



April 1, 2013

County of Los Angeles
Department of Regional Planning
Attn: Emma Howard - Room 1354
320 W. Temple Street
Los Angeles, CA 90012

Re: COMMENTS TO DRAFT SIGNIFICANT ECOLOGICAL AREAS ORDINANCE
DRAFT DATED DECEMBER 20, 2012

Dear Ms Howard:

This letter is in response to the Draft Significant Ecological Area Ordinance released on December 20, 2012 (the "Draft Ordinance"). Aera Energy owns property that would be affected by the Draft Ordinance and SEA designation, and has a development application pending with the County for its property in the County (Project #02-109). As you know, the Aera Property is affected by SEA 15, and Aera has previously commented on the SEA update process by letters dated April 27, 2001 and August 29, 2007, which letters are attached for your reference. In summary, our prior comment letters detail Aera's position that the SEA should not be expanded on the Aera Property for the reason that the biological resources are substantially degraded from oil operations and grazing uses that date back more than 100 years and which are still being conducted on the property. The proposed SEA expansion within Aera Property does not represent the type of undisturbed natural areas that the SEA is intended to address. Therefore, Aera reiterates its objection to the County proposal to expand SEA 15 by adding about 950 acres to encompass approximately 90% of the 2,614 acres of the Aera Property within the jurisdiction of Los Angeles County. Aera's concerns are both with the Draft Ordinance itself as well as the proposed expansion of SEA 15 contemplated by the Draft Ordinance.

1. The Studies Relied Upon by the County Are Not Sufficient or Adequate.

As it pertains to the Aera Property, we are concerned that the Draft Ordinance would allow for the expansion of SEA 15 to include acreage with low biological function. This concern is amplified by the specifics of the Draft Ordinance, which appears to be predicated on the assumption that virtually every undeveloped acre within the SEA could be critical to sustaining biological diversity within the County, irrespective of whether any specific biologically important resources exist at a particular location. The studies being relied on by the County are not sufficient to support the conclusion that any disturbance within this vast area will make "biological diversity" unsustainable throughout the area. In spite of this deficit, the Draft Ordinance requires that projects within the SEA must be denied unless the applicant can demonstrate that the project "will not result in the loss of SEA viability". This combination of an unproven assumption plus shifting the burden of proof to applicants to disprove the assumption,

results in a classic fallacy of logic - one that will invariably result in project denials as applicants simply cannot prove the negative. This fact alone defeats the stated intention of the Draft Ordinance “not to preclude development within the SEA’s”, and requires the Draft Ordinance to be fundamentally re-framed.

2. The “Characteristic Habitat” Concept Should Be Eliminated and Replaced with Established Regulatory Terms.

Under the Draft Ordinance, loss of viability within a SEA is deemed to occur if the project may, among other things, result in “removal of habitat that is characteristic of the SEA and described in the SEA’s description” (Draft Ordinance page 26, 27). This “characteristic habitat” is not limited to “rare”, “endangered”, or “protected” species as these terms have been defined through application under other statutes (such as the state and federal Endangered Species Acts), organizations (e.g., California Native Plant Society lists) or agencies for which there is precedent with respect to their meaning and application in the biological community. We believe that the Draft Ordinance should be revised to use these more standard terms as opposed to reliance on an undefined, amorphous concept of “habitat that is characteristic of the SEA.”

The problems with reliance on such a vague, undefined term are manifested when applied to the Aera Property. For example, the SEA Description for SEA 15 includes an expansive definition of characteristic SEA resources, for example describing “disturbed habitats, native and naturalized vegetation” that “do not represent key habitats” but are nevertheless “important to the wildlife corridor function of the SEA”. Elsewhere, the description includes “stands of mixed chaparral, coastal sage scrub, and grasslands which, taken as a whole, form a valuable wildlife habitat unit of regional importance.” Disturbance of virtually any portion of a site could violate the “characteristic habitat” standard upon application of these overly-broad descriptions.

3. The Draft Ordinance Should Include the Potential for Mitigation.

A third concern with the Draft Ordinance is its refusal to allow for the concept of mitigation of potential impacts. Unlike CEQA, the Draft Ordinance does not provide a process for balancing impacts and mitigations to reduce impacts of “less than significant.” Instead, it specifies mandatory denial of projects that remove “characteristic habitat” regardless of whether the removal (1) resulted in a significant impact to begin with, let alone whether (2) the impact could be mitigated.

4. The Concept of “Ground Disturbance” Must Be More Narrowly Defined and Applied.

The broad application of the Draft Ordinance to “ground disturbance” (Page 4, Item E) encompasses nearly any imaginable activity within the SEA, other than those specifically exempted. At a minimum, there should be a provision providing a general exemption for “grandfathered” activities that have been historically or are being conducted on a property (such as resource extraction), or that need to be conducted to properly decommission such activities. In the case of the Aera Property, it appears that the Draft Ordinance could require a SEA CUP to continue the existing oil and grazing operations that have been conducted on the site for more

than a century, or to conduct soil remediation, cleanup and abandonment required by regulation following future oilfield closure. If these operations are required to be permitted as “development” under the Draft Ordinance, the CUP process could result in requirements for large areas of the Aera Property to be dedicated for open space in exchange for operations that are currently being conducted and may limit the ability to continue ongoing operations, modify those operations, or clean up and remediate those operations.

5. There is No Biological Support for the 2:1 Open Space Dedication Requirement As Drafted.

The Draft Ordinance fails to explain how the required dedication of at least 2 acres of open space for every acre of “development” (Draft Ordinance Page 21, Item 3) achieves the intended purpose of the Draft Ordinance to “prevent impacts to biological resources which would compromise the conservation of the County’s biological diversity”. Transferring title to property does not conserve or promote biological diversity, and there is no demonstrated biological rationale supporting such a specific ratio. Some sites may have little or no acreage with high quality wildlife habitat, so setting aside degraded acreage will not advance the stated purpose. Preserving, enhancing or restoring high-quality habitat areas may maintain and enhance biological diversity using less land area than the straight-forward 2:1 application contemplated under the Draft Ordinance. The existing biological functions, and the ability to improve such functions, must be considered on a site-specific basis, accounting for the specific ecology of the target species, in order to effectively conserve biological diversity and promote long-term persistence of target resources.

The SEA Description also makes statements to the effect that the SEA “contains relatively undisturbed examples” or “some of the best examples” of a habitat type, without describing where within an SEA such examples are located or how much of such habitat exists. The use of such a generalized approach within SEA’s comprising thousands of acres will inevitably result in areas with low resource values being treated identically with areas of high resource values.

By requiring the landowner to forfeit twice the area that is being proposed for development, and prohibiting any improvements to the forfeited acreage (Draft Ordinance Page 21, Item 4.a), the owner is denied the right to place facilities compatible with open space (e.g., fuel modification, water quality basins, restored slopes, or subsurface facilities) within areas on property to be designated as open space. The owner forfeits even the right to use his own acreage, or offer it for others to use, for habitat restoration or mitigation purposes. These activities are to be conducted exclusively by government agencies or non-profit land conservation organizations (Draft Ordinance Page 13, item 5). Absent a demonstration that these provisions are necessary to achieve the purposes of the Draft Ordinance with respect to site-specific conditions, these requirements may be construed as an impermissible regulation of private property and potentially support a takings claim.

Page 23 of the Draft Ordinance requires transfer of ownership and management of open space to a government entity, non-profit conservancy, or homeowners association, with a “mandate to protect it in perpetuity”. This creates an expectation, if not an obligation, on the part of the

property owner to provide funding for the restoration and long-term management of the transferred property. Given that a Type B CUP requires transfer of at least 2/3rds of a property, that the owner forfeits the right to conduct habitat mitigation or restoration on the transferred property, and that conservancies will not ordinarily accept property without an endowment, this will inevitably result in a huge financial obligation for the owner. These restrictions are extreme, unsupported, and would likely render many projects economically infeasible.

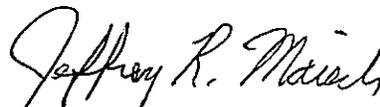
6. Conclusion.

There are numerous problems with the Draft Ordinance that need to be addressed before it should be considered by the County. More detailed studies must be conducted to adequately support the conclusions and determinations that are being made under this Ordinance. A more thorough understanding of the Ordinance's impacts – both physical and economic – must be undertaken by the County, and a significant revision of the Draft Ordinance in terms of its defined terms and application must be performed.

The lack of adequate studies is most apparent when examined in the context of specific SEA designations. As applied to the Aera Property, the Draft Ordinance proposes the expansion of SEA 15 based on very thin science. The County supports expansion by relying on the SEA Update Study conducted in 2000 which claims to be based on “scientifically grounded concepts”, but without reference to current, more accurate on-the-ground biology surveys that would document the presence or absence of specific targeted resources on the lands that have been included.

As a landowner and resource producer, we believe that the Draft Ordinance is constructed in such a way that, other than exempted uses and existing disturbed and developed areas, it is hard to see how any new project could be approved within a SEA. The open space acreage dedication requirement that denies the landowner any beneficial use of the designated open space, in combination with the other provisions of the Draft Ordinance and provisions of other existing and proposed regulation, is likely to make most projects infeasible. In conclusion, we urge the County to not proceed with the Draft Ordinance or the SEA expansions until these deficiencies are corrected.

Very truly yours,
AERA ENERGY LLC



Jeffrey R. Maisch
Project Manager

Enclosure (prior 2 comment letters)
CC: Supervisor Don Knabe



August 29, 2007

Los Angeles County Dept. of Regional Planning
Attn: General Plan Section, Room 1356
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

**SUBJECT: COMMENTS TO THE LOS ANGELES COUNTY SIGNIFICANT
ECOLOGICAL AREAS PROPOSED PUENTE HILLS SIGNIFICANT
ECOLOGICAL AREA DESIGNATION/ROWLAND HEIGHTS
COMMUNITY PLAN AREA**

Dear Department of Regional Planning:

We appreciate the opportunity to provide you with comments regarding the proposed revisions to the Puente Hills Significant Ecological Area (SEA) as it applies to our property located in the Rowland Heights/Diamond Bar area. For your reference, we have also attached an earlier comment letter dated April 27, 2001 (Attachment A) sent to your office regarding the County's SEA update study. Aera Energy LLC, successor in interest to Shell Western E&P Inc., owns the land depicted on the attached regional location map (Attachment B). Significant portions of this landholding (i.e. almost half of the site) have been used for extensive oilfield drilling and producing operations that have been ongoing for more than 100 years. The balance of the property continues to be occupied by cattle grazing uses that date back even longer than the oilfield operations.

The proposed expansion of the existing SEA 15 designation set forth in the draft County General Plan Update Program SEA for the Puente Hills would encompass all but a very small portion of our approximately 3,000 acre landholding (see Attachment C). Thus, our land appears to be an exception to the statement in the SEA Update that "a vast majority of the SEAs encompass existing public open space, floodplains, and steep hillsides".

For the reasons set forth in this letter we believe that the proposed expansion of the SEA designation is both premature in the context of current land use planning for our land and is not justified in biological terms due to existing oilfield conditions within the SEA expansion area.

**A. Current Land Use Planning, the Proposed SEA Designation and Existing
Conditions within the Proposed SEA Expansion Area on Aera Property**

Aera is currently in process regarding a comprehensive set of General Plan, Specific Plan and Zoning Program land use proposals for the Aera Master Planned Community

("AMPC") involving the City Of Diamond Bar and the Counties of Los Angeles and Orange. This proposed project would provide a broad range of housing opportunities totaling a maximum of 3,699 dwelling units and supporting commercial development in close proximity to major employment centers (see Attachment D). In the context of the project population growth in Southern California and the current imbalance between housing and jobs in the sub-region (an excess of jobs in relation to housing), the provision of the AMPC housing opportunities would further SCAG regional policies to reduce regional Vehicle Miles Traveled ("VMT") and associated air emissions by locating housing in close proximity to major employment centers.

On May 2, 2007, the City of Diamond Bar, acting as the Lead Agency, issued an NOP for environmental review of the proposed AMPC project. Acting as Responsible Agencies under CEQA, the County of Los Angeles and the County of Orange will be extensively involved in the review of the AMPC project. Attachment E depicts the land area proposed to be annexed by the City of Diamond Bar and the area that would remain within the jurisdiction of Los Angeles and Orange Counties. Almost all of the Aera land lying within the present SEA 15 would be annexed into the City of Diamond Bar. Since the SEA Update indicates that "SEA regulations do not apply within City boundaries", this land would cease to be subject to County SEA review upon annexation to the City of Diamond Bar.

Thus, the implications of final action on the AMPC project (likely early next year) should be taken into account with regard to the timing and substance of any current SEA proposals: if an annexation is approved and implemented, this fact would potentially change the perspective of any proposed SEA designation. Notwithstanding the likelihood of annexation, the environmental impact report will contain an extensive review of consistency with the existing SEA designation as a General Plan designation currently in effect.

We believe that final environmental review and action on the AMPC should occur before any final action is taken on the proposed expansion of the SEA on Aera land for the reasons set forth below and in Section "B" of this comment letter.

1. Absence of a Specific Rationale for Expanding the SEA to Include Virtually the Entirety of the Aera Property

The specific rationale for expanding the SEA on Aera's property is not included in the SEA Update. Only one relatively small stand of walnut woodlands is in the SEA expansion area and that stand of trees will be avoided under the proposed AMPC project. With regard to listed species, over 13 years of surveying for coastal California gnatcatchers only three pairs of gnatcatchers have shown persistence on the site and those gnatcatchers have occupied habitat in a limited area near what is termed the "Crossover Canyon". The remaining coastal sage scrub on the AMPC site is highly fragmented, limited in acreage, generally of low quality, and not occupied by gnatcatchers. Occupied gnatcatcher habitat and unoccupied habitat important for recovery purposes is protected under Section 7 of the Federal Endangered Species Act and any potential impacts on such

habitat will be addressed through a Section 7 consultation with USFWS. On-site riparian habitat is limited and, except for the Coyote Creek riparian habitat which will be avoided by the AMPC project, is of limited quality and is fragmented by the presence of invasive pepper trees. Almost all of the 1,750 pepper trees on the AMPC project site are found within the SEA expansion area. Brea Canyon is listed as a major canyon habitat unit, but the two sides of the canyon have been bisected physically and functionally by SR 57, a major freeway, and Brea Canyon road; major woodlands preserves are proposed under the AMPC project for Aera land within Brea Canyon on both sides of SR 57.

2. Wildlife Movement Connectivity Appears to be the Only Plausible Rationale for the Proposed SEA Expansion on the Aera Project Site.

Although no justification has been given, the only rationale that appears to apply to the proposed SEA expansion on Aera property is wildlife movement. The SEA Update, under the heading of Wildlife Movement, states that the “major habitat units . . . are connected by a series of open space corridors which allows population exchange to occur”. Studies performed in conjunction with planning for the AMPC and reflected in submittals to Los Angeles County SEATAC indicate that the potential for subregional wildlife movement opportunities on the AMPC site are defined by the Harbor Road undercrossing at the northwest portion of the Aera property and extend in a southeast manner toward the SR 57/Tonner Canyon undercrossing (the balance of the SR 57 has been shown to be a complete barrier to the movement of non-avian species). However, virtually all of this area on the AMPC site is and has been host to extensive oilfield activities and associated facilities that have been in place for many decades (see – Exhibit C from the 2001 letter in Attachment A).

Under present conditions, portions of the SEA expansion area reflect resource extraction and grazing activities extending over 100 years on the AMPC project site. Existing conditions reflect the following:

- Lower Berry Creek – This long reach of Berry Creek contains extensive pipelines laterally along the creek and at road crossings. This portion of Berry Creek is deeply incised and riparian habitat is fragmented by invasive pepper trees and is not generally present in incised areas. Oilfield support facilities, including a separation plant, are located adjacent to the creek.
- Coastal Sage Scrub Habitat – As noted previously, the onsite gnatcatcher population is extremely low in absolute terms and in comparison with other sites in this subregion (e.g. Tonner Hills project, Shell/MWD HCO Study Area, East Coyote Hills HCP area, West Coyote Hills). The remaining css within the SEA expansion is highly fragmented and does not support resident gnatcatchers.
- Woodlands Habitats – The riparian areas within Coyote Creek at the extreme northeast portion of the Aera property are of high value, as are the

walnut woodlands found on the southern bank of Coyote Creek. However, other woodlands (both riparian and upland) and habitat types have been severely impacted by grazing and oilfield activities, as well as the presence of over 1,700 invasive pepper trees.

Thus, except for Coyote Creek, the habitats within the potential subregional connectivity area on the AMPC site are generally degraded and in many cases have been impacted by oilfield activities.

3. Alternative Scenarios for the Existing Oilfield Operations Area Found in Most of the SEA Expansion Area

The existing oilfield operations on the Aera site are rapidly approaching the end of their economic life. Within the next few years, there are two scenarios for the oilfield area:

(a) Oilfield Remediation

If a development proposal is approved on the AMPC project site that is economically feasible, Aera will undertake an extensive remediation effort comparable to that which was undertaken on the Shell Yorba Linda site. This would involve the plugging and abandonment of oil wells, removal of existing facilities and pipelines and impacted soil bio-remediation. This extensive remediation effort presents opportunities for habitat restoration such as the riparian and stream course function restoration program proposed for lower Berry Creek as an integral part of the AMPC project.

(b) Oilfield Closure

If a feasible development proposal is not approved on the AMPC project site, oilfield remediation may be limited, deferred, or may not be undertaken. In the absence of a conversion to residential and commercial uses, wholesale oilfield remediation would not be required. Instead “oilfield closure” could be implemented. Under the “oilfield closure” approach, absent a proximate public health and safety condition, existing oilfield facilities would be either demolished or securely and safely shuttered in place, oil wells would be capped, pipelines would be left in place and soil bio-remediation would not be undertaken. Without a development project, there would be no rationale for a comprehensive restoration program such as that proposed by the AMPC Project.

With the withdrawal of oilfield operations personnel due to the cessation of oilfield operations, there would be minimal to no on-site personnel to maintain site security on a daily basis. As a consequence, the oilfield area would have to be securely fenced to prevent trespass, vandalism and other types of intrusion that could present a hazard both to intruders and to the general public. These security measures would also limit or preclude the ability for wildlife to move through the property.

B. The County Should not Act on the Proposed SEA Expansion on Aera Land Until It Can Assess the Outcome of Current Land Use Planning for SEA Purposes

Current land use planning for the proposed AMPC site could affect both the existing and proposed SEA in many ways. Much of the existing SEA 15 would be annexed to the City of Diamond Bar if finally approved. Land uses within the proposed SEA expansion area would be finally resolved, as well as land uses within contiguous areas under the jurisdiction of the County of Orange.

Importantly, for purposes of addressing wildlife movement, there are several fundamental considerations addressed by the proposed AMPC project. Regional connectivity cannot be addressed without resolving the future land uses within the County of Orange portion of the AMPC site which encompasses the critical southeast connectivity to the Tonner Creek undercrossing and thereby to Tonner Canyon. Equally importantly, existing degraded conditions are proposed to be addressed through the following resource management elements of the AMPC project:

- The creation of a gnatcatcher movement archipelago of restored and created habitat patch “steppingstones” (see – Bio Addendum restoration map [Attachment F]);
- Implementation of a comprehensive program of habitat and streamcourse restoration for lower Berry Creek (Figures ES-9 and ES-10 from the Biota Report Executive Summary [Attachments G & H]);
- The removal of 1,750 invasive pepper trees in what has been termed the “Landscape Linkage” (see Figures ES –5 through ES-7 from the Biota Report Executive Summary [Attachments I, J & K]);
- Strengthening of habitat connectivity in the southeastern portion of the AMPC project site within the jurisdiction of the County of Orange (see Figure ES-8 from the Biota Report Executive Summary [Attachment L]); and
- The phased dedication of conservation easements assuring the permanent protection of the proposed Landscape Linkage and Wildlife Movement Corridors connecting proposed on-site preserves and off-site preserves to the north (see Figure ES-3 from the Biota Report Executive Summary [Attachment M]).

Until the above land use issues, including land use designations in areas under the jurisdiction of the County of Orange, are addressed comprehensively among three jurisdictions – the City of Diamond Bar, the County of Los Angeles and the County of Orange – any proposed SEA designation would be premature and would likely need to be revisited almost immediately if an SEA designation were to be finalized prior to the resolution of land uses for the Aera property.

Again, we very much appreciate the opportunity to comment on the SEA Update. We trust that you will take into account our comments and would like to have the opportunity to provide additional comments in the future, as well as continue to meet with appropriate County staff as the environmental review of the proposed AMPC project moves forward.

Sincerely,



George L. Basye
Vice President

GLB:mep

Attachments

cc: Supervisor Don Knabe
County of Los Angeles
822 Kenneth Hahn Hall of Administration
500 W. Temple St.
Los Angeles, CA 90012

Jim DeStefano
City Manager
City of Diamond Bar
21660 E. Copley Dr., Suite 100
Diamond Bar, CA 91765



April 27, 2001

Department of Regional Planning
ATTN: Mr. George Malone
General Plan Development Section
320 W. Temple Street
Los Angeles, CA 90012

**SUBJECT: COMMENTS TO THE LOS ANGELES COUNTY SIGNIFICANT
ECOLOGICAL AREAS UPDATE STUDY**

Dear Mr. Malone:

We would like to take this opportunity to provide you with comments regarding the November 2000 proposed revisions to the Puente Hills Significant Ecological Area (SEA) as it applies to our property. Aera Energy LLC, successor in interest to and agent for Shell Western E&P Inc. (SWEPI LP), owns the lands depicted on Exhibit A. Significant portions of this landholding are comprised of extensive oilfield drilling and producing operations that have been ongoing for more than 100 years.

The primary biological consideration for the existing SEA designation covering portions of our property was due to the presence of walnut woodlands. It should be noted however, that portions of the current SEA includes lands which do not contain walnut woodlands and which are characterized in large part by non-native annual grasslands that have been subject to regular grazing for more than 100 years as depicted in Exhibit B.

According to the November 2000 SEA Update Study, "pre-existing developed portions of properties within SEA's, such as buildings,...oilfield facilities...were not intended as part of the SEA." The study goes on to note that these "features and their maintenance and operation are not subject to SEATAC review." The study further notes that "due to considerations of mapping scale these features may have been included within SEA boundaries but are recognized as not being biologically sensitive." (SEA Update Study, p. 27).

It is important to understand how much of our property has been and remains involved in oilfield activities as well as the extent to which these land areas will be further modified through eventual oilfield remediation activities mandated existing by health and safety laws and regulations which govern the closure of these facilities. We have attached several maps that indicate:

- The extent of oilfield roadways and facilities and the location of oil wells, pipelines and other supporting equipment (Exhibit C)

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- The estimated areas that will be subject to oilfield abandonment and remediation (Exhibit D). This map is very preliminary and, based on our experience with other local oilfield closure operations, will likely involve a much more substantial area once all facilities have been located, delineated in the field and actual remediation is underway.

As can be seen from the above exhibits, a very large part of the proposed SEA expansion on our property includes major oilfield activities that will be subject to a large-scale remediation effort. We believe that this land area should be removed from the proposed designation because most of the biological resources in the area have been impacted by previous oilfield activities and much of the remaining resources will be substantially altered or removed by oilfield remediation. If there are biological goals considered desirable under post-remediation conditions, such goals could be noted in a narrative text but the SEA map should not extend to this area.

The Puente Hills Biological Resources Assessment identifies several "Sensitive Biological Resources" in the Puente Hills including "walnut woodland, southern willow scrub, coastal sage scrub and wetlands which occur within the study area". We would like to note that several of these natural communities are present on our property only to a limited extent:

- The only wetland areas on the property are in a limited drainage basin/area receiving urban runoff from adjoining development immediately east of SR-57 Freeway and a small area located near the northwesterly corner of our property (see Exhibit E). These wetlands are in areas already covered by existing SEA.
- Southern willow scrub is found in only two limited areas. One location is the wetland area noted above east of the SR-57 Freeway and second location within a riparian area adjacent to the northwesterly portion of our property also apparently receiving urban runoff from a recent Shea Homes development (see Exhibit E).
- Coastal sage scrub is found in scattered patches in the oilfield area subject to future remediation (Exhibit E).

Based on the SEA Update's discussion of the intent to exclude oilfield areas and the absence or minimal presence of the above habitat types outside of the existing SEA, we see no basis for the proposed expansion of the SEA on our property beyond the limits of the existing SEA.

Finally, regarding the proposed SEA regulations and management practices, there is no basis for the proposal to limit development densities to one residential unit per ten acre parcel. A centrally located, large infill site such as ours presents an ideal opportunity to provide critically needed housing in close proximity to major job centers and clearly would be in conflict with the proposed density limitations. Such a density restriction is at odds with the housing goals for the region and appears to create inconsistencies with the Housing Element of the County's General Plan. Furthermore, when geotechnical conditions and infrastructure costs are considered, such a proposal would also likely

preclude a landowner from having sufficient economic incentive to cluster development and thereby being able to protect/preserve substantial land areas with truly significant resource values. We would hope that the one unit per ten acre proposal is not intended as a basis to argue a reduction in land values in order to facilitate public acquisition of private property.

We appreciate very much the opportunity to comment on the SEA Update. Our current intent is to proceed with processing of a comprehensive land use plan for our property in the near future. In light of the realities of the oilfield remediation requirements, we believe that any consideration of SEA designation revisions for our property would best be deferred until the County of Los Angeles completes the land use and associated CEQA review process.

We hope that you will take into account our comments and would like to have the opportunity to provide additional comments in the future as well as meet with appropriate County staff as the process moves forward.

Sincerely,



George Basye
Vice President – Fee Lands

GLB:mep

Attachments

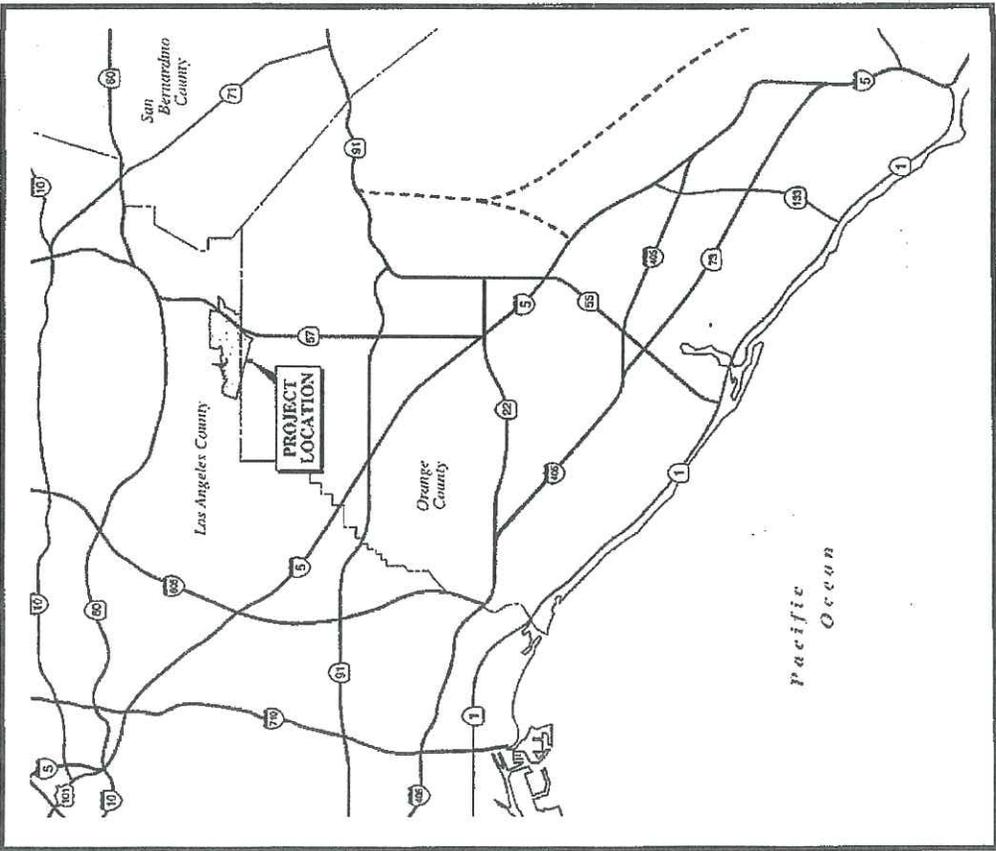
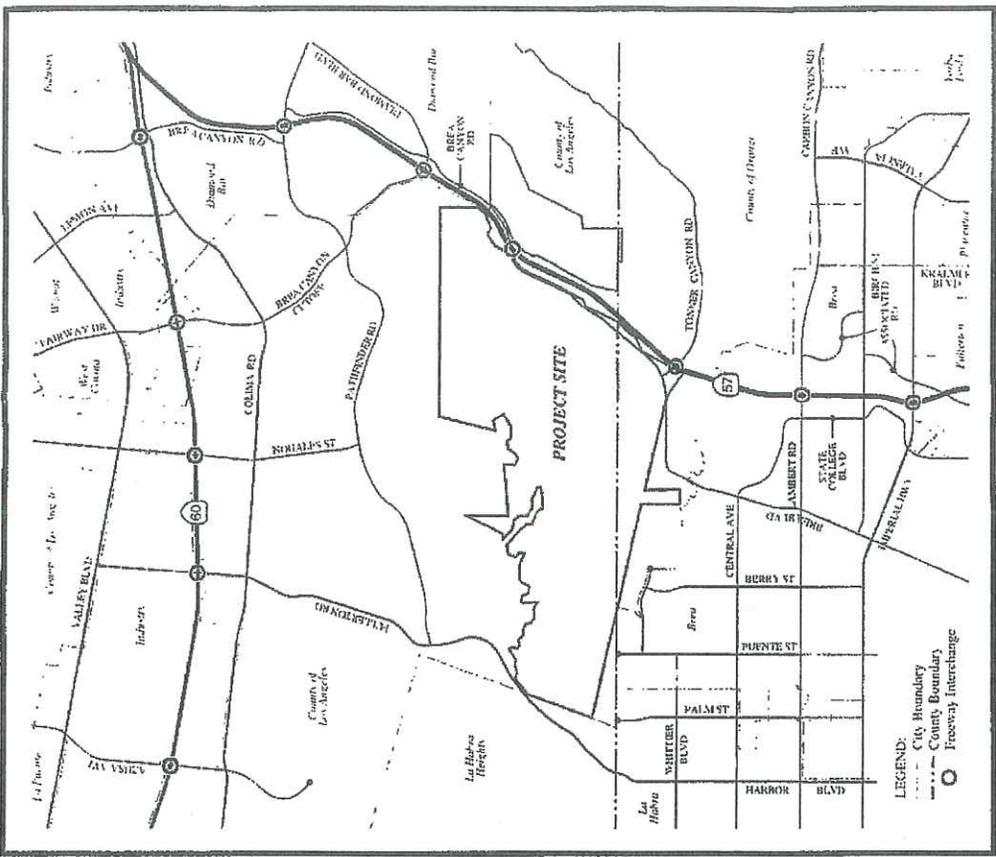
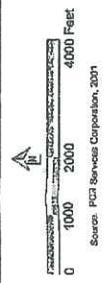
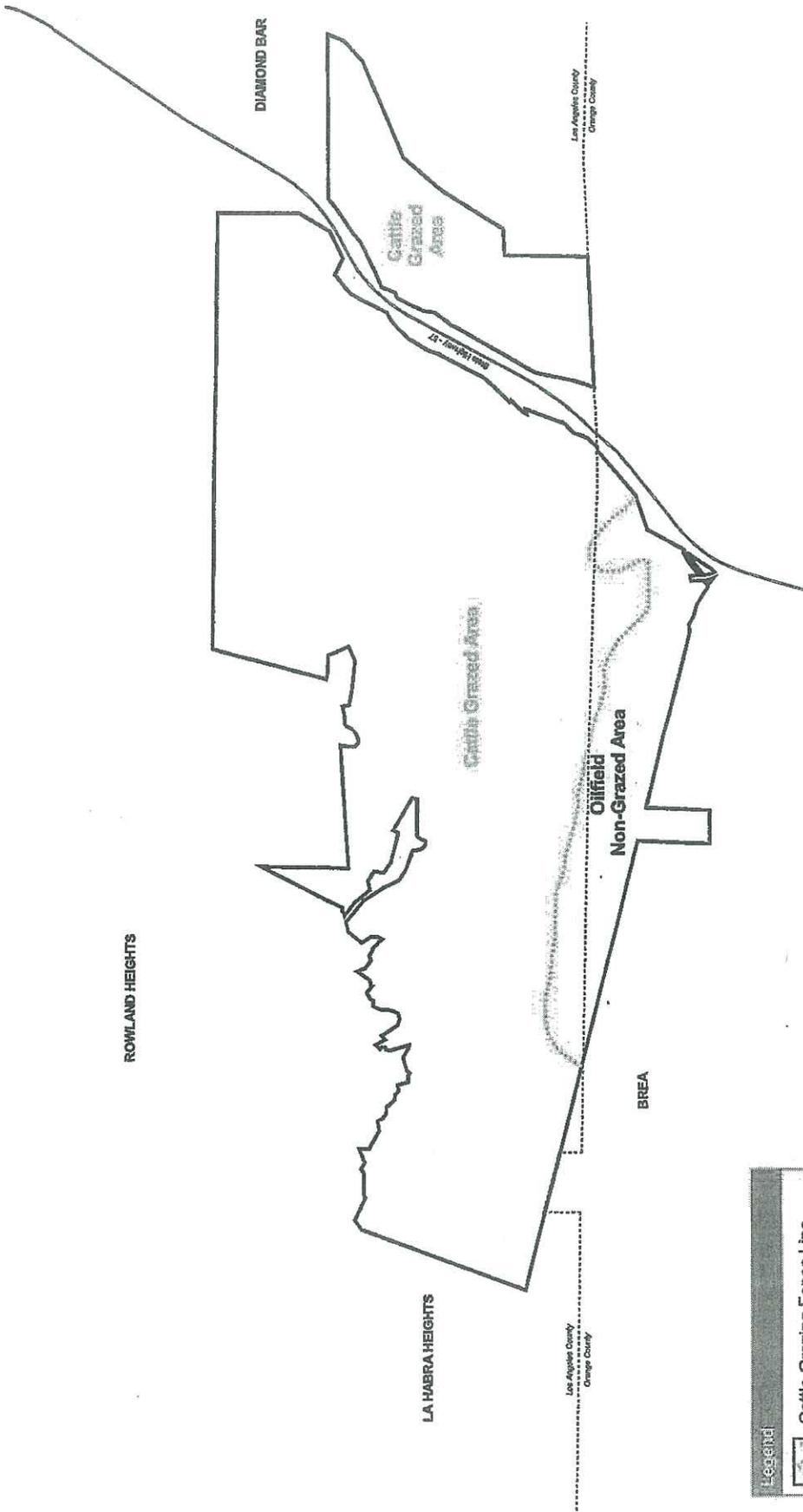


Exhibit A
 Aera Puente Hills
 Regional & Vicinity Maps

Exhibit B
Aera Puente Hills
Cattle Grazing Areas



Legend

- Cattle Grazing Fence Line



ROWLAND HEIGHTS

DIAMOND BAR

LA HABRA HEIGHTS

BREA

Los Angeles County
Orange County

Los Angeles County
Orange County

State Highway 67

Legend

	Offfield Roadways
	Structures
	Surface Wells
	Poles
	Oil Lines
	Gas Lines
	Electrical
	Communication



0 1000 2000 4000 Feet
 Source: PCH Services Corporation, 2001

Exhibit C
 Aera Puente Hills
 Offfield Roadways & Facilities



ROWLAND HEIGHTS

DIAMOND BAR

LA HABRA HEIGHTS

BREA

Los Angeles County
Orange County

Los Angeles County
Orange County

San Gabriel River

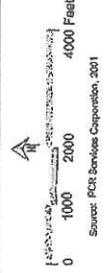


Exhibit D
Aera Puente Hills
Oilfield Remediation Disturbance



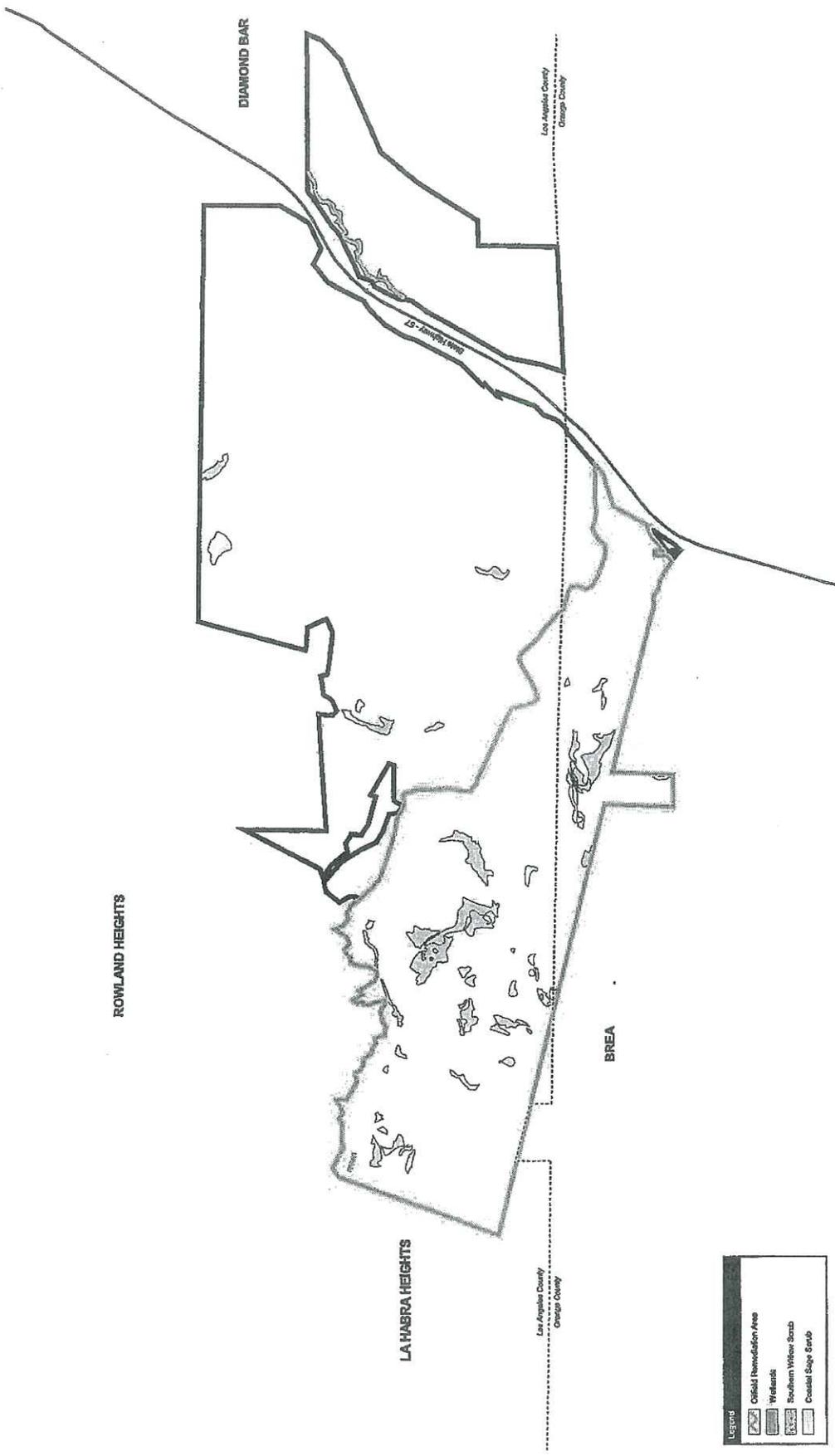
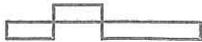
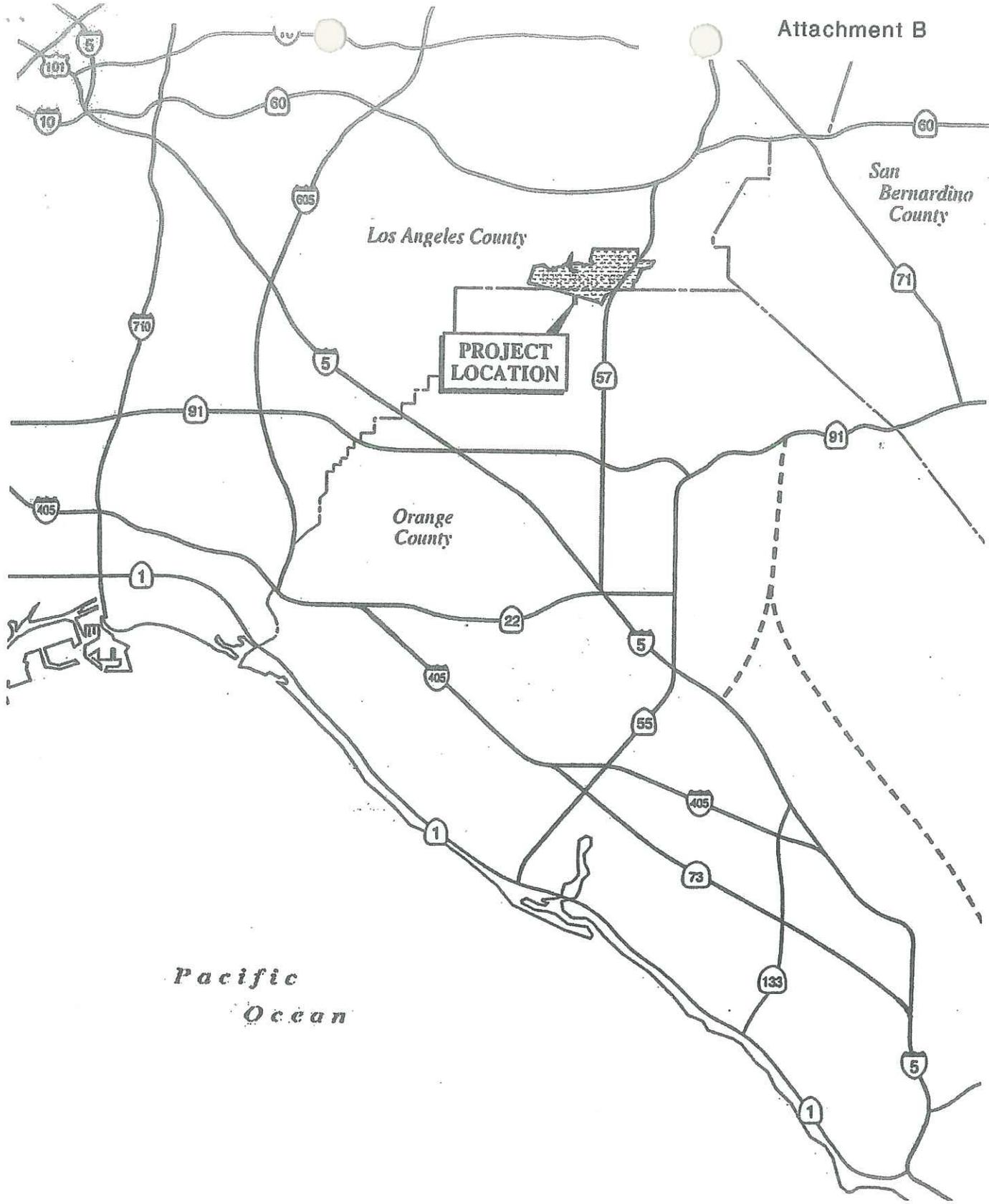


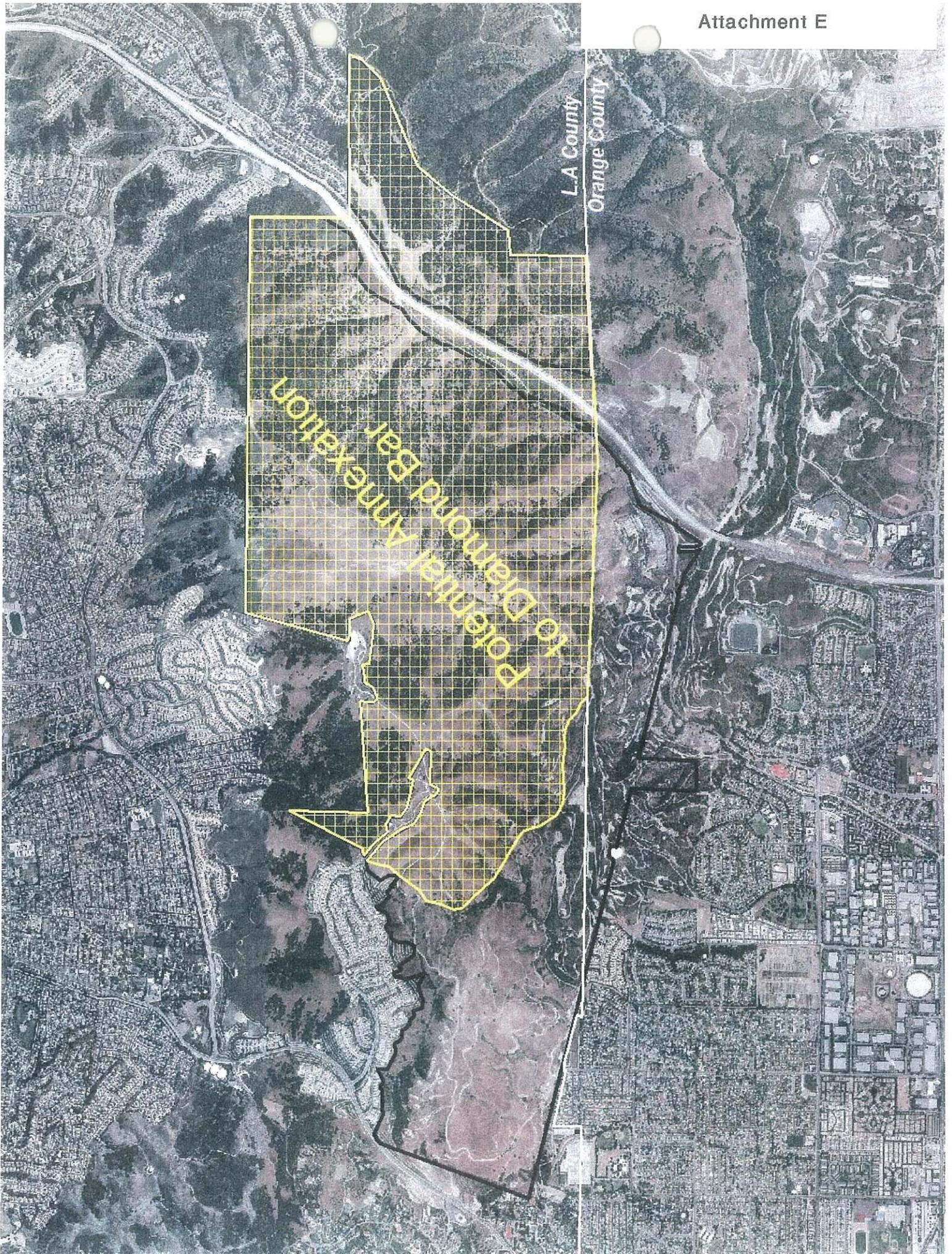
Exhibit E
 Aera Puente Hills
 Wetlands, Southern Willow Scrub,
 Coastal Sage Scrub & Offfield Remediation Area



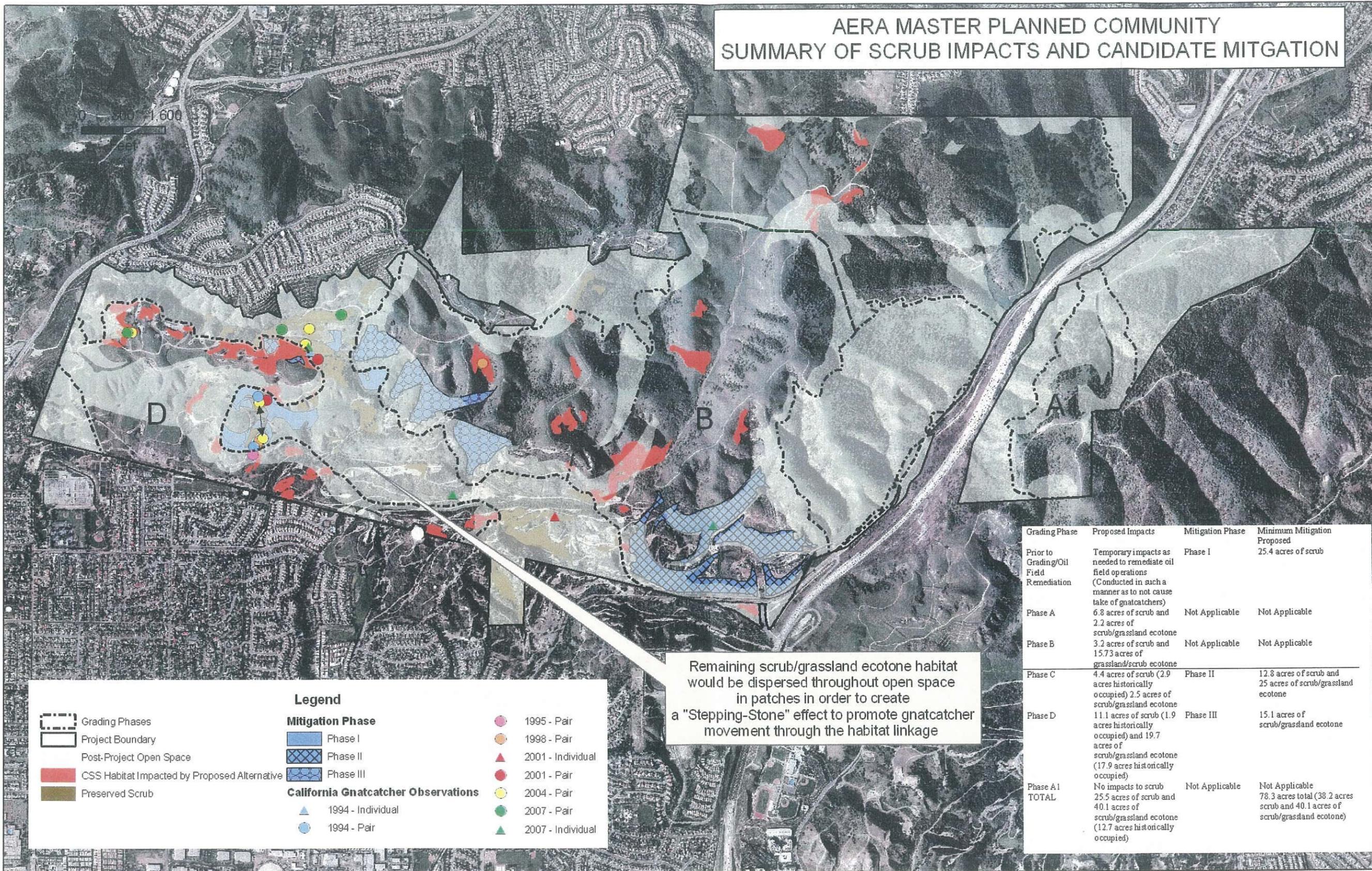
Legend

	Offfield Remediation Area
	Wetlands
	Southern Willow Scrub
	Coastal Sage Scrub





AERA MASTER PLANNED COMMUNITY SUMMARY OF SCRUB IMPACTS AND CANDIDATE MITIGATION



Legend

- Grading Phases
- Project Boundary
- Post-Project Open Space
- CSS Habitat Impacted by Proposed Alternative
- Preserved Scrub

Mitigation Phase

- Phase I
- Phase II
- Phase III

California Gnatcatcher Observations

- 1994 - Individual
- 1994 - Pair
- 1995 - Pair
- 1998 - Pair
- 2001 - Individual
- 2001 - Pair
- 2004 - Pair
- 2007 - Pair
- 2007 - Individual

Remaining scrub/grassland ecotone habitat would be dispersed throughout open space in patches in order to create a "Stepping-Stone" effect to promote gnatcatcher movement through the habitat linkage

Grading Phase	Proposed Impacts	Mitigation Phase	Minimum Mitigation Proposed
Prior to Grading/Oil Field Remediation	Temporary impacts as needed to remediate oil field operations (Conducted in such a manner as to not cause take of gnatcatchers)	Phase I	25.4 acres of scrub
Phase A	6.8 acres of scrub and 2.2 acres of scrub/grassland ecotone	Not Applicable	Not Applicable
Phase B	3.2 acres of scrub and 15.73 acres of grassland/scrub ecotone	Not Applicable	Not Applicable
Phase C	4.4 acres of scrub (2.9 acres historically occupied) 2.5 acres of scrub/grassland ecotone	Phase II	12.8 acres of scrub and 25 acres of scrub/grassland ecotone
Phase D	11.1 acres of scrub (1.9 acres historically occupied) and 19.7 acres of scrub/grassland ecotone (17.9 acres historically occupied)	Phase III	15.1 acres of scrub/grassland ecotone
Phase A1 TOTAL	No impacts to scrub 25.5 acres of scrub and 40.1 acres of scrub/grassland ecotone (12.7 acres historically occupied)	Not Applicable	Not Applicable 78.3 acres total (38.2 acres scrub and 40.1 acres of scrub/grassland ecotone)

FIGURE ES-9

LOWER BERRY CREEK HABITAT RESTORATION

Note the predominance of non-native poison hemlock on the channel bottom and the presence of invasive peppers throughout the woodland on the banks

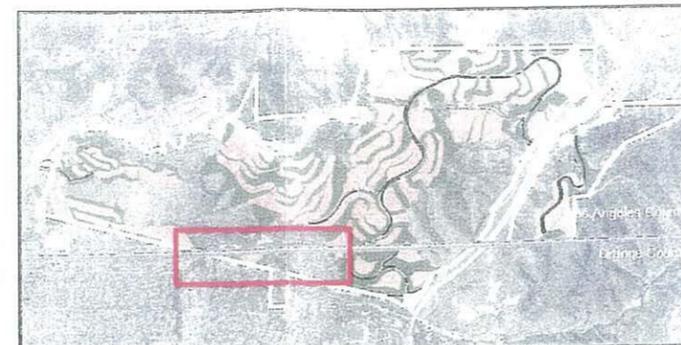


Exotic Trees Targeted for Removal and Replacement

Note the frequent road crossings that disrupt the natural hydrology of the creek. These features will be replaced with Rock riffle structures to control velocity, reduce down cutting but continue to provide aquatic habitat function



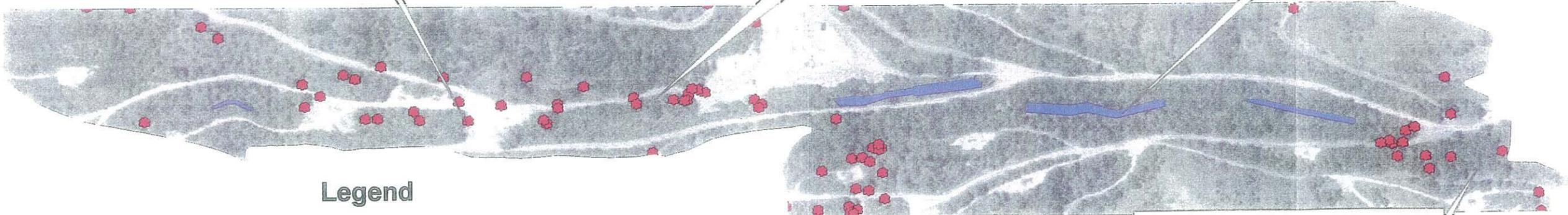
Channel banks support patches of relatively undisturbed walnut woodland in a matrix of heavily disturbed oil field uses. Streambed restoration will focus on removing road crossings and revegetating disturbed banks with native walnut, oak and willow woodlands.



Banks often exhibit heavy disturbance from oil field activities.

Southern Willow Scrub exhibits limited distribution through Lower Berry Creek and includes a high proportion of exotics including hemlock and giant reed.

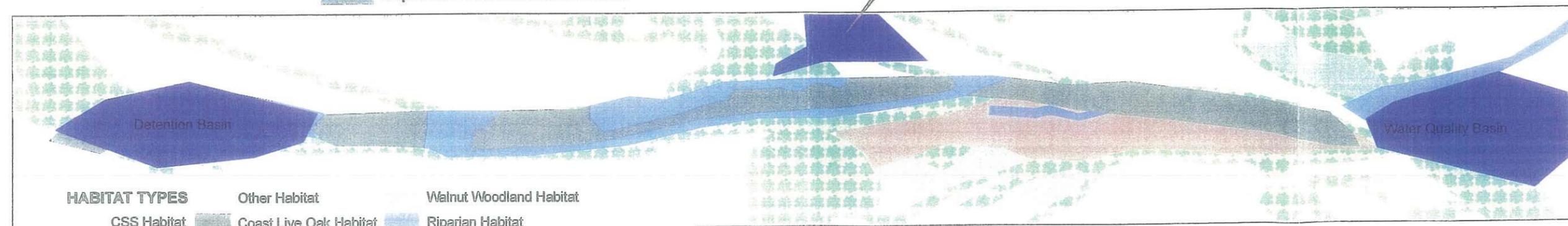
EXISTING CONDITION



Legend

- Riparian Habitat Creation
- Riparian Habitat Restoration

PROPOSED POST-PROJECT CONDITION



Proposed Water Quality Basin

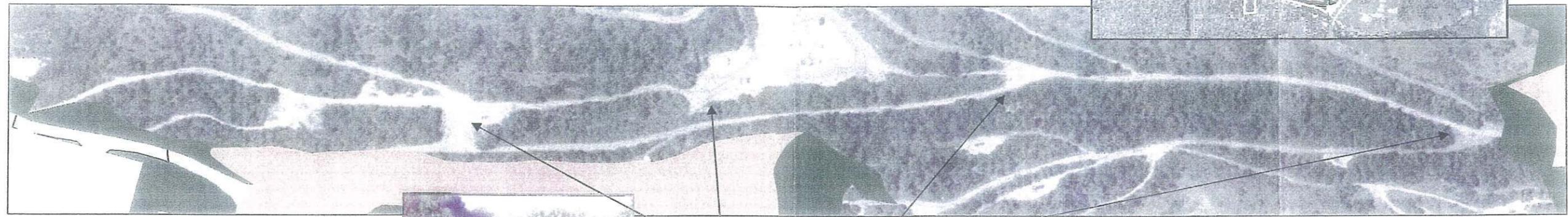
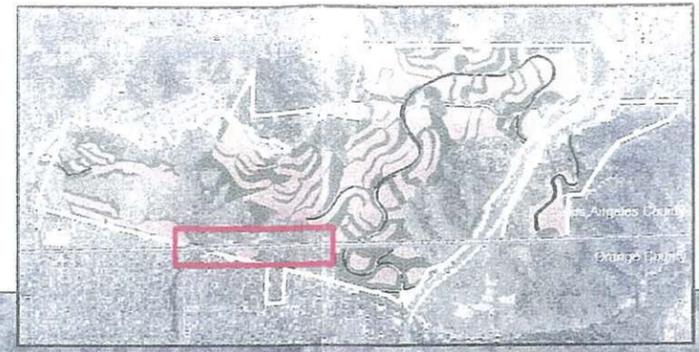
Exotic trees including Peppers will be removed and replaced with native trees improving biodiversity and riparian function

HABITAT TYPES

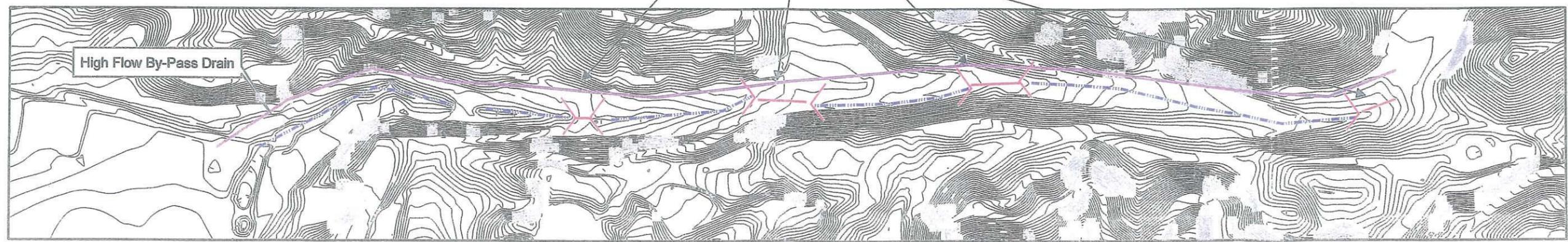
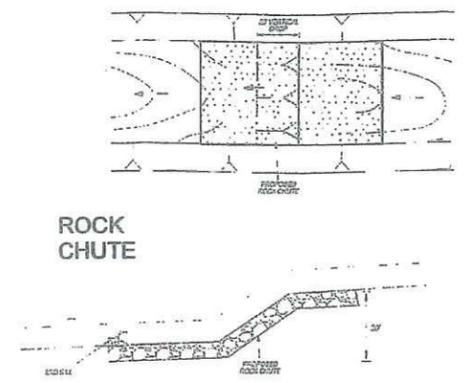
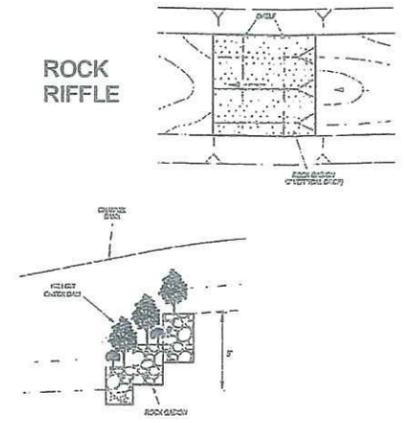
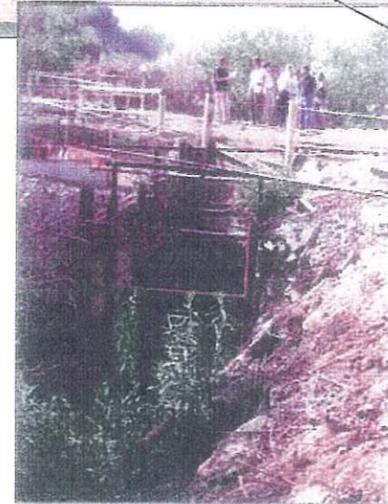
- Other Habitat
- Walnut Woodland Habitat
- Riparian Habitat
- CSS Habitat
- Coast Live Oak Habitat
- Disturbed Areas Available for Revegetation

LOWER BERRY CREEK STREAM COURSE RESTORATION

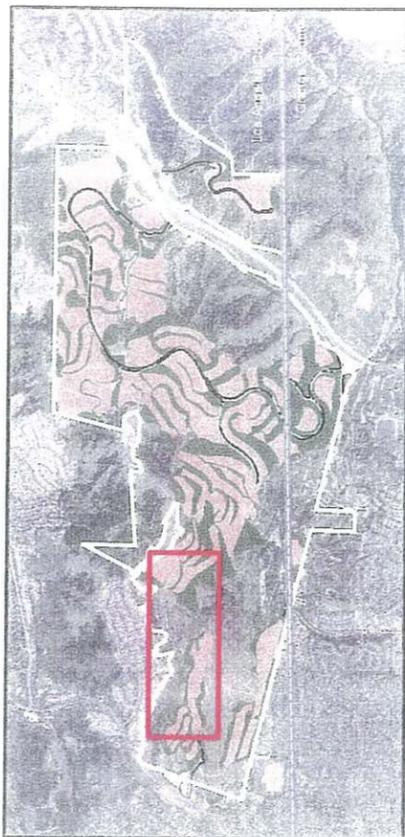
FIGURE ES-10



Note the frequent road crossings that disrupt the natural hydrology of the creek. These features will be replaced with Rock riffle structures to control velocity, reduce down cutting but continue to provide aquatic habitat function



LANDSCAPE LINKAGE: COYOTE CREEK PRESERVATION AREA



Coyote Creek and Crossover Canyon are components of the landscape linkage between Powder Canyon to the north (through the Harbor Boulevard wildlife undercrossing) to Tonner Canyon to the South

Exotic Trees Targeted for Removal and Replacement

Coyote Creek Preserve includes perennial Coyote Creek which supports well developed southern willow scrub habitat

Upper Coyote Creek also provides a movement corridor to the Nike Ridgeway Preserve to the east

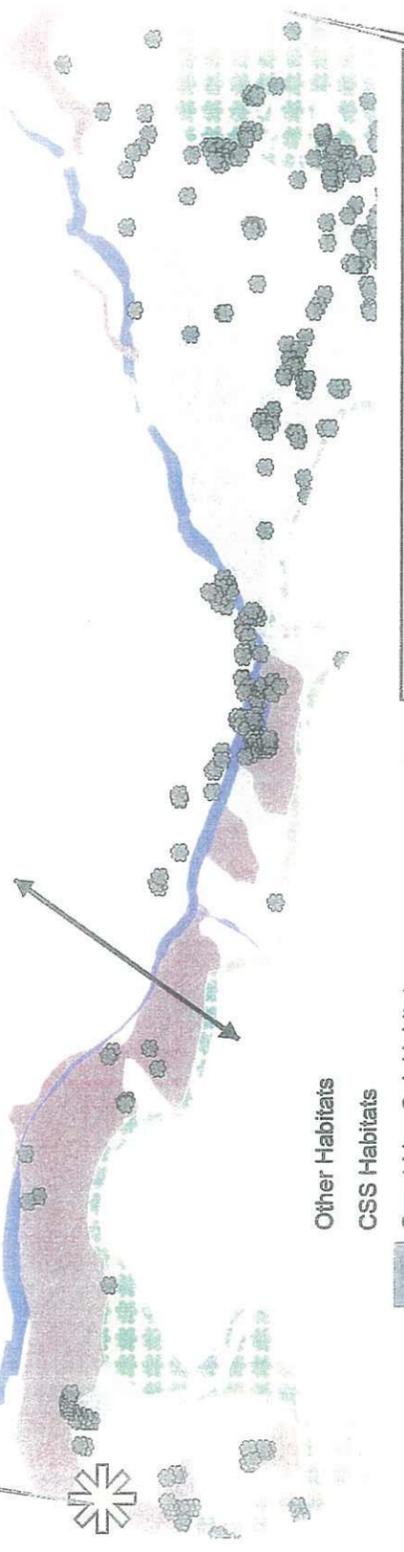


Harbor Boulevard Wildlife Undercrossing (18'x20'x160'); Built by Puente Hills Native Habitat Preservation Authority and County of Los Angeles

As true of all woodlands on-site, existing walnut woodland exhibits little evidence of recruitment as a result of heavy grazing. Exclusion of cattle and supplemental planting is expected to significantly increase function and quality of walnut woodlands on site.

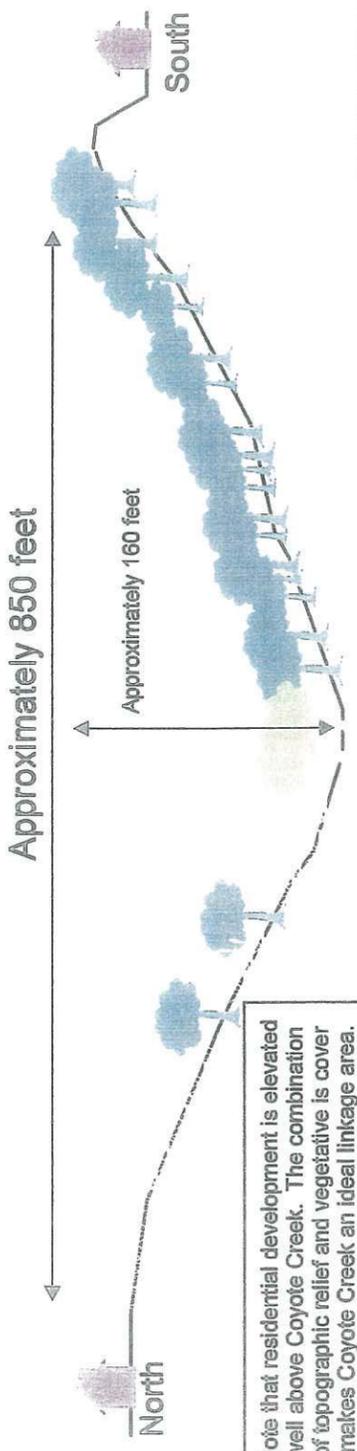
Harbor Boulevard Wildlife Undercrossing

See Cross Section Below



- Other Habitats
- CSS Habitats
 - Coast Live Oak Habitat
 - Walnut Woodland Habitat
 - Riparian Habitats
- Candidate native revegetation area
- Native Trees Replacing Exotics

Graded slopes will be revegetated with native species including oak, walnut, native bunchgrasses and coastal sage scrub. Not all slope aspects are favorable for all native communities, therefore plant palettes will vary based on location. For example, walnut and oak woodland will be concentrated on north and east facing slopes, while sage scrub will be placed on south and west facing slopes

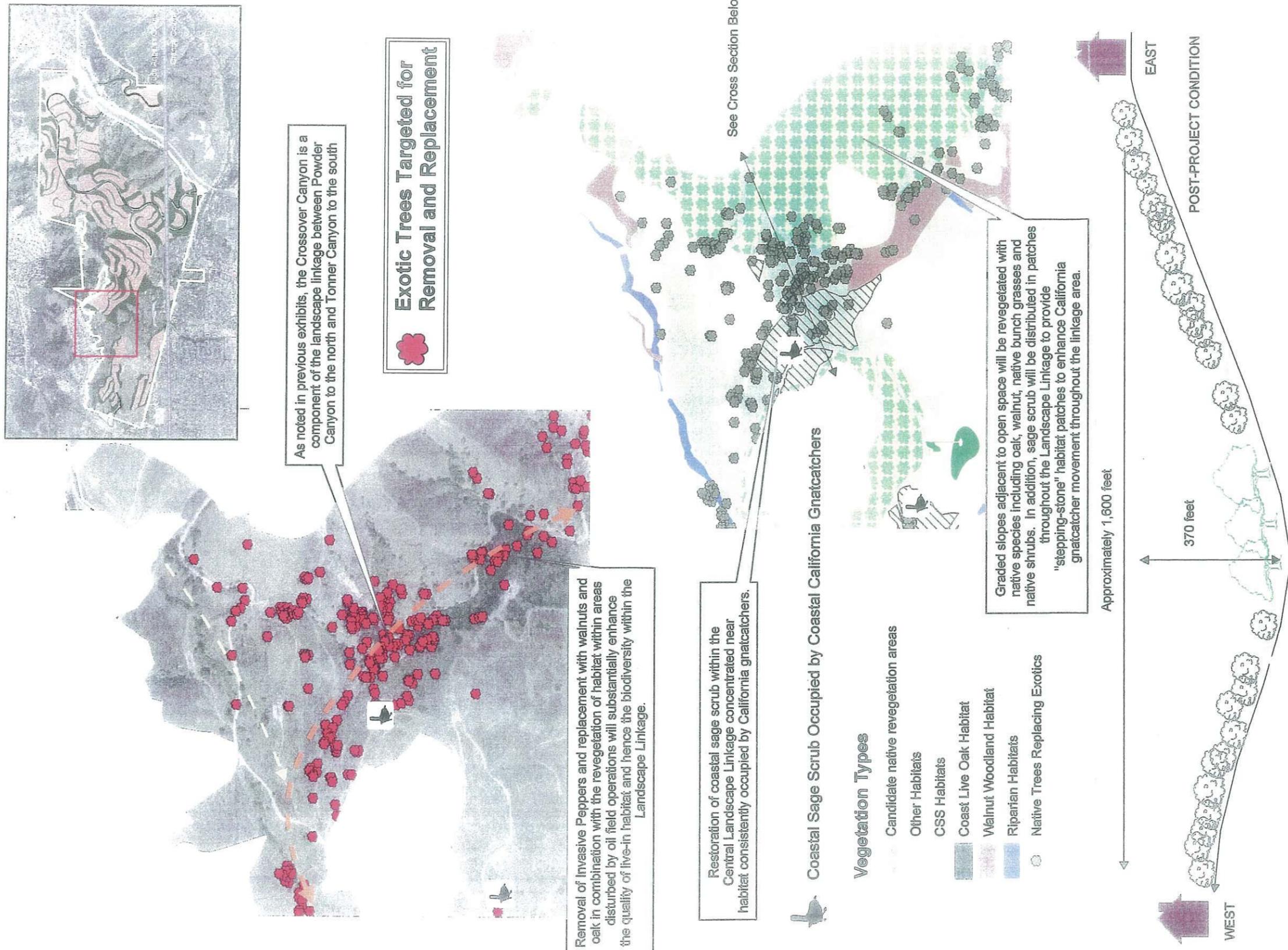


Note that residential development is elevated well above Coyote Creek. The combination of topographic relief and vegetative is cover makes Coyote Creek an ideal linkage area.

Note: Graphics Represent Conceptual Design, Final Design Will Be Provided Prior to Grading Impacts.

FIGURE ES-5

CENTRAL LANDSCAPE LINKAGE: CROSSOVER CANYON

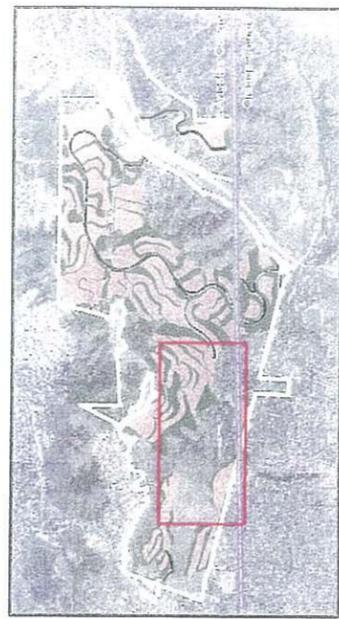


NOTE: Graphics Represent Conceptual Design. Final Design Will Be Provided Prior to Grading Impacts

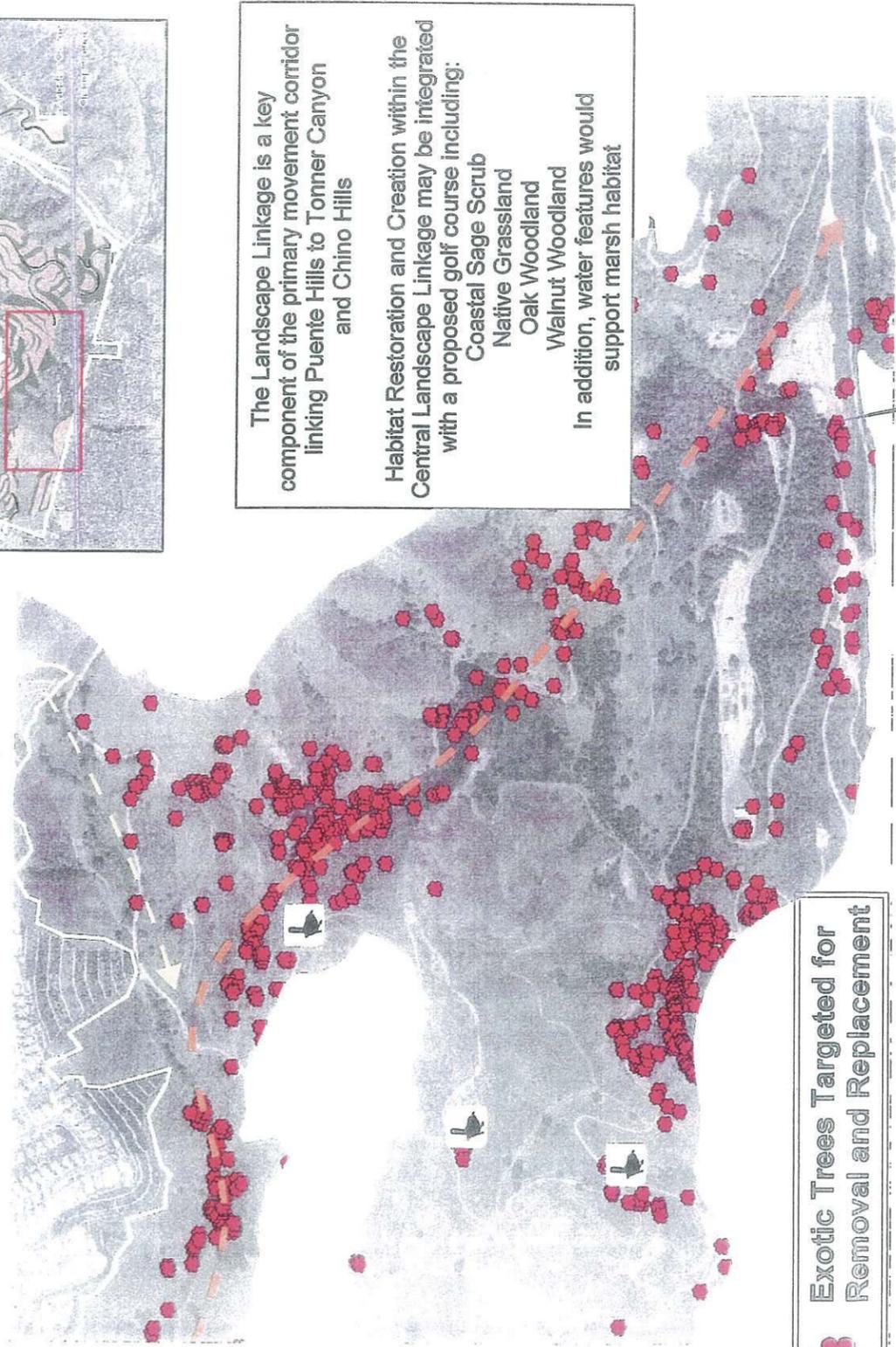
FIGURE ES-6

CENTRAL LANDSCAPE LINKAGE: NORTH OF BERRY CREEK

FIGURE ES-7



Coastal Sage Scrub Occupied by California Gnatcatcher



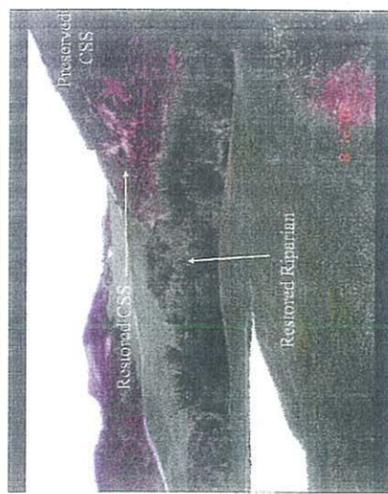
Exotic Trees Targeted for Removal and Replacement

The Landscape Linkage is a key component of the primary movement corridor linking Puente Hills to Tonner Canyon and Chino Hills

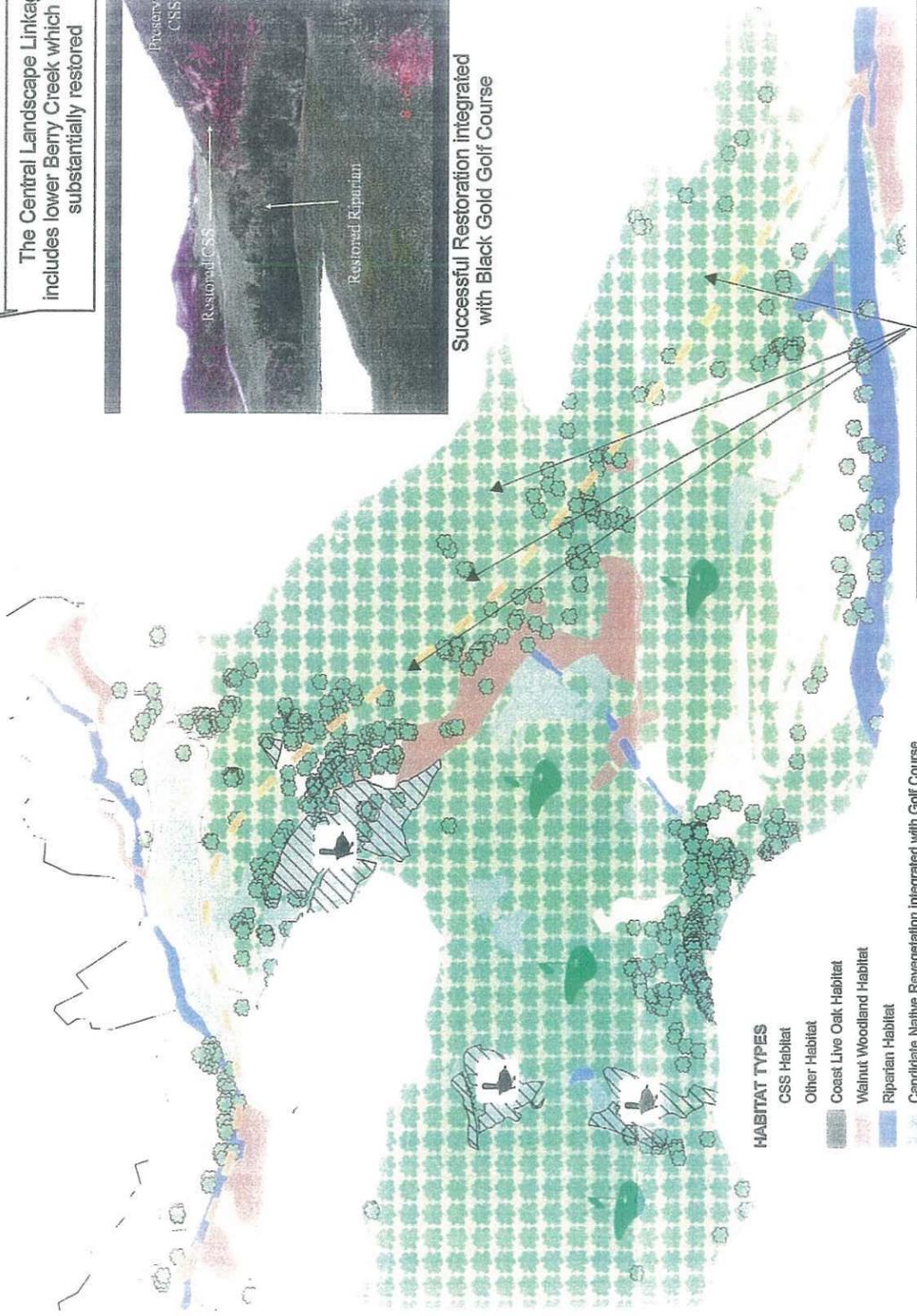
Habitat Restoration and Creation within the Central Landscape Linkage may be integrated with a proposed golf course including:
Coastal Sage Scrub
Native Grassland
Oak Woodland
Walnut Woodland

In addition, water features would support marsh habitat

The Central Landscape Linkage includes lower Berry Creek which will be substantially restored



Successful Restoration integrated with Black Gold Golf Course

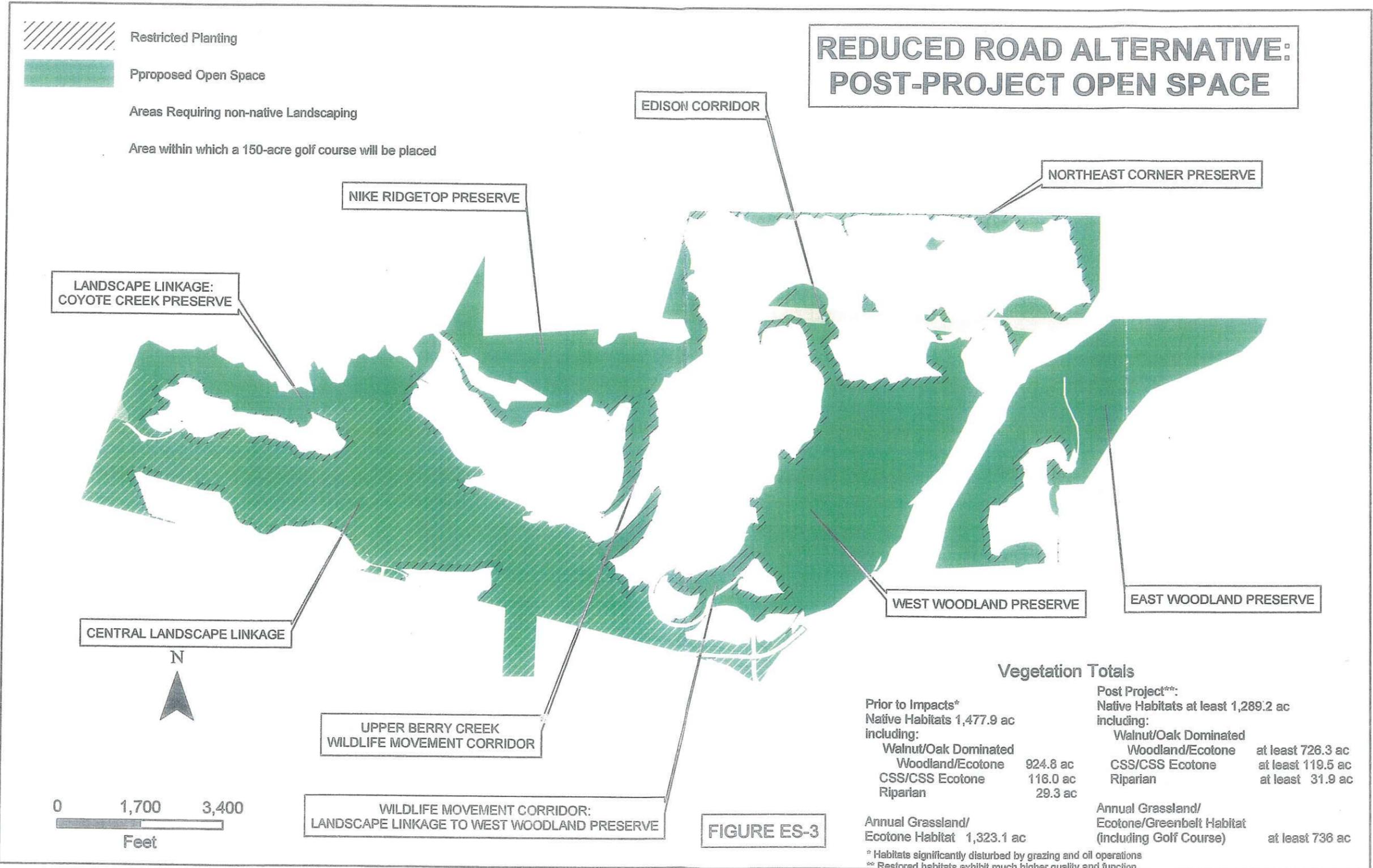


- HABITAT TYPES**
- CSS Habitat
 - Other Habitat
 - Coast Live Oak Habitat
 - Walnut Woodland Habitat
 - Riparian Habitat
 - Candidate Native Revegetation integrated with Golf Course
 - Native Trees Replacing Exotics

The Central Landscape Linkage currently supports an average of two to three pairs of California gnatcatchers. Sage scrub restoration will focus on enhancing existing occupied habitat as well as providing "stepping-stone" patches to promote movement through the corridor. Restored coastal sage scrub "Stepping Stone" patches will be located on throughout manufactured slopes to complement existing patches within Central Landscape Linkage.

NOTE: GRAPHICS REPRESENT CONCEPTUAL DESIGN. FINAL DESIGN WILL BE PROVIDED PRIOR TO GRADING IMPACTS

t:472-6\graphics\NorthBerry.mxd November 13, 2005(IIC)



REDUCED ROAD ALTERNATIVE: POST-PROJECT OPEN SPACE

- Restricted Planting
- Proposed Open Space
- Areas Requiring non-native Landscaping
- Area within which a 150-acre golf course will be placed

Vegetation Totals

Prior to Impacts*		Post Project**:	
Native Habitats 1,477.9 ac		Native Habitats at least 1,289.2 ac	
including:		including:	
Walnut/Oak Dominated		Walnut/Oak Dominated	
Woodland/ECOTONE	924.8 ac	Woodland/ECOTONE	at least 726.3 ac
CSS/CSS ECOTONE	116.0 ac	CSS/CSS ECOTONE	at least 119.5 ac
Riparian	29.3 ac	Riparian	at least 31.9 ac
Annual Grassland/		Annual Grassland/	
ECOTONE Habitat	1,323.1 ac	ECOTONE/Greenbelt Habitat	
		(including Golf Course)	at least 736 ac

FIGURE ES-3

* Habitats significantly disturbed by grazing and oil operations
 ** Restored habitats exhibit much higher quality and function
 T:472-6biot/472-6gis/BIOTAREPORT/PrupOSDetail1.mxd July 23, 2005 (IC)