



Shadow Hills Property Owners Association
Dedicated To Preserving Rural Community

December 9, 2003

Maya Zaitzevsky, Project Coordinator
 City of Los Angeles Dept. of City Planning
 200 North Spring Street, Room 763
 Los Angeles, California 90012

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Re: Canyon Hills Project
 ENV-2002-2481-EIR
 SCH No. 2002091018
 October 2003

Ms. Zaitzevsky,

It is our opinion that a great deal of the final determinations made in the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the DEIR) have been made on little or, in some cases, even non-existent data.

I shall refer to the California Live Oak survey as an example. Tree health was rated on subjective observations based on such things as root anchorage, mechanical injury, symptoms of toxic gas and chemical exposure, presence of decay or cavities, etc. Presence of decay and heart rot were made merely on the assumption that it is a common occurrence in trees with cavities. I quote from the DEIR IV-D-87, "Heart rot is also believed to be present on many of the oaks as this defect is common to coast live oaks and the presence of cavities and calluses provide indirect evidence of it's presence." No coring or testing was done to check for the actual presence of decay or heart rot (DEIR IV-D-88). While discussion was provided on the relationship of a variety of "mechanical" appearances of a tree and their association to overall tree health, nothing was offered in the way of how toxic gas or chemical damage was evaluated or how the presence of heart rot and extent of decay was determined.

22-1

I now wish to address Canyon Hill's perception of the Oak Tree replacement standards. I quote from the DEIR Technical Appendices File G - Biology Draft Tree Inventory and Impact Analysis section 7.5 Determination of Minimum Replacement Standards: "The replacement standards provided in this Section (referring to the LAMC 46.02(c)1) suggest that they were not intended to address mitigation for larger properties with wildland oaks in natural settings. While the mitigation program described below satisfies this replacement standard, the simple straightforward replacement of a targeted tree by two or more 15 gallon or larger trees is generally best suited to scenarios where the impacted oaks are easily

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viewable by or accessible to the public and aesthetic concerns are paramount." I sorely beg to differ. The 2:1 replacement should be solely directed to replacement of trees to the remaining natural wildland where they may once again become a source of forage, nesting opportunities and cover for the remaining wildlife. Should the developer choose to improve the aesthetics of the development footprint with additional oak trees, that would certainly enhance the viewshed of the development to the general public.

I do most heartily agree with an additional quote taken from the DEIR section 7.5 described above: "The position of the oaks and sycamores in deep canyons and remote hillsides make them less of a community benefit and almost exclusively a wildlife resource. This wildlife resource cannot be replaced by the planting of container stock in a park or urban setting. Rather the replacement of the entire habitat must be undertaken by the restoration of the lost community, in this case of oak woodland, riparian forest and mixed chaparral plant communities." I could not have described the heart and soul of the intent of "mitigation" any better myself.

22-2

I quote once again from section 7.5 as described above: "The goal of the mitigation program proposed herein is creation of a landscape that maximizes the compensation for lost habitat values while fully addressing the need to provide a community landscape that reflects the natural heritage of the Verdugo Mountains. This program would be superior to one that simply responded to arbitrary replacement ratios without concern for an overall landscape theme and wildlife habitat." I must ask where the Canyon Hill's Oak Replacement Program makes ANY effort to compensate for lost habitat or show any concern for lost habitat. According to the DEIR Table IV-D-16 and CD-rom Biology File under Summary section Native Trees, all tree replacements are scheduled to take place at development entry points, common areas, road right-of-ways, private lots, detention basins, slopes, etc. Not a single replacement tree has been scheduled for planting in ANY lost habitat area! And nearly 19% of the oaks now located on the project site will be impacted by the project as proposed in the DEIR. (DEIR Technical Appendices File G – Biology – Draft Tree Inventory and Impact Analysis section 6.3)

22-3

I quote once again from section 7.5 as described above: "Direct seeding of acorns is most appropriate in either non-irrigated or limited access sites where habitat enhancement is the key concern." First, I see no entry in the oak tree replacement program as described in the DEIR that ANY acorns are scheduled to be seeded in any lost habitat area. Further, without the protection of a "nurse tree", acorns have little chance of germinating and essentially no chance of surviving. The DEIR itself describes the Oak as a very slow-growing tree. The need for functional habitat replacement as soon as possible is paramount – an acorn just won't do. Failure to replace lost habitat does NOT constitute mitigation! The closest that Canyon Hills comes to providing replaced oak trees that MIGHT be available to wildlife is in the detention basins, flood control areas and possibly the fuel modification areas. Yet it is these areas that receive the least consideration being replanted with a few 15-gal stock, but then 5-gal, 1-gal and seedling stock and acorns. This is unacceptable.

22-4

Elektra G.M. Kruger, Shadow Hills Property Owners Association

