



Norman E. Witt, Jr. AICP
Senior Vice President

April 7, 2014

Ms. Emma Howard
Regional Planner, Community Studies North
Room 1354
LA County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

**Re: APN 5271-001-030, 047, 048, 049; APN 5271-020-028,029, 030, 072, 073, 074 and 075:
Comment to Draft 5 Significant Ecological Areas Ordinance released March 25, 2014 and
Request of Boundary Change to Eliminate Site from Puente Hills Significant Ecological
Areas (SEA) Map**

Dear Ms. Howard,

Cook Hill Properties, LLC (CHP) wishes to submit comments to the 5th draft of the Significant Ecological Area (SEA) Ordinance in addition to those we submitted in our letter dated April 1, 2013 (attached).

In addition to the comments submitted on April 1, 2013, we are writing to request the elimination of the Montebello Hills Specific Plan property as described above from within the Puente Hills SEA boundary.

The 488 acre property, located in the incorporated City of Montebello, is identified as the Montebello Hills Specific Plan (MHSP) area and is currently the subject of a General Plan Amendment 3-07, Zone Change 3-07, Specific Plan 1-07 and Tentative Tract Map 74020. The City completed its first Draft EIR in 2009 and a Recirculated Draft EIR is anticipated to be released in the summer of 2014. The MHSP area property received a Biological Opinion in April 2009 from the US Department of the Interior, Fish and Wildlife Service authorizing the development of 1,200 residential units, a neighborhood park, recreation center, multi-use trail system and associated infrastructure on approximately 234 acres. In conjunction with the project proposal, approximately 314 acres will be preserved in permanent open space with approximately 260.6 acres reserved for the creation and long term management of the Montebello Hills Habitat Reserve.

Please see the attached aerial map taken from the County SEA website. Note the MHSP area property is the area located west of the Whittier Narrows and Whittier Dam; south of the Shops at Montebello, Montebello Town Center and the Costco site; and north of the existing La Merced Neighborhood. The property is also referenced in the Puente Hills SEA description from the

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Draft General Plan 2035: Technical Appendix E, first paragraph, which mentions the undeveloped portions of the Montebello Hills, the oil field and transmission lines. Since the early 1900s, the MHSP area property has been an active oil field. The highly disturbed property has been modified for oil and gas production activities over the last 96 years or so. As the map shows, these areas are extensively traversed by roadways or contain oil and gas production facilities (e.g. well pads, pipelines, equipment, etc.) At present, all portions of the field are being accessed as part of the ongoing operations. Approximately 132.7 acres of roads and pads have been created at the site over the past 96 years. These roads and pads are used on a regular basis for drilling and production operations. Development of the site will facilitate the creation and preservation of the 260.6 acre habitat reserve, as described above.

The MHSP was designed to incorporate Smart Growth strategies, and anticipated the approval of the Sustainable Communities and Climate Protection Act of 2008 (SB375). The site is considered by Southern California Association of Governments (SCAG) to be an infill site, and as such meets many of the Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) Guiding Policies and Goals.

By the reclamation of this industrial brown field, the MHSP project will also assist the City of Montebello in meeting their regional housing needs. SCAG has projected that at least an additional 1,066 units are needed to fulfill future housing needs in the City of Montebello. The MHSP, as proposed, will enhance the quality of life for the region by maximizing the use of this in fill land resource in order to assure the availability of a wide variety of energy efficient, market rate, safe, decent housing, while creating a suitable living environment, and expanding economic opportunities for the community.

The MHSP is positioned along Montebello Bus Lines' major local service, Line 20, which runs at high frequencies adjacent to the MHSP area and is also within walking distance of the Taylor Ranch Express (Express 341) to downtown Los Angeles.

As proposed to the City of Montebello, and federally permitted, the MHSP balances development and habitat preservation, meeting federal, state and regional goals. Therefore, the inclusion of the MHSP area within the Puente Hills SEA is unnecessary and, in fact, contrary to federal, state and regional goals.

Specific Comments on the Draft 5 SEA Ordinance

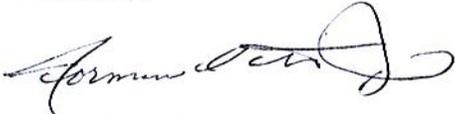
1. The Puente Hills SEA description states that other "local jurisdictions have also been included within the SEA in order to delineate the boundaries of functioning habitat units." The Ordinance and the SEA description should make it clear that it does not apply to areas within the jurisdiction of a city. The MHSP area is within the jurisdiction of the City of Montebello and is not within the County's jurisdiction. The ordinance should also clarify that where a project is within an incorporated City, the County will not apply the SEA ordinance for any required County permits solely related to connections to County facilities.

2. On August 6, 2013, Ms. Susan Lindquist of CHP spoke with Ms. Emma Howard regarding the SEA. Ms. Howard indicated that land may be exempt from the SEA if it contains man-made disturbances, such as rigs, roads, parking lots, structures and similar improvements. Although the MHSP is within the incorporated City of Montebello, and therefore, the SEA ordinance does not apply, to ensure there is no confusion in the future about the applicability of the SEA, we hereby request that the MHSP be excluded from the SEA.
3. The ordinance is based on out-of-date information. For example, the Puente Hills SEA description from Technical Appendix E does not reference numerous more recent biological information and CEQA and NEPA environmental documents. One example is the City of Montebello 2009 DEIR for the Montebello Hills Specific Plan. Other examples include the Tehachapi Renewable Transmission Project (TRTP) EIR/EIS and the Discovery Center EIR. By relying on outdated information, the Ordinance does not meet CEQA's informational purposes.
4. The Puente Hills SEA description treats different areas inconsistently. For example, under "General Boundary and Resources Description," third paragraph, it states that it is "intended that the SEA encompass only natural areas of the basin and portions of the San Gabriel River and Rio Hondo." Further, "manicured areas of the County Recreation Area on the east side of Rio Hondo are not included." As explained above, the MHSP area has been operated as an oil field for almost 100 years and is substantially disturbed. The Ordinance and the underlying support information in the Draft General Plan should be revised to clarify that it does not encompass the oil field.
5. In the Puente Hills SEA "Critical Analysis of the Puente Hills SEA" the County states that the populations of the gnatcatcher at the Montebello Hills "is probably one of the largest single populations in the U.S." This statement is misleading as it uses a colloquial definition of the word "population" to describe a complex scientific term used to describe and evaluate groups of individuals. In population ecology, a "population" is defined by specific variables that describe the dynamics of birth rates, death rates, immigration, and emigration. Under these more precise terms the Montebello Hills supports a "deme" or regionally defined aggregation of individuals. The Montebello Hills would be considered a more average-sized deme or subpopulation for the gnatcatcher across this species range. Whereas, the Montebello Hills provides a regionally important gnatcatcher resource in this portion of Los Angeles County there are many well-documented gnatcatcher populations and metapopulations in San Diego County, Orange County, and Riverside County that support double or triple the overall individuals and include an aerial extent that are orders of magnitude larger.

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Finally, while the MHSP area should be excluded from the Puente Hills SEA, CHP supports the good intentions of the proposed Significant Ecological Areas Ordinance. CHP is pleased to note that when the MHSP is implemented, many goals of the ordinance, as well as SB375, will be met.

Sincerely,

A handwritten signature in black ink, appearing to read "Norman E. Witt, Jr.", with a stylized flourish at the end.

Norman E. Witt, Jr.
Senior Vice President

Attachments

San Gabriel

Rosemead

El Monte

South San Gabriel

South El Monte

Whittier Narrows

Monterey Park

Avo Hei

Whittier

Montebello



San Gabriel

Rosemead

El Monte

South San Gabriel

South El Monte

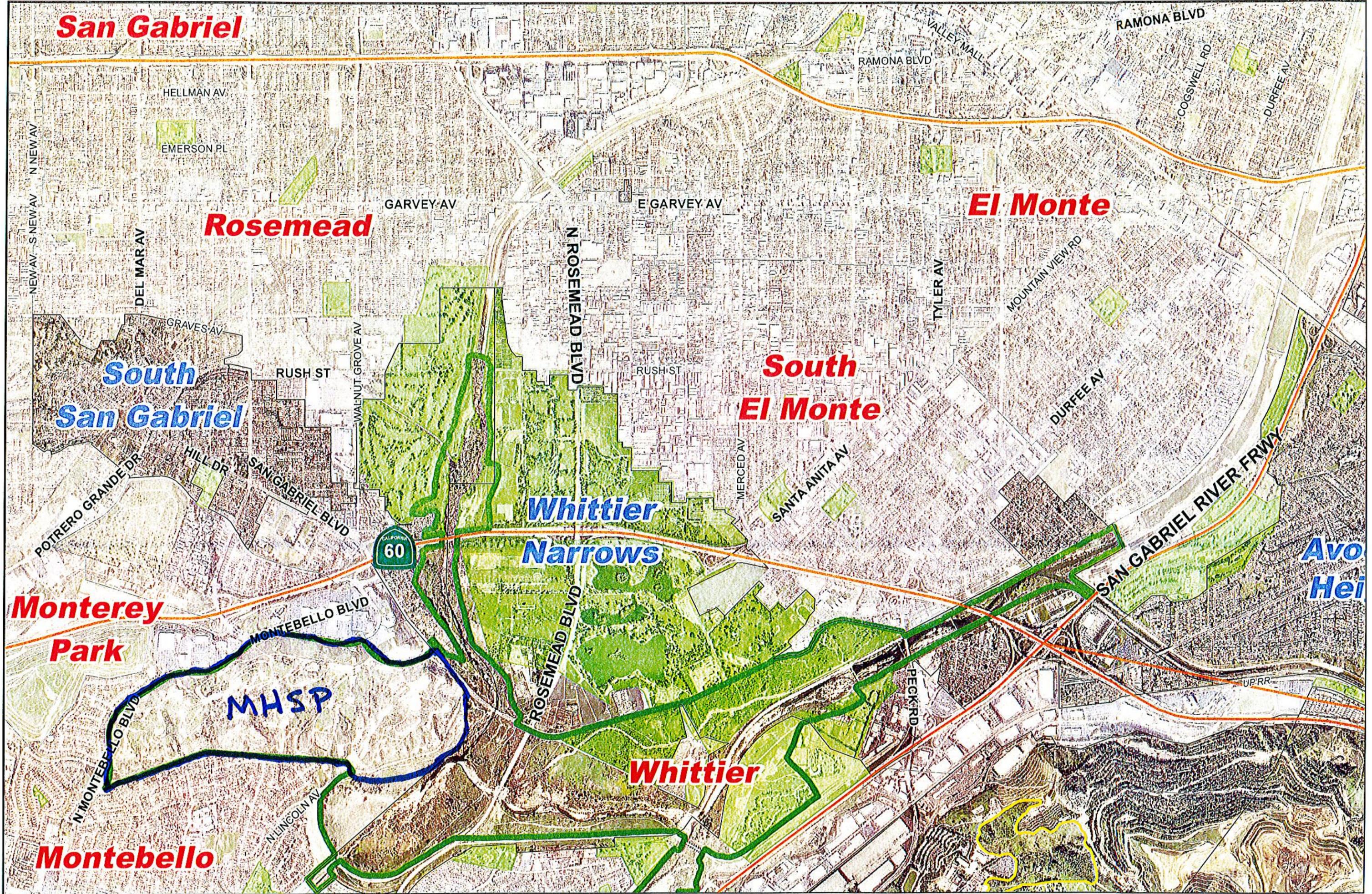
Whittier Narrows

Monterey Park

MHSP

Whittier

Montebello



UP-RR

NEW AV - S NEW AV

DEL MAR AV

HELLMAN AV
EMERSON PL

GARVEY AV

E GARVEY AV

RAMONA BLVD

VALLEY MALL

RAMONA BLVD

COGSWELL RD

DURFEE AV

N ROSEMEAD BLVD

TYLER AV

MOUNTAIN VIEW RD

GRAVES AV

RUSH ST

RUSH ST

SANTA ANITA AV

DURFEE AV

POTRERO GRANDE DR

HILL DR

SAN GABRIEL BLVD

WALNUT GROVE AV

MERCED AV

SAN GABRIEL RIVER FRWY

Avo
Hei

MONTEBELLO BLVD

ROSEMEAD BLVD

PECK RD

N MONTEBELLO BLVD

N LINCOLN AV