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Ms. Connie Chung
County of Los Angeles Department of Regional Planning
320 West Temple Street, Room 1356
Los Angeles, CA 90012
E-mail: generalplan@lacounty.gov

Subject: Comments on the Draft Program Environmental Impact Report for the Los Angeles County General Plan Update, County of Los Angeles (SCH #2011081042)

Dear Ms. Chung:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Draft Program Environmental Impact Report (DPEIR). The DPEIR addresses the environmental effects associated with the implementation of the proposed Los Angeles County General Plan Update (Project). The Project, which is designed to cover build-out projections through the year 2035, includes revisions to nine proposed elements that will replace the existing adopted elements. The proposed elements include Land Use, Mobility, Air Quality, Conservation and Natural Resources, Park and Recreation, Noise, Safety, Public Services and Facilities, and Economic Development.

The Project includes only the unincorporated areas of Los Angeles County (County) including Santa Catalina Island and San Clemente Island, which is approximately 65 percent of the total 4,083-square-mile land area in the County. The unincorporated areas in the northern portion of the County are covered by large amounts of sparsely populated land and include the Angeles National Forest, part of the Los Padres National Forest, and the West Mojave Desert. The unincorporated areas in the southern portion of Los Angeles County consist of noncontiguous land areas, which are often referred to as the County's "unincorporated urban islands."

The Project also includes goals, policies, and programs which minimize hazard risks to life, property, and ecological resources by limiting development in Special Management Areas. Special Management Areas include, but are not limited to, Agricultural Resource Areas, Airport Influence Areas, Seismic Hazard Zones, Flood Hazard Zones, Significant Ecological Areas, Hillside Management Areas, and Very High Fire Hazard Severity Zones.

The DPEIR analyzes three alternatives to the proposed Project: Reduced Intensity Alternative, No-Project/Existing General Plan Alternative, and Antelope Valley Reduced Intensity Alternative.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the Project (CEQA Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed Project that come under

the purview of the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.*

Impacts to Biological Resources

- 1) Reduced Intensity Alternative – Page 7-16 of the DPEIR states the Reduced Intensity Alternative “would reduce the overall additional development intensity by 30 percent within each Planning Area as compared to the Proposed Project.” Page 7-17 of the DPEIR states “Since the Reduced Intensity Alternative does not reduce the amount of land designated for development, impacts to biological resources would be similar to the Proposed Project, and would remain significant.” The Department requests that the DPEIR define the word “intensity” as compared to the word “density” and clarify further why reducing intensity of development does not reduce impacts to biological resources. If the Reduced Intensity Alternative will allow build-out to occur over a greater area thereby resulting in potentially greater impacts to biological resources, please confirm this in the document. The Department recommends avoiding sensitive biological resources in the planning area by planning for denser developments within smaller footprints of land. This could reduce project footprints including fuel modification, access roads, and other infrastructure necessities.
- 2) Antelope Valley Reduced Intensity Alternative – Section 7.6., page 7-23 of the DPEIR states “Since the Antelope Valley Reduced Intensity Alternative reduces the residential development within the Antelope Valley Planning Area, impacts to biological resources would be reduced as compared to the Proposed Project, although they would remain significant.” Table 7-1 of the DPEIR titled Summary of Development Alternatives states on page 7-7 that the Antelope Valley Reduced Intensity Alternative “Reduces, but does not eliminate, significant impacts to aesthetics, agriculture and forestry resources, air quality, GHG emissions, noise, population and housing, and transportation/traffic.” The Department requests that the DPEIR clarify if the Antelope Valley Reduced Intensity Alternative reduces impacts to biological resources and if forestry resources are considered biological resources for the purposes of the DPEIR. These terms should be consistent.
- 3) Hillside Management Areas – Section 1.4.1, page 1-7 of the DPEIR states “The County of Los Angeles Hillside Management Area (HMA) Ordinance applies to all unincorporated areas of Los Angeles County that contain terrain with a natural slope of 25 percent or greater. The goal of the ordinance is to ensure that development preserves the physical integrity and scenic value of HMAs, provides open space, and enhances community character.” The term “open space” can have broad interpretation. Often times hillsides can provide some of the last remaining habitat for biological resources and important watershed protection values because hillsides pose greater building constraints and are therefore some of the last areas to be left undeveloped in many portions of the planning area. Retaining hillside attribute contributions to biological and watershed integrity should be more clearly recognized in the DPEIR.
- 4) Agricultural Resource Areas (ARAs) – The Environmental analysis in Chapter 5.2 of the DPEIR describes ARAs designated within the Antelope Valley Planning Area (34,162 acres or 98 percent of the ARAs) and the Santa Clarita Valley Planning Area (740 acres) and states on page 5.2-24 “ARAs are areas where the Proposed Project promotes the preservation of agricultural land. These areas are protected by policies to prevent the

conversion of farmland to incompatible uses. ARAs consists of farmland identified by the California Department of Conservation and farms that have received permits from the Los Angeles County Agricultural Commissioner/Weights and Measures. The County encourages the preservation and sustainable utilization of agricultural land, agricultural activities and compatible uses within these areas.” The DPEIR also explains that ARAs exclude proposed Significant Ecological Areas.

Chapter 5.2 of the DPEIR should determine if biological resource preservation within ARAs is considered a compatible use. If compatible the Department recommends it be a consideration in future planning efforts within these areas. The DPEIR should explain further why the proposed Significant Ecological Areas are not included within designated ARAs. If the reason for this exclusion is to further protect biological resources within SEAs from biologically incompatible agricultural practices such as type conversion of native habitat, use of pesticides and herbicides and other actions resulting in the loss of biological diversity, this should be clearly stated in the DPEIR under Chapter 5.2 and within the Biological Resources Chapter 5.4 of the DPEIR.

The DPEIR should analyze how the proposed ARA program and related policies in the proposed General Plan Update that are designed to encourage the continued use of farmland may impact biological resources within ARAs. If policies in the General Plan may result in or facilitate lack of site specific biological resource assessment, impact and mitigation measures within ARAs or elsewhere in the planning area, this should be considered a significant direct and cumulative impact. The Department is concerned that unregulated agricultural practices may continue to result in the loss of biological diversity and associated special status species and jurisdictional waters within the planning area, minus a biological constraints analysis and resulting protective planning measures.

- 5) Existing Wildlife and Botanical Resource Conditions – Section 5.4.1.2 of the DPEIR describes existing biological resources within the Project planning area, and page 5.4-16, Figure 5.4-1 titled, Sensitive Biological Resources, shows the locations of special-status plant and wildlife species occurrences within the Project planning areas. Additional Figures of sensitive biological resources are located in Appendix H1 of this DPEIR, showing the designated critical habitat for each Project planning area. Page 5.4-21 through page 5.4-25 describes sensitive plant communities located within the designated special planning areas included within the Project planning area. These sensitive plant communities are derived from the Natural Diversity Data Base. Undocumented wildlife and plant communities and species accounts are likely to be described in Los Angeles County in the future following focused survey efforts from subsequent project impact reviews performed under CEQA and from other observations that contribute to this body of information. The Department recommends the DPEIR include a caveat that the known wildlife, plant community, and species occurrences referenced throughout the DPEIR may be subject to refinement based upon new information. The Project should include measures for adaptive management based upon any new species account information.

The Department recommends that the Project require as a standard, that all botanical assessments for CEQA purposes use the vegetation classifications found in the most current edition of *A Manual of California Vegetation*, which provides a standardized, systematic classification and description of vegetation in the State. Many CEQA documents received by the Department describe native vegetation in generic terms such as “chaparral”

or “coastal sage scrub” that tend to downplay any significant vegetation resources on the Project site. The Department’s guidelines should make it easier for the lead agency to determine which Projects are impacting rare habitat because the different dominant communities on-site will be described at a level to allow meaningful assessment. The classification system has been the State standard since 2009 and requiring this system in the Project will facilitate planning consistency.

Further guidance on nomenclature standards and assessing Project impact significance can be found on the following Department’s website: http://www.dfg.ca.gov/biogeodata/vegcamp/natural_comm_background.asp. The Department recommends Desert Dune Scrub communities be added to the Vegetative Community List in the DPEIR. Representative scrub types found in Desert Dune Scrub include but are not limited to:

a) Halophytic saltbush

Halophytic saltbush communities are dominated by shadscale (*Atriplex confertiflora*) or spinescale (*Atriplex spinifera*), and occur adjacent to lakebeds, clay pans, and drainages. The depth of sand deposits determines the diversity of plant species in the saltbush communities (USACE, 2004). The areas nearest the lakebed and areas scoured by floods are dominated by heavy clay soils and contain spinescale. Plants such as alkali sacaton (*Sporobolus airoides*), Joshua trees, and four-wing saltbush (*Atriplex canescens*) are commonly found within this plant community (Jones and Stokes 2011).

b) Xerophytic saltbush

The xerophytic communities are dominated by allscale (*Atriplex polycarpa*) (Jones and Stokes 2008). These plant communities are generally located at slightly higher elevations than halophytic communities.

6. Wildlife Linkages – Page 5.4-89 of the DPEIR describes several Los Angeles County regional wildlife linkages and states “The South Coast Missing Linkages is the result of a collaborative inter-agency effort to identify missing landscape linkages throughout Southern California that are important to habitat connectivity. There are five linkages identified by South Coast Wildlands within Los Angeles County and the immediately surrounding areas.” The South Coast Missing Linkages report is an excellent reference source from which to begin the evaluation of wildlife movement resources within the Project planning area. However this reference should not be relied upon solely for Project specific movement resource assessment and planning purposes because this reference is not an exhaustive study of the County and includes known wildlife movement opportunities. Subsequent CEQA review should evaluate the potential for additional wildlife movement resources on a project by project basis.
7. Watershed and Groundwater Protection – Page 5.4-107 of the DPEIR describes policies in the Conservation and Natural Resources Element for in the General Plan for protecting biological resources. C/NR 3.9 states “Consider the following in the design of a Project that is located within an SEA, to the greatest extent feasible.” One component of Element C/NR 3.9 states “Maintenance of watershed connectivity by capturing, treating, retaining, and/or infiltrating storm water flows on site.” Page 5.9-24 of the DPEIR states “According to

Appendix G of the CEQA Guidelines, a Project would normally have a significant effect on the environment if the Project would: HYD-2 Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or CV.”

The Department is concerned about the present and future status of groundwater availability in supporting and enhancing biological resources. This concern is based upon current drought conditions, the recognition of continued predicted droughts resulting from climate change, projected build-out scenarios analyzed in the Project, and continued unsustainable ground water pumping in the Project planning area. The Conservation and Natural Resources Element should discuss how protection of groundwater resources within the Project planning area will be facilitated and managed in a sustainable manner in order to maintain and restore biological resources. The Department recommends this discussion include present regulatory conditions and how the Project will accommodate for adaptive measures in policy and plans to incorporate any future ground water regulatory measures that may be implemented in the future. In addition to the Significant Ecological Areas, the Conservation and Natural Resource Element, the County should consider including a broader element that recognizes the watershed value of permeable surfaces within the entire Project planning area as a whole and their contribution to water quality, groundwater storage and biological value.

8. Impact 5.4-1 – Development of the Proposed Project would impact, either directly or through habitat modifications, species identified as candidate, sensitive, or special-status in local or regional plans, policies, or regulations or by the Department or the U.S. Fish and Wildlife Service. To reduce adverse biological effects from Impact 5.4-1, page 5.4-106 of the PDEIR states “Fuel modification of habitable structures would limit vegetation removal in dedicated open space areas.” The Department is concerned that brush clearing activities within the County for the purposes of reducing wildfire or other hazards or for other purposes such as preparing properties for eventual development, often escape biological resource protective regulatory oversight by local governmental agencies responsible for implementing fuel modification, vector abatement or other clearing or grading related codes. This problem is likely to increase considering Project build-out projections.

The Department recommends that the County Department of Regional Planning exercise its available authority to implement a brush clearing ordinance through the General Plan Update within the Project planning area that is protective of biological resources. This planning effort could greatly facilitate the preservation of biological diversity in the Project planning area. Protective measures for biological resources where vegetation clearing is to take place should include: pre-project surveys for native nesting birds and other special status wildlife and plant species and regulated waters of the state. Where these biological resources cannot be avoided because of public safety concerns and property protection, mitigation measures should be implemented to reduce direct and cumulative impact levels to biological resources.

9. Impact 5.4-5 – The Proposed Project would require compliance with adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state policies or ordinances protecting biological resources. Page 5.4-115 of the

DPEIR states “As discussed above, Los Angeles County supports seven regional wildlife linkages: San Gabriel – Castaic Connection, San Gabriel – San Bernardino Connection, Santa Monica – Sierra Madre Connection, Sierra Madre – Castaic Connection, Tehachapi Connection, Antelope Valley Connection, and the Puente Hills –Chino Hills Connection. There are 11 linkages along principal water courses, 9 linkages along ranges of mountains and hills, and an important linkage along the San Andreas Fault.” Realizing that the Project is designed to address the County’s policy for many years and the likelihood that additional linkages and other sensitive biological resources will be documented in the future, the Project should recognize this potential throughout the Project resource assessment, impact analysis and mitigation measures. For example the above statement should read “As discussed above, Los Angeles County supports seven known regional wildlife linkages: San Gabriel – Castaic Connection, San Gabriel – San Bernardino Connection, Santa Monica – Sierra Madre Connection, Sierra Madre – Castaic Connection, Tehachapi Connection, Antelope Valley Connection, and the Puente Hills –Chino Hills Connection. There are 11 known linkages along principal water courses, 9 known linkages along ranges of mountains and hills, and one known important linkage along the San Andreas Fault.”

10. Mitigation Measure BIO-1 – Page 5.4-117 of the DPEIR states: “Mitigation measure BIO–1 and the update to the SEA Ordinance may provide some protection measures to avoid or minimize impacts to wildlife corridors and nursery sites; however, for those Projects where avoidance or minimization of impacts is infeasible, the policies proposed in the Proposed Project do not provide for mitigation for loss of wildlife movement opportunities or nursery sites. If development impacts regional wildlife linkages and impedes wildlife movement, connectivity will be lost on a regional scale in these vital landscape corridors and linkages. Thus, impacts to wildlife movement remain significant at the General Plan level.”

The Department does not concur with the conclusion in the DPEIR that unavoidable loss of wildlife movement opportunities or nursery sites within or outside of an SEA does not warrant mitigation. Without mitigation, the Project and subsequent projects would result in direct and cumulative loss of biological diversity. Mitigation opportunities for wildlife corridors and nursery sites are best established during large scale planning efforts such as this General Plan. Wildlife corridor areas can be delineated and set aside in the General Plan for current and future conservation efforts. An assessment could be placed on development within the Project area to secure the acquisition of these critical linkages and sites, therefore reducing impacts to wildlife corridors and nursery sites and ensuring biological diversity.

11. Mitigation Measure BIO–1 – Page 5-4-122 of the DPEIR states: “Biological resources shall be analyzed on a Project-specific level by a qualified biological consultant. A general survey shall be conducted to characterize the Project site, and focused surveys should be conducted as necessary to determine the presence/absence of special status species (e.g., focused sensitive plant or wildlife surveys). A biological resources assessment report should be prepared to characterize the biological resources on-site, analyze Project-specific impacts to biological resources, and propose appropriate mitigation measures to offset those impacts. The report should include site location, literature sources, methodology, timing of surveys, vegetation map, site photographs, and descriptions of biological resources on-site (e.g., observed and detected species as well as an analysis of those species with potential to occur onsite).”

Scientifically sound methodologies are necessary to insure the adequacy of biological resource assessments, especially if these assessments are utilized by the lead agency to determine Project significance. Without a focused survey effort, many special status species can be missed and presumed absent from a project site utilizing reconnaissance level survey approaches that adhere to general parameters intended to predict presence or absence. These general parameters include but are not limited to reliance upon literature searches of reported species lists, species range and soil type assumptions and ignoring presence of species that are considered common throughout the majority of their range but are rare or unique within the County or a particular location within the County. Because this problem is especially the case for detecting botanical species, the Department recommends that a thorough, recent floristic-based assessment of special status plants and natural communities be performed in the Project area, following the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <http://www.dfg.ca.gov/habcon/plant/>).

12. Mitigation Measure BIO-2 – Page 5.4-122 of the DPEIR describes how unavoidable impacts to special status species will be addressed and states: “Relocations into areas of appropriate restored habitat would have the best chance of replacing/incrementing populations that are lost due to habitat converted to development. Relocation to restored habitat areas should be the preferred goal of this measure. A qualified biologist shall be on site to conduct surveys, to perform or oversee implementation of protective measures, and to determine when construction activity may resume.”

This method of mitigation should be used only as a last resort when a Project cannot avoid impacts to special status species and their habitat. Relocating wildlife and botanical species off of a Project site onto an adjacent recipient site often fails to result in the persistence of species in perpetuity. In order for this measure to have any potential for success in the majority of cases, adjacent habitat in need of restoration and presumably void or below carrying capacity of the targeted species would need to be restored to functioning levels that are supportive of the target species prior to Project commencement and with the restoration goals and success criteria carefully planned.

13. Mitigation Measure BIO-3 – Page 5.4-123 of the DPEIR states “No feasible mitigation measures are available that would reduce impacts to wildlife movement completely. However, corridors shall not be entirely closed by any development, and partial mitigation shall be mandatory for impact on wildlife corridors and wildlife nursery sites. This shall include provision of a minimum of half the corridor width. (The width shall be at least what is needed to remain connective for the top predators using the corridor.) Mitigation can include preservation by deed in perpetuity of other parts of the wildlife corridor connecting through the development area; it can include native landscaping to provide cover on the corridor. For nursery site impacts, mitigation shall include preservation by deed in perpetuity for another comparable nursery site of the same species.”

BIO-3 appears to contradict previous statements in the DPEIR which states on page 5.4-117 “Mitigation measure BIO-1 and the update to the SEA Ordinance may provide some protection measures to avoid or minimize impacts to wildlife corridors and nursery sites; however, for those Projects where avoidance or minimization of impacts is infeasible, the policies proposed in the Proposed Project do not provide for mitigation for loss of wildlife movement opportunities or nursery sites. If development impacts regional wildlife linkages

and impedes wildlife movement, connectivity will be lost on a regional scale in these vital landscape corridors and linkages. Thus, impacts to wildlife movement remain significant at the General Plan level.” Mitigation for loss of wildlife movement opportunities or nursery sites should be a standard Project approval condition by the lead agency.

14. Proposed Zoning – Appendix C and section 4.3-2 of the DPEIR describe that proposed zoning amendments will apply to approximately 3,500 parcels. The Department recommends that any proposed rezoning of areas within or adjacent to natural open space or proposed Significant Ecological Areas that would result in adverse impacts to biological resources be analyzed in the DPEIR for biological impacts, avoidance and mitigation measures.

We appreciate the opportunity to comment on the DPEIR for the Project and to assist in further minimizing and mitigating Project impacts to biological resources. If you have questions regarding this letter, please contact Mr. Scott Harris by telephone at (626) 797-3170 or email at Scott.P.Harris@wildlife.ca.gov.

Sincerely,



Betty J. Courtney
Environmental Program Manager I
South Coast Region

cc: Erinn Wilson, CDFW, Los Alamitos
Kelly Schmoker, CDFW, Laguna Niguel
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Literature Review:

(Sawyer et al. 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts off site. Habitat mapping at the alliance level will help establish baseline vegetation conditions.