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Los Angeles Board of Public Works
c/o Fernando Campos, Executive Officer
200 N. Spring Street, Room 361
Los Angeles, CA 90012-4801

March 23, 2017

Re: Protected Tree Removal Case BPW-2017-0091
CEQA document: ENV-2016-1784-MND
Project address: 11007 W. Bellagio Place

Beachwood Canyon Neighborhood
Bel-Air Association
Bel Air Hills Association
Bel Air Knolls Property Owners
Bel Air Skycrest Property Owners
Benedict Canyon Association
Brentwood Hills Homeowners
Brentwood Residents Coalition
Cahuenga Pass Property Owners
Canyon Back Alliance
CASM-SFV
Crests Neighborhood Assn.
Franklin Ave./Hollywood Bl. West
Franklin Hills Residents Assn.
Highlands Owners Assn.
Hollywood Dell Civic Assn.
Hollywood Heights Assn.
Hollywoodland Homeowners
Holmby Hills Homeowners Assn.
Kagel Canyon Civic Assn.
Lake Hollywood HOA
Laurel Canyon Assn.
Lookout Mountain Alliance
Los Feliz Improvement Assn.
Mt. Olympus Property Owners
Mt. Washington Homeowners All.
Nichols Canyon Assn.
N. Beverly Dr./Franklin Canyon
Oak Forest Canyon Assn.
Oaks Homeowners Assn.
Outpost Estates Homeowners
Residents of Beverly Glen
Save Coldwater Canyon!
Save Sunset Blvd.
Shadow Hills Property Owners
Sherman Oaks HO Assn.
Silver Lake Heritage Trust
Studio City Residents Assn.
Sunset Hills Homeowners Assn.
Tarzana Property Owners Assn.
Torreyson Flynn Assn.
Upper Mandeville Canyon
Upper Nichols Canyon NA
Whitley Heights Civic Assn.

Dear President James and Honorable Commissioners:

The Federation of Hillside and Canyon Associations, Inc., founded in 1952, represents 44 homeowner and resident associations with approximately 250,000 constituents spanning the Santa Monica Mountains. At its meeting of March 1, 2017, the Hillside Federation board passed a motion to support community members' opposition to the proposed project and urge the Board of Public Works to deny certification of Mitigated Negative Declaration ENV-2016-1784-MND ("MND").

In preparing this letter, the Federation reviewed the Bureau of Street Services' ("BSS") recommendation report, along with all of the electronic project files referenced in the online agenda packet.¹ These include: (1) the October 14, 2014 request for tree removal to BSS; (2) the City's September 3, 2014 geology and soils report for the project site; (3) the June 11, 2014 Tree Inventory and Protected Tree Report (with numerous attachments) for the project site by Carlberg Associates; (4) letters from Bel-Air Association regarding the project; and, (5) the project MND.

Upon completion of review of the above-cited materials, the Hillside Federation is wholly in agreement with the concerns brought to our attention by local community members that the MND is inadequate: (1) for its failure to address cumulative impacts of tree and other vegetation

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¹ Available at: <http://cityclerk.lacity.org/councilagenda/CoverSheet.aspx?ItemID=45820&MeetingID=3603>.

removals considering similar removals in the vicinity of the project site (including at an adjacent site where 22 protected trees were removed only months ago); (2) for its failure to adequately study biological resource impacts; and (3) for inadequate mitigations. The Federation adopts all objection letters, evidence, and oral testimony in the record with respect to these objections.

In addition to the concerns briefly outlined above, the Federation is extremely concerned that the instant tree removal request was not made part of the original approval process for the project. As described in the project description for the MND now before the board, the original approval requested only a Zoning Administrator's Determination (ZA-2014-4714-ZAD) for four retaining walls of a maximum 16 feet 2 inches (in lieu of the ordinarily permitted two retaining walls not to exceed 10 feet) and utilized a categorical exemption for its environmental document (ENV-2014-4715-CE). The Federation has not had an opportunity to review the 2014 application and categorical exemption documents (which were not linked in the online agenda packet but which must be included along with the present application), but have reviewed the November 20, 2015 determination letter approving that application. We note that ENV-2014-4715-CE was initiated on December 17, 2014.² This was months *after* initial application materials for the proposed tree removals were provided to the City. The City nonetheless permitted the applicant to proceed with its project using only a categorical exemption and entirely ignoring the tree removal at the initial stage of project review and approval.

Under the California Environmental Quality Act ("CEQA"), a project is "the whole of the action, which has a potential for resulting in either direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (Cal. Code Regs. § 15378(a).) cursory examination of the record for the proposed tree removal project shows that the project improperly utilizes a piecemealed environmental process. "A public agency may not divide a single project into smaller individual projects in order to avoid its responsibility to consider the environmental impacts of the project as a whole." (Orinda Assn. v. Board of Supervisors (1986) 182 Cal. App. 3d 1145, 1171.) The City cannot now consider the piecemealed tree removal portion of the project that should have been part of the original application and related environmental review that were approved in the fall of 2015.

Based on all of the above, the Board may not certify the MND, and thus the tree removal project cannot be approved.

Sincerely,

Charley Mims

Charley Mims

cc's next page

² See Department of City Planning Case Summary for ENV-2014-4715-CE, available at: <http://planning.lacity.org/pdiscaseinfo/Caseld/MjAwMzMyO>.

cc's (by email only):

Mayor Eric Garcetti
Matt Peterson, Chief Sustainability Officer, Office of the Mayor
Councilmember Paul Koretz (CD5)
Andy Shrader, Director of Environmental Affairs (CD5)
Bel-Air Association
Bel Air-Beverly Crest Neighborhood Council
Santa Monica Mountains Conservancy
Jamie T. Hall, Channel Law Group