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F11a

5-16-0627

(LOS ANGELES DEPARTMENT OF WATER AND POWER)

AUGUST 11, 2017

CORRESPONDENCE

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F11a – Supporting Special Conditions

August 4, 2017

Honorable Commissioners
California Coastal Commission
Headquarters Office
45 Fremont Street
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San Francisco, CA 94105-2219

California Coastal Commission
South Coast District Office
c/o Ms. Amber Dobson
Ms. Teresa Henry
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

Via Email Liliana.Roman@coastal.ca.gov
Teresa.Henry@coastal.ca.gov

Re: Application No. 5-16-0627, Item F11a
 Application of Los Angeles Department of Water and Power (LADWP)

Dear Honorable Commissioners:

We submit these comments on behalf of Los Cerritos Wetlands Land Trust (LCWLT) in support of staff's recommendation to condition Application NO. 5-16-0627, the Los Angeles Department of Water and Power's (LADWP) request to install a 9,021-foot-long barbed wire fence around the Haynes Generation Station Cooling Inlet Channel. LCWLT has spent more than a decade educating people about the importance of Los Cerritos Wetlands and advocating for the wetlands' protection and restoration.

If the application is approved as-requested, LADWP would replace the existing 6-foot-high barbed wire fence with one that is two feet taller, with narrower openings that would restrict wildlife movement. The project fence would be located adjacent to the restored California salt marsh wetland habitat within Los Cerritos Wetlands preserve.

(Staff Report p. 12; Los Cerritos Wetlands Authority submission, May 30, 2017.) According to the Staff Report, four special status plant species are located within 100 feet of the project, and the area is likely used by several special status animal species. (*Ibid.*) These species include the Belding's savannah sparrow, Ridgway's rail, black skimmer, and the California least tern. (*Ibid.*)

In particular, the 1-inch mesh fence would prevent Belding's savannah sparrows and other low-flying small bird species from travelling through the fence line to reach adjacent aquatic resources in Los Cerritos Wetlands. The Belding's savannah sparrow is listed as endangered pursuant to the California Endangered Species Act, and populations of the species have been documented in Zedler Marsh and the Hellman Ranch Lowlands, which abut the proposed fence. Accordingly, the fence would violate Coastal Act § 30240(b) which requires that development in environmentally sensitive habitat areas (ESHA) "be sited and designed to prevent impacts which would significantly degrade those areas." The Coastal Act further requires that development adjacent to ESHA "shall be compatible with the continuance of those habitat and recreation areas." (*Ibid.*) If the fence restricts Belding's savannah sparrow movement through Los Cerritos Wetlands salt marsh habitat, it will "significantly degrade" the area and be incompatible with the continuance of the habitat area. (Staff Report p. 12.)

The Staff Report recommends several conditions to prevent adverse impacts to sensitive wildlife and to bring the project into conformance with the Coastal Act. LCWLT supports these conditions. Special Condition #1 requires removal of razor wire and use of 2.25-inch mesh to allow the movement of small birds through the fence in areas adjacent to Los Cerritos Wetlands. (Staff Report p. 12.) This is crucial to avoid conflicts with Coastal Act § 30240(b). Special Condition #6 requires that project installation occur outside the nesting season. (Staff Report p. 13.) Special Condition #4 requires mitigation for any adverse impacts to habitat that occur as a result of the project, and Special Conditions 3, 5, and 7 require the submittal of construction plans, use of best management practices, and post-construction wildlife surveys. (*Ibid.*) Finally, Special Condition #2 requires removal of the fence once it is no longer needed, no later than 2029. (*Ibid.*) We request denial of the application unless all of these Special Conditions are implemented.

Conclusion

Thank you for your consideration of these comments. Again, LCWLT supports staff's recommendation to approve Application 5-16-0627 *only* if all of the Special Conditions recommended by staff are incorporated into the project to ensure the continued movement of the Belding's savannah sparrow and other ground-dwelling

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wildlife through Los Cerritos Wetlands. Without these critical conditions, the project violates section 30240(b) of the Coastal Act.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle N. Black", with a stylized flourish at the end.

Michelle N. Black