

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



February 17, 2011

Mr. Alan Kishbaugh, Chairperson
Mulholland Design Review Board
6262 Van Nuys Boulevard, Suite 351
Van Nuys, California 91401-2709

**Proposed Realignment of Mulholland Drive Bridge
And Skirball Center Drive Widening**

Dear Mr. Kishbaugh and Board Members:

The Santa Monica Mountains Conservancy (Conservancy) is concerned with multiple aspects of the project, as well as the process through which it was developed. The current proposal to realign Mulholland Drive arose from the genuine desire by the I-405 design-build team to reduce construction impacts on those that must travel through the project area on a regular basis. Unfortunately, the project managers did not appreciate the magnitude of their proposed change and the potential for significantly greater environmental impacts than the certified project. The Conservancy will continue to work with staff from Metro and Caltrans to resolve these issues to the extent possible.

At this point, there is substantial concern about additional environmental impacts as a result of the proposed project change that were not studied or disclosed in the original certified Environmental Impact Report (EIR). These impacts are a result of the design-build team's view of this project as solely an engineering challenge, rather than realizing that the realignment, and resulting discontinuity, of the Mulholland Scenic Parkway has a significant impact on cultural, aesthetic, and biological resources. Precisely because these impacts are outside the team's expertise, additional study is warranted as well as the opportunity for other agencies and members of the public to weigh in with possible mitigation measures. While the Conservancy recognizes the time and budgetary pressure of the team's accelerated construction schedule, the decision to perform a major reconfiguration of the streets in a constrained corridor requires thorough evaluation of alternatives, impacts, and mitigation measures—a process governed by the California Environmental Quality Act (CEQA) and simply not followed in this case.

The Mulholland Scenic Parkway Specific Plan Guides All Projects in the Corridor

The project is set in a complex regulatory environment within the jurisdictions of multiple local, state, and federal agencies. While the design-build team is in close collaboration with Caltrans, Metro, and LADOT, other responsible agencies include the Department of City Planning, the Conservancy, and the National Park Service. The Planning Department is the principal steward of the Mulholland Scenic Parkway Specific Plan (MSPSP)—the most relevant City document governing this corridor. In general terms, the MSPSP protects the rural, parkway-like setting through provisions that restrict grading, retaining walls, road projects, and incompatible residential development. The MSPSP is a result of decades of collaboration among hillside residents, civic groups, and public agencies to preserve aesthetic, recreational, and biological resources in the corridor. The plan envisions a low-speed parkway running along the spine of the Santa Monica Mountains with parallel hiking and equestrian trails to create a world-class asset for the City of Los Angeles.

While realignment of Mulholland Drive to accommodate the freeway is not unprecedented, the MSPSP includes a specific process to change the alignment that requires several core findings to be made. Realignment would be a discretionary action by the City that can only take place after a public process and environmental review. No matter the support or opposition to the proposed project, the legal hurdles to realignment are substantial. It is not clear that the City would be able to make the finding that the project is necessary for public safety. Additionally, the Conservancy believes that this decision to realign the parkway must occur through the plan amendment process before construction can take place, rather than retroactively as the design-build team intends to do. Performing these steps out of order and without full environmental review of the entire proposed action could be considered piecemealing of the project under CEQA.

Proposed Project Would Impact Biological, Aesthetic, and Cultural Resources

Conservancy staff met with representatives of the design-build team on February 16th in an effort to better understand that specifics of the proposed project. At this time, and without further environmental analysis, the Conservancy offers the following comments:

- **Wildlife Permeability:** Without changes in design and mitigation, the proposed project would greatly reduce wildlife connectivity across the Mulholland Drive bridge. Wildlife crossings in the Sepulveda Pass are highly constrained as it is, yet absolutely essential to genetic diversity and long-term ecosystem viability east of the 405 Freeway. Crossings are currently limited to a handful of locations, including the

Mulholland Drive and Skirball Center Drive bridges. These circumstances require that every potential wildlife crossing be maximized for suitability. The Conservancy's previous comment letters for the 405 project's EIR did not address the Mulholland Drive bridge because it was to be rebuilt in place without substantial changes. A relocated bridge would have received specific comments at that time. The proposed design of the realigned bridge does not contain wildlife-friendly features nor does the design improve the approaches to the bridge to facilitate successful animal crossings.

- **Retaining Walls:** The 1,400 linear feet of retaining walls on the east side of Skirball Center Drive would all but eliminate wildlife access to the bridge from adjacent Conservancy open space. The extent of the retaining walls is a direct result of the proposal to widen Skirball Center Drive, however this widening is not even included in the project description. It is understood that these retaining walls were, in part, planned improvements by the City. The extent of the City's planning and environmental documentation is not clear, nor is their intention to cut into the hillside or use Caltrans right-of-way for this planned widening. Regardless, the design-build team is assuming responsibility for this construction and therefore its impacts. Retaining walls of this scale violate the letter and spirit of the MSPSP. Conservancy staff would work with the design-build team to lessen the severity of the impact, but ultimately the proposed project would decrease wildlife permeability, even with mitigation.
- **Sidewalks:** The proposed project would replace dual five-foot-wide sidewalks on both sides of the bridge with one ten-foot-wide sidewalk on only the south side. While the Conservancy understands the design rationale for doing so, currently wildlife is documented by NPS to use both the north and south sidewalks. The effect of removing the north sidewalk is unknown, although it is anticipated that this would deter the mammals that are currently choosing to use the north sidewalk from crossing. Further study of this issue and mitigation are warranted.
- **Lighting:** The proposed bridge design includes prominent light fixtures as an architectural feature. While necessary for pedestrian safety, lighting does deter nocturnal wildlife movement, particularly among less urban-tolerant species. The Conservancy requests that the lighting be kept to the absolute minimum in both frequency and intensity and that it not shine directly on areas where wildlife is encouraged to cross (i.e. the sidewalk).

- **Landscaping and Fencing:** The landscape plan must be designed to maximize native vegetation cover in key “staging” areas for wildlife crossings. Mammals seek cover as they are preparing to cross the exposed bridge and again as they reach the other side. Additionally, fencing must be used as a tool to guide wildlife to safe areas, but not prevent desired movement. This means that the Caltrans right-of-way must not be fenced along Mulholland Drive and Skirball Center Drive to enable wildlife to use this landscaped area for cover. Instead, fencing should be located below the embankment along the actual freeway and ramps. The Conservancy requests that wildlife-friendly fencing be shown in meticulous detail on project plans as a condition of approval, should the Design Review Board approve the proposed project.
- **Traffic Volume:** The project would increase the width of Skirball Center Drive by adding an extra vehicle lane over existing conditions. LADOT has further requested an additional through lane above and beyond what the design-build team recommends. Successful wildlife crossings are inversely related to the width of a roadway, with each lane added measurably decreasing crossing success. In addition, a wider road would encourage higher vehicle speeds, increasing mortality among those mammals still willing to attempt to cross. The Conservancy requests that the Design Review Board reduce the number of vehicle lanes on Skirball Center Drive to the absolute minimum feasible. The Conservancy further requests that the project engineers, with input from LADOT, propose feasible traffic calming features to reduce vehicle speeds on Skirball Center Drive to a parkway-appropriate level, particularly at night. Such features may include signal timing, lane width, signage, and landscaping.
- **Vehicle Speeds:** Overall, the proposed project is designed to increase the capacity of the Mulholland/Skirball Center intersection to reduce traffic congestion. Unfortunately, this comes at a direct cost to wildlife which must then contend with higher traffic volumes and speeds. Unless additional environmental review shows otherwise, the Conservancy believes that the reconfigured intersection would increase vehicle speeds on the through movement in direct conflict with crossing wildlife. As mentioned above, the design-build team should propose detailed engineering measures to mitigate the impact on wildlife mortality of increased traffic speeds and volumes.

- **Growth Inducing Impact:** The Conservancy is concerned about the growth-inducing impact of increasing traffic capacity in the corridor. The additional capacity will likely be filled with a combination of increased cut-through traffic, increased institutional growth, and increased residential development, particularly in the vicinity of “dirt Mulholland” to the west. None of these effects are positive for existing residents in the corridor, recreational users of the corridor, or for the overall parkway setting. With this induced growth, the net positive effect of short-term traffic relief will likely be marginal at best.
- **Grading:** As evidenced by the proposed retaining walls, the project would entail large amounts of additional grading above what was approved in the project EIR. Ironically, the proposed mitigation for the retaining walls would require even more grading to back-fill the fill walls east of Skirball Center Drive, with this additional grading to occur on public open space land. The Conservancy does not believe that the traffic benefits derived from this aspect of the proposed project are worth the negatives of these grading impacts.
- **Mulholland Core Trail:** The Mulholland Core Trail would pass through the project area and encompass the proposed sidewalk. To that extent, the pedestrian features of the project should look to the MSPSP for guidance on design principles. As discussed with the National Parks Service and design-build team, the proposed vista points on either end of the bridge could be an amenity for trail users, but only if they do not interfere at all with the wildlife approach to the bridge. That compatibility must be analyzed.
- **Parkway Continuity:** Fundamentally, the project would make the Mulholland Scenic Parkway discontinuous through the project area by interrupting the natural flow along the spine of the mountains. This is likely an unmitigable impact, but must be lessened through aesthetic treatments that emphasize continuity of the parkway. Particular attention should be paid to the experience of eastbound travel across the bridge such that the intersection does not feel like the end of the parkway. The tall, concrete retaining wall in the current design is particularly aesthetically unappealing to parkway users.

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The proposed project is not without its benefits. A major benefit is that the actual crossing length of the perpendicular bridge would decrease substantially over the current skewed angle. Additionally, the new, shorter bridge would allow wildlife to directly access Conservancy-owned habitat on the east side of Skirball Center Drive. However, the biological and aesthetic impacts of the retaining wall structures required to make these changes far outweigh these potential benefits.

As it stands, the Conservancy cannot support the realignment of the Mulholland Drive bridge and widening of Skirball Center Drive without major changes to the design of the project. The project would create permanent impacts to biological, aesthetic, and cultural resources in order to avoid some short-term construction inconveniences. The above identified impacts warrant further environmental review to assess their extent and propose feasible mitigation. The Conservancy will continue to work with Metro and Caltrans to reduce and mitigate these impacts. Should you have any questions, I can be reached at (310) 589-3200 ext. 128.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Edelman", with a long horizontal flourish extending to the right.

PAUL EDELMAN
Deputy Director
Natural Resources and Planning