordinances, to make the project economically desirable to a developer. This ends up circumventing (whether intentional or not) the original intent of the plans and ordinances, as it is nearly impossible to identify where the line of "reasonable" or "feasible" exists. We suggest this is a misdirection of efforts, energy, and economics.

Here is what we DO recommend and support:

1) The STNC requests that the developer, city planning, and the council office work diligently and expeditiously with STNC to establish a program of "transfer of development credits" to implement a long term planning strategy that is compatible with the local community goals for accommodating growth. This type of mechanism is in place elsewhere and could prove to be a pivotal factor in the success or failure of the Sunland-Tujunga Vision 2020 program. Regarding Canyon Hills, we could possibly employ a combination program of partial transfer of rights, partial outright purchase of property. Until such meaningful planning measures are implemented, there will continue to be a reactive "planning in response" to each individual project proposed in the hillside areas, without adequate consideration of the long term implications. As you know, this area possesses some of the last intact scenic and biological resources within the boundaries of the entire City of Los Angeles, and significantly, in a setting that provides for important diversity in housing choices, including a rural and equestrian lifestyle already balanced with other higher density land use areas. We think we should build upon the inherent strengths in our existing development pattern, rather than build in new challenges. We have reason to believe it continues to be an important quality of life goal for the Sunland-Tujunga community to retain this rural character provided by the wild land edge interface of the mountains.

2) Should all efforts fail at purchasing development rights for transfer, or purchasing property outright, the STNC would only be able to consider supporting a project that would incorporate all of the following critical elements, which has not yet been demonstrated to the satisfaction of the STNC:

- a) Full and faithful compliance with the Slope Density Ordinance, Hillside Ordinance, Community Plan (and footnotes) policies, programs, standards, and Specific Plan(s), which, among other

things, do already provide for clustering in order to respect the property owner's desire to develop their land while respecting the overall intent and objectives of the plans and ordinances. A critical factor that causes us to withhold support for the project is our concern about the possible precedent-setting effect of circumventing ordinances including, but not necessarily limited to, Slope Density through a land use plan amendment. While the preservation of nearly 80% open space would be a precedent we would support, we would not support a precedent that may actually serve to undermine hillside protections such as Slope Density. We would only consider supporting a request for a plan amendment to permit a zone change if it could be demonstrated to our satisfaction that the change is necessary to employ environmentally sensitive clustering only after having adequately determined density that would otherwise be most likely to occur in a manner that might not be as environmentally sensitive. This is to say, not to enhance or expand entitlements through zone changes, but as a means by which to ultimately respect and balance them with the hillside protections. In particular, we are troubled by the significant disparity between the density as published in the DEIR alternative D and the FEIR including responses to letters, as compared to the more recent discussions of what alternative slope density calculations would yield. We fail to understand why the issue was not fully disclosed early in the process, or even discussed anywhere in the EIR, not even as a possible "no project" result since it differs substantially from any of the alternatives presented in the EIR. It seems to be more of a provocative assertion to support the desired number of units and discourage further examination of the proposed project, as opposed to a reasonable analysis of basic, likely entitlements. Perhaps it would be appropriate to obtain a third opinion from an independent civil engineer as a comparison.

- b) Disclosure of all proposed "conditions of approval" for the project for our consideration as early as possible prior to discretionary land use decisions, including but not necessarily limited to the terms and timing of the acquisition of land proposed as dedicated open space. Contingencies must be identified so they can be factored into an opinion regarding changes requested. To make recommendations on important, possibly precedent-setting decisions such as a plan amendment to permit zone changes, without full knowledge of the certainty or uncertainty surrounding the project elements, is not reasonable.
- c) Compliance with community plan (and footnotes) objectives, policies, programs & standards designed for the protection of the rural & equestrian lifestyle from encroachment of incompatible higher density development. We do not believe this has been achieved by proposing over 200 homes in non-equestrian permitted zoning, where equestrian use is currently permitted by the zoning. The 3-acre equestrian park at a separate location is more "nominal" than "material" with regard to preservation of an equestrian oriented community. Perhaps the money the developer would spend on the equestrian park and traffic signal could be better spent solving other design issues.
- d) Enforceable restrictions on the future use of any designated "open space", whether privately held by a Homeowners Association or publicly dedicated, to prohibit future construction/development, inappropriate sub-structures or fences in the open space areas, and to retain as much natural [native] vegetation as possible as "habitat" or natural ecosystems. Restrictions on land use of any designated "open space" at the outer perimeter of the project is also necessary in order to protect the safety and privacy of surrounding residents from nuisances, or malicious activities which may be more likely with increased access into the hillside areas.
- e) No additional roads developed through the Verdugo mountains. Also, the emergency-only gated Northern access must never be opened to through traffic. Existing streets, and circulation patterns, were never designed to accommodate this intensity of development in the hillside areas and exist to serve residents dispersed throughout the base of the Verdugos (between the hills and the commercial corridor). Although technology may exist to grade the hillsides and increase

development densities, it doesn't change the reality & results of the decades of development that preceded it without providing for this eventuality. Unless the plan is to grade and install multiple roadways through the Verdugos in order to distribute the traffic (which is in direct contradiction to the objective of their preservation), or the city is prepared to exercise eminent domain in order to achieve it, this circulation issue will result in imposing an undue burden on the health and safety of one segment of residents. Tujunga is already asked to forfeit the open space to accommodate its' preservation elsewhere. To further degrade the quality of the existing residential neighborhoods in Tujunga to accommodate through traffic for ease of freeway access, we do not view as a "balanced" solution. Nor do we have any evidence to support an assumption that 280 households will result in the revitalization of a commercial corridor where many thousands of households have not succeeded. We firmly believe the solutions for Foothill Blvd are to be found through other means, as discussed in the "TDR" concept.

- f) With regard to visual impacts, we sincerely appreciate the developer's proposal to use "landform grading" techniques and view this as a positive component. However, the fact that the development cannot satisfy noise criteria without incorporating sound walls is a point of concern in that sound walls are fundamentally contrary to the intent of preservation of the scenic corridor. We could only support a design that avoids such blight (sound walls) in the scenic corridor altogether, while minimizing the visibility of houses to the greatest possible extent, by either relocation or elimination of dwelling units. Perhaps there are additional noise mitigation measures which could be used in the new home construction. It should also be noted, the planting of non-native vegetation, such as Eucalyptus, in the scenic corridor to block the sound walls is not an acceptable mitigation measure. Blue Gum Eucalyptus is an invasive non-native species and is on the prohibited plant list. Any plantings of such prominence and within this "S.E.A." and "Specific Plan" area must be carefully considered, and must be native vegetation.
- g) Every possible mitigation must be considered to avoid excessive [construction] emissions such as particulate matter (PM) and oxides of nitrogen (Nox), which are currently listed as significant after mitigation. As you may know, these emissions may pose serious health risks as well as potential environmental damage. We are unable to currently suggest any mitigation other than possibly what could be achieved coincidentally by reducing density (thereby reducing grading operations) to alleviate this problem while achieving the other desired results, such as in the discussion above regarding aesthetics.
- h) We sincerely appreciate the developer's efforts to avoid some of the sensitive and treasured biological resources. However, there are still many sensitive areas that would be impacted under the proposed project design. We could only support a project design that succeeds in avoiding impacts to the wildlife corridor, significant drainages, riparian zones, and sensitive plant communities. Furthermore, we feel there are additional reasonable mitigation measures that could be taken in an effort to restore and/or preserve the surrounding ecosystem (see Exhibit "A").
- i) Collaboration with our Design Advisory Committee on finalizing design standards, including but not necessarily limited to things such as floor area ratios, height, general exterior design, landscape plans.
- j) Incorporation of all current Integrated Resource Planning measures.

We sincerely appreciate this opportunity to share our concerns regarding this extremely important matter affecting our community. We look forward to working with the developer, our council office, and others, to achieve the best possible mutually satisfying results.

Additional Biological Mitigations

If a project of any size goes in (from one house to hundreds), there are many mitigation measures in addition to the ones proposed in the FEIR that will help to minimize the expected wildlife and habitat losses.

- **Fix the FEIR.** The FEIR states in bold print that “**Non-Native non-invasive plants**” will be used. Hopefully, this is in error; in either case, it should read, “**Native non-invasive plants**”
- **Trees.** Plant more trees as opposed to acorns. Significantly increase the amount of Sycamores, Coast, Canyon and Interior Live Oaks and Black Walnuts proposed.
- **Plant Salvage.** An effort to salvage sensitive native plants such as the “Humboldt Lily” should be undertaken in areas to be disturbed. A biologist or organization such as the Theodore Payne Foundation (TPF) would be good choices.
- **Topsoil preservation/mulch collection.** Currently trees to be saved will be mulched. Topsoil and mulch should be collected from trees to be removed and saved for later uses such as mycorrhizal fungus inoculation in the fuel modification zones and open spaces.
- **Graded slope stabilization.** The city suggests using grasses for stabilization of graded slopes during construction. These grasses are often invasive and non-native. California native wildflowers provide excellent slope stabilization (especially the California Poppy), plus nitrogen fix the soil for healthful soil, are attractive and their spreading to outlying areas would be a benefit, not a detriment. Nitrogen fixing the soil will also be a benefit to the developer, allowing more successful replanting of the area.
- **Fuel Modification Zones.** Fire resistant native plants may be used in Fuel Modified areas. Using specific wildlife friendly native plants may help to retain wildlife in the area.
- **Privately owned Open Space.** Canyon Hills claims it is a unique project that respects the habitat around it. The interior and perimeter areas of the Development’s open space should be gardened with native plants to retain wildlife. Approximately 66% or more of the interior open space should be native and 100% of the exterior open space. In addition, the developer generally gardens the lots for sale; 50% native planting or more would be preferable. A local California Native Plant Society (CNPS) chapter or TPF could provide a list of native plants adaptable and/or endemic to the area.
In the perimeter open space there should be a written requirement that this space shall be left open; no structures could be built on it. Open fencing could help wildlife. Education programs should be considered to advise homeowners of the sensitivity of the area they live in. Coyotes and bobcats are common to the area; care must be taken with small children and pets. There are banned plants in the area according to the Scenic Preservation Plan Ordinance for the San Gabriel and Verdugo Mountains. Perhaps a local Sierra Club, Audubon Society, CNPS or other organization (such as TPF) could give these classes.

- **Publicly owned Open Space.** A portion of the proposed publicly owned open space will be damaged by grading, fuel modification and diesel emissions. An aggressive native plant restoration of at least the perimeter areas should be done to retain the quality of the open space. This restoration should include some federally endangered species such as *Mahonia nevini* to ensure this space will always remain open. The restoration will help some threatened species such as the Nuttall's Woodpecker and California Thrasher. This restoration of the open space will have several positive effects for the developer; a more attractive open space will increase property values and his sale prices and increase community goodwill.
- **Independent Biologist.** Having a biologist chosen by the developer observe the areas where biological concerns are found during development is unacceptable. Since the Los Angeles County Department of Regional Planning's Biology division has designated the area a "Significant Ecological Area" and has expressed concerns about the project, they would be a good independent choice for observation. In addition, they should be allowed access to the property at their discretion for observation for biological concerns that may be overlooked by construction crews.
- **Sound/Noise Concerns.** The FEIR is still inadequate of the distance in which machinery can be from nesting sites. The raptor distance of 200 feet should be a bare minimum distance for all nesting birds. In addition, there are some concerns over the noise from sound walls interfering with the calls of songbirds as well as aesthetic values. As mitigation, the developer has suggested planting native trees such as "Eucalyptus". Eucalyptus trees are not native and are prohibited in the Scenic Preservation Plan Ordinance for the San Gabriel and Verdugo Mountains. If sound walls are required, a fast growing, dense native tree should be chosen. A native tree, though not endemic, such as the Santa Cruz Island Ironwood would be a good choice.
- **No road/traffic over the hill.** An access for the development over the Verdugos to Sunland/Tujunga would have a detrimental effect on wildlife. Increased traffic and noise would cause significant wildlife reduction in the area. Increased emissions will affect plants in the route as well.
- **Use Local Resources.** The developer states that project will benefit the community by providing jobs on site and by using the community's resources. The non-profit Theodore Payne Foundation (5 miles from the site) is a community resource that could be utilized for the native plant needs.