

COMMENTS	RESPONSES
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Subject: NCCP-DEIR
 To: joelr@rpv.com, jcohen@pvnews.com, nick.green@dailybreeze.com

Joel

I am putting together a more detailed input for the DEIR review. However, I prefer to submit my questions ahead of the 14 April meeting in that it takes less time than it would at the meeting and it is fairer to those who are being queried. I believe the following are issues of general interest to most people.

The NCCP deals with the acquisition of ~700 acres in RPV for ~\$27M. This will be part of an ~1500 acre nature preserve. We are concerned with several features of this plan. Please state how much has been spent to date including staff time, consultants, lobbyists, etc. and why the \$27M may well be \$31M and where the extra \$4M would come from. Other questions include the following:
 (1) Rather than complying with the RPV general Plan (GP) it requires modification of the GP to qualify for government funding. Please identify specific changes to existing ordinances and planning documents.
 (2) The plan ignores several Policies and Goals of the GP such as "Encourage the building of playing fields for multiple uses by various recreational groups----" and "Develop recreational programs that will address the recreational needs of all citizens----". Please explain why this massive restriction of public lands is consistent with the words "building" and "develop" recreational facilities.
 (3) The financial plan includes a \$4M endowment and \$6M commitment from the Palos Verdes Peninsula Land Conservancy (PVPLC) as well as \$17M in State funds and \$3M in other government funding. The only fund that exists at this time is \$1M from the City of RPV. Please provide evidence that each of the funds and their assignment to RPV actually exists.
 (4) This project, which has been described as an experiment, also includes a commitment of at least \$250K per year for between 50 and 300 years. Please define yearly costs including staff time, etc and why this is a higher priority than public safety and infrastructure needs.
 (5) The DEIR states that there will be no impact on traffic, parking, trash (there are no planned public facilities), etc. Neighbors of current Reserves indicate that this issue already exists. Please explain how this can be true when one of the project justifications is the use by thousands of people from all over the region. If there will not be thousands of people then explain why 1500 acres should be restricted to use by so few people.
 (6) Certain private properties are identified as "Neutral Lands" with restrictions. Since the plan will "encompass the entire city" and be managed by the PVPLC there are serious private property rights issues. Please explain how these rights are protected or violated.
 (7) The plan addresses a very limited set of habitat and species and does not consider the broader implications of all wildlife, both good and bad. Please explain why this plan is so restrictive in terms of an overall approach to a truly inclusive preserve.

- REEVES 1
- REEVES 2
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- REEVES 8

I am on record as favoring a balanced plan that addresses natural space, recreation, parks and social assets on an equal basis. I do not believe this plan does that.

Printed for Joel Rojas <joelr@rpv.com>

4/12/2004

Comment 1

The City began its NCCP program in 1997. Thus far (through May 31, 2004) the City has expended \$506,376 in total NCCP consultant costs. Of this total amount, \$229,523 has been paid by state and federal grants, leaving the City to pay \$276,853 of the cost. In addition, through June, 30, 2004, the City has expended \$75,000 on the use of a state lobbyist to assist with the land acquisition component of the NCCP. Therefore, through May 2004, the City has expended \$346,853 on NCCP related consultants. In terms of Staff time, one staff person spends approximately 10 to 20 hours on average per month on the NCCP.

Comment 2

The relevant sections of the City's General Plan will need to be updated to incorporate the Subarea Plan by reference. The General Plan amendments are not required to receive government funding but are being proposed by City Staff to ensure that all the applicable City documents make reference to the Subarea Plan. The list of all the City documents that will need to be updated is contained in section 5.8 of the Subarea Plan. Each ordinance will be reviewed to determine whether specific changes are necessary to bring the ordinance into consistency with the Plan.

Comment 3

The boundaries of the proposed habitat Reserve were developed by City Staff to deliberately exclude the existing developed City parks and other relatively flat portions of City-owned land that could accommodate public active recreational facilities. Therefore, the Subarea Plan is considered consistent with the applicable General Plan policies. Areas outside the Reserve are available for potential active land uses, including recreational uses.

Comment 4

The EIR has been revised. No endowment funding is included in the current financial analysis of the Plan. In response to questions about the long term costs to the City and funding, Staff Reports discussing the fiscal impacts of the NCCP were presented to the City's Finance Advisory Committee (FAC) on April 28 and May 26, 2004. After a review of the project costs to the City, the FAC concluded that it did not note anything problematic and that the City Council should move forward expeditiously with the completion of the NCCP and the related land acquisition. Defining spending priorities for the City is up to the City Council, which has made the determination that this is an appropriate use of City funds. Other than the City's contribution, which has been budgeted, the commitment from the various agencies to provide funding for the acquisition consists of their conceptual approval of the draft Plan. Actual approval of state and federal funding is still pending.

Comment 5

The take permit and implementing agreement are for a 50-year period. See Appendix C of the Subarea Plan for detailed financial information. In response to questions about the long term costs to the City and funding, Staff Reports discussing the fiscal impacts of the NCCP were presented to the City's Finance Advisory Committee (FAC) on April 28 and May 26, 2004. After a review of the project costs to the City, the FAC concluded that it did not note anything problematic and that the City Council should move forward expeditiously with the completion of the NCCP and the related land acquisition. All of the public infrastructure projects covered by the Plan require a take permit from the federal government.

Comment 6

The project that the EIR is addressing is the creation of a habitat Reserve. Creation of the Reserve does not grant approval to any project. Therefore, the creation of the Reserve does not result in any traffic

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Subject: NCCP-DEIR Comments & Questions
 To: joelr@rpv.com
 CC: jcohen@pvnews.com, nick.green@dailybreeze.com

Joel

Thank you for chairing the 14 April meeting. Your efforts to be fair and open need to be acknowledged. As you know, I favor a balanced approach that includes open space, parks and athletic, recreational and civic facilities. I do not believe that this project balances all the needs and wants of the residents of the City of RPV. However, I have tried to review the NCCP and DEIR as documents representing a currently existing planned project.
 The following 29 comments and questions, including those previously submitted for the 14 April meeting, cover various issues and require a formal response. Major items include inconsistencies with some General Plan policies and goals, lack of funding and schedule specifics, concerns about private property rights, disregard for potential traffic, parking, public facilities and other human factors and assertions as to why Alternative C is the only acceptable solution for this experiment.

Don Reeves 4/17/04

NCCP-DEIR
 Comments & Questions

The NCCP deals with the acquisition of ~700 acres in RPV for ~\$27M. This will be part of an ~1500 acre nature preserve. I am concerned with several features of this plan. The following comments and questions are presented for your review and response.

1. Rather than complying with the RPV general Plan (GP) it requires modification of the GP to qualify for government funding. Please identify specific changes to "existing ordinances and planning documents".
2. The plan ignores several Policies and Goals of the GP such as "Encourage the building of playing fields for multiple uses by various recreational groups-----" and "Develop recreational programs that will address the recreational needs of all citizens-----". Please explain why this massive restriction of public lands is consistent with the words "building" and "develop" recreational facilities.
3. The financial plan includes a \$4M endowment and \$6M commitment from the Palos Verdes Peninsula Land Conservancy (PVPLC) as well as \$17M in State funds and \$3M in other government funding. The only fund that exists at this time is \$1M from the City of RPV. Please provide evidence that each of the funds and their assignment to RPV actually exists (See Items 20 and 29).
4. This project, which has been described as an experiment, also includes a commitment of at least \$250K per year for between 50 and 300 years. Please define yearly costs including staff time, etc and why this is a higher priority than public safety and infrastructure needs (See Item 20).
5. The DEIR states that there will be no impact on traffic, parking, trash (there are no planned public facilities), etc. Neighbors of current Reserves indicate that this issue already exists. Please explain how this can be true when one of the project justifications is the use by thousands of people from all over the region. If there will not be thousands of people then explain why

REEVES 9

REEVES 10

REEVES 11

REEVES 12

REEVES 13

Comment 6 (continued)

impacts. Any project, private or public that is subsequently proposed within or adjacent to the Reserve, be it a development project or the creation of passive and/or recreational uses must still go through the required City/public review, including any subsequent environmental review. Future use of the Reserve cannot be reliably estimated. It is expected that the future use will be similar to the current activity that is occurring in the area.

Comment 7

The "Neutral Lands" designation has been applied to privately owned properties in the City that contain development constraints due to existing City zoning code restrictions. These "Neutral Lands" have been identified in the Subarea Plan since these lands will likely remain as open space and thus contribute to the function of the Reserve. The "Neutral Lands" are not proposed to be part of the Reserve (except for the 7 identified HOA parcels) and therefore will not be subject to the use restrictions or management activities that apply to properties within the Reserve. Only lands designated as Reserve will be managed by PVPLC.

Comment 8

The focus of this Plan is to protect species listed by the State and Federal Resource Agencies as threatened or endangered along with other sensitive species that exist in the City. The Reserve boundary is based on the distribution of locations of sensitive species and their associated habitats covered by the Plan. More common species associated with sage scrub habitats will benefit from the proposed levels of habitat conservation (96%), restoration (250 acres) and active habitat management.

Comment 9

See response to Reeves comment 2.

Comment 10

See response to Reeves comment 3.

Comment 11

See response to Reeves comment 4.

Comment 12

See response to Reeves comment 5.

Comment 13

See response to Reeves comment 6.

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1500 acres should be restricted to use by so few people.
 6. Certain private properties are identified as "Neutral Lands" with restrictions. Since the plan will "encompass the entire city" and be managed by the PVPLC there are serious private property rights issues. Please explain how these rights are protected or violated.
 7. The plan addresses a very limited set of habitat and species and does not consider the broader implications of all wildlife, both good and bad. Please explain why this plan is so restrictive in terms of an overall approach to a truly inclusive preserve.
 8. Cover Page-although it may or may not be accepted practice, the use of the same consultant (URS) to prepare both documents in this case has the strong appearance of a conflict of interest. The fact that URS has been a key participant in the NCCP and the DEIR may or may not be appropriate but it appears that they have not conducted an impartial review. The critique is weak with many apparent omissions. Please justify the non-use of an independent reviewer and state how much URS has been paid and will be paid in the future on this project.
 9. P1-1, p5-26-although it is stated that the NCCP will be consistent with the RPV General Plan (GP), it is their intent to revise the GP to be consistent with the NCCP. Since the latter seriously violates the principles of the GP in terms of various policies intended to serve all the citizens of RPV this whole experiment is questionable. Provide the exact changes (wording) to ordinances and existing planning documents that are proposed for the GP.
 10. P3-1-it is stated that various organizations, etc were consulted. Section NINE lists 9 such organizations of which 8 could be counted as special interest environmental groups and 1 is a developer who stands to profit from this exercise. Please identify which groups such as athletic and youth clubs, Home Owners Associations (HOAs), business groups (Chamber of Commerce, etc), service clubs (Rotary, etc), etc were invited to participate and why they declined. Also, what percentage of the PVPLC and Sierra Club membership lives in RPV?
 11. P2-1-paragraph 2.2 fails to identify Rolling Hills as a northerly neighbor. This is important in that they are very vocal in "protecting their way of life" while depositing over 50 million gallons of waste water each year into the area in question. Why were they not identified? Why have other Peninsula cities declined to participate while actively supporting the special interest groups? Why has the City Council not addressed these questions as "Border Issues"?
 12. P2-1, 3-1- the Subarea Plan covers public, private and "Neutral Lands". This is called a plan "that would encompass the entire city" and part of a plan for the "entire peninsula"-but only RPV is willing to participate and share the costs. Explain how private land/property owners are excluded and protected from the "natural habitat" policies of the PVPLC. Also, explain why defining certain private properties as Neutral Lands is not an invasion of private property rights which could result in the ever increasing burden of litigation against the city of RPV.
 13. P2-2, p3-7-identify the specific HOAs in question and, more importantly, the status of discussions including their positions. Why is the unilateral designation of this land as "Neutral Land" that cannot be used or developed not a violation of private property rights?
 14. P2-2-the current management of the Forrestral Nature Preserve by the PVPLC has created conflicts with various neighborhood groups due to their attitude about what is best not only for native plants but the enjoyment of the area by

REEVES 13 (cont'd)

REEVES 14

REEVES 15

REEVES 16

REEVES 17

REEVES 18

REEVES 19

REEVES 20

REEVES 21

REEVES 22

Comment 14

See response to Reeves comment 7.

Comment 15

See response to Reeves comment 8.

Comment 16

The role of the City's NCCP consultant is to prepare the Subarea Plan in accordance with the State's NCCP Guidelines based on City policy decisions and to prepare the environmental analysis of the Subarea Plan as dictated by State law. Therefore, the City does not believe a conflict exists. The purpose of the environmental review is to identify the probable environmental effects that would result from implementation of the Subarea Plan dictated by the City. Thus far, the City has expended \$276,853 on the use of the City's consultant.

Comment 17

See response to Reeves comment 2.

Comment 18

The NOP was distributed to interested parties, including individuals (see NOP distribution list in Appendix A). The Subarea Plan project has been ongoing for over 7 years with many meetings, workshops, and city council hearings to gain public input. The list of persons consulted are agencies and individuals that responded to the NOP. The City website has been continually updated with project information and a standing list of interested parties has been maintained. The City does not have any membership information regarding the PVPLC or Sierra Club.

Comment 19

The text has been revised. Staff and City Council members have attempted to convince the other Peninsula Cities to enroll in the NCCP at various times throughout the process. However, participation is entirely voluntarily and the other cities have chosen not to participate because most of their open space is already conserved. Furthermore, the Resource Agencies have concluded that the other cities' participation is not vital since a predominance of the unprotected habitat and gnatcatchers on the Palos Verdes Peninsula exists within the City of RPV.

Comment 20

See response to Reeves comment 7.

Comment 21

All HOA's have been contacted regarding access for habitat management activities. It will be up to each individual HOA to decide whether it wants to enroll a portion of its property into the Reserve. The HOA's are not being asked to donate their land as they would retain ownership. Thus far, two HOA's have agreed in concept to enroll.

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non-members. Since the people of RPV will own this land, explain why a real citizens group representing all interested parties or city staff should not be directly responsible for it using the PVPLC as an advisory group.

15. P2-3-it is not clear why any land mitigation is necessary when mandatory public projects are required except possibly under special circumstances. Explain the basis, legal and otherwise, for this policy including the 3:1 ratio.

16. Table2-1, p2-6-this is the first indication of how limited the DEIR really is. Impacts on "Proposed Recreational Facilities" is passed off as less than significant while the whole plan appears to violate policies and goals listed in Table 5.2-3. This violation of the GP (see Item 9) may be sufficient to reject the entire NCCP. Taking all the land for the PVPLC and claiming no impact on active-recreation sites as is the case at White Point is unacceptable. Please justify the rational for reaching the conclusions of Table 2-1 by specific comparison with the National Recreation and Parks Association (NRPA) guidelines for the 6 categories of open space, recreation areas, etc.

17. Table 2-1, Section EIGHT-these sections dismiss every possible liability including landslides, fire, floods (from Rolling Hills), etc. Nowhere is risk management including personal liability addressed. When you claim no impact on traffic, parking, noise, air pollution, etc from thousands of visitors you have lost all credibility. Even toilet facilities are ignored. Neighbors already complain about traffic, parking and toiletries/trash around the current "Reserves". It is not enough to ask for your rational without asking for a real analysis and survey. A real DEIR should include a traffic volume analysis, parking/access details & definition of needed public facilities. Please provide this data.

18. P3-3-it is an assertion to say that this project "maximizes benefits to wildlife". First, the actual quantitative existence (if any) of some species is unknown beyond occasional sightings. Second, animal wildlife such as coyotes, rabbits, etc is not even mentioned. Finally, how to deal with predators such as crows/ravens, etc which truly are a threat to the listed wildlife is not addressed. Explain how you will complete this plan to maximize wildlife benefits before it is approved.

19. P3-5 it appears that this plan tries to pre-empt any other plan for Upper Point Vicente by including 68.1 of the 74.7 acres and requiring a buffer zone. Please explain how this approach is compatible with the currently disorganized work of the Open Space Planning Committee (see Item 16). There is no Master Plan consistent with the General Plan philosophy of satisfying the needs of the entire RPV population. Explain why including over 90% of the Upper Point Vicente acreage is in the best interests of the residents.

20. P3-9, p7-9-whether this is a 50-year plan or a 300-year plan (5 acres per year and 1500 acres) the NCCP does not provide sufficient detail of the real costs. While the price of the land is advertised as \$26.7M it may cost \$31.3M. Various startup and annual costs are mentioned plus an imaginary \$4.09M endowment. Please provide specific evidence that each of the fiscal sources has the funds and that they are specifically targeted for RPV. The taxpayers would like to know (1) how much has been spent to date on this project, (2) how much more will be spent by the proposed purchase date of 1 December '04 and (3) how much will be spent each year thereafter. This must include itemization of staff time, consultants, lobbyists, related "Preserve" costs, financing, startup, other plans, etc. There is no evidence of a risk management analysis including liability insurance. Please address your assessment of the risk/liability

REEVES 22 (cont'd)

REEVES 23

REEVES 24

REEVES 25

REEVES 26

REEVES 27

REEVES 28

Comment 22

Although the PVPLC will be the manager of the Reserve, public uses and activities allowed within the Reserve will be determined by the PUMP, which will be created based on public input and approved by the City Council. It is also envisioned that implementation of the PUMP will be reviewed by a broad based committee made up of City, PVPLC representatives, local user and interest groups and adjoining Homeowner representatives.

Comment 23

Mitigation is required for any significant impact to biological resources as required by CEQA and endangered species acts.

Comment 24

The boundaries of the proposed habitat preserve were first developed by a working group, under the guidelines of the NCCP Act. They were modified by City staff based on the latest aerial photos. The current design deliberately excludes the existing developed City parks and other relatively flat portions of City-owned land that could accommodate public active recreational facilities. As a result, the EIR concluded that impacts to existing recreational facilities would not occur. It will be up to the City Council to determine the use of City lands outside the Reserve.

Comment 25

The PUMP will address access issues, parking and associated facilities.

Comment 26

See response to Reeves comment 8. Predator control is included in the Plan, which could include crows or ravens if their adverse affect on covered species is documented.

Comment 27

The portion of Upper Point Vicente in the Reserve supports the most productive gnatcatcher habitat studied by Dr. Atwood. The wildlife agencies required conservation of gnatcatcher-occupied habitat in this area.

Comment 28

First, potential liability and liability coverage issues are not environmental impacts that require review and analysis under the California Environmental Quality Act. CEQA Guidelines Section 15382 states: "Significant effect on the environment" means a substantial, or potential substantial adverse change in any of the physical conditions within the area affected by the project, including air, water, minerals, flora, fauna, ambient noise and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant."

The liability and liability issues raised in the comment are economic or social changes that are unrelated to any physical change in the environment resulting from adoption of the proposed NCCP. Therefore, the comment does not raise a significant environmental issue requiring a response.

Nonetheless, the following information is voluntarily provided.

The Government Claims Act, Government Code Sec. 810 et seq., limits municipal liability by providing a broad array of statutory immunities. Specific immunities that may be applicable in the context of managing public lands include, but are not limited to, immunity for:

- Public Improvement Design or Plans - when the Plan or design has been improved in advance by and authorized person or body.
- Failure to provide traffic devices in certain circumstances
- Effect of weather conditions on streets in certain circumstances
- Hazardous recreational activities
- Natural condition of any unimproved public property except when agency knows of a potential land failure and fails to warn affected property owners
- Unpaved roads and sidewalks
- Condition of paved walkways when entity attempts to provide adequate warning of any condition that constitutes a hazard
- Dangerous condition of public property when entity shows it acted reasonably
- Actions taken to contain gradual earth movement

Listing liabilities that may result from Reserve implementation would be speculative. Plans for liability coverage and costs for such coverage are beyond the scope of the EIR, and instead are policy determinations for consideration by the City Council.

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issue. What happens if the land price is \$31.3M or if any of the other sources fails to materialize? The Citizens of RPV have expressed an unwillingness to support a bond issue for this project.

21. P3-11, p3-13-a PUMP is required prior to opening and other Plans are required as noted in Item 20. The cost of these plans has not been identified. Please provide a cost estimate and schedule for each of the required plans. Also, it appears that some of these plans should at least be outlined. As previously noted some predators belong while others do not and feral cat people need to be heard. What good are surveys of species that don't or can't exist? Please provide more comprehensive details, including costs, of these plans.

22. P4-4-please explain an MND vs an EIR regarding the Point Viconte Interpretive Center. If the former is easier why does this project require an EIR - is there some hidden problem?

23. P5-7-I am not an expert on any of the sensitive species. However, it appears that "sightings" are used instead of population. A population of 2 could provide 100 sightings. There are many statistics but I would like to see a simple table that lists current and (proposed) future populations of (non-plant) wildlife in RPV-not the Peninsula. What does No Status mean? There are statements that this is an "experiment" with various escape clauses while the cost is a reality-although the estimates are undoubtedly low. What are the specific numerical goals and what is the probability of success based on previous experiments?

24. P5-71-one of the arguments for taking all the land is "corridors". This cannot apply to plants and from what I do know, migratory species appear to be much smarter than the observers. They adapt and fly over or around barriers, and parks, etc are certainly not barriers. I believe that Monarch butterflies do this quite well. Please provide the data that this is even a factor in re-establishing the Blue butterfly, etc.

25. P5-24-ants are listed as a problem aggravated by irrigation. Why is the massive watering at White Point by the PVPLC not a problem while it is identified as such for this property? More importantly, what is the impact of the 50 million gallons a year from Rolling Hills (see Item 11)?

26. Table 5.2-3- it is worth noting again that the NCCP appears to be inconsistent with the Social, Service, Cultural, Activity and Recreational policies of the GP (see Items 9,16,19). The planned approach is to redo the GP rather than comply. Please explain how the city can specifically adhere to these policies when the allocation of open space is so unbalanced with respect to the NRPA guidelines (See Item 16).

27. P7-1-it is asserted that anything less than 85% of existing habitat should not be considered. This seems to be the main reason for eliminating Alternative B which has a significantly lower initial cost. Even this plan has major recurring costs that would have to be explained (see Item 20). Please provide factual data that 85% is a magic number while 78.3% is unacceptable.

28. P7-2-Use No Project/No Action Alternative in many ways is a more rational approach to balancing the needs, wants & fiscal and risk management responsibilities. Some land would be developed under private property rights consistent with existing codes and restrictions, there would be more flexibility in meeting the General Plan criteria, the NRPA guidelines could be satisfied and in the case of open space exceeded, the financial burden would be minimized, the liability risk minimized and the staff could work on more pressing issues. Even with this approach various city owned lands and possibly as much as 90% of

REEVES 28 (cont'd)

REEVES 29

REEVES 30

REEVES 31

REEVES 32

REEVES 33

REEVES 34

REEVES 35

REEVES 36

Comment 29

Cost of reports and detailed Plans are included in the Reserve management cost estimate described in the Plan. This cost estimate was updated in response to public comments.

Comment 30

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 31

Sighting locations indicate the areas occupied by sensitive species that are the focus of the Plan. Each animal species has typical area requirements based on local habitat quality. Populations fluctuate with varying weather conditions. The conservation goal is to conserve sufficient habitat to support sustainable populations over time. "No Status" means that federal or state wildlife agencies have not officially designated the species as listed or a species of concern. The proposed Plan will increase the habitat carrying capacity for scrub-associated species.

Comment 32

Habitat linkages provide habitat for individuals in transit between occupied patches and potential habitat for selected species, including PV Blue butterfly. Linkages allow habitat patches remain occupied over time by allowing for dispersal between patches.

Comment 33

Irrigation early in the habitat restoration process is often required to ensure the successful establishment of the vegetation. See response to Reeves comment 19.

Comment 34

The City believes that the Plan is in compliance with all policies.

Comment 35

The proposed level of conservation, restoration, and management was deemed necessary by the wildlife agencies and environmental community.

Comment 36

Critical public and private infrastructure projects would be delayed (or potentially denied) if they were to be processed as individual endangered species permits.

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Comment 37

On January 10, 2004, the City Council held a Tactical Planning Workshop at which time it identified the purchase of the open space (for the NCCP) as 1 of its 4 goals to be completed in the next 2 years. At that time, revisions were made to the timelines. Additional changes will very likely be necessitated on an ongoing basis as this complex undertaking moves forward.

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developer owned lands could be included due to their exclusion from other uses based on real geological problems. Please address and refute this argument point by point.
 29. The RPV City Council has published a schedule that appears to be unrealistic and thus further amplifies concerns about the finances. The PVPLC has said that they will not have \$6M by 7/01/04 and the County will not commit \$2M by that date. A 12/01/04 acquisition of properties and opening of the Preserve by 3/01/05 is just not going to happen. These dates may be off by 1, 2 or more years depending upon plans such as the PUMP that are required prior to opening. Please publish a realistic and verifiable schedule and the impact on projected costs (See Item 20).

REEVES 36 (cont'd)

REEVES 37

