



**Puente Hills
Habitat Preservation Authority**

Endowment Provided by the Puente Hills Landfill

January 26, 2012

County of Los Angeles
Department of Regional Planning
General Plan Development Section
Attn: Connie Chung, Supervising Regional Planner
Attn: Mitch Glaser, Supervising Regional Planner
320 West Temple Street
Los Angeles, CA 90012

**Comments on Draft Los Angeles County General Plan 2035 and Preliminary Draft
Significant Ecological Area and Hillside Management Area Ordinance**

Dear Ms. Chung and Mr. Glaser:

The Puente Hills Habitat Preservation Authority (Habitat Authority) appreciates the opportunity to comment on the draft General Plan (public review draft dated April 5, 2011) and preliminary draft Significant Ecological Area (SEA) and Hillside Management Area (HMA) Ordinance (dated November 10, 2011).

The Habitat Authority is a joint powers authority established pursuant to California Government Code Section 6500 *et seq.* with a Board of Directors consisting of the City of Whittier, County of Los Angeles, Sanitation Districts of Los Angeles County, and the Hacienda Heights Improvement Association. According to its mission, the Habitat Authority is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect the biological diversity. Additionally, the agency endeavors to provide opportunities for outdoor education and low-impact recreation. The Habitat Authority owns and or manages over 3,800 acres which lie within the Cities of Whittier and La Habra Heights, as well as in the County unincorporated areas of the Puente Hills known as Hacienda Heights and Rowland Heights.

Please note that as of August 15, 2011, due to an amendment of the Habitat Authority's Joint Powers Authority Agreement, the official agency name changed to Puente Hills Habitat Preservation Authority. Please use this name when referring to the agency in future documents and correspondence.



DRAFT GENERAL PLAN COMMENTS

Land Use

In Table 3.2, page 66, we recommend expanding the definition of Open Space Conservation (OS-C) and Open Space Parks and Recreation (OS-PR) to include not only passive recreation but also all associated support facilities customarily found in conjunction therewith. For example, this could include park offices, residences for Rangers, parking, restrooms, signage, fencing, gates, and temporary uses, etc. It is important that park agencies be able to manage and operate these properties for the public benefit.

Conservation & Open Space Element

The Habitat Authority recommends allowing important auxiliary park uses (e.g. trails, park offices, parking, restrooms, signage, fencing, gates, and temporary uses, etc.) by conservancy/park agencies on lands designated as SEAs.

On page 101, please expand the definition of "Conservancy Lands" to include non-state public agencies such as joint powers authorities. Please consider amending the definition of Conservancies on page 53 of Appendix E to include public in addition to private organizations that conserve land for the benefit of people and nature.

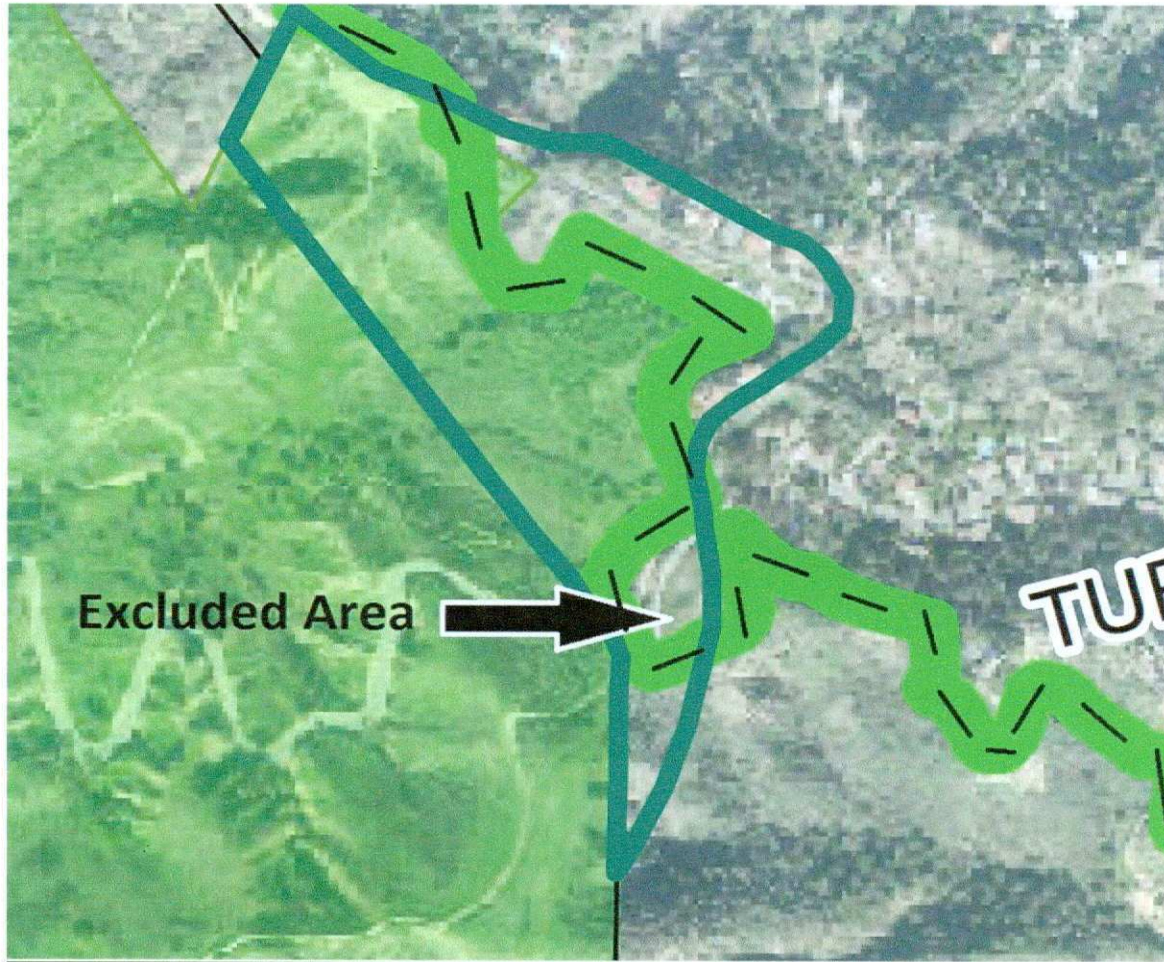
Policy C/OS 3.2 outlines design considerations for projects proposed in SEAs. The Habitat Authority recommends inclusion of a requirement that such projects retain a contiguous area of undisturbed open space over the most sensitive natural resources to maintain regional connectivity within the undeveloped area, and to preserve these areas in perpetuity through a recorded fee simple dedication to an open space park agency currently operating and/or based in the project area prior to the issuance of any permits.

The Habitat Authority's comments remain unchanged from our letter dated August 29, 2007 regarding the biological description of the proposed SEAs as follows below. Although Figure 6.2 of the Draft General Plan is too large of a scale to adequately evaluate, the boundary of the proposed Puente Hills SEA is somewhat clearer on maps provided on the County's SEA website (http://planning.lacounty.gov/assets/upl/project/sea_puente-hills-map.pdf). However, even the scale of this map makes it difficult to understand the proposed SEA boundaries; please provide a much more detailed map, including roads and/or parcel boundaries.

Upper Turnbull Canyon

Given the large scale of the SEA maps available for review, as discussed above, it is difficult to tell whether all of the Habitat Authority parcels located in upper Turnbull Canyon have been included in the proposed SEA boundary. If they have been included, thank you for doing so as requested in our previous letter dated August 29, 2007. In addition, thank you for including other adjacent parcels in the proposed SEA, also as we requested in our previous letter. However, it appears that a portion of a property at the top of Turnbull Canyon Road has been excluded from the SEA boundary (see map below). We request that this undeveloped parcel be included in the SEA as it is located at the top of the Turnbull Canyon watershed, is adjacent to other undeveloped and preserved habitat, and has substantial restoration potential. Also, we have concerns that any development that may occur on this parcel may negatively impact the

adjacent habitat due to edge effects, including habitat alteration due to fuel modification activities.



Source: http://planning.lacounty.gov/assets/upl/project/sea_puente-hills-map.pdf
(Solid dark line is existing SEA, thinner dashed line is proposed SEA)

Habitats Critical to Bird Species and Communities

Please consider expanding the Puente Hills SEA to include areas of adjacent undeveloped habitat, particularly sage scrub and grasslands, which are critical for rare bird species and, as such, meet the SEA criteria for inclusion. For example, the Rio Hondo SEA should be considered for inclusion in the Puente Hills SEA, as well as surrounding undeveloped habitat given its direct habitat connectivity, geographic proximity, and similar natural resources. This would be consistent with the inclusion of other areas such as the Whittier Narrows and Montebello Hills in the Puente Hills SEA.

Much of the undeveloped open space in the Puente Hills is also considered to be critical habitat (Unit 9) for the federally threatened coastal California gnatcatcher (*Poliptila californica californica*). These are areas that have been designated by the U.S. Fish and Wildlife Service (USFWS) as essential to the conservation of the species. Although most of these areas are

already within the proposed Puente Hills SEA boundaries, some areas have been excluded, despite the fact that they meet the SEA criteria. For example, updated SEA Criterion A requires that an area contain “the habitat of core populations of endangered or threatened plant or animal species”¹. The USFWS’s designation of Critical Habitat Unit 9 (which includes the Puente Hills) noted that core populations of gnatcatchers are “known from the south slopes of the Puente-Chino Hills from Whittier east to Yorba Linda” and that “the unit provides the primary connectivity between significant gnatcatcher populations and sage scrub habitat within units 6, 10 and 12”². This critical habitat is composed of both sage scrub and non-sage scrub habitats, including grasslands in proximity to sage scrub that provide space for dispersal, foraging, and nesting, which are essential to the life history functions of the species³.

Grassland habitat is also unique in the Puente Hills, and possibly in the Los Angeles Basin. Scott and Cooper (1999)⁴ listed 22 bird species considered to be vulnerable to extirpation due to habitat loss, and many of which rely on grassland habitat. They also noted that grassland habitat in the Puente-Chino Hills (including non-native grassland habitat) may contribute the most to the breeding bird community of coastal Southern California, since so much of it has been eliminated.

Habitat Critical to Wildlife Movement

Please consider revising SEA selection criteria to directly acknowledge the importance of habitat connectivity and wildlife movement corridors.

The Draft General Plan Conservation and Open Space Element includes many goals and policies relating to habitat connectivity and wildlife corridors that the Habitat Authority supports, including the following:

Policy C/OS 1.3: Create an established network of open space areas that provide regional connectivity, between the southwestern extent of the Tehachapi Mountains to the Santa Monica Mountains, and from the southwestern extent of the Mojave Desert to the Puente Chino Hills.

Policy C/OS 1.6: Prioritize open space acquisitions for lands that contain unique ecological features, streams, watersheds, woodlands, grasslands, and/or offer linkages that enhance wildlife movements and genetic diversity.

Policy C/OS 3.2: Consider the following in the design of a project that is located within an SEA, to the greatest extent feasible:

¹ PCR. 2000. Los Angeles County Significant Ecological Area Update Study 2000: Background Report. Prepared for: Los Angeles County Department of Regional Planning. November 2000.

² Federal Register, Final Rule: Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Coastal California Gnatcatcher (*Poliophtila californica californica*). Vol. 72, No. 243. Wednesday, December 19, 2007.

³ Federal Register. Ibid.

⁴ Scott, T.A., and Cooper, D.S. 1999. Summary of avian resources of the Puente-Chino Hills Corridor. January 1999.

- Preservation of biologically valuable habitats, species, wildlife corridors and linkages;

Policy C/OS 3.6: Preserve special status species, their associated habitat and wildlife movement corridors through the administration of the SEAs and other programs.

This Conservation and Open Space Element also discusses the importance of regional habitat linkages and wildlife corridors (page 105). In addition, Appendix E (Conservation and Open Space Element Resources) of the Draft General Plan notes that there are two essential components to conservation planning, sufficiently-sized open space areas and connectivity between them, and that the revised SEAs reflect these principles (page 56). This Appendix also states that “a primary goal of any land use within SEAs should be to maintain high levels of connectivity between core habitat areas via a network of linkages and corridors” (page 59).

It is clear from the above language in the Draft General Plan that wildlife movement corridors and habitat connectivity are critical to the concept of SEAs. However, the updated 2000 SEA selection criteria do not mention wildlife movement, corridors, or habitat connectivity⁵. The only criterion that can be construed as being related is criterion D: “Habitat that at some point in the life cycle of a species or a group of species, serves as concentrated breeding, feeding, resting, or migratory grounds, and is limited in availability either regionally or in Los Angeles County”. Please consider revising the SEA selection criteria to include lands that provide habitat connectivity and wildlife movement corridors and opportunities, as consistent with the Draft General Plan language cited above. Please also include the SEA selection criteria in the General Plan to help the reader understand the reasons why each SEA was designated and how its boundaries were derived.

As noted in the Draft General Plan, numerous wildlife studies have been conducted in the Puente-Chino Hills documenting wildlife movement and habitat connectivity and, as such, the Puente-Chino Hills Wildlife Corridor is widely acknowledged as having regional significance (see www.habitatauthority.org/publications for links to reports). Given the existing limitations on the Wildlife Corridor due to existing development, any remaining undeveloped habitat is important to maintaining the function of the Corridor, particularly at narrow “choke” points, such as along Hacienda Road, or at major roadways, such as Colima Road and Harbor Boulevard. It is presumed that, for this reason, habitat surrounding Hacienda Road has been designated as an “Ecological Transition Area” (ETA) on the proposed Puente Hills SEA map. If other areas of undeveloped habitat adjacent to the proposed Puente Hills SEA are not included in the SEA boundary, perhaps they could be considered as ETAs, as they would be functionally integral to maintaining wildlife movement throughout the SEA. It is our understanding, based on the current draft SEA Ordinance (provided by the County on November 10, 2011), that projects proposed in ETAs would receive some additional evaluation but would not be subject to the same heightened biological evaluation process provided through the SEA Technical Advisory Committee as a project located in a designated SEA. As proposed in the current draft SEA Ordinance, projects proposed in an ETA would file a Minor Conditional Use Permit

⁵ PCR. 2000. Los Angeles County Significant Ecological Area Update Study 2000: Background Report. Prepared for: Los Angeles County Department of Regional Planning, November 2000.

application (22.56.215E), where the Director must find that the project will only result in impacts to natural resources that are minor in nature (22.56.085D).

The maintenance of wildlife populations in western portions of the Puente-Chino Hills, such as in the Habitat Authority's Preserve, are critically dependent on the movement of individuals from locations further east in the Corridor, and a reduction of this potential movement may pose a serious threat to the persistence of these populations in the future⁶.

Appendix E: Conservation and Open Space Element Resources

On page 55, regarding the description of the Habitat Authority, we recommend the following minor changes to the second to last paragraph (new text underlined or deleted text strikeout):
"To date, the Habitat Authority owns and/or manages over 3,860 acres of preserved public ~~public~~-open space."

On page 60, regarding the summary of the Puente Hills SEA, it notes that "significant wildlife movement throughout the Puente Hills SEA has been documented in a two year carnivore study commissioned by the Santa Monica Mountains Conservancy as part of a multi-jurisdictional effort to establish a region wide wildlife movement linkage." Please update this statement to acknowledge numerous additional wildlife movement studies that have been conducted in this SEA on the Puente Hills Preserve, including several studies of both the Harbor Boulevard Wildlife Underpass and the Colima Road Underpass, all of which are available on the Habitat Authority's website (www.habitatauthority.org/publications).

The following comments are regarding the description of the Puente Hills SEA, beginning on page 83:

- On page 83, please include a description of the Ecological Transition Areas noted in the Puente Hills SEA, and explain the reason for their inclusion in the SEA
- On page 84, please note that oak woodland habitat is also prevalent in the hills of Hacienda Heights, and that walnut woodland habitat is also prevalent in Powder Canyon.
- On page 84, please note that oak riparian forest is not extensive in Powder Canyon.
- On page 84, the description of coastal sage scrub habitats notes that it exhibits a "less robust structure" than mixed chaparral. Please indicate what is meant by the word "robust", and whether it is intended to denote shrub height or evergreen. Referring to coastal sage scrub as "less robust" may be misinterpreted as unhealthy or otherwise deficient compared to chaparral, which is not the case. Also, this description notes that coastal sage scrub exists as "scattered patches"; however, it also exists in some areas as large, contiguous stands. In addition, coastal sage scrub not only persists within former oil extraction areas as noted in the description, but it has also recovered and reestablished in some formerly disturbed and developed areas. Finally, please note that cactus scrub is a very important subunit of coastal sage scrub, which is found extensively on southerly

⁶ Conservation Biology Institute. 2005. Maintaining Ecological Connectivity Across the "Missing Middle" of the Puente-Chino Hills Wildlife Corridor. July 2005.

and westerly slopes, especially in Sycamore Canyon, Hellman Park and La Habra Heights.

- On page 84, the description of non-native grassland should indicate that this habitat can include patches of native grasses and wildflowers, and is capable of supporting sensitive species, including mariposa lilies and grassland-dependent birds.
- On page 85, regarding wildlife species, the second paragraph states that “the SEA is likely to support a variety of amphibians in abundance...”. The Habitat Authority’s Resource Management Plan and a study conducted by the U.S. Geological Survey document the presence of several locally-rare and/or sensitive amphibian species. These reports are also available on the Habitat Authority’s website (www.habitatauthority.org/publications). Similarly, regarding mammals in the fourth paragraph of this section, a study was conducted for bats on the Preserve and found 11 different species, seven of which are sensitive species; this report is also on the Habitat Authority’s website.
- On page 85, regarding wildlife species, paragraph three states that several species may use this SEA as their only consistent occurrence in the southeastern portion of the County. Given the importance of this statement regarding the SEA, please list some of these bird species as examples.
- On page 85, regarding wildlife species, the fourth paragraph should note that this SEA supports bobcats and mountain lions among the mammal community, which indicates the connectivity and quality of the habitat in this SEA considering that these mammals are sensitive to fragmentation.

Again, we encourage the County to address the issue of compatibility of roadways with wildlife in the Circulation and Conservation and Open Space Elements, not exclusively in the section dealing with Significant Ecological Areas as described in our previous letter dated August 29, 2007.

PRELIMINARY DRAFT SEA ORDINANCE COMMENTS

The Habitat Authority appreciates the inclusion of Ecological Transition Areas (ETAs) in the SEA Ordinance, acknowledging the value of areas which may not meet all of the SEA criteria but still contribute to the functional integrity of natural ecological systems within the SEAs. As such, we recommend including descriptions of any ETAs within the individual SEA descriptions, including the reasons for their designation as ETAs and their inclusion in the SEAs.

We note that on page 2 of the Ordinance, the definition of “Development Activities” under item 3 lists “removal of vegetation” as a development activity. We suggest that the Ordinance acknowledge exemptions to the Ordinance requirements, including required fuel modification and removal of non-native vegetation for habitat improvement and restoration. Similarly, we recommend the same exemptions be acknowledged under the definition of “Vegetation Clearance” under item 5 on page 3.

On page 5, item 7, it notes that “managed grazing lands of horses, cattle, or sheep” and accessory corrals within SEAs or ETAs are exempted from a conditional use permit. We suggest that this exemption also include grazing of animals such as goats, for habitat restoration or fuel modification activities. We also suggest that any new commercial grazing projects not be exempted from a conditional use permit as some grazing can cause ecological damage.

Other activities in SEAs or ETAs exempted from a conditional use permit as described on pages 5 and 6 include “activities undertaken by a governmental agency or requested by a governmental agency”, including removal or thinning of vegetation, habitat restoration for fire and flood prevention, and hazard management for public safety. We suggest that removal of non-native vegetation (including by herbicide) and habitat restoration (including seeding, planting of container plants, and irrigation) for habitat improvement (not just for fire or flood prevention) also be exempted activities by government agencies. We also suggest exemption of government agency activities such as scientific studies, and construction or demolition of trails, structures or facilities necessary for open space management activities.

Section E on page 6 requires that development within an ETA must obtain a minor conditional use permit. According to Section 22.56.085 of the Los Angeles County Code, minor conditional use permits may be granted by the Director of Regional Planning if it is found that impacts on natural resources will be only “minor” in nature. However, neither the Draft SEA Ordinance nor Section 22.56.085 regarding minor conditional use permits explain what type of information is required to be included in the application which evaluates the natural resources present and the potential impacts that the proposed development may have on the ETA and associated SEA. Please consider amending the Draft Ordinance to specifically state what type of information is required of applicants which would assist the Director in his evaluation of impacts to natural resources. This may include a description of the natural resources potentially impacted by the project and any measures proposed as part of the development that would reduce impacts to such resources and help retain the integrity of the SEA. This type of analysis, similar to that required for projects within SEAs but perhaps on a smaller scale, would help to reflect the intent of ETAs, which by definition are considered to be “functionally integral to the Significant Ecological Area or support important plant or animal populations” (per item 2 on page 2 of the Draft SEA Ordinance).

On page 8, regarding information to be included for an initial project appraisal for projects proposed in an SEA, item (v) requires a description of sensitive species listed by the California Department of Fish and Game, the U.S. Fish and Wildlife Service, California Native Plant Society, and Los Angeles County Sensitive Bird Species List. Please also consider including other local adopted plans to this list. For example, the Habitat Authority has adopted a Resource Management Plan which identifies and evaluates sensitive species that are, or may be, present on the Puente Hills Preserve. Other local plans may provide more detailed information for other properties in SEAs, if available.

Also on page 8, please consider requiring that the initial project appraisal also include an assessment of Regional Habitat Linkages and Wildlife Corridors present within the SEA which may be impacted by the proposed development, and a description of how the proposed project would mitigate any negative impacts.

On page 10, regarding Development Standards and Guidelines for projects proposed within SEAs, please consider adding under item 1 "Site Design and Implementation" that the siting of structures and associated infrastructure not only be clustered, but be located as close as technically feasible to existing development and roads. This would further reduce impacts from edge effects, such as noise and light, which is the assumed intent of requiring clustering in the Draft Ordinance. Also, under this same item, subsection (b) requires that structures and infrastructure in high fire areas be set back at least 200 feet from dedicated natural open space within the site or on adjacent parcels; please consider this requirement for all areas, not just those considered to be "high fire areas", as fuel modification requirements could possibly be expanded to up to 200 feet in other areas.

We appreciate the opportunity to comment on these documents. Please notify us when the Habitat Conservation Plan, Mitigation Land Banking Program, Trails Master Plan, Open Space Land Acquisition Strategy, and Oak Woodland Conservation Management Plan documents are available for public review.

Thank you for your consideration of our comments. Feel free to contact me or Andrea Gullo, Executive Director, at (562) 945-9003 for further discussion.

Sincerely,



Bob Henderson
Chairman

cc: Board of Directors
Citizens Technical Advisory Committee
Emma Howard, Los Angeles County Department of Regional Planning