

SANTA MONICA MOUNTAINS CONSERVANCY

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June 24, 2019

Los Angeles Department of Water and Power
Attention: Kathryn Laudeman
111 North Hope Street, Room 1044
Los Angeles, California 90012

**Power Plant 1 and Power Plant 2 Transmission Line Conversion Project
Draft Environmental Impact Report Comments
SCH No. 2018011039**

Dear Ms. Laudeman:

The Santa Monica Mountains Conservancy offers the following comments on the above referenced 14-mile-long transmission line conversion project that courses through two sections of the Angeles National Forest and through protected open space owned by the City of Santa Clarita, the Mountains Recreation and Conservation Authority, and the Santa Clarita Watershed Recreation and Conservation Authority. The project courses through miles of habitat in the core habitat areas of both the San Gabriel and Sierra Pelona Mountains and crosses the Santa Clara River. Over a thousand acres are subject to either permanent or temporary biological impacts. The Draft Environmental Impact Report (DEIR) is deficient for not addressing how integral the lands in the subject power line corridor are to large regional ecosystems. The lines and their access roads course through thousands of acres of protected core habitat area.

All but one of the DEIR biological mitigation measures fall into a category of mitigation that provides a last minute count of what life forms are going to be killed, that last minute warn the species of their habitat's fate pre-disturbance, and then loosely state how there would be artificial burrows and roosts, temporal ponds, and sapling trees installed in unknown locations with loose long term oversight to compensate for both widespread permanent and temporal impacts.

However, once wholly and safely removed outside of the EIR consultant contract confines, few biologists would agree that artificial habitat creation, even at higher replacement ratios, truly mitigates for the loss of established habitat resources that are perfectly adapted to their micro sites. The bottom line is that every project permanently reduces the carrying capacity of southern California's mountain ranges regardless of the mitigation. The subject project has the potential to adversely impact over half a dozen special-status plant species and over dozen special-status wildlife species. Even with mitigation measure MM-BIO-9 that calls for some

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offsite habitat protection, the proposed project would result in unavoidable significant adverse biological impacts to larger habitat areas and most probably to special-status species. To reduce those impacts to a level less than significant, the scope and details of mitigation measure MM-BIO-9 must be substantially expanded to guarantee the timely protection of scores of acres of offsite habitat near the proposed project. The Los Angeles County Department of Regional Planning now requires an approximately 1:1 habitat replacement ratio for all destroyed native habitat in the Santa Clara River watershed. The precedent is there and working.

Mitigation measure MM-BIO-9 Habitat Preservation and/or Creation states in part:

To mitigate for impacts to vegetation communities, habitats for special-status wildlife species and occurrences of special-status plant species, suitable off-site mitigation land shall be acquired. LADWP shall purchase habitat credit or provide for the conservation of habitat generally consistent with the assemblage of vegetation communities impacted by the project.

As written this mitigation measure is unenforceable in a manner that guarantees any level of actual habitat loss mitigation. What agency makes the decisions about how much habitat must be acquired, what qualities it must possess, how far from the impact area can it be, when must it be acquired, and what entity will manage it with what funding source?

The Conservancy urges the Department to flush out the answers to all of these above questions in a much more robust writing of MM-BIO-9 in the Final EIR. At a minimum, the new language should explicitly state that any habitat that is disturbed that supports at least 25 percent cover of native vegetation must be replaced at a 1:1 per-acre offsite land preservation ratio. In addition that fee simple land protection must be 100 percent complete prior to any ground disturbance. If the final project completion disturbance footprint exceeds the habitat disturbance acreage in the FEIR, then the replacement ratios must also be increased commensurately. The mitigation measure language must also require that the lead agency provide a long term stewardship fund to each entity that holds said mitigation lands. The minimum long term stewardship fund for each non-contiguous cluster of parcels should not be less than \$100,000. Those funds must be paid upon transfer of the fee title.

The language must also be expanded to require the lead agency to consult with public agencies and provide written assurances from such agencies that they are willing to accept fee title to, and manage in perpetuity, said new protected lands. If the LADWP decides to hold the lands

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in perpetuity, then local government agencies should be offered conservation easements accompanied by easement processing funds and a minimum \$15,000 per parcel, one time, easement monitoring payment. The language allowing purchase of habitat credits from already protected lands must be struck. Such payments provide no actual increased mitigation for habitat loss.

If the LADWP does not desire to perform the land acquisition mitigation itself, there is a strong possibility that the Mountains Recreation and Conservation Authority (MRCA) would accept such obligations if adequately funded. The MRCA is an approved mitigation entity by CDFW. In addition, the Conservancy and MRCA collectively have an ACOE approved in lieu fee mitigation instrument.

The Conservancy urges the Department to incorporate these basic but substantive additions to MM-BIO-9 to demonstrate its commitment to natural lands and watersheds in southern California.

Upon consultation with the Santa Clarita Watershed Recreation and Conservation Authority staff, the shown helicopter lay down area in Whitney Canyon has not been vetted with the agency to date. In addition a small southerly portion of the Whitney Canyon lay down area 9-3 is within a riparian restoration project boundary being conducted by the MRCA.

Please direct questions and future documents to Paul Edelman of our staff at the above letterhead address, at edelman@smmc.ca.gov, and 310-589-3200 ext. 128.

Sincerely,

IRMA MUÑOZ
CHAIRPERSON