

August 1, 2012

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

VIA EMAIL: ehoward@planning.lacounty.gov

Subject: Comments on Summary Draft Significant Ecological Area Ordinance

Dear Ms Howard:

On behalf of Pardee Homes, a Los Angeles County based homebuilder and land developer for over 90 years, thank you for the opportunity to comment upon the June 2012 Summary Draft Significant Ecological Area (SEA) Ordinance. We have been fortunate to have planned and developed several communities in the County and continue to do so as one of the partners in the proposed Centennial development on Tejon Ranch.

If the County intends to expand the SEA program, it should make a clear distinction between property that has been the subject of intensive biological investigation through the California Environmental Quality Act (CEQA) or Endangered Species Act processes, and those that have not. There is a vast difference between property identified as being of potential ecological significance through aerial photographs, vegetation mapping and terrain, and property that has been studied in detail on the ground by biologists, ecologists and other scientists. The County should use the more detailed and scientifically superior information whenever available for the SEA Program.

Pardee Homes opposes what appears to be a broad brush expansion of the SEA boundaries and imposition of a new requirement on property owners to prove their innocence through a lengthy and costly regulatory process. The Draft Ordinance imposes an "Initial Project Appraisal," a technical advisory committee review, documentation of "measures to protect biological and ecological resources," and a "SEA Conditional Use Permit Burden of Proof" on each landowner.

The County, in effect, is proposing far more restrictive requirements on property owners than the state and federal governments do through their respective Endangered Species Acts and their wetlands protection regulations. Pardee Homes has a long and successful history of working with the US Fish and Wildlife Service, the California Department of Fish and Game and the US Army Corps of Engineers on large scale multispecies habitat protection and wetlands mitigation programs. We support the scientific identification of critical habitat for endangered species, investigation and identification of cooperative efforts with landowners to do large scale multispecies habitat programs, such as Habitat Conservation Plans (HCP) and Natural Community Conservation Plans (NCCP). In those programs, biologists specifically identify the location of habitat and species first, and then the landowners and agencies work cooperatively to determine appropriate opportunities for protection.

It is very important that the SEA Ordinance not impose duplicative or conflicting requirements on land that has already been thoroughly studied and analyzed for ecological significance through the General Plan Amendment and CEQA processes, such as the Centennial project. The SEA Ordinance should acknowledge that land that has been analyzed for ecological impacts and incorporates design features to protect and/or mitigate environmental impacts does not require any additional SEA compliance.

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In summary, Pardee Homes opposes a broad expansion of the SEA program boundaries without specific identification of ecological resources on a parcel-by-parcel basis that includes written notification to each landowner. It should be the County's responsibility to prove a property's ecological significance, not a landowner's obligation to identify, apply for, and mitigate a general SEA designation. Finally, the SEA Ordinance should not require duplication of analyses or mitigation for property where environmental, ESA, and ecological impacts have already been studied and addressed through the CEQA process.

We appreciate your attention to our concerns.

Sincerely,

A handwritten signature in blue ink that reads "Michael V. McGee". The signature is written in a cursive style with a long horizontal stroke at the end.

Michael V. McGee

MVM/cr