

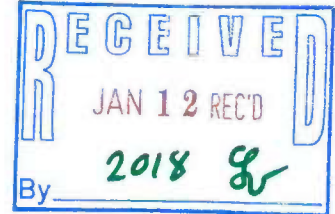
ITEM #18



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January 12, 2018



VIA HAND DELIVERY ONLY

Los Angeles City Council
200 N. Spring Street
Room 395
Los Angeles, CA 90012

Re: Council File 17-1081; Case No. ENV-2016-2415-CE

Dear Honorable Councilmembers:

We represent Tara and Chad Harrison (“Harrison”), the owner and applicant in the above referenced case, a proposed single family home they wish to develop for their family (the “Project”). The appeal before you relates solely to California Environmental Quality Act (“CEQA”) compliance, specifically whether an unusual circumstance precludes the otherwise applicable Categorical Exemption.¹ On December 12, 2017, this Council’s Planning Land Use Management (“PLUM”) Committee recommended denial of the appeal because the record before the PLUM Committee did not support appellants assertion that the subject site is a migration corridor for mountain lions, specifically one identified as P-22. Appellants only support for this claim was a letter from an attorney stating that P-22 may have traversed on or near the project site, that appellant has owned large cats and “has also seen mountain lion tracks on the property”, and a few newspaper clippings.

On the afternoon on January 11, 2018, an approximately 35 page report was submitted, by members of the public, which is presumably the appellant as no members of the public testified before PLUM in support of the appeal. The report is a study of animal movement in the

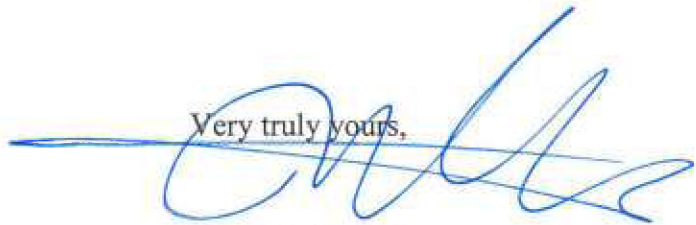
¹ California Code of Regulations Title 14, Chapter 3 (“CEQA Guidelines”) Section 15300.2(c).

Santa Monica Mountains in general, but with a particular emphasis on North Beverly Glen Boulevard near the intersection with Mulholland Drive. The report is not specific to mountain lion movement. Moreover, the 35 page report does not study with any specificity animal movement near the intersection of Mulholland Drive and the 101 Freeway, the subject site's vicinity. The report's study focuses on an area a few canyons and a few miles to the west. Therefore, the report is not substantial evidence of an unusual circumstance precluding the use of a Categorical Exemption under CEQA.

Additionally, either late yesterday evening or early this morning, Appellant submitted a letter with photographs showing small wildlife (e.g., squirrels, snakes, birds, field mice, etc.) on appellant's adjacent property. Such wildlife is abundant and common in the hillsides surrounding the City. None of the photographs submitted are of a mountain lion, and they do not provide evidence that the subject site is a movement corridor for mountain lions. The letter also states that appellant discovered a killed faun on his property. Without any evidence to support his claim, appellant opines that faun was killed by cougars. Substantial evidence under CEQA is "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts."² Appellant's January 11, 2018 letter is not substantial evidence because "argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous...is not substantial evidence."³

We urge this Council to adopt the PLUM Committee recommendation and deny this meritless appeal.

Very truly yours,



Michael Gonzales
Gonzales Law Group APC

² California Public Resources Code ("Cal PRC") Section 21082.2(c).

³ Id.