
CALIFORNIA COASTAL COMMISSION

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F11a

Upper Los Cerritos Mitigation Bank (LCW, LLC)

February 12, 2021

CORRESPONDENCE



MAYOR ROBERT GARCIA
CITY OF LONG BEACH

January 26, 2021

Chair Steve Padilla and Coastal Commissioners
California Coastal Commission
455 Market Street, Suite 228
San Francisco, CA 94105

Re: Upper Los Cerritos Wetlands Mitigation Bank

Dear Chair Padilla and Coastal Commissioners:

The City of Long Beach wishes to express its support for the Upper Los Cerritos Wetlands Mitigation Bank and urges the Coastal Commission to authorize the Executive Director to sign the Bank Enabling Instrument (BEI) that is scheduled for consideration at your February 2021 meeting.

In January 2018, the City approved the Upper Los Cerritos Oil Consolidation and Wetlands Restoration Project, a key component of which was the development of an approximately 76-acre wetlands mitigation bank that would provide for the long-awaited restoration of this portion of the Los Cerritos Wetlands. The project proponents, Los Cerritos Wetlands, LLC, and Synergy Oil and Gas, LLC, have been working for over 7 years with your agency, and other agencies, including the U.S. Army Corps of Engineers, Environmental Protection Agency, Regional Water Quality Control Board, National Marine Fisheries Services, California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service, to obtain approval of a wetlands mitigation bank on this site. Your authorization for the Coastal Commission to be a signatory to the BEI is an important step in approving the use of this mitigation bank in the coastal zone.

The City of Long Beach received approval of its own wetlands mitigation bank from the Coastal Commission in February, 2019, when the Commission approved a permit to implement a wetlands mitigation bank at Colorado Lagoon and authorized the Executive Director to become a signatory to the BEI for the Colorado Lagoon wetlands mitigation bank. We are proud to be one of the only cities in the State to have two wetlands mitigation banks in its coastal zone which will provide the means to see these valuable wetlands habitat areas restored and protected in perpetuity for the benefit of not only the citizens of Long Beach but for all residents of Southern California to enjoy and appreciate the natural environment.

The restoration and protection of the Los Cerritos Wetlands has been a long-term goal of the City. We, therefore, urge the Commission to authorize the Executive Director to become a signatory to the BEI for the Upper Los Cerritos Wetlands Mitigation Bank.

Thank you for your support in helping the City accomplish and achieve its goal to see the Los Cerritos wetlands restored.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Garcia", is written over a light blue rectangular background.

Dr. Robert Garcia, Mayor
City of Long Beach

From: Michael Di Sano <mdisano@NCA-RE.COM>
Sent: Tuesday, January 19, 2021 4:50 PM
To: Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>
Subject: USACE ULCWP Letter Aug 2020.pdf

Hi Kate,

I am not sure if the Corps shared this support letter with you from Congressman Lowenthal but I wanted to make sure it made its way into the correspondence for the Upper Los Cerritos Wetlands Mitigation Bank agenda item coming up this February.

Thank you

Michael Di Sano
Senior Development Manager

3 Corporate Plaza, Suite 230
Newport Beach, CA 92660
O: 949-706-8614
F: 949-474-0125



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ALAN LOWENTHAL
47TH DISTRICT, CALIFORNIA

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SUBCOMMITTEE ON COAST GUARD & MARITIME
SUBCOMMITTEE ON RAILROADS, PIPELINES
& HAZARDOUS MATERIALS



Congress of the United States
House of Representatives
Washington, DC 20515

August 14, 2020

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Colonel Julie A. Balten
U.S. Army Corps of Engineers
915 Wilshire Blvd.
Los Angeles, CA 90017

Re: Upper Los Cerritos Mitigation Bank Phase I Banking Enabling Instrument

Dear Colonel Balten,

I am writing to you regarding the Upper Los Cerritos Wetlands Mitigation Bank, a critical wetlands restoration opportunity in Long Beach, California.

After continued work and cooperation with the Interagency Review Team (IRT), the project has made significant modifications and improvements to protect the proposed mitigation bank from sea level rise and other tidal impacts. These improvements, while necessary to ensure future generations can enjoy the wetlands, have also significantly increased the cost of the project. I encourage the Army Corps of Engineers, and the rest of the IRT, to consider using a performance bond for the portion of the project Construction Security and Performance Security that covers the sheet pile wall and berm construction costs.

The public and I are eager to see the Bank Enabling Instrument (BEI) approved so the restoration effort can begin, and the ownership of the land can be transferred into public hands through the Los Cerritos Wetlands Authority.

I know your staff is diligently processing this BEI with the other Interagency Review Team members and applicant. However, if there is anything, I can do to help facilitate this process please contact Clayton Heard on my staff at (562) 436-3828 or Clayton.Heard@mail.house.gov.

Sincerely,

Alan Lowenthal
Member of Congress



Upper Los Cerritos Wetlands Mitigation Bank

Agenda Item # F11a

February 12, 2021

Bank Sponsor: Los Cerritos Wetlands, LLC

A copy of these briefing materials has been provided to Coastal Commission Staff

Mitigation Bank Signature Authorization

- Sets guidelines and standards for the preservation, restoration and establishment of 76 acres of prime wetlands
- Establishes a non-wasting endowment for maintenance in perpetuity
- Ensures preservation in perpetuity via a Conservation Easement
- Streamlines mitigation analysis of future projects for coastal commission staff
- Retains public access with a visitor's center and trail

Background Information



Public Private Partnership

- The wetland restoration project is being performed by the Bank Sponsor in close partnership with the Los Cerritos Wetland Authority (LCWA)
- LCWA is comprised of the CA Coastal Conservancy, Rivers and Mountains Conservancy, Cities of Long Beach and Seal Beach and was formed for the long term purpose of restoring the larger Los Cerritos wetland complex.
- The mitigation Bank Enabling Instrument will place the long term stewardship of wetlands restoration with LCWA, along with a non-wasting endowment for management.
- January 2021 LCWA certified a Programmatic EIR (PEIR) for 503 acres of wetland restoration of which our 150 acres is the first part
 - Our project helps enable their PEIR goals of restoring tidal wetland processes and functions, maximize contiguous habitat, creating public access and interpretive programming

Background Information

Bank Sponsor's role in LCWA's vision to Restore the Los Cerritos Wetlands

- LCWA has planned for the long term restoration and stewardship of over 503 acres within the Los Cerritos coastal wetland complex.
- This mitigation bank comprises the initial ~76 Acres of restoration within the coastal wetland complex
- Bank Sponsor's future project phases will expand an additional 74 acres of wetland open space to the south of this mitigation bank
- Bank Sponsor's project enables City of Long Beach to restore an additional 33 acres



Los Cerritos Wetlands Restoration Plan Draft Program EIR
Figure ES-2
Revised Project Site and Local Vicinity

Background Information

Project History and Permits

- Since 2016 Interagency Review Team (IRT) Review
 - IRT Members: U.S. Army Corps of Engineers, U.S. Fish and Wildlife Services, CA Department of Fish and Wildlife, Environmental Protection Agency, National Marine Fisheries Service, Regional Water Quality Control Board, California Coastal Commission
 - IRT members have been reviewing and contributing to the development plan and robust monitoring and performance criteria for interim and long-term management of these wetlands

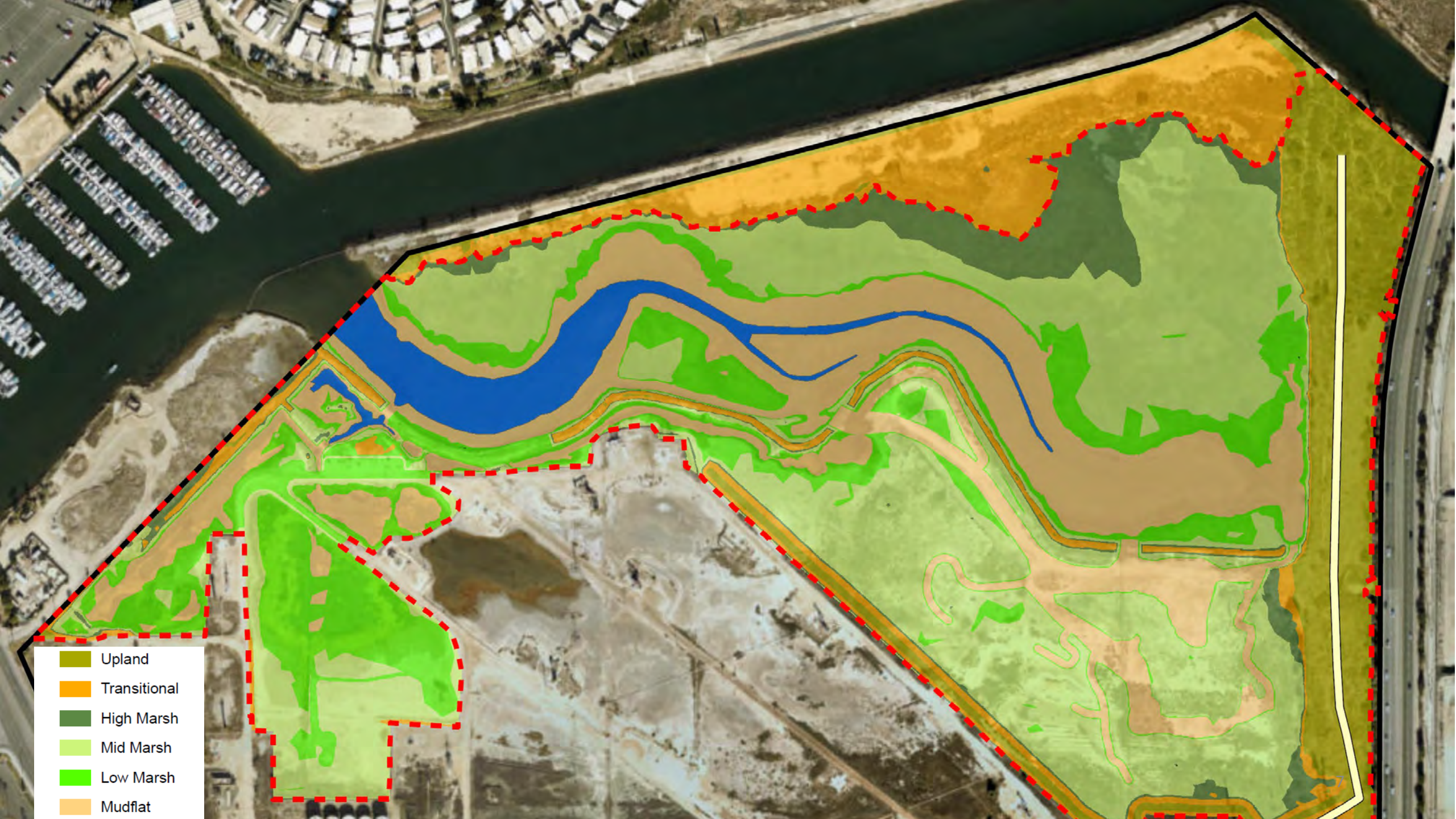
- 2018 CDP (LCWA Co-applicant)
 - Commission approved all the work for the restoration and overall project, including the ability to establish a mitigation bank

- 2020 Remediation CDP (work completed)
 - Enabled localized soil remediation within the mitigation bank area to ensure a thriving wetland restoration

Action Before Commission

➤(Present) Authorization for Executive Director to be Signatory

- Preserves, Restores and Establishes 76 acres of prime wetlands
- Establishes a non-wasting endowment for maintenance in perpetuity
- Ensures preservation in perpetuity via a Conservation Easement
- Streamlines mitigation analysis of future projects for coastal commission staff
- Retains public access with a visitor's center and trail



- Upland
- Transitional
- High Marsh
- Mid Marsh
- Low Marsh
- Mudflat

ULCMB will restore tidal marsh habitats supporting numerous sensitive species including:

- Estuary Seablite (*Suaeda esteroa*)
- Southern tarplant (*Centromadia parryi* ssp. *australus*)
- Woolly Seablite (*Suaeda taxifolia*)
- Belding's Savannah Sparrow (*Passerculus sandwichensis beldingi*)
- Mudflat Tiger Beetle (*Cicindela trifasciata sigmoidea*)
- Salt Marsh Wandering Skipper (*Panoquina errans*)
- Green Sea Turtle (*Chelonia mydas*)



Southern Tarplant



Belding's Savannah Sparrow



Woolly Seablite

Superiority of Mitigation Banks vs Permittee Responsible Mitigation

Consideration	Mitigation Banks	Permittee- Responsible Mitigation
Temporal Loss of Resources	No	Yes
Performance Assurance	High Credits only released as performance standards are met and non-wasting endowment is funded.	Low 100% of mitigation is available upon construction completion.
Ecological Value	High Larger contiguous restoration projects.	Low Smaller piecemeal projects, greater edge effects.
Regulatory Oversight	High Requires input from interagency review team (IRT) and approval by signatory agencies.	Low Only requires approval from agency permitting impact.
Efficiency for Regulators	High Rigorous approval and oversight upfront enable efficient use of credits for mitigation.	Low Mitigation must be identified and approved for each individual impact project.
Efficiency for Permittees	High Obtain approval to purchase credits and conduct simple credit sale transaction.	Low Find/acquire property, design and implement mitigation project that meets mitigation needs.
Cost Effectiveness for Permittees	Cost effective for smaller impacts, less so for large projects.	Can be cost effective for large projects, but not for small projects.
Upfront Costs	Significant capital required upfront by Bank Sponsor.	Permittee pays all upfront costs.
Approval Timeline	~ 5 years	~ 1-2 years

Public Support & Input

- Congressman Alan Lowenthal
- City of Long Beach – Mayor Robert Garcia
- Los Cerritos Wetlands Authority
- Los Cerritos Wetlands Land Trust
- Gabrieleño Band of Mission Indians – Kizh Nation
- El Dorado Audubon
- Los Cerritos Wetlands Land Stewards
- Long Beach Chamber of Commerce

Staff Recommendation

- Bank Sponsor is in agreement with the staff report and staff recommendations

An aerial photograph showing a large body of water in the foreground, with a winding channel or inlet. The surrounding land is a mix of green vegetation and brown, muddy areas, indicating a restoration project. In the background, a city skyline is visible under a cloudy sky.

Let's Restore
the Wetlands!

January 22, 2021

Kate Huckelbridge
Deputy Director of Energy, Ocean Resources, & Federal Consistency
California Coastal Commission
455 Market Street Suite 300
San Francisco, CA 94105

Dear Ms. Huckelbridge:

I am writing in support of the Los Cerritos Wetland Mitigation Bank's application to initiate the wetland mitigation banking program at the Los Cerritos Wetlands. The project has been under development for a number of years including environmental review under CEQA, banking documents acceptance through the Interagency Review Team for mitigation banking, and permitting from various agencies. As part of an overall oil facility consolidation and wetlands restoration plan, the Coastal Commission has previously approved moving forward with restoration of these remaining historic wetlands.

A unique aspect of mitigation banking is that it uses private funding to restore wetlands and in return provides a benefit to legally authorized and permitted projects. Unavoidable impacts to wetlands are offset by the restoration of degraded wetlands with measures to assure their performance and long term conservation protection. Mitigation banks are designed and implemented by professionals and contractors experienced in restoration work. The bank operators are held to high standards in regard to performance and, if necessary, remediation in order to receive agency authorization to sell credits. Mitigation credits are purchased by private parties and public agencies after thorough review and authorization by resource agencies and are a vital and integral part of the State's resource protection regulations.

I have been interested in the restoration of the Los Cerritos wetlands since the late 1980s when I first visited them on behalf of the State Coastal Conservancy to assess their potential for tidal restoration. I have visited them many times since when performing work for the Conservancy and the Trust for Public Land on adjoining parcels. I was the WRA lead for the restoration design of the nearby City of Long Beach Colorado Lagoon Wetland Mitigation Bank approved by the Commission. WRA has also been engaged in assisting this applicant through the permitting process and finalization of the mitigation banking documents.

Steam Shovel Slough and the diked areas surrounding it are the last remaining historic tidal wetlands in Alamitos Bay. Their preservation and restoration will restore valuable fisheries and wildlife habitat in a critical linkage on the coast with other restored coastal wetlands between Anaheim Bay and Ballona. This approval by the Commission will once again allow these wetlands to flourish and benefit our coastal resources.

Sincerely yours



Michael Josselyn, PhD
Certified Senior Wetland Scientist



Los Cerritos Wetlands Stewards, Inc.

January 26, 2021

California Coastal Commission

Dear Coastal Commission;

I have been caring for the Los Cerritos Wetlands for almost thirty years by removing a large amount of debris from the marsh, it took me 6 years in the 1990s to finish the initial clean up. Today I still maintain the functioning part of the wetlands by removing storm debris that is a competitor for nesting birds. I purchase and maintain a debris barrier (boom) that protects the wetlands from street run off during rain events. It is so rewarding to see my efforts every day seeing this pristine habitat full of life, knowing that when I started there were very little nesting Belding Savanna Sparrow, an endangered bird species. Now nesting activities are everywhere. This is documented by Richard Zimble Federal Fish and Wildlife who has been documenting these birds for decades. It was always my vision from the start to see the degraded marsh on the other side of the berm restored, it had the wetlands soils that take years to form and many marsh plants existing. My thoughts at that time were to have instant wetlands, just add water. Now my vision is coming to reality and I am so excited to see this in my life time. I am confident that this project will be successful as twenty years ago I accidentally flooded a portion of the degraded oil fields on other side of the berm by removing a large piece of dock from a culvert that allowed sea water in. Today that flooded area is a fully function wetland with some rare marsh vegetation that supports a large amount of wild life. I fully support this project as long as the developer uses an adaptive management approach and do its best to keep the existing plants and soils.

With Support,

Leonard Arkinstall
Executive Director
Los Cerritos Wetlands Stewards
6289 E. Pacific Coast Hwy.
Long Beach Ca. 90803 cell: 562 225-4669
lennyeva@earthlink.net
lcwstewards.org

From: [Elizabeth Lambe](#)
To: kate.huckelbridge@coastal.ca.gov; EORFC@coastal.ca.gov
Subject: Public Comment on February 2021 Agenda Item Friday 11a - Authorization for the Executive Director to become a signatory to the Upper Los Cerritos Mitigation Bank
Date: Wednesday, January 27, 2021 3:28:45 PM
Attachments: [BOM CCC Letter of Support 2021 final.pdf](#)

Dear Ms. Huckelbridge,

Please find attached, from the Los Cerritos Wetlands Land Trust, public comment regarding the February 2021 Coastal Commission Agenda Item for Friday 11a -Authorization for the Executive Director to become a signatory to the Upper Los Cerritos Mitigation Bank.

Sincerely,

Elizabeth Lambe
Executive Director
Los Cerritos Wetlands Land Trust



El Dorado Audubon Society

Post Office Box 90713
Long Beach, CA 90809-0713

Founded 1969

Mission: Conservation of Native Birds & Their Habitats

January 28, 2021

Kate Huckelbridge
Deputy Director, Energy, Ocean Resources, and Federal Consistency
California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105

Letter in Support of the Executive Director Becoming a Signatory to the Upper Los Cerritos Mitigation Bank

Dear Ms. Huckelbridge:

For several years, working in conjunction with our biological consultant, Robb Hamilton, President of Hamilton Biological, Inc., El Dorado Audubon actively participated in the process of reviewing and improving upon the Los Cerritos Wetlands Oil Consolidation and Restoration Project, which involved a land-swap with the Los Cerritos Wetlands Authority. We are pleased that the following Audubon-recommended features were incorporated into the project approved by the City of Long Beach and the Coastal Commission: use of current bird-safe building practices; removal of exotic plant species from all project landscaping; establishing an interpretive center; and wildlife-protecting limitations on public access.

Throughout the planning and permitting processes, El Dorado Audubon Society has understood that implementation of the plans would require the selling of wetland mitigation credits to pay for the restoration actions. It is for this reason that we write in support of the Executive Director becoming a signatory to the Upper Los Cerritos Mitigation Bank (ULCMB). The ULCMB will establish more than 70 acres of restored tidal wetlands and associated native buffer habitats here in Long Beach. In addition, nearly 30 acres of existing tidal wetlands in and around Steamshovel Slough will be

preserved. The project will help to protect coastal communities from sea-level rise and will provide vastly improved habitat conditions for numerous wildlife species, including the State-endangered Belding's Savannah Sparrow (*Passerculus sandwichensis beldingi*).

The project includes approximately 10 acres of native upland, riparian, and transitional habitats, with docent-led tours around the eastern perimeter of the mitigation bank that will allow for public education and enjoyment of the restored habitats. After restoration is complete, the ULCMB will be transferred into public ownership, and a non-wasting endowment fund will ensure protection, monitoring, and management of the restored coastal wetlands, in perpetuity.

For all of these important reasons, El Dorado Audubon is excited to continue to support the effort to establish a wetland mitigation bank at the Los Cerritos Wetlands.

Sincerely,
Mary Parsell
President, El Dorado Audubon Society



January 29, 2021

Kate Huckelbridge,
California Coastal Commission
Via email

Subject: Support for Los Cerritos Wetlands Restoration Project

Hello,

I write to you on behalf of the Long Beach Area Chamber of Commerce, our 678 members, representatives, and community stakeholders. The Chamber writes to express our strong support for the Los Cerritos Wetlands restoration project with the understanding of the urgency of restoring this estuary.

This restoration project would not only protect and enhance our environment and the critical wildlife habitats but would also help our City meet environmental goals and objectives while contributing to our City's economic well-being.

The Chamber is happy to support this project as coordination between residents, businesses, and the City will ensure the success of this project and ensure the long-term protection of the restored area. We believe that partnership between stakeholders will help this project succeed and bring a variety of resources including technical and financial means that will assist in the implementation.

The Chamber supports this unique opportunity to protect our environment in Long Beach. We look forward to assisting in this process.

Thank you for your consideration of our letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Harris". The signature is fluid and cursive, with a large, stylized "J" and "H".

Jeremy Harris
President/CEO
Long Beach Area Chamber of Commerce

29 January 2021

Kate Huckelbridge
Senior Environmental Scientist
California Coastal Commission
Energy, Ocean Resources & Federal Consistency Division
45 Fremont Street, Suite 2000
San Francisco, California 94105

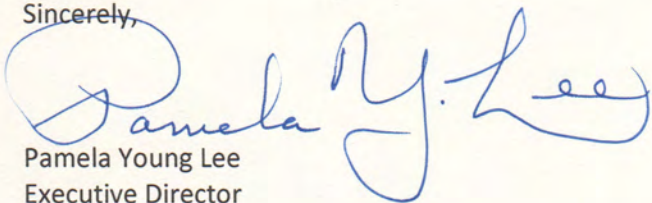
Dear Ms. Huckelbridge:

This letter is written in follow-up to a letter previously sent to you by Rancho Los Alamitos Historic Ranch & Gardens dated December 6, 2018 which strongly supported the thoughtful and comprehensive plan developed for restoring and preserving the Los Cerritos Wetlands for the enjoyment of generations to come. We also specifically applaud the combined efforts of the California Coastal Commission, the City of Long Beach, and other entities too numerous to mention, for the vision and leadership in making this plan possible.

The earlier correspondence noted above also stated that by downsizing, relocating and modernizing current oil operations, the Los Cerritos Wetlands Oil Consolidation and Restoration Project is an exciting opportunity to accomplish what has been discussed for decades, which is the ultimate restoration and preservation of the near 150 acres of biologically sensitive coastal wetlands back to its natural state.

The Los Cerritos Wetlands Oil Consolidation and Restoration Project is an exciting, even historic, opportunity to achieve the restoration and preservation of the Los Cerritos Wetlands and the Board of Directors, staff, and volunteers of Rancho Los Alamitos heartily support this plan.

Sincerely,



Pamela Young Lee
Executive Director

cc: Jeff Green, Chairman, RLA Foundation Board of Directors
Michael Di Sano, Senior Development Manager, NCA Real Estate

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OF DIRECTORS

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O'Malley Miller, Esq.
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CSULB
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Harry Saltzgaver
LONG BEACH

Marlene Temple
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EXECUTIVE DIRECTOR
PAMELA YOUNG LEE

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www.rancholosalamitos.org



February 2, 2021

Kate Hucklebridge
California Coastal Commission
Energy, Ocean Resources & Federal Consistency Division
45 Fremont St. Ste. 2000
San Francisco, CA

Re: Upper Los Cerritos Wetlands Mitigation Bank

Dear Ms. Hucklebridge,

I am writing this letter in full support of authorizing the Executive Director of the California Coastal Commission to become a signatory to the Upper Los Cerritos Wetlands Mitigation Bank. Over the past 7 years I have watched closely as this project evolved from a prospective restoration concept into a highly vetted ecological restoration plan supported by a Bank Enabling Instrument that provides all parties with numerous assurances for success. As a consultant for the Los Cerritos Wetlands Authority (LCWA), I attended the first Interagency Review Team meeting on January 21, 2014 and have continued to attend these meetings ever since. It is important to recognize the level of scrutiny that this project has seen from IRT agency staff and I specifically commend you and your team for your diligent work dissecting this proposed mitigation bank and making sure it fits in within the larger plans for the entire Los Cerritos Wetlands Complex.

I have personally been studying Steamshovel Slough for the past 17 years and used this knowledge to advise Los Cerritos Wetlands, LLC's consulting team on how to enhance existing biological resources without impacting the unique ecological services this location provides locally and regionally. Coastal Commission can proceed with confidence that not only will this project improve these resources in the near-term, but that these resources will be protected and managed perpetually if this mitigation bank is approved. This is something that is lacking in Los Cerritos Wetlands and if implemented this will be the largest coastal salt marsh restoration project ever completed in the County of Los Angeles.

Over the past 4 years I have been managing the Los Cerritos Wetlands Restoration Plan Program EIR for the LCWA. That document identifies this potential mitigation bank as a critical near-term project within the Program area. The BEI's intensive monitoring program and associated performance measures will ensure that highly functioning and productive coastal habitats will be established which will help to support other near-term restoration efforts within the LCW Complex. Furthermore, the BEI's Long Term Management Plan will ensure this high function and production will continue to act as a source for wildlife and propagules to help support future restoration projects in Los Cerritos Wetlands that are expected to continue taking place over the next 2 or 3 decades.

Currently I am the lead restoration ecologist designing the Colorado Lagoon Open Channel Restoration Project. This project would not have been possible without the establishment of a mitigation bank and I have seen firsthand how a BEI guides the intricacies of designing construction drawings for flood



protection, grading plans, and planting programs. Just like Coastal Commission support the Colorado Lagoon Mitigation Bank. It is my request that Coastal Commission supports the Upper Los Cerritos Wetlands Mitigation Bank and authorizes its Executive Director to join numerous other agencies as a signatory on this bank.

In closing, it has been impressive to observe Coastal Commission staff traverse the mitigation bank process. I expect this will become a frequently used mechanism to provide funding for the enormously expensive endeavor of performing large-scale coastal salt marsh restoration projects. I applaud your agency's adaptability and look forward to seeing this and future mitigation banks move forward along our coast.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Eric Zahn', with a stylized flourish at the end.

Eric Zahn
Principal, Tidal Influence, LLC



Los Cerritos Wetlands Authority

February 3, 2021

Governing Board

Samuel Schuchat,
Chair
Coastal Conservancy

Suzie Price,
Vice-Chair
City of Long Beach

Joe Kalmick,
Board Member
City of Seal Beach

Roberto Uranga,
Board Member
Rivers and Mountains Conservancy

Mark Stanley
Executive Officer

Kate Huckelbridge
California Coastal Commission
Energy, Ocean Resources & Federal Consistency Division
45 Fremont Street, Ste. 2000
San Francisco, CA 94105

Re: Support for the Upper Los Cerritos Wetlands Mitigation Bank

Dear Ms. Huckelbridge,

On behalf of the Los Cerritos Wetlands Authority (LCWA), a joint powers authority between the State Coastal Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, and the cities of Long Beach and Seal Beach, I write to support the action to authorize the Executive Director to Become a Signatory to the Upper Los Cerritos Wetlands Mitigation Bank (Bank). The Bank will advance the goals of the LCWA by playing a critical role in the overall restoration and rehabilitation of the Los Cerritos Wetlands. The LCWA was established in 2006 to provide a comprehensive program of acquisition, protection, restoration, maintenance and environmental enhancement of the Los Cerritos Wetlands area.

In 2015, the LCWA adopted the Los Cerritos Wetlands Final Conceptual Restoration Plan (CRP), a restoration alternatives analyses report that provides the LCWA with a roadmap for habitat enhancement and improved public access for the ~500 acre Los Cerritos Wetlands Complex. The CRP calls for preservation of Steamshovel Slough and restoring tidal wetlands on the Synergy Oil Field. Since 2016, the LCWA has been working with the project applicants, Los Cerritos Wetlands, LLC., to ensure restoration designs are consistent with the CRP. The LCWA has reviewed the development plan and interim and long-term management plans for the Bank, and we are supportive of the plans.

This project would perpetually conserve significant acres of wetlands in a highly urbanized region of Los Angeles County where opportunities for large scale wetlands restoration are limited. The LCWA has acquired ~170 acres of the Los Cerritos Wetlands to date and has been proactively planning for the restoration of those properties within the next 10 years, as analyzed in the Los Cerritos Wetlands Restoration Plan Program Environmental Impact Report recently certified by the LCWA Board at its January 2020 meeting (Item 12, January 7, 2021). Approval of the Bank will complement our efforts, conserving 68.7 acres of wetlands into perpetuity, preserving the historical habitat of Steamshovel Slough, and reestablishing ~38 acres of coastal wetland habitat and buffers for sensitive species. In addition, establishment

RE: Support for the Upper Los Cerritos Wetlands Mitigation Bank

February 3, 2021

Page 2

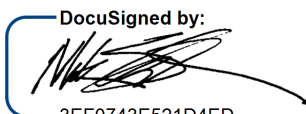
of an endowment for long term maintenance of the restored habitat will ensure long term success of the Bank, including funds for adaptive management.

Not only will this Bank protect and restore habitat, a new public access trail and overlook will also be built as part of this project. These public access improvements would provide additional opportunities to expand LCWA's stewardship programs. Since 2009, LCWA has partnered with non-profits to lead wetland tours, bird walks, and community science programs. These include bringing K-12 students and first-time visitors to the wetlands, expanding public coastal access, and enhancing programs that educate people about our current climate crisis, sea-level rise, and protection of the Los Cerritos Wetlands.

Thank you for the opportunity to comment on this item.

Should you have any questions about LCWA's support of this Bank, please feel to contact me at mstanley@rmc.ca.gov, or the LCWA's Project Manager Sally Gee at sgee@rmc.ca.gov.

Sincerely,

DocuSigned by:

3EF0743E521D4ED...
Mark Stanley
Executive Officer



February 4, 2021

Dr. Kate Huckelbridge
California Coastal Commission
Energy, Ocean Resources & Federal Consistency Division
45 Fremont Street, Ste. 2000
San Francisco, CA 94105

Re: Support for the Upper Los Cerritos Wetlands Mitigation Bank

Dear Dr. Huckelbridge,

On behalf of the California State Coastal Conservancy (Conservancy), I write to support approval of the Upper Los Cerritos Wetlands Mitigation Bank (Bank). The Conservancy is a member agency of the Los Cerritos Wetlands Authority (LCWA), a Joint Powers Authority established in 2006 to provide a comprehensive program of acquisition, protection, restoration, maintenance, and environmental enhancement of the Los Cerritos Wetlands area.

In 2011, the Conservancy granted \$225,000 to LCWA to prepare the Los Cerritos Wetlands Conceptual Restoration Plan (CRP), an opportunities and constraints analysis which presented various alternatives to restoring approximately 500 acres of tidal wetlands. The CRP was completed in 2015 and adopted by the LCWA. The CRP calls for preservation of Steamshovel Slough and restoring tidal wetlands on the Synergy Oil Field. Since 2016, the LCWA has been working with the project applicants, Los Cerritos Wetlands, LLC., to ensure restoration designs are in line with the CRP. Conservancy staff have assisted the LCWA in reviewing the development plan and interim and long-term management plans for the Bank, and we are in agreement with the plans.

This project would place significant acreages of wetlands into conservation in the highly urban region of Los Angeles where opportunities for large scale wetlands restoration are limited. The LCWA has acquired ~170 acres of the Los Cerritos Wetlands and is planning for restoration of those properties within the next 10 years, as analyzed in the recently certified Los Cerritos Wetlands Restoration Plan Program Environmental Impact Report, which was prepared with Conservancy funding. Approval of the Bank will add onto these efforts, conserving 68.7 acres of wetlands into perpetuity, preserving the historical habitat of Steamshovel Slough, and reestablishing ~39 acres of coastal wetlands habitats. In addition, establishment of an endowment for long term maintenance of the restored habitat will ensure long term success of the Bank, including funds for adaptive management.

1515 Clay St, 10th Floor
Oakland, California 94612-1401

510-286-1015 Fax: 510-286-0470

Not only will this Bank protect and restore habitat, a new public access trail and overlook will also be built. This trail will provide new opportunities for docent lead tours and programs, expanding public coastal access.

Thank you for your consideration of this project. If you have any questions about the Conservancy's support of this Bank, please contact project manager Joel Gerwein at joel.gerwein@scc.ca.gov or at 510-286-4170.

Sincerely,

Sam Schuchat

Sam Schuchat
Executive Officer

1515 Clay St, 10th Floor
Oakland, California 94612-1401
510-286-1015 Fax: 510-286-0470

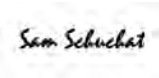
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<p>Sam Schuchat</p> <p>sam.schuchat@scc.ca.gov</p> <p>Executive Officer</p> <p>State Coastal Conservancy</p> <p>Security Level: Email, Account Authentication (None)</p>	<p>Sent: 2/4/2021 5:39:42 PM</p> <p>Viewed: 2/5/2021 9:41:49 AM</p> <p>Signed: 2/5/2021 9:42:04 AM</p>
	
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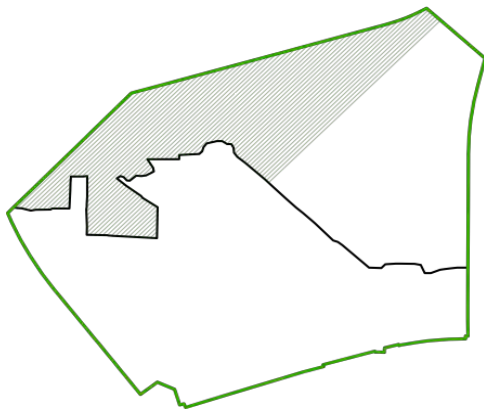
4/18 2020

To: Kate Hucklebridge, California Coastal Commission

From: The Los Cerritos Wetlands Task Force, Sierra Club

Concerns regarding the proposed Upper Los Cerritos Wetlands Mitigation Bank

Note: We address our concerns regarding the Upper Los Cerritos Mitigation Bank as described in the following: Army Corps File No.: SPL-2016-007562016 Mitigation Bank Prospectus, Los Cerritos Wetlands Restoration and Oil Consolidation Project EIR (Upper Los Cerritos Wetlands Mitigation Bank/Restoration Plan), Coastal Development Permit 9-18-0395, Coastal Commission Staff Report Th14a, and the 8/22/2019 Memorandum from Sam Schuchat to the State Coastal Conservancy



Synergy site, showing boundary of Upper Los Cerritos Wetlands Mitigation Bank

I. Concerns regarding the benefit of a Mitigation Bank to Los Cerritos Wetlands and to the preservation/restoration of wetlands overall.

1. Research into mitigation banking reveals this mechanism to be problematic. Rather than reducing the destruction of existing wetlands, Mitigation Banks may actually be increasing it. It has become highly profitable to purchase credits in exchange for the right to build on existing wetlands. Selling these credits further profits Mitigation Bankers. Finally, those engaged in designing, promoting, and conducting invasive and expensive restoration projects for Mitigation Banks profit from damaging and destroying existing wetlands ecosystems. Additionally there has been a failure to implement and monitor Wetlands Mitigation Banks that actually restore and/or create sustainable wetlands ecosystems, *“Current restoration practice and wetlands mitigation policies will maintain and likely accelerate the global loss of wetlands ecosystem functions...If restoration as currently practiced is used to justify further degradation, global loss of wetland ecosystem function and*

structure will spread...In addition, developers often promise to create or restore wetlands in one location in exchange for getting permission to bulldoze wetlands in another location... The research is saying these new sites just don't do as well" (Structural and Functional Loss in Restored Wetland Ecosystems, David Moreno-Mateos)

2. The Upper Los Cerritos Wetlands Mitigation Bank is presumptive and premature. In order to establish the bank, Beach Oil Minerals proposes a major reconfiguration of the Los Cerritos Wetlands ecosystem. To ensure the survival of the Los Cerritos Wetlands, input from diverse entities with a commitment to the preservation and restoration of coastal wetlands is essential. Failure to take into consideration multiple options, discounts the expertise required and available to make the best possible decision for the wetlands, waters, and the community. A measured approach, which includes and verifies the results of alternative scenarios, holds more promise and far less risk than BOM's plan. For public agencies to limit consideration and analysis to a single proposal by a private party who happens to own acreage and mineral rights in the Los Cerritos Wetlands complex shows a lack of judgment.

II. Concerns regarding the Upper Los Cerritos Wetlands Mitigation Bank and the Los Cerritos Wetlands Restoration and Oil Consolidation Project

1. The 2016 Prospectus for the Upper Los Cerritos Wetlands Mitigation Bank states that, *"the design, goals, and objectives described herein are in alignment with goals and objectives previously outlined and approved in LCWFCRP."* (2015 Los Cerritos Wetlands Final Conceptual Restoration Plan). We disagree. The LCWFCRP has been significantly altered to accommodate the Los Cerritos Wetlands Restoration and Oil Consolidation Project. The Prospectus does not mention or consider the risks to the wetlands, waters, and community posed by these changes. Allowing oil infrastructure and other construction on ESHA and other wetlands habitat areas, expanding oil operations onto wetlands adjacent property (including that designated for a Visitors Center in the 2015 plan), and expanding drilling operations beneath the Mitigation Bank property (involving the injection of chemicals and large amounts of produced water), must be included in the Prospectus and evaluated by the IRT. The proponent has not met the following requirement to *"discuss potential conflicts and compatibility with any conservation plans, CDFG conceptual area plans, or other land use plans, policies, or regulations."* (Prospectus 2016)
2. To imply that the Mitigation Bank can be reviewed without considering its connection to the Los Cerritos Wetlands Restoration and Oil Consolidation Project is misleading, *"The establishment of the Mitigation Bank is not dependent on the Project nor is it compensatory mitigation for the*

Project.” (Prospectus 2016). While the Upper Los Cerritos Wetlands Mitigation Bank may contribute to the restoration of the Los Cerritos Wetlands, it also enables Beach Oil Minerals new oil operations to pollute and put at risk the entire wetlands ecosystem and the public’s health and safety, while also contributing to sea rise and climate change-“Establishment of the proposed Mitigation Bank discussed herein is associated with the larger Los Cerritos Wetlands Restoration and Oil Consolidation Project (Project) that will occur on four properties including the Synergy Oil Field, Pumpkin Patch site, Los Cerritos Wetlands Authority (LCWA) site, and a City-owned Property. “ (Prospectus 2016)

3. The environmental and financial risks to the proposed Mitigation Bank property posed by the Los Cerritos Wetlands Restoration and Oil Consolidation Project must be factored in as regards the feasibility of the Mitigation Bank. This should include the footprint of the expanded oil operations under and around the Los Cerritos Wetlands, which will increase oil extraction from 300 to 24,000 barrels of oil daily and add 70,000 tons of GHG emissions annually, requiring BOM to purchase Cap and Trade credits. The oil operations, including a pipeline over the Newport-Inglewood Fault, and “enhanced” injection drilling beneath the Mitigation Bank area, pose threats that cannot not be mitigated, *“BOMP will benefit from the ability to drill new oil wells and construct associated infrastructure, including storage tanks, pipelines, and an office building, increasing oil production to approximately 80 times current levels, from about 300 barrels per day (bpd) to up to 24,000 bpd. 70 new wells and four storage tanks would be constructed on the OTD parcel, and 50 new wells, an office building, and a warehouse would be constructed on the Pumpkin Patch. A 2,200 ft. pipeline would be constructed to connect the Pumpkin Patch and the OTD parcel. As a result of the project, oil production will increase significantly, as noted above.” (California Coastal Conservancy memo, 8/22/2019)*
4. The Upper Los Cerritos Wetlands Mitigation Bank is inappropriate for a Traditional Tribal Landscape, *“Special Conditions do not adequately mitigate the potential damage to archeological resources or tribal cultural resources and the introduction of new development remains inconsistent with the tribal cultural landscape as described by tribal members with a cultural connection to the Los Cerritos Wetlands.” (CCC Staff Report)*

III. Concerns regarding the Upper Los Cerritos Wetlands Mitigation Bank Restoration Plan

1. The current plan for breaching the existing berm separating Steamshovel Slough from Synergy’s oil fields will compromise one of the few remaining salt marshes in Southern California, and the only remaining ancient one. The impact of a single extreme alteration on the existing waters and area of the slough (enlarging it by 1/3), could destroy this fragile and rare ecosystem. *“Steamshovel*

Slough is approximately 1,950 feet long and is considered a historic or “ancient” marsh in that it has not been modified through dredging or filling.” (BOM EIR). “Reestablish 22.38 acres of tidal salt marsh habitats through strategic grading and [SEP] removal of segments of a constructed berm that restricts historic tidal connections between the Steamshovel Slough and the oil field (south of bank area).” (Prospectus, 2016)

2. Residues from oil drilling operations and soils from proposed dredging and grading will negatively impact the marsh ecosystem. A healthy salt marsh (that doesn’t currently qualify for Mitigation Bank credits) will be degraded in order to include it in the Upper Los Cerritos Mitigation Bank, *“This full tidal salt marsh appears to have changed little over the decades and is a model climax coastal salt marsh plant community. It is likely that this stability is due to its full tidal conditions and lack of major landform alteration.” (Los Cerritos Wetlands Habitat Assessment Report).*
3. Increasing tidal influence and expanding tidal connections will destroy rare, historic coastal salt flats/salt pans serving as seasonal wetlands. *“Descriptions of alkali meadows in this area are found in both the narrative accounts and in the locality information from herbarium records: ‘In the earlier years, part of the land lying east of Los Alamitos ranch was white in spots, when the alkali lay in cakes on the ground. After the flood these places were covered from a few inches to four feet deep with silt. The land would then grow anything.’ (Thornburg: Reagan 1915).” Historic Ecology and Landscape Change, San Gabriel River Floodplain. “Salt flats are a type of seasonal wetland that is characteristic of arid, semi-arid, and Mediterranean climate coastal environments such as Southern California....They were widespread historically and are present in many Southern California estuaries today, providing an array of ecosystem functions for resident and migratory wildlifeWhen flooded, for example, salt flats can support foraging for resident and migratory birds: dabbling ducks and shorebirds can feed on invertebrates, invertebrate larvae, and the occasional small fish, while diving birds such as grebes, cormorants, and ruddy ducks can feed in deeper water. Drying salt flats can provide breeding habitat for the state and federally endangered California least tern and federally threatened western snowy plover, in addition to resident birds such as black-necked stilts and American avocets. When dry, salt flats can support roosting and refuge for birds able to congregate safely in the large open space, as well as corridors for traveling mammals and habitat for invertebrates such as tiger and rove beetles and micro-crustacean and aquatic insects such as water boatman and brine flies. ...Ecosystem services have not been robustly documented for salt flats in the contemporary landscape, but historically included salt production by indigenous and Euro-American residents.... Salt flats were historically present in approximately one-quarter of Southern California 104 estuarine systems.... (Appendix 7: Salt Flats in Southern California Coastal Wetlands, Wetlands on the Edge: The Future of Southern California's Wetlands, Regional Strategy 2018)*

4. Expanding a saltwater marsh at the expense of seasonal wetlands by breaching the berm to allow full tidal influence will result in a loss of wetlands ESHA and other wildlife habitat. The existing salt flat ecosystem on the Synergy site is historic, relatively healthy, and capable of thriving. *“Most wetlands on the California Coast, with the exception of San Francisco and San Diego, were not open to the sea. They did not have full tidal influence.... The fact that there is full tidal influence in Steamshovel Slough is because of man-made changes with a Marina that’s dredged constantly. To do more of that (expand full tidal influence) is wrong. It is not what the habitat is supposed to be, it’s not what the flora and the fauna need. (Marcia Hanscom, Protect Ballona Wetlands and Wildlife. re BOM EIR/CDP 9-18-0395). “We are now at a 99% loss of salt flat/salt pan habitat. Pickleweed/Parish’s Glasswort (Arthrocnemum subterminale) is a native plant that is abundant on BOM’s property. It is a powerful wetland indicator. Being covered by saltwater, even one or two times, will kill the plant. The dominance of that plant tells us that this area has not been tidal for a long time because the plant grows as a clone and can live for centuries growing outward. Then it looks like a donut with the inside bare and growth at the outside. This is how long this plant has been on this property. The property is very valuable in serving as wetlands AS IS and doesn’t need any restoration.” (Roy Van de Hoek, Ballona Institute, wetlands scientist, re BOM EIR/CDP 9-18-0395). Pickleweed is critical to the endangered Belding’s Savannah Sparrow as a foraging and nesting site, and as a food source. Converting salt flats or and other areas to salt marsh may also reduce the amount of habitat available to least terns, snowy plovers, other shorebirds. “Pickleweed habitats have been degraded by changes in tidal flow and freshwater inputs, invasion of nonindigenous plants, and fragmentation by trails and roads. Restoration of this habitat type is difficult and may not result in suitable nesting habitat for sparrows.” (Keer and Zedler 2002)*



seasonal wetlands on Synergy property



salt flat ecosystem on Synergy property

5. Earthmoving, grading, trenching, and construction activities will permanently impact existing habitat/displace wildlife/destroy tribal cultural areas: *“Grading would occur in the northern portion of the Synergy Oil Field site, in the transitional wetland areas, tidal channel, seawall berm*

area, on the southern portion of the site, around the perimeter of the Synergy Oil Field site and would last approximately 9 months. Earthwork would be accomplished through standard earthmoving equipment including excavators, bulldozers, front-end loaders and trucks for hauling material.” (BOM EIR/CDP 9-18-0395)

6. Although the use of Glyphosate has proven to be toxic to the environment and to human health, Mitigation Bank area “weed” management strategies include the use of herbicides: *“If grading precedes planting by more than a few months in these areas, it would be necessary to eradicate all undesirable exotic plants that have become established prior to planting and seeding of the mitigation site.... a “grow and kill” cycle would be established to eradicate these plants... the use of herbicides (the aquatic formulation of glyphosate would be used).”* (BOM EIR/CDP 9-18-0395) *“Glyphosate has direct eco-toxicological effects...and indirect effects. The latter result from the unprecedented elimination of flora termed weeds. Direct and indirect effects have cascading impacts on the food chain and on biodiversity.”* (Glyphosate Monograph, Pesticide Action Network)
7. New trails, roads, parking lot, and visitors center will increase human footprint at the expense of wetlands ESHA, wildlife habitat, and Traditional Tribal Landscape.



CCC Wetlands on Synergy Site



proposed visitor center and parking lot

8. Sea rise will submerge salt marsh habitat, reducing foraging and breeding grounds for the Savannah Belding’s Sparrow. As habitat shrinks due to increasing inundation, it may also decline in quality, which might lead to breeding failure before all habitats are lost. In the Mitigation Bank area, BOM’s Updated Sea Level Rise Analysis (2017) stated that salt marsh habitat will decrease, *“due to much of the area becoming subtidal habitat with further SLR. ...The vegetated marsh area would generally decrease as some marsh habitats would convert to mudflat or subtidal due to the increased inundation frequency. Overall, salt marsh will evolve from a diverse range of habitats to be more subtidal and mudflat after sea level rises.”* Additionally, sea rise projections in the restoration

proposal did not address full impact at the time and current projections show that sea-rise will be more rapid, and storm surges more severe, than predicted in 2018.



2018 NOAA Sea Level Rise modeling APP shows Synergy Site inundated with 1 foot of sea rise



2019 CAAP Sea level rise projection shows Synergy Site inundated by King Tide

IV. Tribal Concerns

1. Flooding, earthmoving, and construction will permanently alter and damage this Traditional Tribal Landscape. It will destroy evidence of tribal occupation, including salt flats used for salt production by indigenous peoples. This will negatively impact tribal spiritual and cultural practices necessary to the wellbeing and survival of tribal groups with a connection to Puvungna and the Los Cerritos Wetlands, *"We use sacred sites to have a connection to the ancestors. Now we've been squeezed by buildings, and roads, and oil, stripped of these places we depend on."* (Gloria Arellanes re CDP 9-18-0395)
2. The IRT must include the California Native American Heritage Commission. The Los Cerritos Wetlands are of great historic and contemporary value to California Native American tribal peoples who have the right to be represented by the CNAHC, the state agency most able to voice their concerns as regards the planning, authorization, and implementation of the Upper Los Cerritos Wetlands Mitigation Bank, *"The California Native American Heritage Commission (NAHC or Commission), created in statute in 1976 (Chapter 1332, Statutes of 1976), is a nine-member body whose members are appointed by the Governor. The NAHC identifies, catalogs, and protects Native American cultural resources -- ancient places of special religious or social significance to Native Americans and known ancient graves and cemeteries of Native Americans on private and public lands in California. The NAHC is also charged with ensuring California Native American tribes' accessibility to ancient Native American cultural resources on public lands, overseeing the treatment and disposition of inadvertently discovered Native American human remains and burial items, and administering the California Native American Graves Protection and Repatriation Act (CalNAGPRA),*

among many other powers and duties.”

3. The right of tribal peoples to protect and access the Los Cerritos Wetlands/Puvungna have been violated by project proponents, including city and state agencies, *“We had no opportunity to have tribal consultation, per the new policy (Coastal Commission Tribal Consultation Policy), before the Amendment (to LCP allowing new drilling sites) was passed over the objections of myself and other tribal leaders and members. The Coastal Commission’s vote was out of compliance with the Tribal Consultation Policy.” (Chief Anthony Morales, Gabrieleno/Tongva re CDP 9-18-0395)*
4. The project area lies within the Sacred Site of Puvungna, recorded by the California Native American Heritage Commission, *“We’re saying that the Los Cerritos Wetlands constitutes a Tribal Cultural Property. Puvungna was a community, a spiritual gathering place for many tribes, birthplace of Chingishnish, lawgiver and god.” (Chief Anthony Morales, Gabrieleno/Tongva re CDP 9-18-0395). “The site is in the last natural area, the last intact wetlands that links Puvungna and Motuucheynga. This is the area we traveled through to reach Bolsa Chica. It is where we fished, gathered tule, and had our salt pans. This is the last remaining ceremonial space. Leave it natural. Avoid it all together.” (Rebecca Robles, Acjachemen re CDP 9-18-0395)*
5. References to the tribal history of the area and contemporary tribal peoples’ relationship to the wetlands and surrounding area are inadequate. Essential information is lacking, erroneous, or written from a Eurocentric perspective in documents pertaining to the Mitigation Bank Restoration Plan. This includes the Los Cerritos Wetlands Restoration and Oil Consolidation Project EIR and other information and testimony presented to the California Coastal Commission. *“In response to the Modification required by the first LCP, the developer has submitted a Cultural and Archaeological Resources Report, just trying to comply and pacify. It is just a formula and does not even try to touch on the tribal cultural issues, including sacred sites. It is a farce of a report. It is inadequate.” (Chief Anthony Morales, Gabrieleno/Tongva re BOM EIR/CDP 9-18-0395)*



Richard Bugbee, Luiseno, making tule boat



Michele Castillo, Acjachemen, LC Wetlands

V. Financial and Legal Concerns

1. The Upper Los Cerritos Wetlands Mitigation Bank lacks proper oversight, *"The LCWA is not a signatory to the BEI. When LCWA becomes the owner of the Northern Synergy Oil Field, the BEI will already be final and will impose obligations on LCWA....(The) LCWA is not a party to the BEI and is not a member of the Interagency Review Team. If the BEI includes future landowner obligations that are unacceptable to LCWA, LCWA will have to either agree to comply with those obligations or refuse to take ownership of the Synergy Oil Field. LCWA has requested that it be made a party to the BEI so that LCWA's concerns regarding its property ownership of the bank can be adequately addressed."* (CCC memo, 8/22/19)
2. The Upper Los Cerritos Wetlands Mitigation Bank is not financially viable. The LCWA and the Coastal Conservancy have issues regarding the Upper Los Cerritos Mitigation Bank documents, ***"Adequacy of Endowment Fund:*** *It is critical that the endowment fund be adequate to provide for long-term management of the bank property. If adequate funding is not available, restored and enhanced habitats may become degraded, and LCWA may be unable to meet its obligations under the BEI... Conservancy and LCWA staff and contractors have reviewed the assumptions underlying the endowment fund calculations and found that long term management costs were not included or were underestimated, resulting in an endowment fund size that will likely prove inadequate."* (CCC memo)^[1]_{SEP}
3. The Upper Los Cerritos Wetlands Mitigation Bank exposes state agencies to unfunded liabilities, ***"LCWA's Liability:*** *While LCWA will take responsibility for the long-term management of the bank property upon acquiring the property, LCWA should not take on liability associated with establishing the mitigation bank and BOMP's operation of the mitigation bank, or with BOMP's ongoing oil operations that are part of the Consolidation Project. LCWA seeks to be adequately protected, and to have adequate funding available and processes in place to insure against liabilities associated with the Synergy Oil Field property. As one potential measure, LCWA is requesting that adequate insurance coverage and indemnity be provided to cover such liability."* (CCC memo)^[1]_{SEP}
4. The Land Exchange Agreement should be finalized before the IRT approves the Upper Los Cerritos Wetlands Mitigation Bank and before the Mitigation Bank comes before the Coastal Commission for approval, *"Upper Los Cerritos Wetlands Mitigation Bank is anticipated to be finalized Fall of 2019. The Land Exchange Agreement is anticipated to be finalized Fall of 2019 or Spring of 2020. Prior to LCWA entering into the Land Exchange Agreement with BOMP, at one of its upcoming public meetings, the Conservancy will consider whether to approve the transfer of the OTD Parcel for purposes of the Consolidation Project."* (CCC memo)

5. Tidelands, including Steamshovel Slough, should be preserved in their natural state, *"There is a growing public recognition that one of the most important public uses of the tidelands - a use encompassed within the tidelands trust - is the preservation of those lands in their natural state, so that they may serve as ecological units for scientific study, as open space, and environments which provide food and habitat for birds and marine life, and which favorably affect the scenery and climate of the area."* Marks v. Whitney, California Supreme Court
6. Steamshovel Slough is Land in the Public Trust. It has historically been, and is today, a public waterway that lies below the high tide marker. In 1924 the public tidelands in the area were conveyed to the city as a part of the state tidelands trust grant. Steamshovel Channel was included in that grant. In 1965 the California State Legislature enacted chapter 1688. Section 5 provided that any tidelands conveyed under the terms of the act should pass free of the tidelands trust; **that no lands below the mean high tide line should be conveyed.** Additionally, *"the public trust might be invoked to protect the water resources upon which the wetlands are dependent, to protect the wildlife which are dependent on the wetlands for their continued vitality, or in some circumstances, to protect the wetlands for their own sake."* *Applications of the Public Trust Doctrine to the Protection and Preservation of Wetlands: Can It Fill the Statutory Gaps*
7. The Los Cerritos Wetlands Oil Consolidation and Restoration Project Final EIR states that Public Trust status as regards Steamshovel Slough is not settled law. ESA / 150712.01 CHAPTER 9, Responses to Comments SECTION 9.2 Comments and Responses 9-314, *"The comment states that using the Steamshovel Slough as the basis for a mitigation land bank violates the public trust doctrine and that as such title to Steamshovel Slough is not settled and therefore should not be described as the property of Synergy LLC in Mitigation Bank documents nor should Synergy LLC control any Mitigation Bank operations. Response to comment: **It is not settled that the public trust doctrine applies to the Steamshovel Slough, nor is this response intended to serve as the legal opinion of the City of Long Beach regarding the application of the public trust doctrine to the Steamshovel Slough.**"*
8. Lack of clear title to Steamshovel Slough violates CA FISH AND GAME CODE, CHAPTER 7.9. Conservation Bank and Mitigation Bank Applications and Fees 1798 (L) which requires a current preliminary report covering the site of the proposed bank that identifies the owner of the fee simple title and shows all liens, easements, and other encumbrances and depicts all relevant property lines, easements, dedications, and other features.
9. According to the City of Long Beach's Local Coastal Plan, *"The official maps (engineering, zoning, land use, plot, parcel, legal boundaries) of Alamitos Bay and its immediate periphery will be*

brought up to date so as to indicate proper current boundaries of public property, to erase antiquated but abandoned rights, to show public access easements and rights of passage, to show tideland rights and responsibilities according to the Constitution, to designate proper zoning categories consistent with the new Land Use Element and any revisions thereof resulting from adoption of the LCP so that designations of public and private interests and rights are correct, unambiguous and so that this information is available as public knowledge.” This does not appear to have been done.

10. The City of Long Beach Local Coastal Plan calls into question the legality of the proposed Mitigation Bank: *“The Los Cerritos Wetlands is a tidelands mudflat and marsh lying in a Los Angeles County “island” which is enclosed within the Long Beach City boundaries, and is included in the SEADIP Specific Plan of Long Beach. This Wetlands is an environmentally sensitive area by this RMP; a significant ecological area in the Los Angeles County General Plan; a lagoon to be protected in the Coastal Plan of 1975; a viable wetland according to the Department of Fish and Game; an essential bird feeding area as designated by the National Wildlife Service; the habitat of species listed in the Endangered Species Act; and an environment subject to the Basic Wetland Protection Policy of the State Resources Agency. In view of the delicate ecological sensitivity of Los Cerritos Wetlands to any human disturbance, this RMP calls for a strong set of implementing actions which protect and preserve this area as it is, postponing any enlargements and restorations (such as are permitted in the SEADIP plan) until certain scientific, economic and other studies have been completed. These studies are aimed to answer critical questions concerning the irreversibility of the ecosystem to earth cutting and filling; concerning the ecological feasibility of reconfiguration and restoration projects; and concerning the boundaries of the ecologically sensitive area with attendant rights and responsibilities of private, public and governmental parties.”* To the best of our knowledge the required studies have not yet been done.
11. Subjecting waterways, surface and groundwater to interference is prohibited by the Local Coastal Plan, *“30231. Biological productivity; waste water: The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and likes appropriate to maintain optimum population of marine organisms and for protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entertainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas...”*

VI Additional Legal Questions regarding the Mitigation Bank

(Bold type: government policies, Regular type: Upper Los Cerritos Wetlands Mitigation Bank Restoration Plan, Red ink: Questions)

1. **“A mitigation bank is a site developed for such a purpose, whereas the person or entity undertaking such restoration work is referred to as a mitigation banker. Just as a commercial bank has cash as an asset that it can loan to customers, a mitigation bank has mitigation credits that it can eventually sell to those who are trying to offset debts. The bank site is the physical acreage that is restored, established, enhanced, or preserved.”**

Q - It appears that BOM can sell mitigation credits as soon as the IRT approves the BET. Will credits be for sale prior to Coastal Commission review of the Bank? How does this not violate the requirement that mitigation credits are sold for sites “developed (past tense) for such a purpose”?

“The mitigation bank establishment process includes approval of a prospectus by the IRT, followed by the review and approval of a bank-enabling instrument by the IRT, the final approval of which allows the bank developer to initiate a phased release of mitigation credits from the bank.”

2. **“The mitigation banker is responsible for not just the development, but also the future upkeep and maintenance of the mitigation bank. Provision should be made for ensuring implementation of the resource management plan in the event of non-performance by the bank owner and/or operator.”**

Q – What are BOM’s obligations as the mitigation banker? It appears that both land ownership and mitigation banking responsibilities are in flux?

“Los Cerritos Wetlands Restoration and Oil Consolidation Project EIR:

Name: The Upper Los Cerritos Wetlands Mitigation Bank

Owner: Beach Oil Minerals Partners, Operator: Synergy Oil & Gas, LLC

Conservation Area Manager: (Proposed): LCWA

Responsible Party for Long-Term Management of the Mitigation Bank: The long-term management of the Conservation Area is expected to be performed by the LCWA as the Conservation Area Manager. If it becomes necessary to identify an alternate Conservation Area Manager, one will be proposed to the IRT members for approval.

According to the LCWA: BOMP will retain the option to establish a mitigation bank on the Southern Synergy Oil Field after the property is transferred to LCWA.....BOMP will establish and operate a mitigation bank, the Upper Los Cerritos Wetlands Mitigation Bank, on the Northern

Synergy Oil Field, which includes Steamshovel Slough. Operating the mitigation bank will involve restoring tidal wetlands and native uplands on the property, and BOMP will receive the right to sell mitigation credits. LCWA, as the new property owner of the mitigation bank property, will be obligated to maintain the property for perpetuity....^[1]^[SEP]LCWA may accept the offer and acquire title to the Southern Synergy Oil Field. BOMP will retain the option to establish a mitigation bank on the Southern Synergy Oil Field after the property is transferred to LCWA.”

3. **“Before the FWS can approve a conservation bank, landowners are required to provide funding for monitoring and long-term management of the conservation bank through establishment of a non-wasting endowment.”**

Q - The land exchange between the LCWA and BOM has not been completed. Will BOM, the current owner of the proposed mitigation bank property, be responsible for providing funding in both the short and long term? When the LCWA takes ownership of the property, will it become liable for monitoring and management of the bank? What liability does the LCWA have if mitigation causes environmental damage and/or if funding is not available to maintain the mitigation bank?

“LONG-TERM MANAGEMENT PLAN: BOMP will provide the necessary funding to an agency-approved long-term management entity, herein referenced as Conservation Area Manager. The Long-Term Financing Mechanism: Financing for the ongoing management activities within the Conservation Area will be provided through a non-wasting endowment generated by a Property Analysis Record (PAR) or a PAR-equivalent. Synergy proposes to have the LCWA hold the endowment.”

4. **“Mitigation credits may be bought by anyone who plans to undertake commercial development on or near a wetland or stream that will in the process negatively impact the ecosystem of that region.”**

Q. - Who will determine the price of mitigation credits? Will the Mitigation Banker make a profit? Will mitigation credits be available to those developing properties next to or near the Los Cerritos Wetlands? Should the CCC approve SEASP, will credits be available to those constructing five and seven story buildings along PCH between Loynes Drive and the San Gabriel River?

5. **“Generally, lands previously designated for conservation purposes through another program are not eligible unless designation as a bank provides an additional conservation benefit to the species.”**

Q. The Los Cerritos Wetlands have been previously designated for conservation purposes. The

LCWA was specifically formed in order to conserve the Los Cerritos Wetlands and implements numerous conservation programs. In 2015, the LCWA approved a Final Los Cerritos Wetlands Restoration Plan and it is now preparing an EIR for the restoration of the entire Los Cerritos Wetlands. The proposed design of the Upper Los Cerritos Wetlands Mitigation Bank risks and reduces existing wetlands and wildlife habitat and cannot guarantee an overall additional conservation benefit. Steamshovel Slough is possibly Public Trust Land in no need of restoration and should not be included in the mitigation bank plan. Are the Los Cerritos Wetlands even eligible to be included in a Mitigation Bank?

VI. Conclusions

Presumed Benefits/Actual Risks

Presumed Benefits

1. Funds a plan to restore part of the Los Cerritos Wetlands.
2. Though the IRT, federal and state agencies participate in the design and approval of the Mitigation Bank and restoration plan, providing expertise and financial oversight.
3. The restoration and maintenance of the Mitigation Bank property will be fully financed and liability and risk will be assumed and fully funded by the Mitigation Bank/Banker.

Actual Risks

1. Will allow environmental destruction in exchange for the purchase of Mitigation Credits.
2. Will partially fund the Restoration Plan of the Los Cerritos Wetlands Restoration and Oil Consolidation Project, which expands oil drilling beneath and around the Los Cerritos Wetlands, contributes to air, ground and water pollution, and destroys existing ESHA in the Los Cerritos Wetlands.
3. Includes Steamshovel Slough in the Mitigation Bank as Synergy's (private) property, although 1) the slough qualifies as Public Trust Land, 2) the deed to the slough is not settled as required by law, and 3) the slough does not need restoration.
4. The restoration plan being considered by the IRT will destroy existing ESHA and wildlife habitat on the Synergy property, pollute Steamshovel Slough, and destroy tribal cultural materials and cultural practices.
5. Financial oversight/funding for restoration and/or assumption of risk for materials/situations that could prove hazardous in the future is not assured.

6. The IRT does not include the California Native American Heritage Commission, the State Agency representing California Native Americans with regard to Tribal Cultural sites, materials, and practices.

Assumptions/Counterarguments

Assumptions

1. The Upper Los Cerritos Wetlands Mitigation Bank Restoration Plan will restore historic salt marsh wetlands habitat, which will improve/benefit existing wetlands habitat/wildlife.
2. The restoration plan is based on solid scientific research and current evidence and is safe and sustainable both environmentally and financially.
3. The IRT does not require input from the CNAHC. The CNAHC lacks the authority/ability to serve on the IRT for the proposed mitigation bank in the Los Cerritos Wetlands.

Counterarguments

1. The Mitigation Bank Restoration plan includes reshaping existing landforms to expand the Steamshovel Slough salt marsh at the expense of salt flats and other wetlands habitat. The salt flats on the Synergy property are also historic habitat, and, being far more at risk than coastal salt marshes, are more deserving of protection and restoration. Expanding coastal salt marshes is not necessarily beneficial to coastal wetlands ecosystems nor is it a sustainable practice, especially in light of projected sea rise.
2. The Los Cerritos Wetlands were not a salt marsh. Although Steamshovel Slough is today a salt marsh, in both ancient and historic times, it was fed by fresh water as was the entire Los Cerritos Wetlands ecosystem until the San Gabriel River was channelized in the 1930s. Additionally tidal waters did not consistently enter the Los Cerritos Wetlands as the opening from Alamitos Bay to the ocean was not permanent before the river was channelized and the bay was dredged.
3. Research into the history, biology, and benefits of coastal salt flats is limited and ongoing and must be revisited by the IRT before concluding that the flats should be submerged in order to expand salt marsh habitat.
4. Sea rise projections (due to climate change) have increased dramatically since the LCWA's restoration plans for the Los Cerritos Wetlands were finalized in 2015, and even since the Los Cerritos Wetlands Restoration and Oil Consolidation Project was approved in 2018. Dredging and flooding existing wetlands habitat that will become sub-tidal within the life of the project destabilizes the ecosystem and makes no environmental or financial sense.

5. Evidence is mounting that “modern” methods of fossil fuel extraction, including fracking and steam and water injection drilling, harm the environment and human health. The Mitigation Bank furthers Beach Oil Minerals’ plans to use water-injection drilling methods to expand oil operations, polluting the Los Cerritos Wetlands and surrounding areas and contributing to poor human health and climate change.
6. The Mitigation Bank Restoration Plan involves additional risks to the Los Cerritos Wetlands, to Tribal Peoples, and to the community and does not ensure that damage to any of the above will be compensated. Nor does the Bank acknowledge or attempt to mitigate the risks resulting from the Los Cerritos Wetlands Restoration and Oil Consolidation Project or from BOM’s current and/or proposed oil extraction operations in the Los Cerritos Wetlands.
7. If BOM’s operations are not profitable and/or result in significant environmental damage, it appears that the public will be liable.

Asks of IRT Team

1. Do not approve the Mitigation Bank or delay approval until certain Special Conditions of the Los Cerritos Wetlands Restoration and Oil Consolidation Project are met, including new biological and geological studies, sea rise projections, and Archeological/Tribal Cultural studies/recommendations and Tribal Consultations.
2. Research the history, value, and viability of salt flats/pans in the LC Wetlands, especially those on the Synergy property. What specific ecosystem are they integral to, what was/is their role in the Tribal Traditional Landscape?
3. Question whether the Los Cerritos Wetlands were historically a salt marsh and/or if salt marshes are more environmentally beneficial and should prevail at the expense of other wetlands habitats.
4. Consider alternative restoration plans for the Synergy property that do not involve breaching the berm, expanding Steamshovel Slough, or large-scale flooding of salt flats and other existing habitat.
5. Consider alternative restoration plans for the Synergy property that do allow trenching and scraping the existing landscape as this disturbs and destroys existing habitat and wildlife and possibly tribal cultural materials as well.
6. Rather than remove massive amounts of soil from the oil fields, explore the safer and less invasive alternative of allowing areas that support ESHA and other wildlife habitat to remain undisturbed.

7. Do not allow a Visitor Center and parking lot on the Synergy property, all of which is a wetlands and wildlife habitat area. Remove the Bixby Office building from the site and do not agree to use it as a Visitor Center as it is contaminated with asbestos and other toxins.
8. Do not allow herbicides to be used on the Synergy Property either for restoration or maintenance purposes.
9. Appoint a representative from the California Native American Heritage Commission to the IRT. As part of the Sacred Site of Puvungna, the Los Cerritos Wetlands are of great historic and contemporary value to California Native American tribal peoples who have an equal right to representation in the planning of the Upper Los Cerritos Wetlands Mitigation Bank.



Belding's Savannah Sparrow in Pickleweed



California Tree Frog on salt flat in LC Wetlands

California Coastal Conservancy Meeting, 5/5/2020

Statement to be read during public comment period by Anna Christensen representing Sierra Club's Los Cerritos Wetlands Task Force

The Los Cerritos Wetlands Task Force sent in written comments to be included in today's meeting and we ask that the Commissioners review them regarding proposed projects in the Los Cerritos Wetlands involving the Coastal Commission as a member of the Los Cerritos Wetlands Authority.

In August of 2019, Sam Schuchat wrote a memo to the Coastal Conservancy which referenced the LCWA's and Coastal Commission's involvement in the Los Cerritos Wetlands Restoration and Oil Consolidation Project, including a land exchange between the LCWA and Beach Oil Minerals (BOM), and the creation of a Wetlands Mitigation Bank.

The stated Public Benefits are the eventual restoration of 183 acres of protected, restored, and enhanced tidal wetlands and new public access facilities, including a visitors center and trail. BOM will benefit by acquiring two new oil drilling sites, enabling them to potentially up oil production 800%, from 300 to 24,00 barrel daily.

The 183 acres of wetlands includes

- 1) the 150 acre Synergy Oil Field
 - a) Northern Synergy Oil Field - 67 acres of natural habitat including the 40 acre Steamshovel Slough, "high quality wetlands," and 27 additional acres in need of restoration
 - b) The Southern Synergy Oil Field - 83 acres of active oil operations with a "high value for future restoration and wetlands habitat"
- 2) 33 acres wetlands with active oil operations owned by the of City of Long Beach

Note: net loss of Wetlands and wildlife habitat: 8 acres of existing wetlands will be destroyed to make way for an oil pipeline. The Visitors Center and parking lot will also replace existing wetlands areas. An additional 12 acres (the 5 acre OCD Parcel and the 7

acre Pumpkin Patch) will become BOM's new oil operation sites. These properties are stated to have "low value for future restoration or other habitat."

The Land Exchange Agreement between LCWA and BOM will be finalized when BOM meets the conditions of the Agreement and the LCWA approves the land exchange. Before the LCWA can enter into Land Exchange Agreement, the Coastal Conservancy must approve it.

Conditions include the following:

- The Los Cerritos Wetlands Restoration and Oil Consolidation Project must have received all entitlements
- BOM must establish a Mitigation Bank on the Northern Synergy Oil Field (BOM will also retain the option to establish a Mitigation Bank on the Southern Synergy Oil Field).
- BOM will collect and sell credits as the Mitigation Banker and LCWA will own and maintain the Mitigation Bank property
- BOM must establish a Visitor's center and trails
-

PROPOSED MITIGATION BANK

"The IRT currently consists of the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration's National Marine Fisheries Service, the California Department of Fish and Wildlife, and the California Coastal Commission. The BEI is expected to be finalized by Winter 2020, before the land swap occurs.

NOTE: The CA Dept of Fish and Wildlife is no longer involved in the Mitigation Bank

"Upon consummation of the land swap described above, LCWA will become the property owner of the Northern Synergy Oil Field and have obligations to the bank as the bank property owner. BOM will be responsible for the restoration and enhancement required for the bank until it has met the bank's performance criteria, and the long-term management endowment fund has been fully funded for three years. BOM will then collect and sell mitigation credits generated from the bank. "

Concerns stated in Coastal Conservancy memo include:

1. The endowment fund is inadequate, long term management costs were not included

2. As the owner of the Synergy Oil Fields LCWA will be liable to the BEI, liability could include BOM's restoration and oil operations so LCWA needs insurance and indemnity
3. LCWA does not control endowment fund
4. LCWA not a signatory to BEI, and not a member of IRT

Other Concerns raised by the Los Cerritos Wetlands Task Force include:

1. Projected Timeline

The Mitigation Bank and Land Exchange Agreement could be finalized this year, before the permit conditions for the Los Cerritos Wetlands Restoration and Oil Consolidation have been met (1-3 years).

2. The Los Cerritos Wetlands Restoration and Oil Consolidation Project, including the proposed Mitigation Bank and Land Exchange Agreement, actually decreases the total acreage of actual and potential wetlands and wildlife habitat in the Los Cerritos Wetlands

- Total acreage of "eventual" restoration, 183 acres, is overstated and does not subtract existing wetlands to be occupied by oil pipelines (8 acres), and new roads, visitors center, parking lot, and sheetrock berm.
- BOM is only committing to "restore" 33 acres of degraded habitat. The 40-acre Steamshovel Slough does not need restoration, and the remaining 110 acres are not included in any funded restoration plans.
- BOM's expanded oil operations will eliminate 12 acres of existing/potential wetlands and wildlife areas on the Lyons and LCWA properties.
- The Mitigation Bank restoration project will be funded by the permanent destruction of other natural areas

3. The current and projected status and financial viability of oil markets must be reviewed with respect to BOM's financial solvency and responsibilities as the Mitigation Banker, property owner, and partner with the LCWA in the restoration of the Los Cerritos Wetlands, including LCWA's Los Cerritos Wetlands Restoration PEIR.

4. Restoration plans for the proposed Mitigation Bank and the LCWA's need to be revised to prevent the destruction of existing wetlands ESHA and wildlife habitat areas and to protect and preserve the Sacred Site of Puvungna, a Native American Tribal Traditional Landscape.

From: anngadfly@aol.com
To: SouthCoast@Coastal; Huckelbridge_Kate@Coastal; Hudson_Steve@Coastal; Ainsworth_John@Coastal; Padilla_Stephen@Coastal
Cc: achris259@yahoo.com; cmoore@algalita.org; ksharper01@cs.com; rebrobles1@gmail.com; ybickf123@aol.com
Subject: Fwd: Comments on Item F11
Date: Thursday, February 11, 2021 5:54:41 PM
Attachments: [mitigation bank comments.docx](#)

To Whom It May Concern:

I sent the e-mail and my attached comments on Friday, Feb. 5, 2021 at 4:55 p.m. I do not find it in the Correspondence for this Item (F11a). Please add it to the Commissioners packet for tomorrow's hearing. Thank you,
Ann Cantrell

-----Original Message-----

From: anngadfly@aol.com
To: southcoast@coastal.ca.gov <southcoast@coastal.ca.gov>; john.ainsworth@coastal.ca.gov <john.ainsworth@coastal.ca.gov>; stephen.padilla@coastal.ca.gov <stephen.padilla@coastal.ca.gov>; roberto.uranga@coastal.ca.gov <roberto.uranga@coastal.ca.gov>; donne.brownsey@coastal.ca.gov <donne.brownsey@coastal.ca.gov>; linda.escalante@coastal.ca.gov <linda.escalante@coastal.ca.gov>; carole.groom@coastal.ca.gov <carole.groom@coastal.ca.gov>; belinda.faustinos@coastal.ca.gov <belinda.faustinos@coastal.ca.gov>; dayna.bochco@coastal.ca.gov <dayna.bochco@coastal.ca.gov>; effie.turnbull-sanders@coastal.ca.gov <effie.turnbull-sanders@coastal.ca.gov>; mike.wilson@coastal.ca.gov <mike.wilson@coastal.ca.gov>; erik.howell@coastal.ca.gov <erik.howell@coastal.ca.gov>
Sent: Fri, Feb 5, 2021 4:55 pm
Subject: Comments on Item F11

Please find attached comments on the Mitigation Bank for Friday, 2/12
Ann Cantrell

Item F 11 Review of and Possible Commission Action to Authorize the Executive Director to Become a Signatory to the Upper Los Cerritos Mitigation Bank

Dear Decision Makers:

I was a founding member of the Los Cerritos Wetlands Land Trust, a 501c3 non-profit dedicated to the restoration of the Los Cerritos Wetlands. I am no longer a member of this organization, as I disagree with land swaps, oil extraction and pipelines in wetlands; flooding upland wetlands with salt water and building berms to protect oil operations.

I am opposed to mitigation banks at Los Cerritos or anywhere, as I believe they are only a means for developers to destroy existing wetlands and add no additional wetland acreage. With mitigation Banks only insuring no net loss of wetlands, not increased wetlands, California will continue to lose coastal wetlands to development.

The staff report states:

Development Plan. The Upper Los Cerritos Mitigation Bank establishes compensatory mitigation credits associated with preservation of Steamshovel Slough and restoration of a portion of the Synergy Oil Field to tidal wetlands. The credits will be used for:

- *Reestablishment of 20.66 acres of tidal salt marsh habitats through strategic grading and removal of segments of a constructed berm that currently restricts historic tidal connections between Steamshovel Slough and the oil field portion of the property.*
- *Rehabilitation of 7.25 acres of coastal salt marsh habitat.*
- *Preservation of 29.71 acres of tidal salt marsh within Steamshovel Slough.*

In addition, the Bank will:

- *Provide 1.80 acres of non-tidal transitional habitat with high-marsh species Buffer.*
- *Provide 7.44 acres of saltbush/goldenbush scrub Buffer.*
- *Provide 1.04 acres of mulefat scrub in the Buffer.*
- *Construct flood protection between the Bank property and the adjacent Synergy oil field site.*
- *Construct the Studebaker trail adjacent to the upland Buffer near the eastern boundary of the Bank property*

What isn't said is that the Restoration Plan will take out the present berm separating the pristine Steamshovel Slough from the degraded oil extraction area of the wetlands and will flood them with seawater. This will turn upland habitat, now full of Southern Tarplant, pickleweed and Belding Savannah Sparrows, into a salt marsh. What is currently bird, coyote, raccoon, skunk, and butterfly habitat will become nothing but salt water. The planned trails will allow bikes and pedestrians to destroy wetland habitat.

I urge you to vote no on this item.

Ann Cantrell

Co-chair Sierra Club Los Cerritos Wetlands Task Force.