

COMMENTS

RESPONSES

Comment 1

City funding for the program will be limited (\$1M from the City for land acquisition, \$132K for annual management activities not currently being expended). The vast majority of the cost will be paid from federal, state, and private sources. The City benefits from the dedication of a 1500-acre biological open space and obtains incidental take permits for many important infrastructure projects throughout the City. The Plan provides for a predictable habitat mitigation program that is practicable.

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DEIR
RPV NCCP
SCH# 2003071008

At the March 16 City Council meeting, I felt as though I was attending a class in civics for the 21st century. The subject was a draft environmental impact report concerning the Natural Communities Conservation Planning program. The remarks of virtually everyone who spoke, including myself, were addressed to the various facets of the project itself. In three minutes, I was able only to scratch the surface of the serious shortcomings of the NCCP project. My concerns fall into three categories: the concept in general, the management arrangement and my "open space" perception.

The adoption of the NCCP as the cornerstone of RPV's goal of maintaining "a low density/open space/rural environment" is driven by the notion that it can be achieved by the use of state and federal funds. This clearly comes at a price; the NCCP defines for RPV the character of its "open space" for all time. Whose vision of the Peninsula is the one we would like to achieve? One defined by endangered species, one that the Gabrielino Indians enjoyed, the one the Spanish found upon their arrival, one that Jamie Gonzales knew 75 years ago as a child growing up in Portuguese Bend?

A project of this magnitude and cost deserves to be managed in the most cost-effective manner possible. At the very minimum, alternatives of in-house, a commercial contractor and a nonprofit should be examined competitively against a precisely defined description and ongoing maintenance expectations.

One thing that has helped me to find perspective on the overall project is just to open my eyes. When I drive along Palos Verdes Drive South and west from San Pedro to Palos Verdes Estates, I am satisfied that the goals of the founding fathers have been met in large measure

by adherence to principles stated in the general plan, coastal specific plan and city ordinances. Looking landward, I can again see open space that has been preserved through various existing processes from the PV Drive East switchbacks, landslide-restricted Portuguese Bend, the hillsides defined as neutral lands in the EIR, the Barkentine parcel and controlled development of the Point View project. Why should RPV taxpayers be saddled with millions in initial costs and the hundreds of thousands in ongoing costs to be incurred in the process of implementing the NCCP?

Jack Downhill
Rancho Palos Verdes

(from Peninsula News)

DOWNHILL 1

<i>COMMENTS</i>	<i>RESPONSES</i>
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To: Director of Planning RPV.
Subject: Comments on DEIR & NCCP.

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PLANNING, BUILDING &
CODE ENFORCEMENT

1. I question the necessity of an EIR on a project of this nature, Is there not a process of legitimacy which may be lacking on other grounds? The obvious reason for having selected the NCCP as way to preserve "open space" is that it is a way to use other people's money to fund local land acquisition. The underlying premise was to satisfy the sacred long-held goal of maintaining the rural, rustic openness that RPV residents revere. To my knowledge there has never been a true debate of this premise versus maintaining open-space as a routine and fundamental basis of all RPV governmental actions, which to date, incidentally, has been very successful. A quick look at Section Eight of the report confirms my belief; virtually every factor cited has "no impact".

2. The report itself, while a waste of money, is a workman-like product covering a myriad of factors and details so minute as to defy necessity. One troubling aspect of the report that concerned me on page after page throughout the report was the seemingly indiscriminate use of such terms as: reserve, preserve, conserve, recreate, restore, re-vegetate, mitigate, threatened, endangered, native, naturalized, etc. etc. Each of these terms has a precise definition but their use has the effect of confusing the issues of what exactly is the current state, the desired state and the likely prospect of attainment. The report would be vastly improved by a listing of such terms [my list is probably incomplete] complete with an authoritative definition [Webster] of each. Having such a compilation, the report should be reviewed meticulously to insure the correct term and usage throughout.

3. Another serious question arises with the chart 5.1-2 which purports to locate precisely where the endangered species are currently located. The basis in observation or research by the EIR authors or by the NCCP project designers is open to dispute. A cursory visual survey suggests that it is absurd that anyone can claim to know where these species exist. The terrain involved is a vast area either so steep and/or impenetrable as to defy examination. The possibility of aerial survey to make the assessment is equally ridiculous.

4. Another deficiency of the report is that it treats very superficially the course of nature that will continue no matter the ownership or the political definition given to the Sub area acreage. Any plan for re-vegetation, even with resources well beyond practical, will take decades. The volunteer efforts needed for this task almost certainly will wax and wane with time and should not be accepted as the basis for execution of the plan. Without a substantial effort, the noxious invasive Acacia, the one with the multitudinous seed pods, will take over most of the acreage within a few tens of years. This is evident already on the more moderate slopes of the Filiorum land where probably 10 to 30% has been covered in the years since the 1973 and 1978 fires.

5. Another detail of the project which seems to have been neglected is the access and security of these vast open spaces. If the area is made accessible to the public for their walks on the wild side and observation points, complete with sitting, picnic, and rest accommodations, so also will the area be accessible to off-road vehicles, both human and gasoline powered. I have recently observed a 'Hummer' being tested for its hill climbing

DOWNHILL 2

DOWNHILL 3

DOWNHILL 4

DOWNHILL 5

DOWNHILL 6

Comment 2

The appropriate CEQA process is determined by the CEQA Lead Agency (City). The EIR process is the most conservative and comprehensive process dictated by CEQA. The City considered the broad and programmatic nature of the Plan and the potential for the Plan being perceived as controversial by the public, which justifies using the EIR process.

Comment 3

The terms referred to are used in their proper context and commonly recognized definitions. Existing condition of the environment is described, followed by the expected change in the environment and any associated adverse environmental effects. Mitigation for significant impacts is provided.

Comment 4

The distribution of sensitive species is current to 2004. The majority of the sightings date to the early 1990s. New sightings of sensitive plant and animals are reported every year. The database is updated regularly. The geographical accuracy of each point location is based on documented locations recorded on scaled maps of 1"=1000' or better.

Comment 5

The Plan currently proposes to restore 5 acres of disturbed habitat to coastal sage scrub type habitats. Over the life of the permit, about 250 acres of disturbed areas within the Reserve will be restored, increasing the potential carrying capacity within the city to above existing conditions. Additional restoration may occur if additional funds are gained from other funding sources. Volunteer efforts will be critical to the successful implementation of the Plan.

Comment 6

Most, if not all, of the properties that are proposed to be included in the Reserve are currently accessed by the public. Public safety service is currently being provided to the area. Recently, the City Council agreed to fund an additional LA County Sheriff deputy in part to help patrol the City's open space areas, like the proposed Reserve areas.

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capability on an otherwise seldom if ever visited area of the Filiorum acreage. Are the PVPLC and the city capable of policing this widely dispersed acreage?

6. Another seriously flawed element of the project is the intent to takeover the management and upkeep of the various properties held by home owner associations, put in place as a part of the project approval and maintained at the expense of the owners. I'm certain these associations will be happy to accommodate this plan and hence place the costs and responsibilities on the city.

7. Funding of both the acquisition and annual upkeep of the NCCP project area presents, I believe, insurmountable problems if other urgent needs of the city are not to be impacted. The current state of funding of charities makes any assumption of funding by or through the PVPLC highly questionable. A side effect of the project is its impact on other active projects within the project area. For example: to withdraw this acreage from the RDA area would appear to eliminate the tax increment that would accrue from even the minimum 2% per year appreciation of the taxable value of such land. Hence monies available to the RDA for urgent landslide abatement projects would be lost.

DOWNHILL 7

DOWNHILL 8


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 4/20/04

Comment 7

Only lands that are considered to be biologically important to the Reserve design are being requested for access to conduct habitat management activities. The City needs to ensure that biological resources present on these conserved lands can be sustained over time.

Comment 8

An analysis of the NCCP's impact on the City's property tax revenues, including RDA tax increment revenue, was prepared by the City's Finance Department and presented to the City's Finance Advisory Committee on May 26, 2004. That analysis is included in Appendix C of the Subarea Plan.