



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



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Director

July 24, 2014

TO: Esther L. Valadez, Chair
Laura Shell, Vice Chair
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FROM: Emma Howard, Regional Planning Assistant II
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**SUBJECT: LOS ANGELES COUNTY GENERAL PLAN UPDATE
SIGNIFICANT ECOLOGICAL AREAS PROGRAM
PROJECT NO. 02-305 (1-5)
ADVANCE PLANNING NO. 2012000001
August 6, 2014– AGENDA ITEM #6d**

BACKGROUND

The Significant Ecological Areas (“SEA”) Program Update is proposed under the Los Angeles County (“County”) 2035 General Plan (“draft General Plan”), an update to the County’s existing General Plan. The draft General Plan provides the policy framework for growth and change in the County through the year 2035. The draft General Plan Update effort includes goals, policies, implementation programs, and ordinances. The draft General Plan Update will replace the adopted General Plan, including all of the elements, land use distribution maps, and circulation maps.

SEAs are officially designated areas within the County identified for their biological value. These areas warrant special management because they contain biotic resources that are considered to be rare or unique; are critical to the maintenance of wildlife; represent relatively undisturbed areas of County habitat types; or serve as linkages. The SEA Program is the name given to the combination of the mapped areas, the related General Plan policies and the implementing ordinance, which encompass the County’s efforts to preserve the biological significance of these areas. The County relies on the SEA Program to balance preservation of the County’s natural biodiversity with the development rights of property owners located within the SEAs. The primary means of balancing these needs is land use planning which is carried out by the County Department of Regional Planning (“Department”). This update is focused on improving the SEA program to better reflect current conservation science, increasing the Department’s sophistication in site planning, and refining the SEA Ordinance process to create greater efficiency and certainty for applicants, ultimately resulting in healthy SEAs that maintain biological value into the future.

The SEA Program Update, which falls under the draft General Plan Update effort, will replace the existing SEA Program and consists of the following:

The SEA and Coastal Resource Areas Map (within the General Plan)
SEA language in the General Plan (including goals, policies and resource descriptions)
SEA Ordinance (including SEA Development Map, and SEA Connectivity and Constriction Map)
SEA Program Guide

The General Plan establishes the location of the SEAs, documents the resources within the SEAs and establishes guidance on the objectives and scope of the SEA Program. The SEA Ordinance, a component of the County Zoning Code ("Title 22") is the implementation tool of the SEA Program which establishes the permitting standards and process for development within SEAs. The SEA Program Guide is a tool developed to provide information and implementation tools to Department staff and the public.

APRIL 23, 2014 PUBLIC HEARING

As part of the series of public hearings for the draft General Plan Update effort, on April 23, 2014 staff presented the SEA Program Update with the overall program concept and discussed the particulars of the draft SEA Ordinance; the SEA boundary map within the draft General Plan; and initial drafts of the SEA Program Guide, SEA Development Map and SEA Connectivity and Constriction Map. Additionally staff reported to your Commission on SEA Program issues to be considered further in subsequent drafts of the SEA Ordinance and Program Guide. The Commission continued the matter to June 25, 2014.

JUNE 25, 2014 PUBLIC HEARING

On June 25, 2014, staff requested that the public hearing be continued to August 6, 2014 in order to respond to additional public comments received. The complete set of comments received since April 23 would also be provided at the continued public hearing. There was no discussion or testimony. The Commission continued the matter to August 6, 2014. All comments received on the SEA Program since April 23 are attached in this report as Attachment 5.

PROPOSED SEA BOUNDARIES

At the August 6, 2014 hearing, staff will focus on the proposed SEA boundaries, and present responses to public comments regarding these boundaries. The boundaries of the final draft of the proposed SEAs will ultimately be adopted in the General Plan Update as Figure 9.3, the Significant Ecological Areas and Coastal Resource Areas Policy Map. Staff intends that the remainder of the SEA Program tasks, as discussed on April 23, 2014, will be presented at a future continued public hearing.

History of the Proposed SEA Boundaries

The first draft of the Significant Ecological Areas and Coastal Resource Areas Policy Map ("SEA Map") was released for public review in January 2001, as final recommendations of the Los Angeles County Significant Ecological Area Update Study 2000 ("2000 SEA Update Study). The 2000 SEA Update Study, prepared by PCR Consulting, had three purposes: "[t]o evaluate existing SEAs for changes in biotic conditions and consider additional areas for SEA status

within unincorporated Los Angeles County; to delineate SEA boundaries based upon biotic evaluation; and to propose guidelines for managing and conserving biological resources within these areas.”¹

Following the initial release of the 2000 SEA Update Study, staff generally used the same methods employed in the initial process to adjust the SEA boundaries. Attachment 1 in this report includes pages iv through 19 of the 2000 SEA Update Study, which detail the methods used to assess the biological value and location of the proposed SEA boundaries at that time.

Between 2001 and 2011 the Department further refined the SEA map. This refinement included multiple public outreach rounds, including additional circulation of draft maps with each subsequent release of draft General Plan materials. During this time changes made to the SEA boundaries were made in consultation with staff biologists and environmental consultants hired to work on the SEA Program Update. In 2010, an expert panel of biologists convened to review the draft SEA Map. The panel reviewed the SEA criteria; and discussed scientific data, current biological theory, and their knowledge of the resources. Based on the SEA criteria and program methodology, additional locations were identified as areas that warranted the SEA designation. All recommendations by the panel to the County were considered, and many were incorporated into the SEA Program. There were no recommendations from the panel to reduce the SEA boundaries.

In November 2011, staff released an updated draft of the SEA Map to coincide with the release of the first draft of the updated SEA Ordinance. Following the 2011 SEA Map release, the comments staff received which requested boundary changes and adjustments, were compiled and tracked in order to ensure that the recommendations and subsequent adjustment to these final comments would be reviewed, and disclosed as part of this public hearing process.

Comments on SEA Boundaries and/or Requests for Adjustment

Generally speaking, comments regarding SEA boundaries and/or requests for adjustment to the boundaries have fallen into four main categories:

- Removal from SEAs entirely
- Edges of the SEAs adjusted

Edges of SEAs were requested to be adjusted to reflect a more detailed boundary assessment, or recent development changes.

- Certain types of facilities or operations exempted

Requests for certain types of facilities or operations to be exempted were cited with concerns about increased operational costs of being included in the SEAs.

- Additions to SEAs

Requests for additions to the SEAs have included requests to consider areas entirely outside the proposed SEAs (often areas in the incorporated cities with high biological value or under

¹ Nelson, Steven. 2000. *Los Angeles County Significant Ecological Area Update Study 2000 Background Report*. PCR Services Corporation, Los Angeles: iv

conservation ownership), and along the edges which may contain habitats or species that meet the SEA criteria.

The comments on the SEA Map and the changes recommended by staff as discussed below, are submitted in this report as “Attachment 2: SEA Boundary Comments and Recommendation Spreadsheet.”

Principles of the SEA Boundary Adjustment Process

The SEA boundaries were mapped because the areas within them contain habitats and linkages for biologically significant species. As established during the update mapping of 2000, the edges of SEAs are or may generally be mapped to align:

- With natural topographic features, such as watersheds, ridgelines, treelines, and floodplains that create the edges of the resources,
- To generally exclude developed areas, and
- May align with man-made features or artificial boundaries such as roads or parcel line, when those areas reflect a reasonable assumed limit to natural areas. For instance, when the line of vegetation follows the edge of a bike path, the boundary may follow all or portions of the outer edge of the bike path.

Within the SEAs, only large areas of contiguous urban development of 40 or more acres in size were excluded from the SEAs.

“Attachment 3: Principles for Adjusting SEA Boundaries” outlines the principles developed and used by staff in determining whether the SEA boundaries should be refined. The recommendations of staff regarding adjustments to the SEA boundaries are consistent with the 2000 SEA Update Study methods, and have been refined to include additional notes that further clarify specific approaches raised in individual comments.

“Attachment 4: Individual SEA Boundary Comments” contains the public comments and supplemental materials regarding the SEA boundaries submitted to staff, and used as the basis for staff response.

Staff Evaluation of SEA Boundary Comments

Based on the above principles used in determining the SEA boundaries, staff identified several main categories of response.

- Removal from SEAs entirely

Many requests were not substantiated with enough information to confirm requests, or related to properties entirely within SEAs and under the 40 acre standard. Staff does not recommend making these changes.

- Removal from SEA due to existing development

Several comments included the request that areas within the SEA should be removed from the SEA because the parcels were already developed or undergoing development permits. Existing or future development is not a justification for removal from the SEAs, but staff does support adding legal development to the SEA Development Map. Under the draft SEA Ordinance, any property mapped on the SEA Development Map will be permitted to continue legal use at the site, without requiring an SEA Conditional Use Permit (“CUP) and subject to minimal

development standards. As development is approved within the SEAs, it will be added to the SEA Development Map.

- Certain types of facilities or operations exempted

Several commented that the SEA boundaries ought to exempt certain specific large scale uses. This category of request generally came from large scale uses that use large parcels of land over long periods of time, such as cemeteries, oil or mineral extraction uses, and waste facilities. The SEA mapping principles are not based around specific uses and staff does not recommend changing this approach. However, staff does support adding these large scale uses to the SEA Development Map and potentially including specific language or policies for these types of uses either in the SEA Ordinance or the SEA Program Guide.

Of particular note, landfills in the SEAs were the subject of several requests for removal and addition. In order to ensure a consistent approach to all landfill related uses and allow time to consult with the requestors, staff is continuing to work with County Public Works and others, and does not yet have final recommendations regarding the landfill requests.

- Edges of the SEAs adjusted

Requests for adjustment to the edge of the SEAs were supported when the request better aligned boundaries to the edges of a resource, or exclude existing development.

- Additions to SEAs

Many environmental groups nominated areas to add to the SEAs. Staff generally recommends accommodating these requests where the areas nominated were within the County's jurisdiction and managed by conservancies, or preserved as open space managed by government agencies.

However many of the locations named were within incorporated cities where the County does not have land use jurisdiction, such as the City of Los Angeles. Staff concurred with the comment letters that many of these locations were of high biological value or were entirely composed of preserved open space. However the past mapping methodology generally did not focus on reviewing SEA locations in incorporated portions of Los Angeles County, as the County does not have primary land use jurisdiction over these areas. The proposed SEAs within incorporated Los Angeles are historical SEAs, and were adjusted in 2000 primarily to increase mapping precision. There is a potential opportunity with ongoing status reporting for the SEAs that these comments are further evaluated at that time.

Response to Public Comments

This report and its attachments constitute the complete adjustments to be made to the SEA Map and SEA Development Map as recommended by staff. It is anticipated that additional comments may be received following this August 6 hearing. Provided that your Commission concurs with the methods and recommendations made at the August 6 hearing, any additional requests will be collected, reviewed and presented at the next SEA public hearing using the same methods used in this report. Should your Commission concur with the changes recommended by staff on August 6, all public drafts of the maps as well as the map layers contained on the Department's GIS-NET3 web mapping application will be updated to reflect the most current proposed boundaries.

In order to further illustrate the SEA boundary comments and the recommendations of staff; supplemental information will be provided to your Commission on July 31, 2014 showing the locations of the requests and the recommended adjustments on maps. Staff will also contact the groups and individuals who have made requests for SEA boundary changes, and inform them of the Department's recommendation and the date of the upcoming hearing.

FURTHER RECOMMENDATIONS FOR SEA MAP PROCESSES

In the process of reviewing comments on the SEA Boundaries, staff came to several conclusions which will guide the SEA Program Update materials.

SEA delineation should retain future flexibility

The comments from stakeholders regarding areas along the SEAs that have changed over time, and the potential for new candidate SEAs to emerge where conservation groups acquire land, or new resources are documented; illustrate that SEA delineations should retain future flexibility. Since the 1980 adoption of the existing SEAs, modifications to the SEA boundaries have only occurred when major area planning efforts, such as the 1983 Santa Catalina Local Coastal Plan and the 2012 Santa Clarita Area Plan Updates, have been adopted. Today the SEA Program Update will represent a complete countywide adjustment of all of the County's SEAs. Currently the process for the SEAs does not include any method for suggesting occasional, small scale changes to portions of the SEAs. However, it is the conclusion of staff that such a process would be beneficial to the public and to the SEAs.

Status reporting of SEAs to include potential adjustments

Chapter 15 of the General Plan: General Plan Maintenance establishes that the status of the County's SEAs should be reported on every two years as a component of the annual General Plan report. Chapter 15 also establishes a list of several General Plan maps and data sets that should be updated as new information is available. Staff proposes to add additional specificity to this chapter regarding the SEA Program and maps. This additional information will serve to clarify the intent of the SEA Program and ensure that future updates will include potential adjustments to the SEA boundaries, and mapping rationale as necessary, using the process established in this report as the basis for future maintenance efforts.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends your Commission concur with the Principles for Adjusting SEA Boundaries established in Attachment 3 of this report; and the recommended changes to the proposed Significant Ecological Areas and Coastal Resource Areas Policy Map, and the SEA Development Map contained within Attachment 2 of this report, and direct the Department to update and make the updated map available to the public.

Staff recommends that this matter return to your Commission on October 8, 2014, or date certain to be determined, for further consideration of the SEA Ordinance (including the SEA Development Map, and SEA Connectivity and Constriction Map), the SEA Program Guide, SEA Maps Implementation Processes for the General Plan, and the remaining SEA boundary adjustments pending recommendation.

Regional Planning Commission
General Plan Update- SEA Program
Public Hearing
July 24, 2014

MC:SMT:EH

I MOVE THAT THE REGIONAL PLANNING COMMISSION CONCUR WITH THE SEA MAP ADJUSTMENT RATIONALE AND THE RECOMMENDED CHANGES TO THE SEA MAPS, AND DIRECT STAFF TO MAKE THE UPDATED MAP AVAILABLE TO THE PUBLIC.

I FURTHER MOVE THAT THIS MATTER BE CONTINUED TO OCTOBER 8, 2014 AS IT RELATES TO THE SEA ORDINANCE, SEA PROGRAM GUIDE, SEA MAP METHODOLOGIES, AND REMAINING BOUNDARY ADJUSTMENTS.

Attachment 1: Excerpt of 2000 SEA Update Study

Attachment 2: SEA Boundary Comments and Recommendation Spreadsheet.

Attachment 3: Principles for Adjusting SEA Boundaries

Attachment 4: Individual SEA Boundary Comments

Attachment 5: Correspondence