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Mike Barbour
Project Director, I-405 Sepulveda Pass Widening Project
Los Angeles County Metropolitan Transportation
Authority

June 30, 2015

Re: Mulholland Mitigation Trees

Dear Mr. Barbour:

The Federation of Hillside and Canyon Associations, Inc., founded in 1952, represents 44 resident and homeowner associations with approximately 200,000 constituents spanning the Santa Monica Mountains. Federation representatives attended the Skirball Center meeting on the status of mitigation efforts for the I-405 Sepulveda Pass Widening Project. At the meeting, Metro asserted there is no space within the Project Area to plant 3,800 trees that were acquired for the express purpose of mitigating the Project's environmental impacts in the project area, and the Mulholland Scenic Parkway in particular. Federation representatives believe that the assertion is incorrect. There *is* sufficient space for hundreds if not thousands of the mitigation trees within the area impacted by the Project, and that is where they should be planted—not outside the Project Area and its environs.

The Sepulveda Pass Project Area includes a portion of the Mulholland Scenic Parkway, which is recognized by the City of Los Angeles and community members as a treasure of the Santa Monica Mountains. Project impacts have impaired the aesthetic integrity of this important area. Specifically, the area north and west of the Caltrans construction yard is now far more exposed and barren than before the Project, which has impaired the protected scenic view from the Mulholland Drive right-of-way. Fortunately, the project impacts can be effectively remediated by planting the mitigation trees around the perimeter of the Caltrans construction yard and uphill within the impacted Caltrans parcel. The trees will provide critical natural cover, return the area to its natural scenic beauty, and provide additional habitat protection for local wildlife.

Beachwood Canyon Neighborhood
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
Rancho Verdugo Estates
Residents of Beverly Glen
Roscomare Valley Assn.
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.

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The tree planting mitigation within the Project area is critical to the restoration promised in the Project environmental documents. “Mitigating conditions are not mere expressions of hope,” they are legally mandated requirements under CEQA. *Sierra Club v. County of San Diego*, 231 Cal.App.4th 1152, 1167 (2014) (quoting *Lincoln Place Tenants Assoc. v. City of Los Angeles*, 130 Cal.App.4th 1491, 1508 (2005)). Thus, “[t]he one outcome that should not be abided under CEQA is to allow [a public agency] to make promises during the EIR review process that certain, specified environmental mitigation measures will be implemented in connection with a development Project, to enact those mitigation measures into law by ordinance, and then simply neglect or disregard its statutorily-imposed obligation.” *Ingalsbee v. City of Burbank*, 2015 WL 1730692, p. *20 (Cal. Ct. of Appeal, April 14, 2015).

The I-405 Widening Project’s EIR promised to mitigate the Project’s impacts within the Project Area. Now is the time for Metro to honor that promise by planting mitigation trees around and above the Mulholland Drive Caltrans construction yard.

Sincerely,

Marian Dodge

Marian Dodge

cc: Cesar Moreno
Hugh Lee
Nazem Moussa
Ned Racine
Tami Podesta
Terry Martinez
Councilmember Mike Bonin
Norman Kulla
Sharon Shapiro
Debbie Dyner Harris
Ellen Isaacs
Jay Greenstein