

**SECTION III.E**  
**Individuals**

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3426 Merrimac Road

Los Angeles CA 90049

Dear Mr Liao;

As owners of property on Merrimac Road, off Mandeville Canyon, we wish to record our concerns regarding the proposed Mountaingate 2050 Stoneyhill Rd/Canyonback Rd development (LA City EIR Case 99-3251-SUB).

We have read the Environmental Impact Report, which is comprehensive and detailed. However, the report does not address two dimensions of the impact of the proposed development that are of great concern to us.

First, we are concerned about increased noise levels during construction and after the project is completed. We live on Merrimac Road precisely because it is an extremely quiet neighborhood without traffic noise. Any form of noise would seriously impinge on our quality of life. We have not found any discussion in the report on how the proposed development will affect noise levels in the Mandeville Canyon area, or on plans to mitigate the noise during construction or after completion. Because the proposed western edge development will directly overlook our property, we feel it would be appropriate for the report to include an assessment of the likely noise impact on our property. The road that will serve units 23-28 of the proposed development is of particular concern because it is exposed to Mandeville Canyon, which will bear the full brunt of the noise.

Second, the Environmental Impact Report concludes that the development will have an unavoidable impact on the plant and animal life in its vicinity. We live on Merrimac Road because we are surrounded by indigenous plants and wildlife in a natural setting. Within West Los Angeles, Mandeville Canyon is unique in this respect. We are concerned that the impact of the development on the western edge of Mountaingate will be negative and permanent. The Environmental Impact Report does not discuss plans to mitigate the impact of the development on the animal and plant life after construction has been completed. The developers will undertake surveys prior to the construction but investing resources to repair damage to the animal and plant habitat after construction would seem appropriate as well.

In sum, we are concerned that the costs of the environmental impact of the development on the western edge of Mountaingate have been under-estimated. When comparing the full environmental costs of the extension of the road and development of 6 additional units (23-28) against the benefits of that expansion, we question whether the cost-benefit ratio does not fall on the side of preservation of the animal and plant habitat and peace and quiet of the area in which we live.

Yours sincerely

  
Elizabeth Frankenberg

  
Duncan Thomas

# FAX Patricia Bell Hearst

## FACSIMILE COVER SHEET

Phone: (310) 472-0562

Fax: (310) 472-0953

### **PLEASE DELIVER**

To: Mr. Jimmy C. Liao, Project Coordinator - L.A. City Planning

Fax - 213-978-1343

Date: September 22, 2003

Number of Pages (Including Cover Sheet): 6

Ref: EIR - 99 - 3251 - SUB - "MOUNTAINGATE" TT-53072

### Message:

Dear Mr. Liao:

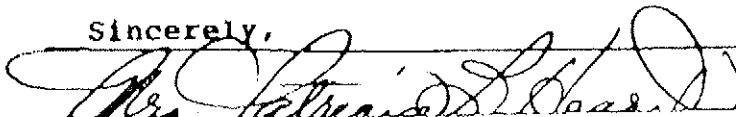
Attached are a few concerns and questions regarding the  
above project. The information received is overwhelming...

along with the files of the Developers application in the  
late 80's - and the information gleaned from the files  
in the U.C.L.A. Research Library. Realizing that you  
do not work on Mondays...I will have a 'fax-printout'

that this was sent - showing number of pages and time,  
date and fax number. I will try to contact you on 9-23-03

Tuesday - a.m. to verify that you have received all of  
the attached. Thanking you in advance for your atten-  
tion to the concerns and questions stated.

Sincerely,



AGE's - Any proposed sites?

BONDING - History: Because Mountaingate Drive has a portion 'built on uncompacted inert fill' a Bond was secured to protect the City - for 20 years - in case of failure. It was noted that "embankment is landfill" - Report #29978 - January 19, 1966. As Mountaingate Drive is the 'access to the entire Mountaingate project and the Mountaingate Golf and Tennis Club - its stability - integrity is of concern. Tract Map No. 29142.

In one of the areas of development - the developer walked away and approximately 13 homes were not totally completed - and went to auction - Kennedy-Wilson - in the 80's.

Slope failures - landslides are well known within this project area - be it from the 'nature' of the area...overwatering by a homeowner of slopes...or contribution by the landfills.

Developer of proposed project - forced property owners in Camarillo Springs to sue - for construction defects, subsidence, retaining walls, geo. defects. (Daily News 4-3-98 and L.A. Times 4-8-98)

Landfill #8 - according to records - was not monitored at point of entry for contents to landfill from 1978 to 1981 - Would 'Disclosure' Health and Safety Code #25100 et seq - State Legislation be required to be documented for prospective buyers.

How to protect the existing integrity of the properties now in place when an EIR outlines so many concerns?

Developer of project has offered Landfill #8 to a park agency - and as this agency has quite a history of brush citations being ignored - or states..."don't have the funds"... Developer/Owner would like to 'unload' this financial obligation - but at what cost to nearby communities? Brush clearance by Developer/Owner has been regularly maintained in accordance with Fire Department regulations.

BORING LOGS - Noted that drilling was done from 36' - 100' in different areas... 'seepage' noted from 9' to 92' in those areas... seepage is from? effect on landslide areas?

CAVING - Due to fracturing - from 21' to 96' - 3' - 6' 6' - 33' 15' - 20'..How does this effect landslide areas? Stability?

CONSTRUCTION - Construction Staging area "Canyonback" appears to be in the viewshed of homes - 2201, 2205, 2209, 2213, 2217, 2221, 2229 and 2233 - on the westerly slope. "Flagging or silhouetting" should be done prior to grading in that area, not only for the benefit of those properties owners facing that area - but property owners in Mandeville Canyon. This would probably be best done - prior to Sub Division Hearing. Lighting - EIR indicates construction hours past sunset (fall and winter) How to protect property owners facing

this area? Turned off at? DUST (Fugitive dust) Severe impact on homes less than a few hundred feet of project - 2201, 2205, 2209, 2213, 2217, 2221 2229 and 2233. How to enforce Rule #403 of SCAQMD? VEHICLES (Crew & Construction) where parked during work hours? on days off? PICKUP - Maintenance of site - from 'brown bagging' smoking, drinking containers - how controlled so that canyons below are not used for 'dumping'? FENCING - Westerly site - as now used by bikers and hikers. VERMIN INFESTATION - In to existing communities - when grading, etc. disturbs nests - how to control?

CUMULATIVE IMPACTS - Existing: Skirball, with continued expansion; Getty, negotiations for expansion of parking facilities; Bel Air Crest, sites still being developed; Westwood-U.C.L.A. Expansion - student housing and parking; V.A. - plans for buildings and expansion of existing facilities; all within a 4 mile area of Mountaingate. Future: Santa Monica Mountain Conservancy, trails, ranger facility, Kiosk, parking for hundreds of cars and horse trailers - within 100' E corner of Mountaingate Drive & Sepulveda. L.A. County Board of Supervisors have already funded close to one million dollars for this project. L.A. DOT - proposed adding a '5th' lane to a 3-mile stretch from Skirball Center Drive - going south to the west side of #405 - under - over pass...north of Getty Center. L.A. DOT states it will increase capacity of traffic by 33% - in that 3 mile area. Less than 100' from Skirball Center Drive - a three lane tunnel...to meet the needs of a proposed - five lane project. Area already rated "F" now from traffic studies. Skirball is approximately 6/10th of one mile from Mountaingate Drive/Sepulveda intersection. How to have DEDICATED Left and Right lanes from Mountaingate/Sepulveda with the above project by L.A. DOT. MTA BUS - #560 never served the public (stops) Southbound from Ventura to Getty Center. #560 used the #405 from Ventura...to Getty. This Line was discontinued July 1, 2003 from service. CALTRANS projects - closure of offramps that will effect traffic from these centers and communities (Bel Air Crest and Mountaingate - should be identified and noted - as well as the above...SMMC and L.A. DOT plans.

FAULTS - Identified in EIR - Project is North of Santa Monica/Hollywood Fault, East of Malibu Fault and West of Verdugo Fault. What is distance from those identified faults/ Any records of activity available? Location of faults/landslide in relation to existing Hi Wire - Power towers and lines on 'Canyonback' area?

FISH/GAME - Recent study date? - Status of Eagle nest spotted in tree on Mission Landfill #8 - two years ago?

LANDSCAPING - How to secure "Landscape Ordinance No. 17098?"

LANDSLIDES - Lots 27, 28, & 29 (per EIR) identified with landslide slippage. Retaining walls - height (in viewshed of existing properties) and how to 'cover'? Caissons - visible to existing properties on 'westerly - Canyonback site'?

LANDSLIDES Known and documented: Portero Canyon, hundreds of millions of taxpayer monies - to correct. Pena Creek, Tuna Canyon, Big Rock Drive, Tarzana, 6 properties, 'bank collapsed, City approved - Daily News - 12-2-96; Pacific Point Project - Hillside collapsed while grading,

project abandoned - City requests use of \$6 million dollar Surety Bond to stabilize area; Laguna Niquel, (L.A. Times 4-13-98) 4 homes tumble down - 6 other landslides; Francis Polytec. H.S. - gas emission by decomposing garbage - methane detected (1031-99). Culver City, Blair Hills (4-14-00) 3 mudslides, subsidence, methane; the Boeckman property - off of Westridge (Not able to receive a 'certified' EIR - sold to SMMC and City of L.A.) within a few months of purchase - slope failure - problems with debris basin and access road - cost to taxpayers to date \$224,000.00! Still working on repairs. Riordan property (brother of Richard Riordan) - 1970's - slope failure - due to rain - invaded bedroom and buried Mr. Riordan alive. Costello property at 2950 Mandeville Canyon - File No. 97-0472 - Superior Court SC-029774 - water and mud invasion from Canyonback Road - Closed door settlement - \$1,600,000. 9-15-97; Mountaingate Golf/Tennis Club - Rain with covered drain produced landslide of embankment on north side of Mountaingate Drive; LaTuna Road (1961) slideouts, cracks and differential settlement; Castle/Cooke - Lot #13 - Slippage and deterioration - composed of landfill, 10-8-81; U.S. Geo. Survey, National Landslide Hazard Outlook - 97-98, "Insurance (since the 50's) abandoned by private insurers - as disaster prone and unreasonable risk"; California Department of Mines & Geology, "Proposed area, earthquake induced landslides - landslide history in area is one of the most significant geological hazards.

METHANE - Could methane be released from Landfill #7 and #8 due to pressure or rain - causing cracks? (3-1-01) - Belmont residents evacuate apartments - methane found.

MITIGATION - CONDITIONS - City of Los Angeles has a record of NOT enforcing - even when required by law - how to protect existing nearby community from goin' into the courts for enforcement?

MISSION CANYON #7 Distance (feet) to nearest lot - from boundary line (easterly side of project) Monitoring and maintenance records available? Records of repairs due to subsidence to Course? Not outlined on Maps showing #7 boundaries.

MISSION CANYON #8 - Old records indicate - "No inspection - monitoring at point of entry for contents from 1978 - 1981"; records of required new top soil to cover 'closed landfill? Distance to nearest lots - easterly side of project. GSF - CONTRACT - Term of Contract? Still scrubbing methane? amount scrubbed? amount delivered to U.C.L.A.? Volume collected? Consideration of another 'operator' for this work? Effect of total closedown? Any DOCUMENTATION on developments that use a Landfill road as an emergency access road - that feeds into a thoroughfare rated "F" (Sepulveda Blvd.)? If probes are removed.. would they be relocated? Are they not for 'testing' purposes?

OBJECTIVES (per E.I.R.) "To compliment existing.."(Existing height is 2 Story - NOT 45'). 1999 Hillside Ord. - 36'? "To complete existing roadway system..." (does that mean...going over a landfill #8 - that subsides - and feeds into Sepulveda Blvd. - rated "F" in area in E.I.R.?) "Permanent Open Space..." Since the 70's - the surrounds have been Open Space - maintained by Owner/developer in approximate annual fee for brush clearance and landfill maintenance - \$100,000. Is Landfill #8 - considered by City - as Open Space? "Demand for housing..." Is there documentation supporting that there

is a demand for one acre parcels - with multimillion dollar homes... in an area identified with landslides and traffic congestion...that cannot be mitigated? Please provide!"Bring enhancements...." Development will bring additional traffic, population, identified in EIR - hazards, potential fire hazards, drainage and/or grading problems...

PARKING SPACES - Unable to identify on map - parking for guests and service personnel - when construction is completed - so that use of Canyonback and Mountaingate are not turned into 'parking lots'.

RIDGES - Ridgeline - "Canyonback" Looking south from 2201, 2205, 2209 2213, 2217, 2221, 2229, 2233 - Present Height? Height after grading? Flagging and Silhouetting should be done for above property owners (viewshed) as well as property owners in Mandeville Canyon.

SANITARY SEWERS - Existing property owners have received notice of 'Increase in sewer fees' - due to repairs and increase in volume that is now difficult to handle. - How to prevent backups (Ridge) - when sanitation facilities are now on 'overload - and development goes on and on...?

SEA's - Current studies/reports available?

SECURITY - During construction - Fencing? Locked facilities? Patrol?

SEPULVEDA PASS - SEPULVEDA BOULEVARD - CALTRANS #405 IN "PASS" AREA  
EIR refers to 'improvements over past 25 years'...please identify. Besides adding #405 linkage in the 60's between #10 and #101 - what improvements have been made to accommodate the population growth? Additional 'significant impacts' in last 30 years...Skirball, Getty, Leo Boack, Bel Air Crest and Mountaingate - developed with City of L.A. blessing... Sepulveda Tunnel/Bridge of 1929 vintage - never 'cleaned up' - no bike or pedestrian access..B.of E... states "outdated to needs" has 3 lanes for traffic. Mulholland Corridor - 8 pvt. schools, church, temple, university - all contribute to Sepulveda Boulevard use. E.I.R. states that 'dedicated left and right turn lanes into Sepulveda' will benefit the community...how to do this when L.A.DOT wants to put in a 'reversible lane' - so that Sepulveda would have 5 lanes of traffic in an area...3 miles in length - between Skirball Center Drive going South - to Under/Over Pass (West side of #405 Freeway) Skirball has two left-turns into their property (NB) and one left turn (SB) south of Tunnel/Bridge. Rated in E.I.R. "F" for both Skirball Center Drive and Mountaingate Drive/Sepulveda...how will project and L.A.DOT proposal improve this situation - L.A.DOT states "reversible lane will increase traffic capacity 33%": A significant impact, I would say... NOT IN E.I.R Santa Monica Mountain Conservancy project for ...hundreds of vehicles (on tape!) for hikers, bikers, horsetrailer, a ranger residence, a kiosk, and multiple trails...their entrance - 100' north of Mountaingate Drive/Sepulveda Intersection - former entrance to old landfill and a weigh station. CALTRANS - impact on Sepulveda Blvd. when off ramps closed - most particularly - the 'Greenleaf' (#405) for access to Sherman Oaks - Ventura Blvd. U.C.L.A. traffic - uses Sepulveda Blvd. - as #405 is personally 'rated I - for IMPOSSIBLE. Also...VA entrance to many of their facilities, existing and planned. I personally have a 'fistful' of newspaper articles of accidents & fatalities in this area.

SEPULVEDA PASS - SEPULVEDA BOULEVARD - (Continued) How to secure copy of "Congestion Management Program" as identified in EIR? EIR refers to MTA BUS SERVICE... First of all #560 - discontinued 7-03.. it never serviced any hillside communities - let alone any communities South of Ventura Blvd. - North of Getty. This bus left Ventura/Sepulveda and used the #405 to the Getty.. then proceeded South... At this date - there is no bus that services the Mountaingate or Bel Air Crest developments. Since EIR rates the nearest two intersections to Mountaingate as an 'F' - and L.A.DOT 'increases capacity by 33%' and the S.M.M.C. has their very own project - partially funded - by adding this project - what would the next grade or rating be? - G? (I know that there is no 'G' - 'F' is the worst!)

STONEY HILL RIDGE - ALTERNATIVE - Imposed hardship if developer states he cannot get a return on his investment to do this area as an alternative. Developer received millions of dollars when paid to allow filling up of canyons - into Landfills - #7 & #8.

VENTING SYSTEM - FOUNDATIONS - LOTS 1 - 22 - Distance from Mission Cyn #7 and distance from Mission Cyn #8?

VIEWSHEDS - Properties 2201, 2205, 2209, 2213, 2217, 2221, 2229, & 2233. - Location - Sewer Lift Station, Pump Station (Lots 26 & 27) ? Lots 29 thru ?, Caissons for supporting Lots 22, 28 & 29, Retaining walls (city code? - height? Homes over 36' high, Construction Staging Site - Canyonback site. Street lighting along new Canyonback road - Traffic using new road facing above properties... Flagging or Silhouetting should be done to show - height, bulk and positioning of structures - for construction facilities on westerly area, homes on 'Canyonback' site, Water Tank (any grading and removing of vegetation will expose). Distance to Water Tower from Lot 27. Since the 1980's many communities use Flagging or Silhouetting... to preserve the integrity of their existing properties - be it for new construction or repairs/additions.

WATER - DWP suggests "additional distribution capacity... a station? The 'Crown' area was without water for a few days during the 1994 Earthquake... due to a faulty system (DWP). How to secure "Long Range Plans for Regional Growth"? WATER TANK - Distance from nearest point of grading - records of 'stability check'?

POLICE - As mentioned above, congestion on Sepulveda is well known and documented - what access would Police Dept. use if not possible to enter from Mountaingate/Sepulveda? - EIR refers to... secondary road - as over Landfill #8.

FIRE - (9-9-98) LA Times... "Los Angeles Fire Department Blasted by City Council..."... over 10,000 properties out of compliance for brush clearance in the hillside areas". Reminder: Phase III of the 'Crown' burned to foundations (all of the Phase) due to electrical/construction work... with one fire hydrant 'inoperable'. Phase IV of the 'Crown' has a history of low water pressure. EIR refers to 3 'nearby Fire Stations' however... their only access is Sepulveda to Mountaingate... EIR refers to a 'fire road' - is that also over Landfill #8?



SEP-21-2003 16:34 FROM:

310-476-5019

TO: 12139791343

P.1

**FAX 213-978-1343****Hard copy to follow.****3908 Mandeville Canyon Road  
Los Angeles, California 90049  
September 22, 2003****Jimmy C. Liao, Project Coordinator  
Room 763, City Hall  
Department of City Planning  
200 North Spring Street  
Los Angeles, California 90012****RE: EIR-99-3251-SUB, Mountaingate TT-53072, 2050 Stoney Hill Road/Canyonback Road.****Dear Mr. Liao:**

**I have lived at 3908 Mandeville Canyon Road on the east ridge of Mandeville Canyon for 33 years. I was actively involved in the last attempt to build homes at Mountaingate, 2050 Stoney Hill Road/Canyonback. At that time the City Planning Commission voted against the project, not because of the number of homes proposed, but because of the hazardous conditions on the site, i.e. gas migration from the landfill through the soil and air onto the site, landslides on the site, lack of a second egress in case of wildfire, heightening of slide and wildfire hazards to the neighboring houses in Mandeville Canyon.**

**These concerns have not changed. Why would the City now approve this project?**

**Questions and comments on EIR-99-3251-SUB, Mountaingate TT-53072, 2050 Stoney Hill Road/Canyonback Road:**

**1) Page I-1, BRIEF SUMMARY OF THE PROPOSED ACTION: The secondary access road over Mission Canyon Landfill # 8 is an unstable hazardous route, highly unsafe for any vehicles to use in any situation, much less an emergency. The leaking methane burns in a wildfire. The landfill is a chemical soup, constantly settling and/or emitting volatile organic gases. In an earthquake the landfill may well slide, especially if cars are driving over it. How can the City approve this as a second access?**

**2) Page I-2, BRIEF SUMMARY OF THE PROPOSED ACTION, City Actions Requested: This project is not consistent with the Brentwood-Pacific Palisades District Plan because the area is zoned as open space. Many people hike this area. The City acknowledges the lack of public open space. Why should the City permit a zone change that reduces the available public open space in favor of a project with so many health and safety concerns?**

**3) Page I-6, Grading: "In total 1,055,000 cubic yards of earth would be cut in the Stoney Hill and Canyonback development areas... and 965,000 cubic yards would be graded to remediate existing landslide and soils conditions." Isn't this excessive? Won't this amount of cutting and grading and removal of mature vegetation destabilize the slopes above both Bundy Canyon and the houses in Mandeville Canyon? Is the City aware of how many slides causing property damage in Mandeville Canyon have originated from roadcuts on the ridges? Is City Planning aware that the City has been sued for property damage caused by these slides? Is the City aware that many flood debris basins, storm drains and energy dissipators were destroyed or bypassed by flood waters and mudflows in the 1980 storm (which was determined to be a 50-year event)? Is the City aware that flood water and mudflows may now reach the head of Bundy Canyon if this project is permitted, since the stable watershed with mature vegetation will be destroyed by the grading?**

- 4) Page I-7, Mitigation Measures, (6.): Does the abandonment of existing wells or underground facilities include abandoning monitoring gas wells for Mission Canyon #8 landfill?
- 5) Page I-10, Construction Considerations, (22.): Does the caisson-supported design serve the purpose of stabilizing unstable landslide conditions when the caissons are not set in bedrock, but are set in on the "failure surface" which is the surface where the developer stopped digging into the landslide, i.e. "the retained height of material"? How safe is this kind of caisson design in this situation?
- 6) Page I-11, Probes Associated with Mission Canyon Landfill: The statement is that the probes will be removed and abandoned. How can the City justify this when Mission Canyon #8 is an unlined landfill known to contain hazardous materials? Mission Canyon #8 will continue to leak volatile organic gases and leachate for at least the next hundred years into the surrounding rocks and soil. The nearest lot in this subdivision is less than 100 feet from the edge of the landfill. All the lots on the Stoney Hill seem to be within 1000 feet of this leaky landfill. Who is responsible for monitoring the gas migrating along the ridge under these houses? Where are the monitoring probes to be located? Who is monitoring air quality along this ridge? What kind of notice does the developer intend to give prospective buyers about the hazards of living next to a leaky landfill? Does the developer intend to regulate the amount of landscape water used so the runoff will not leak into the landfill causing further leachate and slump problems in the landfill?
- 7) Page I-15, Grading Cumulative Impacts: Why was no mention made of the cumulative destructive impacts of grading on the established communities in Mandeville Canyon and in Bundy Canyon through destabilization of the slopes above these communities and the cumulative impacts on biological resources by this stripping of the watershed cover, resulting in destruction of natural drainage patterns, silt up of intermittent streams and waters of the U.S.?
- 8) Page I-15, Air, Mobile and Stationary Air Quality, Project Impacts: Why isn't this section discussing the impacts of the polluted air from the leaking landfill and the congested 405 on the future residents of this subdivision? A study of cancer rates and lung disease occurrences among Mountaingate residents would seem to be in order, especially among those people living on Stoney Hill and down by Mission Canyon #7.
- 9) Page I-17, Water, Surface Water Quality and Hydrology: Note Table 3 "Ecological Functions Associated with Stream and Wetlands in Bundy Canyon on the Mountaingate Site" in the Jurisdictional Delineation report, DEIR Volume III, page 11, which says, "Mature vegetation in the mainstem of the creek and lack of erosion along the steep tributaries, as observed on the aerial photographs suggests that there is little active erosion within the watershed." When the developer remove the mature vegetation cuts into the slopes, fills part of Bundy Canyon and subsequent erosion starts to occur, what happens to the hydrology and water quality there and downstream? What "proper engineering practices" have ever worked to mitigate digging into highly unstable steep canyon slopes above natural watercourses? I have lived through fires and floods in Mandeville Canyon. All man's efforts with concrete, metal fences and steel were undone within minutes by the forces of wildfire and water. How can the DEIR state there will be no significant cumulative impacts?
- 10) Page I-18, Plant Life: **This is unacceptable!** Aerial photographs and printouts from the Department of Fish and Game NDDG do not constitute an acceptable survey of the biota on the project site. The DEIR is incomplete until:
- Ground surveys have been made at several times of the year of the flora, plant communities, fauna (insects, birds, reptiles, amphibians, mammals) and habitats on the site.

**b. Surveys have been done of the use of this area by fauna as a wildlife corridor. The wildlife corridor between the eastern end of the Santa Monica Mountains and the rest of the Santa Monica Mountains to the west is dependent on the woodlands and chaparral between Topanga State Park, through Rustic, Sullivan, Mandeville, Hollyhock, Mission, Bundy and Kenter Canyons west of the 405 freeway and small natural areas ( i.e. Hogg and Stone Canyon) to the east of the 405 freeway.**

**c. An Oak Survey has been done of the oaks on site. I counted at least 30 oaks in the aerial photographs. They will be impacted by the grading and fill of Bundy Canyon and grading on the west-facing side of Mandeville Canyon. Where is the oak survey?**

**d. Ground surveys must be done of the riparian corridor on site since it may contain rare plants or animals.**

Known occurrences of flora and fauna on the east ridge of Mandeville that will be impacted by the grading on this site are: San Diego horned lizard, San Diego mountain Kingsnake, Coastal western whiptail, walnut woodlands, coast live oak groves. There may be nesting birds that are rare. Certainly this is a migration route of passerine birds and raptors. There may be salamanders and other interesting fauna.

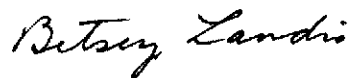
**How can the City approve a DEIR when so much information is lacking? The developer is not allowed under CEQA to do biological surveys after the land has been cleared. What good would that do?**

11) Where are the reports and records from Regional Water Quality Board and Air Quality Management District showing that Mission Canyon #8 landfill has been inspected regularly and meets all the requirements and regulations governing closed landfills? Since the landfill has been regraded and replanted every year due to slumping and gas emissions, I doubt that it is any better than it was 20 years ago.

I will have more comments and questions later at the public hearing. I did not see the DEIR until today. There are many problems with the geology, ground water, traffic, safety, aesthetic values that cannot be mitigated or compensated for.

This DEIR is incomplete and masks serious hazards to future and current residents of Mountaingate, Mandeville Canyon and Bundy Canyon.

Sincerely,



Betsy Landis  
Former President of Upper Mandeville Canyon Assoc.  
President, L.A./Santa Monica Mountains Chapter,  
California Native Plant Society

Note: Copy faxed to Mr. Liao at 213-978-1343 at 4:20 pm September 22, 2003.

*from the desk of:*

*Mehdi Motameni, Ph.D.*

*12520 Promontory Rd.  
Los Angeles CA 90049*

*Tel: 310-476-1032  
Fax: 310-471-2394*

To The City Of Los Angeles  
Department Of City Planning

August 1, 2003

A Proposal

Subject: Draft environmental impact report No. EIR99-3251SUB  
site location 2050 Stoney Hill, Canyon Back Road  
Mountaingate Community

This development project will have a considerable impact on traffic on the community. To have lesser traffic impact I propose to the city the resident said 29+3 home enter from Bundy by a gated remote control and exit proceed to Mountaingate Drive (one way) the gated remote will control any other non resident could not pass through and will reduce the jam traffic on Sepulveda to Mountaingate. Please study this proposal. If there is any questions please call me.

Best Regards,



Mehdi Motameni PH.D.

**RECEIVED**  
CITY OF LOS ANGELES

AUG 7 2003

ENVIRONMENTAL  
UNIT

Paula B. Tebbe  
3200 Mandeville Canyon Road  
Los Angeles, CA 90049

310-476-3900 TEL  
310-207-5477 FAX

September 22, 2003

Jimmy C. Liao, Project Coordinator  
Room 763, City Hall  
Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012

EIR Case No.: EIR-99-3251-SUB  
Project Name: Mountaingate  
Reference Nos.: TT-53072  
Location: 2050 Stoney Hill Road/ Canyonback Road

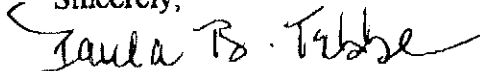
Dear Mr. Liao:

I would like to go down on the record as being vehemently opposed to the above referenced project. I have lived at 3200 Mandeville Canyon Road for 22 years and the prospect of developers cutting the ridge above my home is terrifying. These undeveloped hillside areas have a history of landslides and resultant flooding. The city has been sued in the past for improper grading of land areas above Mandeville Canyon, and I see this project as another potential liability for the City and a danger to me and my family and property.

I see the downsizing of this project as an effort to make it more palatable, but the downsizing does not change the fact that this project should never be allowed to move forward. This project is money inspired. The developers hope to make millions selling their homes and sites, but the site is inappropriate

I do not think the disruption and liability associated with this project is worth it to create 29 homesites. It is ridiculous to chop off ridges and disrupt geology to benefit some developers. Additionally, anyone buying one of these properties would be putting themselves in harms way. Leaking methane gas, improper emergency egress, potential for landslides, and fire danger are some unhealthy factors that would impact residents. The City has opposed the development of this property in the past, and conditions have not changed. Why should the City now reverse itself and allow the project to go forward?

Sincerely,



Paula B. Tebbe

Mr. Robert Tebbe  
3216 Mandeville Cyn. Rd.  
Los Angeles, CA 90049

September 22, 2003

Jimmy C. Liao, Project Coordinator  
Room 763, City Hall  
Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012

EIR Case No.: EIR-99-3251-SUB  
Project Name: Mountaingate  
Reference Nos.: TT-53072  
Location: 2050 Stoney Hill Road/ Canyonback Road

Dear Mr. Liao:

This letter is in response to the Draft Environmental Impact Report for Mountaingate dated July, 2003. I am the owner of the property pictured on plate IV.S-2 of Volume 1, which abuts the project site. I have lived at 3152 Mandeville Canyon Road for over 50 years. The record should show that I never granted permission to anyone to come onto my property to shoot this photograph. If permission had been requested, as would have been appropriate, it would have allowed me to discuss the project with someone at that time. The prospect of your project taking place on the ridge above my house, the homes at 3156, 3200 and others is unacceptable.

I am primarily concerned with the impact the extensive grading on the ridge will have on the properties below. There are various mapped landslides in this area and I fear further destabilization will occur as a result of this project. I and the property owner at 3156 have had problems with mudslides and flooding in the past.

There are other aspects which concern me as well, which I will be able to comment on at a future time. I did not receive the July letter from the City of Los Angeles notifying me of this project, and have just been made aware of it by neighbors. I request a copy of the EIR, Volumes 1-3 and more time to review the project and study the extensive documents, as it will impact my property more than most.

Sincerely,



Robert B. Tebbe

September 19, 2003  
Jimmy C. Liao, Project Coordinator  
Room 763, City Hall  
Department of City Planning  
200 North Spring Street  
Los Angeles CA 90012

Re: Review of Draft Environmental Report  
Mountaingate, Vesting Tentative Tract  
No.53072, Volumes I-III LA City  
EIR 99-3251-SUB

Dear Mr. Liao,

I am writing this letter to express my deep concerns regarding the proposed construction in the undeveloped area adjacent to the Mountaingate community.

My wife and I have lived at Mountaingate for almost twenty years. During this time we have witnessed and experienced many episodes of fire, earthquake, erosion and slippage of slopes and methane emission damage to the area, and our own home.

The frequency of fires in the Sepulveda Pass is well documented and always has been a major concern. We once observed brush burning alongside the Mountaingate golf course and later learned that it was caused by the ignition of a fissure that was seeping methane gasses. When we bought our home we requested in our escrow to be provided the particulars of where the methane detectors were located and a history of the readings. To date we have been unable to obtain this information.

Our home suffered considerable damage due to the Northridge earthquake. During the rebuilding our expert geologists and engineers encountered many problems in devising our remedy. Ancient landslides were discovered and repairing our home required the construction of a soldier pile wall and other extensive and costly measures to ensure the safety of the reconstruction.

Walks throughout the proposed new construction area during the past several years has indicated to me that the same conditions we encountered exist there as well. The problems for the new development will be exacerbated by the close proximity of the landfill to those homesites.

Several of our neighbors have experienced failures to the slopes bordering the golf course which has required extensive and costly remedies.

We are aware that a major failure of any kind regarding earth movement will greatly impact the value of the homes in the entire community, which makes this an issue that affects every homeowner at Mountaingate.

I respectfully request that you and your department scrutinize these issues with the intensity that is warranted due to the history of the area.

Yours truly,



Robert A. Witt

12441 PROMONTORY ROAD  
Los Angeles, CA 90049

**PILLSBURY WINTHROP LLP**

725 SOUTH FIGUEROA STREET SUITE 2800 LOS ANGELES, CA 90017-5406 213.488.7100 F: 213.619.1033

August 26, 2004

**RECEIVED**  
CITY OF LOS ANGELES  
**AUG 30 2004**  
ENVIRONMENTAL  
UNITKent B. Goss  
Phone: 213.488.7287  
kgoss@pillsburywinthrop.comThe City of Los Angeles  
Department of City Planning  
200 North Spring Street, Room 763  
Los Angeles, CA 90012  
Attention: Jimmy C. LiaoRe: 2<sup>nd</sup> Revised Vesting Tentative Tract Map No. 53072

Dear Mr. Liao:

This office represents Dr. & Mrs. David R. Fett. The Fetts are the owners of a home located at 12542 Stoney Lane in the Mountaingate Development. Their home and lot abut (and we claim is part of) Lot 1 of the proposed development referenced in the above tract map. We write for two reasons: (1) the Fetts have asserted in pending litigation that they have ownership to part of the property depicted by Lot 1, easement rights and/or related rights which are not referenced in the tract map; and (2) Lot 1 may have significant adverse geologic conditions that could adversely affect the cut slope, the Fett's existing residence and appurtenant structures that exist above the proposed cut slope in the tract map. There has been no subsurface investigation in the area of the proposed 20 foot-high cut slope which is located to the south-southwest of the Fetts' property. This is not acceptable to the Fetts since it imposes an imminent danger to the health and welfare of the Fetts and their four small children. Prior to any development or cutting of Lot 1, there needs to be substantial investigation to ensure the stability of the Fetts' house. We attach an Engineering Review prepared for the Fetts by Slosson and Associates dated February 17, 2004 for your review and consideration. Should you have any questions about this letter, please feel free to contact the undersigned.

Very truly yours,

PILLSBURY WINTHROP LLP

  
Kent B. Goss





**PILLSBURY WINTHROP LLP**

Kent B. Goss  
August 26, 2004  
Page 2

Cc: Dr. & Mrs. David R. Fett

**SLOSSON AND ASSOCIATES  
CONSULTING GEOLOGISTS**

15500 Erwin Street, Suite 1123  
Van Nuys, California 91411  
(818) 376-6540 • (818) 785-0835  
FAX (818) 376-6543

**RECEIVED**  
CITY OF LOS ANGELES

AUG 30 2004

ENVIRONMENTAL  
UNITFebruary 17, 2004  
S&A #041001

**TO:** Dr. David Fett  
12542 Stoney Lane  
Los Angeles, California 90049

**SUBJECT:** Engineering Geology Review of Existing Reports for 12550 Stoney Lane and Proposed Grading Adjacent for the Extension of Stoney Hill Road

This office has reviewed the following reports:

"GEOLOGIC AND SOILS ENGINEERING EXPLORATION,  
Proposed Single Family Dwelling, Swimming Pool and Retaining Walls,  
Portion of Lot 41, Tract 42481, 2250 Stoney Lane, Los Angeles, California"  
prepared by Grover Hollingsworth and Associates, Inc., dated August 24, 1990

"Comments Regarding City Review letter, Parcel B, Parcel Map 6384, 12550  
Stoney Lane, Bel Air, California" prepared by Grover Hollingsworth and  
Associates, Inc., dated October 15, 1991

"Site Observations During Construction, Parcel B, Parcel Map 6384, 12550  
Stoney Lane, Bel Air, California." prepared by Grover Hollingsworth and  
Associates, Inc., dated February 27, 1992

"Additional Comments II, Compacted Fill Blanket, Parcel B, Parcel Map 6384,  
12550 Stoney Lane, Bel Air, California." prepared by Grover Hollingsworth  
and Associates, Inc., dated June 23, 1992

"Additional Comments, Compacted Fill Blanket Alternative, Parcel B, Parcel  
Map 6384, 12550 Stoney Lane, Bel Air, California." prepared by Grover  
Hollingsworth and Associates, Inc., dated October 28, 1992

"Notice of Field Observation" prepared by Grover Hollingsworth and  
Associates, dated March 30, 1992

Dr. David Fett  
12542 Stoney Lane

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February 17, 2004  
S&A #041001

"Additional Comments, Compacted Fill Blanket Alternative, Parcel B, Parcel Map 6384, 12550 Stoney Lane, Bel Air, California", prepared by Grover Hollingsworth and Associates, Inc., dated November 11, 1992

"Fine Site Grading, Dwelling Retaining Walls, Lot 41, Tract 42481, 12550 Stoney Lane, Bel Air, California." prepared by Grover Hollingsworth and Associates, dated January 11, 1993

"Proposal to Provide a Geologic and Soils Engineering Update and Plan Review, and to Perform Additional Geologic and Soils Engineering Exploration, Proposed Spa and Retaining Walls; Parcels A and B, Parcel Map 6384, 12550 Stoney Lane, Brentwood, California." prepared by Grover Hollingsworth and Associates, Inc., dated April 24, 1996.

"Compaction Report, Dwelling Retaining Walls, Parcel B, Parcel Map 6384, 12550 Stoney Lane, Bel Air, California." prepared by Grover Hollingsworth and Associates, Inc., dated January 11, 1993

"Additional Comments, Proposed Spa, Parcel B, Parcel Map 6384, 12550 Stoney Lane, Brentwood, California." prepared by Grover Hollingsworth and Associates, Inc., dated June 18, 1996

"Site Observations during Construction, 12550 Stoney Lane, Los Angeles, California." prepared by Grover Hollingsworth and Associates, Inc., dated June 16, 1997

"Compaction Report, Abandoned Spa and Pond Voids; Parcel B, Parcel B, Parcel Map 6384, 12542 Stoney Lane, Los Angeles, California." prepared by Grover Hollingsworth and Associates, Inc., dated April 18, 2000

"Additional Geotechnical Recommendations, Proposed Addition, Lot 41, Tract 42481, 12550 Stoney Lane, Bel Air, California." prepared by Grover Hollingsworth and Associates, Inc., dated November 6, 2001

"Addendum to Proposal to Provide a Geologic and Soils Engineering Update and Plan Review, and to Perform Additional Geologic and Soils Engineering Exploration, Proposed Spa and Retaining Walls; Parcels A and B, Parcel Map 6384, 12550 Stoney Lane, Brentwood, California." prepared by Grover Hollingsworth and Associates, Inc., dated May 14, 1996

"Update and Plan Review, Proposed Spa, Parcel B, Parcel Map 6384, 12550 Stoney Lane, Bel Air, California." prepared by Grover Hollingsworth and Associates, Inc., dated May 23, 1996

Dr. David Fell  
12542 Stoney Lane

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February 17, 2004  
S&A #041001

**"GEOTECHNICAL INVESTIGATION REPORT, 2<sup>ND</sup> REVISED DETAIL VESTING TENTATIVE TRACT MAP NO. 53072 (SCALE OF 1 INCH = 100 FEET) CITY OF LOS ANGELES, CALIFORNIA" prepared by Leighton and Associates, Inc., dated March 18, 2003**

Based upon a review of the reports, the following comments are presented for your review:

- There has been no subsurface investigation in the area of the proposed 20± foot-high cut slope to the south-southwest of your property. The only subsurface investigations were done as part of the proposed construction on your lot in the vicinity of the residence and pool by your consultants, Grover Hollingsworth and Associates, Inc., as part of the geotechnical investigation by Leighton and Associates Inc., for Vesting Tentative Tract Map No. 53072. The nearest boring (B-3-03) by Leighton and Associates is 100± feet away to the south from the proposed top of slope and 60± feet away from the bottom of the proposed slope. Given the sheared and fractured nature of the existing bedrock, it would be advisable to perform subsurface investigations in the vicinity of the actual proposed cut slope to assure that there will be no adverse geologic conditions which could affect the slope stability of the proposed slope, and that the existing residence, pool, and other appurtenant structures will not be adversely affected by the proposed cut slope.
- Given that groundwater was noted in the boring on the west side of the proposed extension of Stoney Hill Road which was closest to existing residences, there is a strong possibility that a boring in the area of the proposed cut slope below and to the south of your residence can also have some localized high groundwater due to the irrigation of the existing residences. The existence of groundwater and the affect that it may have on the proposed cut slope needs to be investigated. If there is any groundwater and/or potentially adverse geologic conditions, this could adversely affect the cut slope, the existing residence, and appurtenant structures that exist above the proposed cut slope.

Without an adequate subsurface investigation of the materials that will be exposed or underlie the proposed cut slope south-southwest of the residence at 12550 Stoney Lane, it is unknown what effect the cut slope will have on the existing residence and appurtenant structures. It would be prudent if the owner and developer proposing to do the grading and construction would have subsurface exploration done in the area of the slope. The proposed cut slope could possibly adversely affect not only 12550 Stoney Lane but also Lot 1

Sent By: HP LaserJet 3100;

310 472 0785;

Feb-18 17:29;


Page 5/5

Dr. David Fett  
12542 Stoney Lane

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February 17, 2004  
S&A #041001

of Vesting Tentative Tract Map No. 53072. There is a need for this subsurface investigation prior to any grading or cutting of the proposed cut slope south of your property.

  
Thomas L. Slosson  
Supervising Engineering Geologist  
R.G. #4204, C.E.G. #1327

TLS:cg  
Ref:egp.Dr.FettMn

SLOSSON AND ASSOCIATES



**PILLSBURY WINTHROP**

725 SOUTH FIGUEROA STREET SUITE 2800 LOS ANGELES, CA 90017-5406 213.488.7100 Fx 213.629.1633

October 12, 2004

**RECEIVED**  
CITY OF LOS ANGELES

Kent B. Goss

Phone: 213.488.7287

kgoss@pillsburywinthrop.com

OCT 13 2004

ENVIRONMENTAL  
UNIT

The City of Los Angeles  
Department of City Planning  
200 North Spring Street, Room 763  
Los Angeles, CA 90012  
Attention: Jimmy C. Liau

Re: 2<sup>nd</sup> Revised Vesting Tentative Tract Map No. 53072

Dear Mr. Liau:

This serves as a follow-up to my August 26 letter to you and our subsequent phone discussion regarding the stability of Lot 1 of the proposed development at Mountaingate by Castle & Cooke. You will recall that the Fetts are the owners of the property adjacent to the proposed Lot 1 of the new development. They claim rights to parts of Lot 1 and that is the subject of ongoing litigation. In addition, the Fetts have a great concern that any proposed grading or cutting in the area of proposed Lot 1 is outright dangerous. The report of Mr. Slosson (a geologist), attached to my August 26<sup>th</sup> letter, makes clear that further geologic investigation should be undertaken before any grading commences. Although the response of Castle & Cooke makes reference to certain geologic testing conducted "near" Lot 1, we understand that these test results are a decade or more old and no testing has been conducted on the portion of Lot 1 that is adjacent to the Fetts' property. We also understand that the landslide in the area of the proposed development moves about 2 inches per year. These non-specific tests that are quite old is not an acceptable manner to handle this problem.

During our discussion, you told me that my August 26 letter had been forwarded to Castle & Cooke for a response. You also told me that Castle & Cooke (or its representative) had responded to the letter. Prior to our call, neither the Fetts or this office had any idea that my August 26<sup>th</sup> letter would be forwarded to Castle & Cooke, or that Castle & Cooke had responded to the letter. We believe this "behind the scenes" work is inappropriate. It was only after I requested a copy of the response by Castle & Cooke, that your office forwarded the material to our office.

In addition, you stated that you were assured by Castle & Cooke that if a problem were discovered during the grading of Lot 1, they would fix it. We do not think this an



PILLSBURY WINTHROP LLP

Jimmy Liao  
October 12, 2004  
Page 2

appropriate way to handle the potential danger associated with grading this property. We would also appreciate receiving copies of any materials sent to or received by Castle & Cooke related to Lot 1. We would also appreciate receiving a written response to both my August 26<sup>th</sup> letter and this correspondence. We expect that our issues raised regarding the safety of Lot 1 will be included in the final Environmental Impact Report.

Very truly yours,

PILLSBURY WINTHROP LLP



Kent E. Goss

Cc. Dr. & Mrs. David R. Fett