

**MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA
TECHNICAL ADVISORY COMMITTEE (SEATAC)
MEETING OF MAY 5, 2008**

(Approved by SEATAC via Electronic Mail on August 18, 2008)

PERSONS IN ATTENDANCE

SEATAC MEMBERS

Ty Garrison (not present)
Scott Harris
Dr. Jonathan Baskin (not present)
Mickey Long
Cheryl Swift, Ph.D.
Ian Swift (not present)
Dr. Thomas Scott (teleconferenced on Item 2)

REGIONAL PLANNING STAFF

Shirley Imsand, Ph.D.
Rudy Silvas (coordinator)
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SEATAC MINUTES

May 5, 2008

AGENDA ITEMS

1. Rudy Silvas, SEATAC Coordinator, postponed review of the April 7, 2008 SEATAC meeting minutes. Minutes not completed.

OLD BUSINESS

2. **Continuation of San Gabriel River Discovery Center project with new updated Biota Report** – See Attachment Item 2.

NEW BUSINESS

3. **Review of revised BCA/biota combined report for revised Pacific Heights Project, Vesting Tentative Tract Map No. 51153, CUP, OTP no. 92-027, Project No. 92-027** – See Attachment Item 3.
4. **Review of BCA/biota combined report for Vesting Tentative Tract Map No. 69788, with CUP for grading and development in an SEA/hillside management area** – See Attachment Item 4.

NOTE: SEATAC MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED VOLUNTEERS IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. SESSIONS ARE ALSO TAPE RECORDED BUT THE TAPES ARE PRIMARILY FOR BACK-UP USE BY STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE SESSION. ISSUES NOT DISCUSSED BY SEATAC DO NOT IMPLY TACIT APPROVAL. NEW OR CLARIFIED INFORMATION PRESENTED IN SUBSEQUENT SUBMITTALS MAY RAISE NEW ISSUES AND MAY REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE NEXT SEATAC MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

SEATAC REPORT AND COMMENTS

PROJECT: San Gabriel River Discovery Center

SEATAC MEETING DATE MAY 5, 2008, ITEM 2

Updated Biota Report prepared by EDAW, Inc., dated December, 2007, and recently submitted supplemental information to questions posed to applicants during last SEATAC meeting for project, on January 14, 2008.

Third SEATAC review for Biological Constraints Analysis.

PROPOSED PROJECT: San Gabriel River Discovery Center – the project consists of the construction of: a new one story 18,230 sq. ft. main building, built to meet the U. S. Green Building Council's, "Leadership in Energy and Environmental Design" (LEED) standards; a 150 car parking lot; a maintenance building; an open air outdoor classroom; a covered outdoor classroom; a constructed riparian/wetland area; connecting pathways from these locations and utilities. The lease boundary area for the project is 11.3 acres, however, construction will be limited to the 7-acre construction impact area. The balance of the lease boundary area is 4.3 acres and this will be set aside for habitat preservation and restoration. Regular hours of operation would be 9:00 AM to 5:00 PM seven days a week. Depending on availability, meeting rooms would be available for reservation from 8:00 AM to 10:00 PM seven days a week, which includes time for setup, and take down. The parking lot and remainder of the site would be open during daylight hours only. The proposed project is located within the Whittier Narrows Natural Area, which is part of the Whittier Narrows Recreation Area (WNRA). The WNRA is located between the San Gabriel River and the Rio Hondo and the proposed project is within the existing SEA No. 42, "Whittier Narrows Dam Recreation Area".

SEA DESCRIPTION: The Whittier Narrows Dam County Recreation Area (**SEA No. 42**) contains an extensive area of excellent lowland riparian and freshwater marsh habitat, most of which has been set aside as a wildlife refuge. A nature center with excellent educational and interpretive facilities has been established on the property, and successful habitat restoration and management programs have been implemented.

The area is located in the southern San Gabriel Valley along the San Gabriel and Rio Hondo Rivers. The area is a low flood plain with a high water table and rich soils. The adjacent portions of the San Gabriel River and most of the Rio Hondo remain in a fairly natural state, supporting impressive streamside vegetation of willows, sycamores, cottonwoods, and mulefat. In addition, there are several lakes in the area that support freshwater marsh vegetation. Many of these habitat areas are protected within the nature center boundaries.

The area provides habitat for a very rich and diverse vertebrate fauna, including 24 species of mammals, 240 species of birds, 8 reptiles, 4 amphibians, and several fish. Many of these are restricted to riparian and freshwater marsh habitats and are uncommon in Los Angeles County.

The nature center provides educational and interpretive programs with a nature trail system, museum, and tours for school children. It also includes a habitat restoration program where replanting with natives and re-introduction of wildlife are reestablishing a natural balance in areas previously affected by man.

Status: The vegetation along the Rio Hondo and San Gabriel Rivers has remained in a fairly natural state. However, most of the area has been man-altered at one time through grazing and clearing. Native vegetation is now being reestablished over much of the area.

SEATAC COMMENTS AND RECOMMENDATIONS FOR THE SAN GABRIEL RIVER DISCOVERY CENTER PROJECT AT THE MEETING OF MAY 5, 2008:

- 1) Applicant opens discussion by stating that this is the third meeting on the project's biota report and that it has been ongoing since March of 2007, would like to have a recommendation rendered at the conclusion of this meeting for the project. Applicant indicates willingness go over a memo submitted which addresses questions from SEATAC at the last meeting of the project in January of 2008. SEATAC responds that it has reviewed the memo submitted and no need to go over it item by item or by each individual response. Applicant would like to note that in this request for a recommendation, the applicant feels that the project is highly compatible with the SEA. Part of the site is in the SEA, but the main building is not, it is adjacent to Durfee Avenue and across the road from South El Monte High School, adjacent to a commercial development according to the applicant. The applicant also states that the project has been redesigned, the parking lot rearranged to protect California walnut woodland habitat, and to preserve it to the fullest extent possible. Per the applicant, the Joint Powers Authority (JPA) has also prepared a detailed conceptual restoration plan to demonstrate the interest of this project at core is to provide restoration and improvement of degraded habitat on the site, as well as provide exposure to the larger part of the public and local community to the type of natural resources they are trying to preserve as part of this project. The larger building and project is an effort to integrate indoor exhibits and information regarding the natural area and the watershed in order to bring visitors to the outdoor experience that is provided, and can be improved, by providing at this natural area within this SEA, with the main goal of the JPA to provide increased support for youth and other age groups of the public of these type of natural areas with funding for their continued improvement, and also for further establishment of other similar type projects.
- 2) SEATAC states that the issue is still why the proposed project is so large. SEATAC comments that according to applicant's response, the estimated visit by school children indicated is 24,000 annually. SEATAC comments that this is double the largest number of people to visit the site, based on estimates not at hand but viewed previously, and a much bigger projected attendance. SEATAC questions when kids come in on a bus, how many different classes to be served each day and does this add up to 24,000? Is that a way to reduce the footprint of the facility which is at issue? Applicant responds that since January 2008 the existing programs for the nature center were reviewed with the park superintendant, and they would like to continue existing programs at the nature center. Also, looking at proposed programs, reviewing circulation within the building and type of exhibits providing watershed, natural and cultural education, the applicant states that the project would work well with the larger school groups as would continue to serve the general public. The larger footprint is required for the type of circulation area needed to serve the public per the applicant. Applicant comments that over 5 years of design and redesign have been done to keep the building as small as possible, sustainable, and to limit the impact on the environment; the project proposed is the optimum design for it with the architect and with the stakeholders that are involved, working with the design and display committees as well.
- 3) SEATAC comments that there is a certain irony, even though it is a degraded habitat as stated by the applicant, it is still open and it is still nature, and there is an irony in ripping out nature

to make it available. SEATAC understands and supports environmental education, supports the project in theory, but concerned that built out education center is not actually the model of what it should be in respect and relation to nature. Applicant responds that the main building does not extend beyond the planted lawn and other landscaping, or beyond the other out buildings that are already there with the parking lot and driveways. Applicant also states that they have recognized and respect all areas beyond disturbed areas, and have kept the project up against Durfee Avenue in order to avoid continuum on the site any further. Per applicant, new building designed to provide much more resources than what could be provided in the current smaller space, and could serve a much larger segment of school children and adults in a region that doesn't have this type of resource. The applicant states that although attempting to capitalize on already disturbed and landscaped areas, they have made an effort to avoid any resources noted by the biologists which are important to preserve, and are committed to improving these resources by removing the exotic and invasive plants and bringing in local and indigenous native plants so that the habitat will provide more cover and more resources for the wildlife.

- 4) SEATAC comments that it had previously requested ways to reduce the footprint; one way was to propose a two story building, but the applicant indicated in their responses that there are structural constraints due to floodwater and budget constraints. Per SEATAC, the issue with this project staying within the footprint of the existing building in the parking lot with all the other project provisions would be good, but concerned over increasing the area of the parking lot into a ruderal vegetated area. SEATAC comments that based on a site visit it is not native, instead has plenty of mustard, but there are a variety of bird species feeding there; this is not a sterile environment, and the concept of restoration is a great idea and should be done for this area, but do not believe that project as it is can be compatible with the SEA. Per SEATAC, one option would be to wait for the EIR to be produced to see if more alternatives are recommended. SEATAC comments that one compatible land use and activity listed by the County General Plan for SEATAC compatible activities, one more applicable use for this project is for a public use and service that functions as a project that is essential to the maintenance of public health, safety, and welfare. SEATAC questions if this building will provide a central nexus to such maintenance; the project description discusses education and flood control which could be argued as a nexus, but a building could be placed anywhere to describe a central public use regarding flood control, still need to consider nature education and this is not the best place to have a larger footprint building for this purpose. Per SEATAC, this area should be left as is, or restored, or retired and preserved and restored, and then look for alternative sites. SEATAC comments that if this were discussed in the EIR this would provide much more information for SEATAC to consider.
- 5) SEATAC comments that on page 8, paragraph 3 of the document, there is an issue with the statement that says this is a cooperative project by multiple agencies, and it may have been easier to review a list all of the alternatives; the process that has been gone through is a difficult one, for many stakeholders, and it appears that there are many alternatives that were considered but not listed. Per SEATAC, it would be good to show these perhaps in the EIR; it appears that SEATAC does not yet have all the information in that regard, looking at the vegetation that is there, there could be an opportunity to make it a better wildlife habitat through restoration, and much of this could be embedded in alternatives that we have not yet seen. Applicant responds that many of the project alternatives were discussed with SEATAC at past meetings, such as other sites in the region that were looked at, but this is the preferred site because it is adjacent to a natural area for the public to learn first hand and experience it that way, rather than being in a building in another location and attempting to learn from

there. Per the applicant, it has been proven by outdoor educators that it is better to integrate the indoor learning experience with the outdoor learning experience; it heightens the knowledge of those that experience this type of learning of the need to protect such resources in the future. Also, the applicant states that the parking lot has been moved into the non-native mustard area, and through the restoration and careful handling of this site, it will improve the habitat available for the wildlife; partners of the project have committed to the highest level of sustainable design, considering as a whole both landscaping for the site and the adjacent SEA area which is over 1,500 acres. Per the applicant, the project site will utilize 7 out of those 1,500 acres, adjacent to Durfee Avenue, and not all 7 acres are within the 1,500 acres of SEA area; cannot understand why we, the applicants, are being viewed as bringing harm rather than good to the site, not only for wildlife and habitat but for the region and the community. Applicant asks SEATAC to consider benefits overall. SEATAC responds that the alternatives are slightly different if presented in written format versus an oral presentation, the rhetoric is what makes the concept more compelling (e.g. the concept of an education that involves a certain amount of sacrifice is critically important). SEATAC also comments that they appreciate the design that went into the project; however, across the street is a turf park where the facility could be built without disturbing the habitat quality of the SEA. Per SEATAC, unless it is not possible due to financial constraints, or the logistics of getting kids across Durfee Avenue, it would be a preferred location if there are resources available; if monetary resources are not available to build the project in such a manner, it would better to postpone the project until that time when the project could be built off site. Applicant responds that in the revised biota report submitted in January 2008, Chapter 9 outlines the alternatives for the proposed project. Per applicant, three of the alternatives on the site for the project were outlined in the document, including a proposed project across Durfee Avenue, and an issue was that that site was farther below the flood grade and was deemed not feasible by the Army Corp of Engineers and the project architects. The proposed project site before SEATAC now is the better alternative by using the disturbed area in a better way for a large part of the public to be exposed to the area.

- 6) Executive Officer of the San Gabriel River Discovery Center makes a comment that a nature center at this location, within the existing natural area, is a benefit; this type of nature education facility is a beautiful concept in that you have a direct access to the San Gabriel River and a view of the habitat that is there; however, a big concern is that in order to expend the kind of finances on habitat restoration it is associated with is getting it to be a part of the project, and it would be difficult to corner the funding necessary just to do habitat restoration if there were not some other benefit linkage associated with it. Impacts to the site will be minimal, in terms of the building proposed which is out of the SEA, and its footprint which is only within the disturbed area, and the parking lot will be built; the facility is designed to exist in a highly sustainable manner, with lighting impacts to wildlife being minimal. It is critical that the project move forward, and funding for operations and maintenance is very difficult to achieve. The project will ensure that habitat restoration will be sustained.
- 7) Applicant comments that alternatives are listed on page 73 of the biota report for SEATAC. SEATAC states that it sees a difficulty in that the number of options are limited by many constraints. Applicant states that they will be providing a full discussion of the process for site selection in the draft EIR (DEIR), when it is released for public review. This process did extend over a period of five years, and was re-examined by different types of groups, not just the same people looking at the same issues. Per the applicant, the process was complicated in determining the site section. SEATAC questions if there is a cost in not making the decision today, waiting for the EIR, what is the cost? Applicant responds that there is no real cost, but

states that they are at SEATAC now for the fourth time and would like to move on in this process, and would like to proceed to releasing the DEIR. Per the applicant, all of the available information has been provided. SEATAC responds that it does not believe that all available information has been provided. SEATAC states that all items are necessary for a prudent decision to be made.

- 8) Legal counsel for the applicant states that SEATAC's process is in an interesting position (i.e. with regard to the EIR), because they are not the body reviewing the (DEIR) and making a decision on the project itself; SEATAC is reviewing this proposed project on this site based on SEATAC's criteria; the applicant has tried several iterations in 2007 to be able to explain the process and alternatives and has been able to return and review the various designs; off site projects do not meet the applicant's basic project objectives with regard to CEQA, which were looked at extensively; focus for applicant today is to have a recommendation from SEATAC versed upon this site and with this criteria; alternatives in CEQA are not within SEATAC's purview. SEATAC comments that it is not attempting to pass judgment on the project, but is asking for the applicant to show the project's compatibility with what will take place at the site, ensuring that what happens on the site is what is exactly what has been put on paper, ensuring the project is the best possible and most compatible with the surrounding resources, this is what SEATAC would like to be convinced of.
- 9) Applicant responds that the document that has been submitted is in response and compliance to everything provided to them, and what could be found in print, about what was required for them to submit per SEATAC criteria and guidelines; nothing has been omitted that was required by SEATAC. SEATAC responds that the applicant is not being accused of not meeting the letter of the law, but it has reviewed many of the complaints sent by groups stating that they are not pleased with the project proposed because of the impacts to the natural resources, and that this project has received a certain level of scrutiny, no offense intended toward the applicant, but it is not uncommon with these types of projects to have people represented by groups in conflict with them. Legal counsel for the applicant responds by stating the public will have the opportunity to comment on the Draft EIR (DEIR) and the Final EIR (FEIR), and reiterates that the applicant has provided over the course of four meetings everything that SEATAC has asked for.
- 10) SEATAC states that since this is the last meeting it has to be determined if the project is compatible with SEATAC. Debating about the compatibility of the design, and the physical encompassing of the project upon the resources that it has been designed to serve and educate the public about, creates a dilemma among the SEATAC members for a final recommendation for the project. SEATAC, on a vote of two to one with a quorum of three members, votes the project incompatible with SEATAC and incompatible in design with the SEA.
- 11) Public Comments: Member of the public comments that the applicant chose this site in the year 2000, and at that time Los Angeles County published the Common Grounds Document, which was the guidepost for having plotted this along the San Gabriel River although recommendations were not mandated by the County; it was the guidelines in which there was a check list and a list of special species of concern; if they would have used these lists early in the planning process, they would have been able to key in to their site selection and figure that they should use biological sensitivity as criteria for their site selection. In 2005 they came out with their schematic design which is the purported master plan, and there were ten site selection criteria, speaker was astounded to find that biological resources was not listed as one of the ten site selection criteria to be used in 2005 and 2006. Speaker states that the least bell vireo was listed in 1995, and the applicant did not key into the vireo map or the California Gnatcatcher maps, which were available during the time period. Concerned about functional

footprint, contrary to what the applicant said, it is much more than 24,000 square feet as outlined in the schematic design of Appendix G. Speaker states that visitors will go out in these natural areas, keying in to the 10 acres of this project, and what the applicant is doing is functionally segmenting this project and withholding the impacts to the other future projects that are outlined in the schematic design. Speaker states that not all information is being provided by the applicant to SEATAC, and what is needed from a NEPA requirement side are the two outdoor filings and the Lario Creek segment. Per speaker, section seven information is required (e.g. information on the Least Bell Vireo). No information is known on just the impact on the Vireo. Since County Health shut off the water in the existing Vireo nesting area there has been a drop in the number of insects and other invertebrates. The presence of the Vireo throughout and outside of the nesting area indicates that they are going to other areas for sources of their prey base or food. Nesting was successful all throughout the dry year, they were getting their food source from outside the area and this information was missing in the biota report. Per the speaker, the false bottom marsh the applicants are proposing for Lario Creek will greatly reduce the invertebrates and insects for the area, impacting the Vireo. Per the speaker, the bobcat migration in the area will be impacted with this artificial replacement of a segment of Lario Creek; and potential impacts through the whole area not identified.

- 12) Public Comments: Member of the public, identifying himself as a member of Rio Hondo Autobon Society, asks which water agencies are a part of the San Gabriel River Discovery Center? Applicant responds that they are the Upper San Gabriel Valley Municipal Water District, the Central Basin Municipal Water District, Los Angeles County Department of Parks and Recreation under the approval of the Board of Supervisors, and the Rivers and Mountains Conservancy which is a State entity. Per the speaker, there is concern about the parking lot, does not see the rational of removing a large segment of nature to put in a large parking lot of 150 parking spaces.

ACTION TAKEN: SEATAC, on a vote of two to one with a quorum of three members, does not recommend that the project be deemed compatible with the SEA and is incompatible with SEATAC. No further review of the project, or the forthcoming DEIR, is required.

SEATAC REPORT AND COMMENTS

PROJECT: Pacific Heights

SEATAC MEETING DATE MAY 5, 2008, ITEM 3

Updated Biota Report prepared by Natural Resource Consultants, dated March 10, 2008

First SEATAC review of revised Biota Report for revised tract map.

PROPOSED PROJECT: Pacific Heights – A revised vesting tentative tract map for the subdivision of 114.3 acres located in the unincorporated community of Hacienda Heights, at the southern terminus of Apple Creek Lane, approximately 1.5 miles east of the intersection of Hacienda Boulevard and Colima Road on the northern slopes of Puente Hills. The proposed project site is entirely within the Powder Canyon/Puente Hills Significant Ecological Area (SEA #17). The revised project proposes 47 residential lots, 8 open space lots, and one public facility lot on approximately 36 acres (32 percent) in the northern third of the site. Approximately 77.3 acres (68 percent) of the site would be preserved as natural open space and managed for long-term conservation value. A single means of access to the site will be provided through Apple Creek Lane. Grading is proposed for 506,700 cubic yards of cut, and 516,700 cubic yards of fill, with 10,000 cubic yards of fill to be imported and balanced on site for construction activities. A conditional use permit has been filed for hillside management, density control and grading, and for development within a SEA. An oak tree permit application has also been filed for oak tree removal or encroachment within an oak woodland on site. The removal of 126 coast live oak trees, and the encroachment into the protective zone of 20 more oak trees are proposed. A revised fuel modification plan has been prepared that will create a buffer between the proposed development and resource areas with manufactured slopes seeded with native vegetation or landscaping. Public water and sewer service is proposed. This revised project proposal was last reviewed by SEATAC on November 5, 2007 to determine if a new Biota Report would be required before the project can return to the Planning Commission. SEATAC asked for a new Biota Report to address the proposed changes and environmental impacts. This revised map shows the number of residential lots reduced from 50 to 47 lots, and reduced grading as well.

SEA DESCRIPTION: Powder Canyon (SEA No. 17) is one of three areas in the hilly region of eastern Los Angeles County that still supports a relatively undisturbed stand of the southern oak woodland, coastal sage scrub, riparian woodland complex that was once common there. The remainder of this vegetation has been converted to agricultural and urban uses. This is true throughout the entire southern California region, making it one of the most rapidly disappearing habitat types. These three areas were chosen to save as representative samples of this once widespread community.

SEATAC COMMENTS AND RECOMMENDATIONS FOR THE PACIFIC HEIGHTS PROJECT AT THE MEETING OF MAY 5, 2008:

- 1) SEATAC comments that it recognizes that the project has been before SEATAC several times. Applicant responds that it has required many revisions in the past and that the project has been revised and updated, including traffic and sewer revisions.

- 2) Per SEATAC, on page 3 of biota report, the document states limited connectivity to the Santa Ana Mountains. SEATAC states that it appears to be within the larger wildlife movement area between the Santa Ana Mountains and the Puente-Chino Hills, towards the end of a supporting habitat. Its direct function within that larger core habitat area would be good to know. Report discusses wildlife. As for the cost and how it affects wildlife, it would help to know how that area functions overall. This is very important, considering genetic diversity, for such information such as the travel of mountain lions.
- 3) SEATAC questions the fuel modification plan. How wide will it be? Page 3 discusses fuel modification zones, an acre to be dedicated for fuel management, at this time is it known how wide fuel mod zones will be? SEATAC expresses concerns about ignition sources. The frequency of fires is a concern for coastal sage scrub and chaparral. SEATAC did not see this topic mentioned as a real potential impact in the bio report. Also, if there is information if and when a fire burns through this area, especially when or since any of the last surveys were done, that's going to have an impact on the plant community and species, especially if a fire had gone through since plant surveys were done.
- 4) Per SEATAC, the potential for fire, as mentioned in section 4.3 on page 1, focus survey section 4.2 on page 2 done in 2007, not clear when done for plant and special status species. When exactly (months) were they done and are they current? Section 5.3.1 on page 8 states that focused surveys for butterflies were done in September 1991, which seems a late and very dry time of the year to have conducted such surveys. Was this an optimal time to conduct such surveys?
- 5) Grasslands on site, there is no reference to potential burrowing owl habitat, if it's there. This is questionable. The burrowing owl is known to winter in this part of the county and should be considered. California ground squirrels are also known to burrow here and they provide prime sources of burrows for the owl. A take could occur if an area where the burrows are located is graded or disturbed.
- 6) Per SEATAC, reference to the spadefoot toad. The bio report indicates they were not seen on the site. They vary during the year, and their nature is that they're buried during most of the year. You will not see spadefoot, or larvae or eggs, unless you have a pool habitat or when it rains, or you put drip fences or pitfall traps during the wet season when they're hopping around. When were the spadefoot toad surveys done?
- 7) Per SEATAC, have current surveys been done for the vireo or gnatcatcher? Coastal sage scrub on the property, these patches are important. Page 13 references plant occurs based on California Nat. Diversity data base which is sketchy, whatever available information there maybe which is often limited. Were surveys done based on habitat sustainability? Were focused surveys done with the total site covered, during optimal flowering times for plant species? Certain plants shouldn't be disturbed, especially refugia. SEATAC comments that when we had these catastrophic wildfires, the gnatcatcher will use these areas to survive and travel to other areas, so these impacted areas should not be disturbed. Per SEATAC, coastal sage scrub located on site in patches and should not be disturbed. The gnatcatcher needs these areas to survive.
- 8) Per SEATAC, reference to page 23 of report, oaks and their removal. Also bats referenced to in report, their ability to inhabit the hollows of bark in oak trees not discussed. No mitigation for this. No reference in report at all about impacts to bats from removal of oaks.

- 9) Per SEATAC, recommend February 1st instead of March 1st or 15th for conducting bird surveys. Check for nesting of raptors.
- 10) Per SEATAC, page 28 of report, fuel mod zones, zone “C” still considered an environmental impact even though it is anticipated by applicant to be the least impacting of all fuel mod zones.
- 11) Per SEATAC, good mention of Migratory Bird Treaty Act (MBTA) on page 31 of report.
- 12) Per SEATAC, use of anticoagulants issue. Refer to studies conducted of their use in the Santa Monica Mountains by homeowners. Mountain lions and bobcats killed as a result of consuming poisoned animals. Refer to page 32 of biota report. Report should also discuss coyotes.
- 13) Per SEATAC, artificial irrigation or source of water will attract argentine ants. Will impact plant diversity and horned lizards which rely on native ant species.
- 14) Per SEATAC, reference to page 35 of report, regarding jurisdictional drainages. There are many drainages regulated by the Army Corp of Engineers and the Department of Fish and Game. Report discusses blue line streams, but not all drainages may be indicated as such on topographic maps. No mitigation offered here for impacts to jurisdictional drainages. These drainages should be further defined in the report, and some reference should be made for connecting with the Corp or Fish and Game for a Streambed Alteration Agreement or Corp permit if required.
- 15) Per SEATAC, exhibit 5 good in showing costs to wildlife movement. Exhibit 9 shows residential up to northern part of project and to west but only indicating moderate cost here? Area packed with houses. Issue with pixels of exhibit, cost should be high or medium according to applicant. SEATAC questions if the high cost for movement corridor indicated should be extended to the actual medium cost corridor. Applicant responds yes, states that level of detail issue was done at a gross scale. SEATAC comments that the way the exhibit appears it shows that there is still some habitat in the north, and when viewed by others they may question why development is occurring there in that area where wildlife can move across. Applicant responds that one cannot predict what color exists in the convergence zone of the pixels of the exhibit. SEATAC comments that a parallel project that exists in all three cost zones, in all three corridors, causes them concern.
- 16) Per SEATAC, most of the data referenced to is old; only one site visit done on November 2007 to update a 9-16 year old biota report, during winter season, must be considered when deciding if data that's older than November 2007 can be accepted. Applicant states that data used prior to November 2007 was collected in 2000 and previous to that. Applicant also states that decision not to proceed with updated surveys was because that data was well reviewed by SEATAC 2 to 3 times previously, and comments received back then were not directed at the quality of information or amount but the goal was to prepare a report using previous data. Applicant states that there was never any indication about using any focused surveys, but to rather address SEATAC's last comments in an updated biota report and not a redone biota report.
- 17) Although report is 9 years old, SEATAC comments that it is doubtful that it contains 16 years worth of data, and that the primary focus should be on recent field work. SEATAC comments that the site should be revisited and surveyed for critical resources. SEATAC also comments that aerial photography is good, vegetation mapping is good, but that no map of surrounding

land uses provided, would like to see other open space or preserved areas on an adequately scaled map in report. Show relationship of Schabarum Park to the site.

- 18) Per SEATAC, report only focuses on species per CEQA, should also include species threatened on Federal and State lists. Other special status species not shown (e.g. California thrasher).
- 19) Per SEATAC, gnatcatcher has been sighted for the first time in Schabarum Park last year. SEATAC comments that gnatcatcher has been sighted on slopes above the park, west of park headquarters. Refer to work done by Dan Cooper which puts the gnatcatcher on the north side of Puente Hills. A memo sent by Puente Hills Landfill Habitat Preservation Authority (PHLHPA), reviewed by SEATAC. More checks or surveys should be done for the species. Per SEATAC, there are quite a few gnatcatchers in Puente Hills area, data does not appear on NDDDB printouts. Applicant responds that referring to the vegetation map provided, indicating chaparral and woodlands, it could be called marginally suitable for the gnatcatcher. If a nesting area is nearby, applicant suggests that a condition prior to grading activity which is suitable for protecting nesting areas be placed on project. SEATAC recommends scrutinizing coastal sage scrub areas in relation to property lines for the species.
- 20) SEATAC questions that since data is almost a decade old and that report states that there is very few on record of the gnatcatcher in this vicinity, where on the record does that fall into the services of critical habitat classification? Is it in or out? Applicant responds that it falls within critical habitat no. 9 & 13, and Puente Hills is in there.
- 21) Per SEATAC, concerned about impacts to oak woodland with 126 trees proposed for removal with 20 to be encroached upon. Ensure that genetic character of oaks being removed is preserved. No provisions in document for getting material for on-site restoration and mitigation.
- 22) Per SEATAC, concern for unbroken open space area. Much has been put into maintaining wildlife movement corridor and connectivity by Puente Hills Landfill Habitat Preservation Authority, passage recently constructed under Harbor Boulevard. This allows such animals as mountain lions to traverse the areas corridors. SEATAC comments that on the other side of Skyline Drive, residential development is not as intensive and scattered about on large lots, with homes in the canyon that go up to the southside of Skyline Drive on hillside areas that are very steep, but consistent with La Habra Heights City Codes. In this area you have an "S" curve that goes through unbroken open space, not a cul-de-sac, and wild animals are still coming through. A bottleneck is created for the wildlife corridor by the way residences are proposed in this project in relation to animal corridor connectivity.
- 23) Per SEATAC, based on wildlife movement studies conducted by PHLHPA, there is a concern about dogs in Powder Canyon. Dogs and cats running across wildlife corridor. This issue must be addressed. Also, there is nothing in the document about access to open space for project area.
- 24) Per SEATAC, more work in biota report needed for change and distribution of organisms across landscapes and metapopulations.
- 25) Applicant states to SEATAC that the last time the project was at the Regional Planning Commission (RPC), the primary issues of ridgelines and the water tank on the east side of the project area were raised. The water tank has been moved to the west end of the project area. Grading has been reduced, less units now proposed, and a better traffic plan developed. Recognizing a riparian area to the west, the applicant worked on a fuel modification plan to

keep non-native species out of this area. Applicant eliminated plan with homes previously proposed on ridgeline. Per applicant, the ridgeline will not be developed and the riparian area will remain as is; these areas no longer needed for fuel modification or wet zones; proposed homes on eastern slope of ridge have been lowered down an average of 80 feet from the top and limiting their exposure. Applicant also describes landslide areas and the need to remove oak trees in order to grade and recompact soil in these areas to stabilize the hillside. These disturbed hillside areas will be replanted with coastal sage scrub at a 1:1 ratio, and with oak trees at a 2:1 ratio according to applicant. Applicant acknowledges that fuel modification zone will back up into habitat area. Applicant states that fuel modification zones will extend up to a total of 200 feet from existing homes, and that 60% to 68% is to be reserved as permanent open space; 10 acres of the site will go to County Parks.

- 26) Per SEATAC, question of fuel modification zone being considered as a buffer zone, up to 300 feet wide? Applicant states that establishment of buffer zone depends on topography and the steepness of the slope downward and fire hazard. SEATAC questions what resources is it buffering? Was an effort made to determine the width of the buffer, for wildlife movement or for coastal sage? Buffer should depend on what the resource is. Applicant responds that the buffer area is a wildlife buffer which is about 80% of the project's fuel modification being offered as mitigation for the project. Applicant states that they can provide annual grassland impacts.
- 27) Per SEATAC, not only impacts from grading but from the development itself, the edge effect, will have negative influence on the habitat. There needs to be a buffer between the open space area and the manicured zone along the development.
- 28) SEATAC again questions the applicant as to what the width of the buffer zone will be. Applicant responds that it could be something beyond 100 feet but would be beneficial to them to minimize Zone C. SEATAC responds that Zone A is up against the homes, Zone B is restricted to low vegetation, and Zone C is the skirting zone which is very narrow and thin. SEATAC comments that the report is a little weak on defining the buffer and that it is easy to see the convenience of using a fuel modification zone as a buffer zone, but if it is being stated that the buffer zone is to reduce edge effects and project disturbance in the preserve areas it should be described in a little more detail as to why the widths associated with the fuel modification zones are appropriate as widths for a buffer zone; not sure they are compatible. SEATAC refers to Exhibit 9, dotted in fuel modification zones A, B and C, to see what actual footprint of vegetation disturbance would be, would be helpful if the polygons on the exhibit were filled in; Zone B appears to go down into stream being protected. Applicant responds that what is being presented is an updated fuel modification plan, the only change is what is being worked out with the County and has to do with the way in which a fire burns.
- 29) Per SEATAC, graphics are great but would like to see a topographic overlay in report.
- 30) Per SEATAC, concerned about dirt dumped into drainage at the end of mulefat area. SEATAC concerned that mulefat area in proposed location of detention basin will be wiped out. Applicant responds that when surrounding existing development occurred, extra dirt was dumped on to the project site and is now situated in the slide areas; rains in the past carried much of the soil down to an area below Apple Creek Lane where it formed a small dam and allowed a small community of mulefat to flourish there; this is where the detention basin is proposed. SEATAC responds that mulefat area that applicant is referring to is a drainage basin area based on topographic map which indicates drainage. Applicant states that there is a

pipe coming out of the ground at the end of the mulefat area, reiterating that an artificial dam was created. SEATAC questions if the mulefat is growing on artificial fill?

- 31) Applicant states that they have completed a reanalysis of all changes in grading, fuel modification, all of which were required four years ago, and that this is what the purpose of the new biota report is about, not a new biota study. Per applicant, a one day survey was done for the report, providing a revegetation map and habitat assessment, re-evaluating what the County asked to be done using data that was already available. No new sensitive or outstanding type species observed. In response to SEATAC's concern about the dog walking areas being further pushed into the core of the open space area, the applicant stated they attempted in the past to have the area gated off and proposed a trail head to start at Schabarum Park.
- 32) SEATAC comments that it sees 22 species of mammals recorded for the site in the report, which is impressive; also, the corridor is very academically refined but curious as to how each animal was assigned to a different habitat type where plotted indicating for example an oak woodland animal, a coastal sage animal, or a grassland animal? Applicant responds that they decided what the least cost path was (e.g. shrub species using oak woodland, or a shrub species using grassland) using a higher numbered table; this was done as objectively and as cleanly as possible, choosing a start point and end point and allowed it to take its path. SEATAC responds that the applicant has to look at the grid and vegetation and decide what number the grid gets. Applicant acknowledges that this will be done for all four sweeps. SEATAC comments that there are no arrows, something to give a feel for a cul-de-sac or "S" shaped pattern, a cul-de-sac usually has a three sided dead end, this project looks two sided with residential at two sides that are almost open, it appears that wildlife could rest upon and swing through this property; there are two zones through this property. The applicant responds that preserved open space will be closer to the core, and that area to be developed is of less value whether it is a cul-de-sac or "S" curve. The applicant further explains that per exhibits displayed in the report, a blue colored area is shown for open space, and a connection core is established with the least cost path which is a golden part of the linkage, more costly on the periphery. Applicant states that it is likely to be of less value for movement than the habitat closer to the core for linkage.
- 33) SEATAC acknowledges that the whole north slope of Puente Hills is prone to slides. SEATAC questions if the applicant will grade areas where no homes are proposed and will oaks be planted in these areas? SEATAC questions if the applicant can assure that oaks will grow in areas impacted at this level and will they survive? Applicant responds that the oak trees will be replaced per the conditions set forth by the County.
- 34) Per SEATAC, concerned about mitigation measures for planting mitigation oak trees, continued questions on the length of trees' survival are posed to the applicant. In revegetation of the site and planting of mitigation oak trees, SEATAC would like to see that the procedure will result in successful restoration of the oak woodland. Additional info on oaks requested by SEATAC. Applicant responds that they intend to have an HOA ensure maintenance of the manufactured slope where the mitigation oak trees will go, and will request that the County write up a condition as such. Applicant further states that they will follow the adopted County Guidelines for the Oak Tree Permit Process with a long term monitoring program, and will follow the associated bond procedures to guarantee long term survival of the oaks.
- 35) Per SEATAC, exhibit 10 unclear, no key. Recommend colors for sheet inserts. Appendix A with the vertebrates list, it indicates things that were seen on the site during the November

2007 site visit which appear to be more from the desert region, they don't match up with the project site.

- 36) Per SEATAC, provide a grading map, update exhibit 9 and improve it, show isolated areas; show coastal sage scrub in light outline, as well as something to be shown for development /open space areas. Applicant states that dark green area shown is open space. SEATAC responds that it would like to see this exhibit shown as a topographic overlay, not just as an aerial.
- 37) Per SEATAC, return with a revised biota report. Final comments from SEATAC are that there is much more that goes into making a woodland; the County's current Oak Tree Ordinance at this time does not currently address oak woodlands.
- 38) Public comments: Member of the public, and a resident of the local community and neighborhood, makes a statement that she is concerned about the proposed development and the impacts that it will have to the local wildlife (e.g. coyotes and rabbits). Local indigenous plants will be removed. Removal of trees will lead to pollution problems and there are not enough natural resources left. Resident does not believe that other neighbors are walking dogs in area described. Also, there is great concern for flood hazards off of the hillside slopes. With regard to use of construction equipment, there is a concern that their use could ignite a brush fire.
- 39) Public comments: Second member of the public, also a resident of the local community and neighborhood, states that she did not believe there are many people walking dogs in area described due to the danger of coyotes. Will animals, as a result of development, be pushed into an area where they're overrunning wires? Resident believes the project is also counter-productive to green standards. No reassurances of its success.
- 40) Public Comments: Member of the Puente Hills Landfill Habitat Preservation Authority comments that they are pleased to accept the open space area that will be dedicated as part of this project, but understands SEATAC's concerns regarding bio analysis, oak woodlands and other studies.

ACTION TAKEN: Further SEATAC review is recommended. Incorporate the above comments and recommendations in supplemental information to be provided to SEATAC for discussion at the next available SEATAC meeting.

SEATAC REPORT AND COMMENTS

PROJECT: Rancho San Francisquito Canyon Road Project

SEATAC MEETING DATE MAY 5, 2008, ITEM 4

Combined BCA and Biota Report prepared by Thomas Leslie Corp., dated April 1, 2008

Initial SEATAC review for project.

PROPOSED PROJECT: Rancho San Francisquito Canyon Road Project – A project for Vesting Tentative Tract Map No. 69788, with a Conditional Use Permit for grading and development in an SEA/hillside management area, for the subdivision of a 29.09 acre portion of the property, located east of San Francisquito Canyon Road, into four parcels with five single family home site pads. One residential pad is proposed for Parcel 1, 2, and 3, with two pads proposed for Parcel 4. The 13.53 acre remainder parcel, located west of San Francisquito Canyon Road, is not proposed for development and will remain as open space. This open space parcel is located within the San Francisquito Canyon Significant Ecological Area (SEA #19). The total combined area of the property to be developed and the open space parcel is 42.62 acres. The developed residential pad areas proposed will have driveway access from private streets, which will connect to San Francisquito Canyon Road. The project site is in an area just north of Saugus.

SEA DESCRIPTION: Resource Description: San Francisquito Canyon possesses two populations of the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). This species was formerly found in the Los Angeles, San Gabriel, and Santa Ana Rivers, but is now restricted to the Santa Clara River and San Francisquito Canyon. For this reason, the stickleback has been placed on both the state and federal endangered species lists. In San Francisquito Canyon, it is confined to permanent streams and pools below Drinkwater Reservoir, and above Baird Canyon. The lower population is dependent on legally mandated water release from Drinkwater Reservoir.

The watershed that supplies San Francisquito Canyon is relatively undisturbed. The hillsides support a dense cover of coastal sage scrub and chaparral. The San Francisquito streamcourse is mostly natural and it maintains a good riparian woodland community. The health of this drainage is evident by the fact that, in addition to supporting the unarmored threespine stickleback, the creek has been classified as an active trout fishing stream by the National Forest Service and the California Department of Fish and Game.

The primary concern for the survival of the unarmored threespine stickleback is the maintenance its habitat. The fish requires clean, free-flowing perennial streams and ponds surrounded by natural vegetation. Intermittent areas where surface water connects perennial streams are also important during the wet season. The natural vegetation along the intermittent portion of the stream slows heavy runoff during the rainy season, decreases destruction and siltation of habitat in downstream areas, and provides habitat for migration between populations.

The unarmored threespine stickleback populations in San Francisquito Canyon are the only ones for which the possibility exists to plan and control development in the majority of the watershed. This is certainly not true for populations in the Santa Clara River valley.

Status: The majority of San Francisquito Canyon lies within the Angeles National Forest. However, much of the land is privately owned. The only major developments in the canyon are the Los Angeles Aqueduct, a San Francisquito Road in the canyon bottom, and the community of Green Valley.

Area # 19 continued

Nature of Information: Due to its status as an endangered species, the habitat of the unarmored threespine stickleback has been extensively analyzed.

Buffer Zone Requirement: Development in the watershed feeding San Francisquito Creek must not be allowed to change natural drainage patterns, or to increase runoff and water pollution. Hillside development should be limited and tightly controlled. Impacts must be analyzed for their cumulative, not piecemeal, effects on the habitat.

Compatible Uses: Very low intensity recreational uses are compatible with most of the resources in the area. Fishing is compatible throughout most of the canyon, and should be conducted according to the rules and regulations of the National Forest Service and California Department of Fish and Game. However, use of the pools below Drinkwater Reservoir and above Baird Canyon, both of which contain populations of the endangered unarmored threespine stickleback, should be restricted to regulated scientific study only. It is desirable that contact be made with the unarmored threespine stickleback recovery team to keep abreast of current programs and changes in the status of the species.

SEATAC COMMENTS AND RECOMMENDATIONS FOR THE RANCHO SAN FRANCISQUITO CANYON ROAD PROJECT AT THE MEETING OF MAY 5, 2008:

- 1) SEATAC comments that it is not prepared to state today that the whole report is adequate and that there is no impact to the SEA; most important responses to project will be presented during this session. Per SEATAC, the site was visited only twice for a total of five hours by two people, for a total of 10 people hours, brief visits at least at four times of the year, August is very late and March is very early for catching a peak of resources (i.e. rare plants) protocol type surveys, package received was good for the brief visit conducted, but there is no way to know if these species are going to be caught. Per SEATAC, Spring surveys are needed, good time to conduct would be right now up to June or as long as it takes to catch the species listed in report. Per SEATAC, to search for sensitive elements as mentioned on pages 12 and 13 of report by applicant, protocol fact and focused surveys of species call for this, without it we can only go with hypothetical, potential, or possible rarities that are on the site. Per SEATAC, this is a combined BCA and Biota Report, and usually when SEATAC views such a report the spring surveys are included; it is recommended that a revised report be submitted after completion of seasonal surveys, and incorporate findings into report. Per SEATAC, the riversidian sage scrub is the SEA, and we need to make sure the project does not impact the SEA; it is unknown if a portion of this parcel is going to be dedicated in perpetuity as an open space site after reading document. SEATAC is concerned about habitat area down near the

floodplain, could be an area where some of the rare species could be hiding (e.g. some of the spineflowers), would like definite confirmation that this area is dedicated open space and will be part of the project. Per SEATAC, careful surveying for spineflowers and other species is required. Applicant responds by questioning if SEATAC would still like them to survey open space designated area if it will be dedicated and not impacted? SEATAC responds that there could be secondary effects of these houses with people marching down through this area, there will be some increase in usage even though this is a fairly small project, but it will change the way this habitat is utilized; SEATAC would not support a chainlink fence, need some assurance that the habitat does not have rare species on it, and even so, that it has rare vegetation on it. Per SEATAC, do not use bold face type to indicate no presence of listed or unlisted special status species on the site, when actually you are indicating you did not find them during surveys, not good because it leads the readers to believe the species is absent or not there.

- 2) SEATAC comments that the surveys for the burrowing owl and the spadefoot toad need to be more intense, can be difficult to find these species when conditions are not optimal when conducting these surveys. Per SEATAC, more information needed for a larger picture of wildlife movement, especially to the east; SEATAC questions is there open space, is it contiguous with a large core habitat that will facilitate wildlife movement through the site from other core habitats, like forest land and other undeveloped areas? Per SEATAC, it is also unclear about alluvial scrub habitat impacts from the project, project development will stay out of the SEA, but then if there is road alignment it may have impacts, would the road alignment be contingent upon this project, or if the project did not move forward would the road alignment still be required? Per SEATAC, in dedicating coastal sage scrub, alluvial fan sage scrub, biology report states that it will not be impacted at this time; if that is the case there should be some discussion of a buffer, how it will facilitate the integrity of the SEA from the project. Per SEATAC, the drainage coming from off site, how will this impact the SEA, as far as offsite drainage, will there need to be outflow from this project under the road, conveying floodwater and runoff into the drainage? SEATAC questions how this will be intercepted before it gets into the SEA. Per SEATAC, a big concern, the report stated no fuel mod zone was going to be required, do you have some correspondence in writing from the Fire Department stating that? Per SEATAC, there should be a discussion with data of fire hazards in this area, (e.g. the threat of the Santa Ana winds), introduction of additional initial ignition sources (e.g. increased populations in the houses which could have an effect with fires).
- 3) SEATAC comments that it is confusing that the document states that something slightly over 5 acres of natural vegetation is going to be impacted, yet footprint of parcels is much larger than that, there is a problem in that when these parcels are sold people can do whatever they want to, so to say that only 6 acres are going to be affected is underestimating the total effect of the project because unless the land around the parcels is being dedicated as open space, in addition to the alluvial vegetation, then there will be an impact, especially if there has to be fuel modification zones which are necessary unless not required by the Fire Department. Also per SEATAC, citing *Schinus* and *Ceanothus* from the species list of report, are these in the scrub oak or cherry oak community, sounds like you have elements of chaparral on site, there is also a little patch of willows (i.e. *salix laevigata* and *salix lasiolepis*), appears that text indicates the presence of these due to nuisance water, but looking at site it appears that there is a drainage there, some of it concreted in, would like to see more detail about this. Per SEATAC, Willows are wetland or riparian.

- 4) SEATAC comments that there are no provisions for preservation of coastal sage at this point, other than assurances that larger areas will not be developed, if you are removing coastal sage as proposed, there should certain amounts of coastal sage habitat offered up as mitigation, in perpetuity, the California Gnatcatcher was documented along San Francisquito Creek south of this project site a couple of years ago, there is a population in this area and there needs to be pockets of coastal sage, although it may not be used for nesting, these pockets are needed by the gnatcatcher for it to move through and for utilization as refuge in the event of a wildfire. SEATAC provides the applicant with comments prepared by an absent member from the group (*see attached comments to minutes for Tentative Map No. 69788*). Applicant responds that the site area, despite the erosional feature, is laid out and flattened; regarding the issue of drainage, the road bend goes up hill so there is not a connection (i.e. between the site to be developed and the area to be left as open space); there are no pipes under the roadway and there is no evidence of over flow here. SEATAC questions if whether a culvert will be required (i.e. under the road) when the project is built out? Applicant responds that the water percolates along the side of the road, no evidence of it crossing over it. SEATAC questions that when impervious surfaces are put in and causes the drainage pattern to change, have there been any discussions with County flood control about drainage or flood control basins? Applicant responds that there are no flood control requirements for the site; each of the four parcels will be approximately 7 acre horse ranch equestrian type of uses, not a typical subdivision with streets and high usage, no flood control requirements. SEATAC responds that the drainage may be jurisdictional. Applicant responds that it is not, and even it was, it would have isolated waters. SEATAC advises the applicant that they would need to consult with State Fish and Game to determine if it is jurisdictional drainage. SEATAC comments that regardless of whether or not it connects to here (i.e. the jurisdictional drainage) the subterranean impacts or contribution to the watershed or table for San Francisquito Creek, if it is going to be compromised or changed then this will be an impact. Applicant responds that are not covering up or altering drainage. SEATAC expresses concern for secondary runoff impacts from equestrian and dwelling uses. Applicant responds that water runoff would have to flow uphill to cause impacts; also, the applicant addresses the willows by stating that a large concrete culvert drainage system allows a lot of water to come through the site where the willows are located, the proposed pads are outside the area of the willows, and this area is different from a riparian habitat, here you just have willows; and the least bell vireo will not nest here because it is not dense enough here, it is not habitat here. SEATAC responds that even if it is not nesting habitat, it is still feeding and foraging habitat; it needs to be acknowledged that there are willows habitat here, which are indicative of certain species which are there, there is a willow habitat here and it is not just because of nuisance water and it needs to be addressed.
- 5) Applicant states that the SEA is across San Francisquito Canyon Road, west of the parcels to be developed, and that it will not be impacted; development site is on the edge of the SEA. SEATAC responds that it deals with many projects that are on the edge of SEA areas, this project has a parcel inside the SEA, and there are always secondary impacts, SEATAC is interested in downstream effects, people move about and ride horses and there is concern for long term affects on the SEA. Applicant responds that the area to be developed already has heavy equestrian use with horse trails. SEATAC responds that it has to look at what resources in the SEA could utilize the site (e.g. spadefoot toads if there are pools on the property), edge effect issue is very important with off site water flow, water quality issues, increased ignition sources, and all the other stresses that edge effects have. SEATAC responds that if there were a foraging habitat for the spadefoot toad on the site to be developed in could create impacts,

concerned about breeding habitats. SEATAC comments that some of the species of concern would not be apparent in March or August, so the applicant may have put the driveway where there is not something important in March but may be in May, SEATAC is concerned about the timing of the surveys and did not account for some of the species of concern, the BCA does not have an adequate survey and could be improved as a constraints analysis with additional surveys, the BCA is an incomplete document because of the time of year that it was done. SEATAC comments that all sensitive species warrant concern, and if there are sensitive plant species on the developed site, how will it impact potential populations of that plant in the SEA? If taking away such a significant population of a species of plant, how will it affect the survival of similar species in the SEA? Per SEATAC, if additional sensitive species are discovered it has to be explained how they will be avoided or mitigated, and it should also be explained how species interact.

ACTION TAKEN: SEATAC recommends that the applicant return with updated spring surveys focusing on sensitive species that were missed. Incorporate the above comments and recommendations in an updated biota report for SEATAC's review.

Overall, the surveys conducted to date for this report have not occurred during the optimal season (~April-June); rather they have occurred during the driest, hottest part of the driest year recorded (August 2007), and too early (March 2008). The timing of these surveys does not allow for the adequate identification and documentation of sensitive biota and their commensurate impacts and mitigation measures required in an SEA. Surveys should be taking place right now, so that questions regarding sensitive resources (such as *Dodecahema*, *Galium grande*, *Spea* etc.) can be either resolved or at least understood better. The report and its findings can only be adequately evaluated after this.

For the undeveloped areas, what measures are being employed to ensure that these areas are adequately protected or will be maintained as functioning habitat in the future? Are they being managed by a conservation organization, or is a conservation easement being established? If not, why not? And if not, the report should discuss the long-term sustainability of these areas and how increased urbanization and disturbance as a result of the project would effect these resources.

Page 5 and 39: percentage of plant community impacted as a result should be mentioned in the text and listed in a new column in the table on pg 39.

Floral compendium: there is an inconsistent use of infraspecific taxa; ssp. and vars. are listed for some species and not for others (example: *Artemisia tridentata* ssp. *vaseyana*, vs. *Amsinkia menziesii*). Some infraspecific taxa may be rare or of interest in regards to this project.

Page 25, table 4: *S. woottoni* is known to occur in tire ruts, depressions, etc. and has been documented as occurring in the Santa Clarita valley. Given the timing of surveys during the “wet” season (March), and given the rainfall pattern of this year, could these surveys have missed ephemeral seasonally wet pools that occurred on the site in January or February? Or, given the less-than-average rainfall in the region this year, might these resources not be detectable this year? With all this uncertainty, there is no discussion of these factors. Additionally, the reports states that no further surveys are necessary. It seems that perhaps a diligent survey is appropriate.

The report should discuss in detail how the loss of non-native grassland -- which functionally serves as open grassland habitats now -- will effect species such as *Elanus lecurus* either directly or indirectly through loss of specialized open foraging habitat. This species does nest in the vicinity and is highly likely to use some or all of the site to forage (as indicated by the CNDDDB records).

Given the local occurrence of *Plebulina emigdionis*, and suitable *Chenopodium* sp. hosts on the site, this species should be evaluated for potential impacts as a result of the project.

Floral compendium, A-2: *Ericameria ericoides* tends to be a very coastal species. Perhaps this is a mis-ID of another similar taxon?

Faunal compendium, B-1: several of the listed references are out of date to *very* out of date. For example: Stebbins 1966 vs. Stebbins 2003.

Page 41: the report concludes that no impacts to corridors are anticipated. Given the reticulated nature of corridors, it seems that some (albeit small) impact or impedance to vagile organisms will occur, and a more substantial impact will be felt with less-mobile species. Some further discussion of this should be added, as well as fine and larger scale maps indicating natural habitats, ownership of parcels, and movement areas.

Also page 41: the statement that the property will not be required to perform brush clearance is almost unbelievable. I'm not sure how anyone or any property is exempt from the LA County Uniform Fire Code. This extraordinary claim should be backed up by a letter from LA Co Fire. Otherwise, the project should include impacts which include a 300 foot fire clearance around the property.