

<i>COMMENTS</i>	<i>RESPONSES</i>
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COMMENTS ON THE FEB. 20, 2004 NCCP DEIR
APRIL 19, 2004
BY JIM KNIGHT

The preparation of the DEIR for the NCCP represents a significant step in the preservation of what little wildlife still remains on the Palos Verdes Peninsula. I look forward to the completion and implementation of the NCCP and placing this natural resource into the stewardship of the PVPLC and the City in order to preserve its unique aesthetic, biological and educational values.

The following comments are in the spirit of making a good Subarea Plan better:

Sec. 2.3.3, p.2-3 Mitigation Requirements

The Plan calls for self-issue take authorizations but it is not clear whether this will be for occupied habitat only or will it be required for the take of any CSS or other sensitive species.

KNIGHT 1

Table 2-1

Section 5.1.2.6, p.2-7

The Mitigation Measures column states that BMPs for development activities adjacent to the Reserve are addressed by the Subarea Plan. I could not find those BMPs in this Feb. 20, 2004 document.

KNIGHT 2

Section 5.3.2.4, p. 2-9

Does this include changes to the Conceptual Trails Plan as is being deliberated by the City?

KNIGHT 3

It is not clear what is meant by "Point Vicente Park". The POU and Deed from the Federal Gov. refers to Upper Point Vicente as what is today called Del Cerro Park, and Point Vicente Beach Park (Lower Nike Base Site) which is owned by L.A. County, for what we refer to as Lower Pt. Vicente, and LADA Nike Site 55 is what we refer to today as Upper Pt. Vicente Park (City Hall property).

KNIGHT 4

I will use the terms that are used today. The General Plan Land Use Map designation for Lower Point Vicente Park (Interpretive Center area) is passive, not active, and was recently reaffirmed by the RPV City Council. Upper Point Vicente Park is a combination of the proposed conservation easement (passive), and an upper flat area that is designated as Public Institutional. The upper flat portion has not been changed although there is discussion of either future passive active or a mix of passive and active.

KNIGHT 5

The 6.6 acres in the POU is in the Upper Pt. Vicente flat area but the March 1, 1976 Application describes the LADA NIKE SITE 55 as having 6+ acres of the City Hall site being designated for "potential active recreation purposes, but to be used in the interim for passive open space." I am unaware of any amendment to the POU to change this original designation.

KNIGHT 6

Comment 1

The Plan covers the entire City jurisdiction and all habitat types. Incidental take of covered species and their associated habitats are provided for in the Plan for specific covered projects. A habitat mitigation program for future development projects that are consistent with the Plan is also provided in the Plan.

Comment 2

See Section 6.2 of the Subarea Plan.

Comment 3

Yes, the PUMP will plan the trail system through the Reserve to avoid impacts to covered species and their habitats where practicable.

Comment 4

The reference to Point Vicente Park is intended to mean the City's Upper Point Vicente property that is subject to the POU. The Subarea Plan has been amended to more clearly explain this.

Comment 5

Comment noted.

Comment 6

The Program of Utilization (POU) described in the City's "Application for Federal Surplus property for Public Park or Recreational Purposes" dated March 1, 1976 identifies a "6.6 acre potential active recreation area" on the Upper Pt. Vicente property. According to the maps that accompanied the above referenced 1976 document, the location of the 6.6 area appears to be in an area of the property that is now being proposed to be part of the habitat Reserve. Although there is sufficient area elsewhere on the property to accommodate at least 6.6 acres of active recreational uses, the POU may have to be amended to clarify the location of the passive and active uses on the Upper Pt. Vicente property.

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<p>Table 3-1, p. 3-4 It would be clearer to describe <i>Campylorhynchus brunneicapillus couesi</i> as a Coastal Cactus Wren.</p>	<p>Comment 7 The coastal cactus wren (<i>C.b. sandiegoensis</i>) is a different subspecies of cactus wren that ranges from the southern third of Orange County to northern Baja.</p>
<p>I would think that the Cooper’s Hawk (<i>Accipiter cooreii</i>) CDFG SSC, Loggerhead shrike (<i>Lanius ludovicianus</i>) USFWS SOC, CDFG SSC and Double-crested cormorant (<i>Phalacrocorax auritus</i>) CDF’s SSC should be included in this impact analysis.</p>	<p>Comment 8 Cooper’s hawk is a common woodland hawk that has adapted to suburban landscapes like RPV. Loggerhead shrike is an uncommon predatory songbird with a continental distribution. Double-crested cormorant is a very common colonial seabird. Both Cooper’s hawk and loggerhead shrike will benefit from the conservation and management actions of the Plan. Both of these species are expected to remain extant in the Reserve area. The cormorant does not utilize upland habitats, and would not benefit directly from the Plan. None of these species is expected to be listed in the near future.</p>
<p>Sec. 3.4.5.1, p.3-12 Public Use Master Plan 1) It is not clear if the “recreational trail system” is one and the same as the “Reserve Trail Plan”.</p>	<p>Comment 9 The trails will follow the Conceptual Trail Plan and will be detailed in the Reserve Trail Plan to be developed after lands are acquired.</p>
<p>2) The RPV Public Works Dept. needs an access protocol as well as the utility companies.</p>	<p>Comment 10 Comment noted. All agency personnel will be educated as to what activities are allowed in the Reserve.</p>
<p>3) It seems as though the Abalone Cove Landslide Abatement District (ACLAD) should be included in the geology section and access protocol guidelines. They do have independent funding and authority to implement landslide abatement measures.</p>	<p>Comment 11 Comment noted. See response to Knight comment 10. There is no specific Geology section within the EIR.</p>
<p>4) p. 3-13. Will agricultural uses be restricted from expanding their operations outside of their current uses? It might be well served to establish a current agricultural use baseline map.</p>	<p>Comment 12 Existing agricultural leases on Reserve lands will not be affected by the Plan. No expansion of agricultural lands within the Reserve will be allowed.</p>
<p>Sec. 3.4.5.2.1 p. 3-13 Initial Plans I assume that the Targeted Exotic Plant Removal Plan will be implemented a year ahead of the Habitat Restoration Plan (3.4.5.3.1), but it is not clear in this statement.</p>	<p>Comment 13 The Targeted Exotic Removal Program (TERP) is separate from the restoration work. In addition to the TERP, each year five acres will be cleared to be restored during the following year. Weeding will continue on the restoration areas until the habitat is fully established.</p>
<p>All of these reports, annual or otherwise, should use field GPS location waypoints for more accurate mapping, especially in view of the fact the City now has a very accurate digital mapping system. The cost of a WAAS handheld unit (accurate up to 3 meters) would have little financial impact (around \$150) and training to use it is not very difficult. With the GIS layering capabilities, I believe that it could also help integrate all of the information that is being collected in the various reports into an overall view of how the Plan is progressing.</p>	<p>Comment 14 GPS and GIS will be used to document the spatial location of resources.</p>
<p>Sec. 3.4.5.2.4 p. 3-13 Reports Every Three Years Will there be a Predator Control report? It would help to monitor whether the Plan is successful or not in reducing predator populations and might help follow trends which would make the updates to the revised Control Plan more effective.</p>	<p>Comment 15 Predator control activities will be documented in the three-year comprehensive reports.</p>
<p>Will there be an Integrated Pest Management Plan including control of Argentine Ants?</p>	<p>Comment 16 Argentine ants are likely extant throughout the Reserve. Their control is considered to be impracticable due to their source populations being maintained throughout the developed portions of the City. Attempting control would divert limited resources without any substantial benefit to covered species. Integrated pest management practices will be implemented and detailed in the Habitat Management Plan (HMP).</p>
<p>Will there be recordation of local climatic conditions to help analyze wildlife success/failure in any of the reports? If so, it would be helpful to record more than just the annual rainfall amounts. The type of rain patterns (large single events, a late season rain pattern (April/May) vs. a normal</p>	

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(Jan./Feb.)) can all have different effects on plants and wildlife even though the annual rain may tally up the same.

KNIGHT 17 (cont'd)

Sec. 3.4.5.3.2 p. 3-14 Targeted Exotic Plant Removal Plan
The Plan should look at the impact of the proliferation of Lemonadeberry (*Rhus integrifolia*). Since fire suppression has been implemented, this particular plant is beginning to crowd out artemisia dominated CSS areas. This is very important for one of the prime target species of the Plan is the Coastal California Gnatcatcher and breeding gnatcatchers on the Peninsula are noticeably absent from most sage dominated by lemonade berry.

KNIGHT 18

I understand the need to specify that only licensed pest control advisors are allowed to make pest-control recommendations. But I do feel that a qualified biologist should be included in that recommendation. I wouldn't want the Orkin man alone deciding what is "compatible with biological goals".

KNIGHT 19

Again, the before and after photos of exotic removal could be greatly enhanced with field GPS waypoints to be integrated with the City's mapping system.

KNIGHT 20

Will large non-native trees be included in the Targeted Exotic Plant Removal Plan? If so, what impact will this have on raptors?

KNIGHT 21

Sec. 3.4.5.4.2 p. 3-15 Species Reintroduction
I could not find where in the Plan the guidelines on determining the appropriateness of reintroduction of species was provided as stated.

KNIGHT 22

Sec. 5.1.1.1 p. 5-1 Vegetation Communities
Will the GIS system mentioned here be coordinated with the City's new digital mapping system?

KNIGHT 23

Sec. 5.1.1.1.1 p. 5-4 Coastal Sage Scrub
Coyote Bush, (*baccharis pilularis*) is mentioned as both a "dominant" and "other less frequent constituents of the community".

KNIGHT 24

Sec. 5.1.1.1.3 p. 5-5 Saltbush Scrub
Atriplex breweri is Brewer Saltbush found mostly in San Francisco and the Channel Islands. Quailbush is *Atriplex lentiformis*.

KNIGHT 25

Sec. 5.1.1.1.7 p. 5-6 Riparian Scrub
The second paragraph of Sec. 5.1.1.1 Vegetation Communities mentions that all riparian scrub in Rancho Palos Verdes are considered sensitive habitats in the Planning Area.

KNIGHT 26

In the Long Point EIR Volume IV Biological Section 15.3.5 a report from Glen Luckos and Assoc. dated March 13, 2001 identified a riparian habitat area associated some willow plants that may be subject to Ca. Coastal Commission jurisdiction on the Long Point site. P. 13 of that report states "Two mule fat

Comment 17

Data from local weather stations will be summarized and used in the population assessments of covered species.

Comment 18

Issues such as the proliferation of lemonadeberry-dominated scrub will be addressed in the comprehensive Plans developed every five years. It is likely that reducing the stands of lemonadeberry would be considered once all of the priority restoration areas are restored. Consideration of this possibility would involve consultation with the Resource Agencies and solicitation of opinions from experts in the field of restoration ecology.

Comment 19

The restoration program will involve a team of specialists, including a restoration biologist.

Comment 20

See response to Knight comment 14.

Comment 21

Trees that support raptor nesting or roosting will not be removed.

Comment 22

See Section 6.6 of the Subarea Plan.

Comment 23

Yes.

Comment 24

Coyote bush can be the dominant species in disturbed CSS, but it is less common in undisturbed CSS.

Comment 25

The text has been corrected within section 5.1.1.1.7.

Comment 26

The NCCP vegetation map does not include the riparian scrub on Long Point. Areas smaller than the minimum mapping unit would not be recorded in the city-wide vegetation mapping. Project-specific level EIR and wetland delineation mapping is typically more accurate than regional mapping since the minimum mapping unit is smaller. The Plan and EIR both assume that small areas of undocumented riparian scrub and native grassland exist and would need to be documented during subsequent CEQA assessments and during the initial evaluation of restoration sites.

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<p>areas occur on site which may be considered riparian areas as identified by the CCC." Does the 2.5 acres include this? Are the Neutral Lands such as Dodson Canyon on the East Side where there is a blue line stream included in the 2.5 acres?</p>	<p>KNIGHT 26 (cont'd)</p>
<p>p. 5-13 Palos Verdes Blue Butterfly Historically the last colony of PV Blue Butterfly known to exist in RPV was at Hess Park.</p>	<p>KNIGHT 27</p> <p>KNIGHT 28</p>
<p>Section 5.1.2.3 p.5-17 Regionally Important Habitat Areas and Linkages Section 3.3 "Project Objectives" states the Reserve design provides "adequate habitat linkages between patches of conserved habitat". Mitigation for the Lower Filiorum habitat linkage between Upper Filiorum and Abalone Cove are stated in Table 2-1 as "habitat restoration and active management" of the linkage. In order for this linkage to work, it must have the needed physical dimensions to function as a linkage irrespective of restoration and management. This linkage narrows down in the middle (where Narcissa Dr. ends, see figure 5.1-3 p.5-23) and there must be a wide enough passage to avoid the impacts of edge effects from the development of Point View (including fuel modification setbacks created by the development), the Portuguese Bend community (and corresponding fuel mod. setbacks), utility access and all of the trails that lead through this section. An analysis should be done to see whether or not the possible future level of activity that could occur in this narrow section might significantly impact the functionality of this corridor. If so, then mitigation measures must be adopted. There is no discussion of the impact that trails described in Section 3 of the Conceptual Trails Plan might have on this corridor.</p>	<p>KNIGHT 29</p>
<p>p. 5-20 Table 5.1-3 1-Altamira Cyn project has been dropped by the City.</p>	<p>KNIGHT 30</p>
<p>5-The Portuguese Cyn. drainage project drains backwards in some places and rainwater collects in large pools which soaks into the active slide area. It no doubt will have to be redone at some point which could have habitat impacts.</p>	<p>KNIGHT 31</p>
<p>6- Which 12 acres is being discussed here? The Standard Pacific proposal has been withdrawn on the undeveloped RDA site. It is uncertain how much of the City's RDA property will go through a lot line adjustment to be included any future development projects.</p>	<p>KNIGHT 32</p>
<p>12- Abalone Cove beach project is not being pursued by the City and the Coastal Commission permit has been dropped.</p>	<p>KNIGHT 33</p>
<p>18- Does this include the current and/or new updated Conceptual Trails Plan?</p>	<p>KNIGHT 34</p>

Comment 27

Blue line stream areas may or may not support riparian vegetation. Dodson Canyon is not included in the 2.5 acres inventory.

Comment 28

Comment noted.

Comment 29

The dimensions of the habitat linkage through Lower Filiorum are consistent with regional guidelines for functional wildlife movement of covered species. The linkage is of sufficient size to support covered species breeding activity. The linkage is redundant with other linkages associated with the Portuguese Bend area. The trails are expected to impact up to 5 acres of CSS and 15 acres of grassland (See Table 5.1.3, Public Project No. 18). Indirect effects include potential for vegetation trampling due to off trail use by trail users. See Section 5.1.2.6 for further discussion. The trails will be used by nocturnal wildlife.

Comment 30

While it is correct the City is no longer pursuing the proposed Altamira Canyon Project, because permits for the project have been obtained from the U.S. Fish and Wildlife and Army Corp of Engineers, the project will remain as a proposed project for purposes of the Subarea Plan.

Comment 31

Miscellaneous drainage improvements (Public Project No. 10) are included in the projects list.

Comment 32

In Table 5.1-4, it is noted that the "Crestridge Development" (project No. 6) would impact 12 acres of grassland. Although Standard Pacific is no longer the proposed developer, the landowner is still proposing a development project on the site that would involve the RDA owned parcel. As such, if such a proposed project were to occur, it is envisioned that the RDA parcel would be purchased by the adjacent landowner and that 12 acres of grassland would be impacted by the project on the combined parcels.

Comment 33

While it is correct the City is no longer pursuing the proposed Abalone Cove Project, because the CSS impacts of the proposed project have been assessed and mitigation conceptually approved by the Resource Agencies and California Coastal Commission, the project will remain as a proposed project for purposes of the Subarea Plan.

Comment 34

It is estimated that the current or updated Conceptual Trails Plan would impact up to 5 acres of CSS habitat. No review has been performed for the draft updated Plan, but the 5 acres of potential impacts should be sufficient.

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20- Which active recreation area is this referring to?

KNIGHT 35

Sec. 5.1.2.6 p. 5-24 Impacts Associated with Development Edge Effects

KNIGHT 36

I could not find Section 6.2.2 of the Subarea Plan in this document. The Plan needs to be careful with the conclusion that "Scientific studies indicate that scrub-associated bird species may be insensitive to edge effects associated with urban development". In the study done by Jonathon L. Atwood on Sept. 28, 1998 entitled "Analysis of Edge Effects on California Gnatcatcher Reproductive Success" Dr. Atwood concludes that "Consequently, analysis of gnatcatcher reproductive success as a function of any measured of proximity to developed land might, at least on the Peninsula, be biased by the fact that the only large remaining patches of scrub are not optimum for gnatcatchers, whereas small, 'edgy' patches represent the only areas of high quality scrub remaining in the area".

Dr. Atwood warns us that given the large number of regressions (20) that were performed a return of four significant relationships is about what would be expected by chance alone.

KNIGHT 37

Dr. Atwood's study defined "edge" as the line between native and non-native vegetation types. The study did not include human impacts such as noise, pollution, dust, pets or general activities around development and structures. There have not been any real studies on effects of human activities on gnatcatcher reproductive success.

It may be impossible to determine any statistical success/failure of the gnatcatcher in the Palos Verdes Peninsula in relation to "edge effects" due to the fact that there is not enough large areas of high quality, contiguous CSS to use as a baseline comparison to the "edge" study. The EIR confirms this with the statement "The existing distribution of native vegetation within the Subarea Plan area is highly fragmented and edge-affected by existing development".

Section 5.2.2.3 p. 5-36 Relevent Plans and Policies

Will the public have an opportunity to give their input on any changes in City regulations or the General Plan? If so, what form will that take? How will policy statements made in the NCCP affect the public's opportunity to determine City policy? What if something is allowed in the NCCP and the City decides they do not want that activity? (i.e., paragliding is allowed in the NCCP yet the City might decide to keep the Municipal code which currently prohibits it.)

KNIGHT 38

Comment 35

See Figures 3-4 and 3-5 of the Subarea Plan for locations of covered projects. The recreation area is located adjacent to PV Drive South in the Portuguese Bend area.

Comment 36

Subarea Plan, Section 6.2.2 (page 6-2) is titled: Development adjacent to the Reserve.

Comment 37

Edge effects can be variable due to a variety of reasons. To date, attempts at documenting the existence of edge effects in Southern California scrub habitats (sage scrub and chaparral) have resulted in conclusions that edge effects may be minimal for the species studied. The primary edge effects documented are vegetation disturbance that leads to invasive vegetation and argentine ants being more common in edge habitat than in more interior habitats. Dr. Atwood's analysis is consistent with studies conducted elsewhere in Southern California. California gnatcatcher is apparently an edge tolerant species, as demonstrated by the productivity data measured at several locations in coastal California.

Comment 38

Any and all amendments to the General Plan will be considered by the City Council through a public hearing process. The City Council will ultimately determine City policy, after considering public input. The NCCP will simply state what activities can occur within or adjacent to the Reserve, it will ultimately be up to the City Council through the approval of the PUMP or any other ordinance to determine what activities are actually allowed.

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<p>Sec. 5.3.1.2.1.1 p. 5-48 Bikeways The section should make reference to Section 5.3.1.2.4 p.5-52 where the Conceptual Bikeways Plan is discussed.</p>	}	KNIGHT 39
<p>Sec. 5.3.1.2.3 p. 5-52 Parks Master Plan It is not clear how this NCCP will take into account any update of the Parks Master Plan that is currently being deliberated by the Open Space Parks and Recreation Task Force established by the City.</p>	}	KNIGHT 40
<p>Sec. 5.3.1.2.7 p.5-54 Program of Utilization There is also an easement owned by the U.S. Coast Guard that runs through the lower section of Upper Pt. Vicente Park containing a buried cable connecting the antennas on City Hall property with the Coast Guard site west of P.V. Dr. South. This raises maintenance access issues in an area that is targeted by this Plan for preservation and habitat restoration to one of the most productive gnatcatcher sites on the Peninsula. See Exhibit A (Map of POU) attached.</p>	}	KNIGHT 41
<p>Sec. 5.3.2.4.2 p. 5-56 RPV Parks Master Plan Who determines what recommendations are still valid in the Parks Master Plan?</p>	}	KNIGHT 42
<p>Sec. 5.3.2.4.3 P. 5-56 RPV Conceptual Trails Plan Does this include the updates to the Conceptual Trails Plan which are currently being developed under the Open Space Parks and Recreation Task Force?</p>	}	KNIGHT 43

Comment 39

Text revised.

Comment 40

The Parks Master Plan must be consistent with the approved Subarea Plan.

Comment 41

Existing easements will be maintained and are considered compatible land uses. Areas disturbed during utility maintenance would be subsequently restored.

Comment 42

City staff will review all plans and ordinances for consistency with the Subarea Plan.

Comment 43

The most current trails plan will be consistent with the Subarea Plan.