

WILDLIFE CORRIDOR CONSERVATION AUTHORITY

570 WEST AVENUE 26, SUITE 100, LOS ANGELES, CALIFORNIA 90065

TELEPHONE: (310) 589-3230

FAX: (310) 589-2408

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February 10, 2012

REVISED

Mr. Jacob Lieb
Southern California Association of Governments
818 West Seventh Street, 12th Floor
Los Angeles, California 90017-3435

Comments on 2012-2035 Draft Regional Transportation Plan and Sustainable Communities Strategy and Draft Program Environmental Impact Report (SCH# 2011051018)

Dear Mr. Lieb:

The Wildlife Corridor Conservation Authority (WCCA) provides the following comments on 2012-2035 Draft Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) and Draft Program Environmental Impact Report (PEIR; SCH# 2011051018). WCCA was created to provide for the proper planning, conservation, environmental protection and maintenance of the habitat and wildlife corridor between the Whittier-Puente Hills, Chino Hills, and the Cleveland National Forest in the Santa Ana Mountains.

Environmental Mitigation Program

We are pleased to see the inclusion of an advanced mitigation component in the RTP/SCS. This concept has seen great success in Orange County's Renewed Measure M and in fact, is viewed as a model for comprehensively mitigating transportation project impacts with meaningful acquisition and restoration projects. Last year alone, the Orange County Environmental Mitigation Program acquired nearly 950 acres of important natural lands and has funded five restoration projects. Advanced mitigation has many benefits including: streamlined permitting, preservation of important natural lands, improved relationships and collaboration with resource and permitting agencies, to name a few.

We do, however have several suggestions for modification of the Conservation Policy including:

1. Ensuring State conservancies and joint powers authorities with a conservation focus are included in the mapping and prioritization of conservation lands. Specifically, we recommend including WCCA, Puente Hills Habitat Preservation Authority, San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy, Mountains Recreation and Conservation Authority (MRCA), and

Santa Monica Mountains Conservancy (SMMC) among the entities upon whose expertise can be tapped.

2. Extending the inventory of protected lands to include all protected lands – Federal, State, regional and local natural lands – instead of narrowly limiting the inventory to simply Natural Communities Conservation Plan and Habitat Conservation Plan areas.
3. Ensuring existing wildlife corridors and habitat linkages and highway/roadway undercrossings are protected and enhanced during the evaluation of habitat lands and during construction of roadway projects.
4. Advocating that the advanced mitigation policy result in a net environmental benefit for the natural resource lands after construction activities are completed.

Also, large-scale acquisition and management of lands must not be limited to “critical habitat,” (RTP, p. 76, 128) as this can be confused with the legal term used by U.S. Fish and Wildlife Service for some federally endangered and threatened species. To clarify, this should be replaced by text reflecting the intent, i.e., the best available natural lands with valuable environmental resources deserving of conservation/preservation.

WCCA looks forward to working with Southern California Association of Governments (SCAG) on the development of the Natural Lands Acquisition and Open Space Conservation Strategy. This will protect remaining resource lands and mitigate for impacts from transportation improvements. In addition to mitigation banking, transfer of development rights (TDR), and payment of in-lieu fees, WCCA recognizes conservation easements as a powerful preservation tool for habitat areas. Conservation easements, and fee title transfers to open space park agencies, should be listed in the plan alongside the other preservation mechanisms.

Transfer of development rights is a potentially useful market-based preservation mechanism that supports regional density goals. SCAG should take a leadership role in setting guidelines and best practices for these new county and municipal programs as well as explore the creation of a regionally unified TDR program. This method should not only be limited to agricultural lands, but also include other open space lands.

Avoidance of Growth in Resource Areas

The RTP/SCS generally steers growth toward more compact forms in already urbanized areas, making efficient use of existing infrastructure and reducing impacts to resource lands. The policy decisions contained within the SCS are projected to save 408 square miles of nonurban land over the life of the plan. If realized, these gains are certainly an

achievement, although there is no projection of where this growth will not occur and what mechanisms will preserve the land in perpetuity.

The lack of specificity makes it difficult for WCCA to evaluate the impacts of the proposed plan. While the projections are intended to be a meta-analysis of regional economic trends rather than a location-specific analysis of growth patterns, SCAG is clearly making assumptions about where development on resource lands is and is not appropriate. This process is not transparent.

For example, the large undeveloped privately-owned property known as the Aera property in the middle of the Puente Chino Hills wildlife corridor¹, has been identified on Exhibit 4.1 as population growth of 2,001-3,500 persons per square mile. In fact, much of this property has been identified as a proposed Significant Ecological Area in Los Angeles County's most recent draft General Plan.

Ironically, this particular development proposal's population, employment and housing growth areas contradict the goals of Senate Bill (SB) 375 and its requirement for reduced vehicle miles traveled (VMT). The location of the development is nowhere near public transit, does not include a major employment center but instead focuses on large single family residential units, requires dependency on the automobile, and will increase VMTs, not reduce them.

With the understanding that land use authority belongs to local jurisdictions, a truly comprehensive regional plan would transparently set growth parameters in concert with resource conservation goals to eliminate these apparent contradictions. Projecting growth in resource areas sets in motion policies that induce that growth; therefore great care must be taken to ensure such growth meets regional objectives.

Wildlife Crossings of Transportation Facilities

WCCA appreciates SCAG's recognition of the impact that linear transportation facilities have on natural areas and the need for well-designed wildlife crossings to partially mitigate these effects. Wildlife crossings serve two distinct purposes: reducing mortality and preserving genetic connectivity. Roads are the leading direct source of human-caused mortality for most species in southern California and the entire country. They can become a population sink if a significant fraction of a local species is killed, affecting broader population distribution across the landscape. Additionally, for highly mobile predators,

¹The 2,925-acre Aera property is located in the middle of the Puente Chino Hills wildlife corridor, primarily west of State Route [SR] 57 in Los Angeles County, but also occurring east of SR-57, and also in Orange County.

individuals crossing roads are frequently dispersing from their home range in search of new territory and mates, a vital population dynamic that is devastating if interrupted. National Park Service research has documented significant genetic differences among carnivore populations on either side of the 101 Freeway in the Santa Monica Mountains.

Wildlife crossings need to be discussed in the context of habitat connectivity, which is the broader ecological goal for conservation areas. Wildlife crossings are but one critical tool to ensure that indicator species are able to safely move about their environment. While much has been learned about movement patterns and the way in which key transportation facilities create genetic barriers to connectivity, the measures that might mitigate these impacts have not been thoroughly researched. Wildlife corridor design is a field in its infancy with few scientifically verified best practices for crossing dimensions and landscape features. Given that this research is needed to properly mitigate transportation impacts, SCAG should invest in connectivity research with a program specifically designed to establish measures that can be incorporated into the 2016 RTP revision. Such a program would aggregate existing research, propose new study areas, and develop design best practices specifically tailored to the Southern California eco-region.

River Parkways and Active Transportation

WCCA is interested in urban river projects for their multiple recreational, environmental, and transportation benefits. The RTP/SCS should fully fund build-out of these active transportation corridors throughout the region. When well designed, these facilities serve as "bicycle freeways" connecting various parts of the region with uninterrupted travel for nonmotorized users. Separated from traffic, such facilities are also inviting for bicyclists of all ages and abilities, which is necessary to attract substantial mode share away from automobiles.

The RTP/SCS calls for \$6 billion over the next two decades for active transportation investments, which seems low when compared to the identified need in local bike and pedestrian plans. Given the central role active transportation plays in meeting regional planning objectives, funding levels should be set based on full build-out of local bicycle and pedestrian plans, with an appropriate amount projected for those jurisdictions that have not yet completed such plans. The currently proposed funding level does not appear to be rooted in such a need-based assessment. It is not adequate to simply compare the proposed expenditures with past levels independent of a needs assessment.

In addition to the total funding level, the proposed timing of active transportation investment is inadequate. Only 20 percent of the proposed expenditures would occur during the first 15 years of the 25-year planning period, leaving the vast majority of expenditures for the highly speculative future and of little use to current residents. Transit and transportation demand management are similarly back-loaded with only highway-related investments

receiving funding priority in the near term. These non-highway investments are the ones most likely to generate greenhouse gas emissions savings, among other benefits, and the earlier they are made the longer the benefits can accumulate. The proposed expenditure plan runs directly counter to the stated emphasis of the SCS.

Active transportation projects, including the river parkways, are suffering for lack of funding. The most visionary plans require extensive funding to come to fruition and provide their multiple benefits. Planning is well underway, but capital dollars are in short supply for these projects. Furthermore, achieving greenhouse gas reduction and air quality goals requires early mode shift to maximize cumulative benefits over the life of the plan. WCCA suggests that the plan's funding priorities be reversed to immediately fund active transportation investments at a sufficient level to achieve build-out of the region's bicycle and pedestrian networks in the near and medium term. Such a change would make the RTP more consistent with the land use and mode share objectives outlined by the SCS, the intent of SB 375.

For example, WCCA encourages SCAG to evaluate the feasibility and to develop a greenway corridor that can be used for active transportation (e.g., bicycle trail) along ~~Puente Creek~~/San Jose Creek, connecting to the San Gabriel River (by Whittier Narrows) and further west. This San Jose Creek bikeway is an east-west route that parallels the State Route 60 freeway. It is an important commuter route, where a viable bikeway could relieve some freeway traffic. Maintaining and enhancing an open creek channel for wildlife use (e.g., birds) and recreational use (bicycles) would be a valuable amenity in this area. It would be beneficial to investigate and implement other bicycle routes in the area, including a connection between the LARIO trail along the Rio Hondo from its end at Peck Road Water Conservation Park to the San Gabriel River. Another valuable connection would be between the Whittier Greenway Trail to the San Gabriel River at its west end and from its east end to Coyote Creek. These trails are pieces in the larger planned bikeway trail network throughout the region.

Comments on Proposed PEIR Mitigation Measures

Biological Resources and Open Space

The PEIR includes many mitigation measures for potential impacts to biological resources. Overall, these measures are comprehensive and based on sound practice. Inclusion of the proposed mitigation measures in project selection and design will greatly improve ecological outcomes in the SCAG region compared to a baseline scenario. The specific measures calling for minimum mitigation ratios reflect current accepted practices without limiting the discretion of resource agencies to require greater mitigation if warranted.

The proposed measures addressing habitat fragmentation and connectivity are thorough and appropriate (MM-BIO/OS36 through MM-BIO/OS40). These impacts have been all too often unmitigated for transportation projects in the past.

WCCA looks forward to collaboration on regional conservation planning policy to address cumulative impacts to biological resources (MM-BIO/OS45). MRCA is one agency in the SCAG region that administers a highly successful restoration and preservation in-lieu-fee mitigation programs in close coordination with state and federal resource agencies. SCAG's planning and funding expertise is a welcome addition to ongoing efforts. WCCA recommends that other agencies with expertise in the region, such as MRCA, SMMC, Puente Hills Habitat Preservation Authority, and WCCA be invited to participate in this process.

The primary impact from transportation facilities is often the indirect and cumulative impact from growth induced by new improvements. As projects increase access and reduce commute times from remote areas, these resource lands become economic to develop. The Conservancy is therefore pleased to see SCAG recognize these impacts and call for their mitigation (MM-BIO/OS47). Without appropriate growth management along transportation corridors, wildlife crossings cannot mitigate connectivity impacts from expanding development footprints. Furthermore, induced growth along new corridors often negates the benefits of new transportation capacity, prompting even greater impacts from future facility expansion. SCAG should develop best practices that would be applicable to new transportation corridors to prevent new development from extending into resource lands.

The PEIR biology mitigation measures should be clarified to delete reference to relocating active nests (MM-BIO/OS35), as this is likely in conflict with the Migratory Bird Treaty Act. Instead, construction buffers to active nests should be established, as proposed.

Land Use and Agriculture Resources

As stated previously, WCCA is encouraged to see transfer of development rights (TDR) programs included in the RTP/SCS (MM-LU16). Los Angeles County ~~and several municipalities in the Conservancy's jurisdiction are~~ is including a TDR programs in their respective its general plan updates. SCAG should provide technical assistance and facilitate interjurisdictional transfer programs among member governments as appropriate.

WCCA is pleased to see strategic planning that encourages recreational access to natural lands be coupled with efficient land use strategies to preserve these lands (MM-LU25 and 26). Location-efficient and compact development is better for the economy and environment by reducing infrastructure costs, increasing tax revenues per acre, and reducing consumption of agricultural land and habitat.

Urban growth and service boundaries are a critical tool local jurisdictions have to protect resource areas within greenbelts (MM-LU42). ~~The Conservancy~~ WCCA strongly supports efforts by local jurisdictions to establish such policies. SCAG should promote best practices in greenbelt planning and facilitate interjurisdictional collaboration to protect resource areas that separate discrete urban communities. WCCA notes that effective policies restrict densities to no more than ~~ten~~ one dwelling units per ~~one~~ ten acres outside of urban growth boundaries. Densities above this threshold begin to affect resource values, particularly habitat connectivity and sensitive species. ~~Ten~~ One units per ~~one~~ ten acres is an appropriate maximum density to reduce the proliferation of "ranchette" developments that highly fragment habitat in rural areas.

WCCA supports using variable development fees as an economic incentive to direct growth to desired areas. In particular, increasing impact fees for development in greenfield areas would recognize the resource impacts of such developments while rewarding new developments that minimize the burden on public infrastructure by locating in existing urban areas (MM-LU81). Such fees would need to be considerable to actually have an effect on land economics at the regional scale. SCAG should undertake an economic analysis to determine what level of fees would be required to achieve regional growth objectives.

Public Services and Utilities

The PEIR lacks a public safety mitigation measure that promotes project design that minimizes urban-wildland interface, which is the source of wildfire risk to persons and property. Past development patterns include long, meandering urban edges with high risk exposure to catastrophic events, causing great strain on local and State firefighting resources largely subsidized by those living in lower risk locations. A mitigation measure should include two components addressing both project location and project design. First, development that extends into high fire hazard areas should be discouraged. Second, there should be an emphasis on utilizing project design strategies to reduce risk, such as building within compact and defensible footprints and minimizing perimeter length. Projects should be sited in order to reduce impacts of required brush clearance on native habitat areas, including adequate buffers to protect sensitive resources from brush clearance impacts. The draft Los Angeles County Significant Ecological Area Ordinance contains model language to this effect.

WCCA concurs that project sponsors and local jurisdictions should work to increase public access to open space (MM-PS21 and 26). River parkways and other urban natural parks serve a vital purpose in connecting urban residents to natural parkland (MMM-PS22). The City and County of Los Angeles have both recognized these projects in master plans for their respective river corridors. While planning for these projects is the responsibility of local jurisdictions and partners, SCAG has a critical responsibility for funding by including bikeway projects in the RTP area.

Regional partnerships are necessary to achieve open space conservation objectives (MM-PS29). As previously mentioned, WCCA welcomes SCAG's assistance with planning and identifying funding sources for open space acquisition (MM-PS31 and 34). SCAG's participation in coordinating regionally significant trail networks is also appreciated, however the greatest contribution SCAG could make to these efforts would be including those greenways that serve transportation functions, such as the river parkways, in the RTP so that they can be fully developed in the short and medium-term (MM-PS33).

Transportation

WCCA looks forward to SCAG support and urges that ample funding be provided for full build-out of the river parkway systems, combining transportation and recreation functions to improve the quality of life for Southern California residents. These parkways often connect with schools, parks, libraries, and other community facilities (MM-TR43). Such connections should be enhanced through regular transportation improvements and the development of regional and local networks of multi-use trails with adequate end-of-trip facilities (MM-TR78).

Water Resources

WCCA believes that preservation of remaining riparian resources should be the highest priority at both the regional and project level, followed by restoration of previously impacted areas (MM-W1 and 9). To the extent feasible, natural methods for stormwater control, water quality improvements, and infiltration should be encouraged.

SCAG sets an appropriate standard that new projects should not cause or contribute to conditions that degrade the physical integrity or ecological function of any downstream receiving waters (MM-W22). When evaluating projects during the environmental review process, SCAG should identify regionally significant projects that may impact downstream waters and include comments to that effect in Notice of Preparation and Environmental Impact Report responses. This is a critical issue wherever natural rivers interact with urban areas. SCAG should participate in the development of models of natural processes for the remaining natural rivers in the SCAG region to ensure that environmental review can comprehensively evaluate project impacts based on the best available information.

We appreciate your consideration of these comments. Please continue to maintain our agency on your email/ mailing lists for this project. If you have any questions, please contact Judi Tamasi of our staff by phone at (310) 589-3230, ext. 121, or by email at judi.tamasi@mrca.ca.gov.

Sincerely,

Jacob Lieb, SCAG
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REVISED

Glenn Parker
Chairperson

