

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 Ocean Blvd., Suite 300
Long Beach, CA 90802
(562) 590-5071



Th16c

(CDP 5-21-0541, CDFW and Friends of Ballona Wetlands)

December 15, 2022

CORRESPONDENCE (2)

From: [Scott Culbertson](#)
To: [Revell, Mandy@Coastal](#); [Brody, Richard@Wildlife](#); [Neysa Frechette](#)
Subject: CDP 5-21-0541: Installation of osprey pole
Date: Friday, December 9, 2022 3:52:17 PM

Hi Mandy. Given that installation of the osprey pole would take place in phase 6 we don't think it makes sense to include this in the CDP application. Much can happen in the course of 10 years; it would be better to evaluate the project closer to the time it will be implemented.

We request that installation of the osprey pole be removed from this application.

Best,
--scott

--

[Scott H. Culbertson](#) | Executive Director

[Friends of Ballona Wetlands](#) | P.O. Box 5159 | Playa del Rey | CA | 90296

p. [310.306.5994](#) | m. [310.612.4551](#)

scott@ballonafriends.org

www.ballonafriends.org



From: [Kathy Knight](#)
To: [SouthCoast@Coastal](#); [Revell.Mandy@Coastal](#)
Subject: Comment - Item 16 C- CDFW/FBW of Ballona CDP 5-21-0541 December 15, 2022 Ca. Coastal Commission
Date: Thursday, December 1, 2022 9:03:30 PM

December 1, 2022

Ballona Ecosystem Education Project has worked for over 30 years to save the Ballona Wetlands Ecological Reserve in Los Angeles. We have the following comments regarding Agenda Item 16-C, CDP 5-21-0541 of the December 15, 2022 Coastal Commission hearing.

1. We support the comments submitted to your staff from Grassroots Coalition and the Ballona Wetlands Land Trust.
2. We want the more mature palm trees saved along the nature trail in Area B as they are providing nesting habitat for wildlife, as shown in the Land Trust's photographs. Also they provide shade for the wildlife and the public. There are some young smaller palm trees that could be removed if you want, but the mature ones need to be saved.
3. American Kestrels, Northern Flickers and small owls use these trees.
4. We would be willing to work with you regarding this issue.

Sincerely,

Kathy Knight, Board Member
BALLONA ECOSYSTEM EDUCATION PROJECT
kathyknight66@gmail.com
(310) 450-5961

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell,Mandy@Coastal)
Subject: FW: Agenda Item Th16c, Application No. 5-21-0541
Date: Friday, December 9, 2022 4:21:56 PM
Attachments: [LACC support letter for FoBW.pdf](#)

From: Neysa Frechette <neysaf@ballonafriends.org>
Sent: Friday, December 9, 2022 3:54 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Agenda Item Th16c, Application No. 5-21-0541

Coastal Commission and Staff,

Please find the attached support letter for Agenda Item Th16c, Application No. 5-21-0541 from the Los Angeles Conservation Corps.

Thank you,

--

[Neysa Frechette](#) | Manager of Scientific Programs

[Friends of Ballona Wetlands](#) | P.O. Box 5159 | Playa del Rey | CA | 90296

p. 818.470.3593

neysaf@ballonafriends.org

www.ballonafriends.org

|_____|



LA CONSERVATION CORPS

Transforming Youth. Enhancing Communities.

Mailing Address

P.O. BOX 861658, LOS ANGELES, CA 90086-1658

December 9, 2022

California Coastal Commission
South Coast District Office
301 E. Ocean Blvd. Ste. 300
Long Beach, CA 90802-4302

Sent Via E-mail to: SouthCoast@coastal.ca.gov

re: Support letter for Friends of Ballona Wetlands' application to remove non-native trees and shrubs to restore riparian, coastal dune, and transitional salt marsh habitat (Agenda Item Th16c, Application No. 5-21-0541)

Dear Chair Brownsey and Coastal Commissioners:

This habitat restoration project would provide youth from underserved communities in our program, whom we call Corpsmembers, with hands-on experience in sensitive habitat, and they would encounter wildlife on a regular basis that helps validate the important work they are doing. Our staff looks forward to working closely with the staff at Friends of Ballona Wetlands to provide a unique opportunity for Corpsmembers to learn and put into practice the best practices of wetlands conservation, through which they would gain marketable job skills related to habitat restoration.

Funding one work project would produce multiple benefits. Environmental conservation projects such as this provide paid work experience and on-the-job training for Corpsmembers. We unleash the power of youth to benefit the community and the environment by restoring degraded habitat to benefit wildlife. A healthy Ballona Wetlands also serves as a resource for the people who live nearby and for the students who visit the wetlands through Friends of Ballona Wetlands' community education programs.

We look forward to continuing to work on the project with Friends of Ballona Wetlands and to see the project through to the goals the Friends of Ballona Wetlands outlined in their original proposal to create high quality habitat after removing the dense cover of invasive non-native plants.

Sincerely,

Wendy Butts
Chief Executive Officer

WAB:mpp

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Agenda Items TH 16c and TH 16f on Thurs. December 15, 2022
Date: Friday, December 9, 2022 5:01:08 PM

From: Kathy Knight <kathyknight66@gmail.com>
Sent: Friday, December 9, 2022 4:57 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Agenda Items TH 16c and TH 16f on Thurs. December 15, 2022

December 9, 2022

To: CALIFORNIA COASTAL COMMISSION
South Coast District Office
301 E. Ocean Blvd., Suite 300
Long Beach, CA 90802-4302

From: BALLONA ECOSYSTEM EDUCATION PROJECT (B.E.E.P.)
1122 Oak St., Santa Monica, CA 90405

RE: BALLONA WETLANDS ECOLOGICAL RESERVE
AGENDA ITEMS TH 16c AND TH 16f on December 15, 2022 Hearing

Dear Commissioners:

The Ballona Ecosystem Education Project has the following comments regarding these two Agenda items.

The Ballona Wetlands Ecological Reserve (BWER) is a very rare freshwater coastal wetland. Therefore it is important to do a careful restoration of it.

Our Comments:

TH 16c Phased Removal of 48 non-native trees and 83 non native shrubs on an 8 acre area of West B of the BWER. **Application No. CDP 5-21-0541**

This is a very large number of trees to cut down. Many of them provide shelter and food for the wildlife including birds. American Kestrels, Northern Flickers and small owls use these trees.

We want the more mature palm trees saved along the nature trail in Area B as they are providing nesting habitat for wildlife, as shown in the Ballona Wetlands Land Trust's photographs. Also they provide shade for the wildlife and the public. There are some young smaller palm trees that could be removed, but the mature ones need to be saved.

TH 16f. Drill 16 boreholes to collect and test soil to inform a potential future wetlands restoration project.

Application No. 5-22-0750

This proposed action should NOT be given a Coastal Development Permit.

The proposal to drill these boreholes in an Ecological Reserve BEFORE there is a resolution of a major challenge of the Final Environmental Report (4 lawsuits currently going through the court process) is a terrible precedent to set. There also is no certified Coastal Commission environmental approval of the proposed restoration project yet either.

Drilling should not be allowed for the following reasons:

- 1). This amounts to starting actions on the Reserve before the proposed Restoration process is fully approved.
- 2). The Report does not reflect information sent to them by various individuals and organizations such as Grassroots Coalition and B.E.E.P.
- 3). This site is a registered Sacred Site of the indigenous Tongva people. It is called Sa'angna and the Tongva have been living in this area for 10,000 years. The proposed drilling is disrespectful of the work of the Most Likely Descendent John Tommy Rosas who worked hard for 30 years to document the history of this land and the Tongva people. Drilling is not appropriate for this Sacred Site.
- 4). This report appears to be based on another report regarding the Los Cerritos wetlands and concerns about contamination on the site. But this is an issue at Los Cerritos Wetlands. The Ballona Wetlands are clean, with clean soil and clean water. This report predisposes the reader to believe that Ballona is contaminated, and that it has an active oil field and biases them towards wanting a clean up.
5. This land is an Environmentally Sensitive Habitat Area (ESHA). The report does not show that this ESHA will not be damaged. This is another reason why the proper process needs to be followed.
6. There is no Land Management Plan yet for the BWER. This needs to be done before any work is done on the land.
7. The applicant CDFW wanting to do the drilling supports changing the BWER into a salt water bay.

It should NOT be changed into a salt water bay. That is not following the rules of restoration which is to return a natural area to what it has been in the past. Ballona is very rare. It has been a predominately fresh water seasonal wetland for the past 2-4,000 years. Ballona needs to be restored to its past fresh water wetland status.

Please do NOT approve this CDP request for drilling holes at the Ballona Wetlands Ecological Reserve. It is not necessary to be done at this time AND it is being proposed BEFORE there is a legally agreed upon restoration plan.

Thank you,
Kathy Knight, Board Member
BALLONA ECOSYSTEM EDUCATION PROJECT
(310) 450-5961

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Application No. 5-21-0541 - request for special conditions
Date: Thursday, December 1, 2022 5:00:42 PM

From: Jane Park <startedofflate@gmail.com>
Sent: Thursday, December 1, 2022 4:58 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Application No. 5-21-0541 - request for special conditions

Dear Coastal Commission staff and Commissioners,

I am writing to urge you to add special conditions to any permit you may grant to the Friends of Ballona Wetlands that protect a small number of mature palm trees along the nature trail in Area B of the Ballona Wetlands Ecological Reserve. I am a nature enthusiast.

I understand that none of the palm trees at Ballona are native, but several trees along the nature trail provide habitat for numerous native bird species, including owls, hawks, kestrels and woodpeckers, as well as insects such as funnel weaver spiders. As such, the trees also provide invaluable educational merit to students and visiting adults. Two Canary Island Date Palm trees combine to provide shade to students in what is a natural outdoor classroom. There are dozens of other palm trees throughout the ecological reserve, including young and expanding trees, that would be a higher priority for removal in the goal of protecting native plant species. Friends of Ballona Wetlands has been working in this area since 1990, yet the proposal to remove these trees only surfaced in 2020, the same time that mitigation funds became available that needed to be spent quickly.

Please add special conditions to any permit that at least delay removal of the select group of date and fan palm trees along the nature trail until what Friends of Ballona Wetlands is calling Phase 6 of their plan. This would leave the palm trees in question in place for 9 years, allowing for Friends of Ballona Wetlands to monitor the impact of earlier phases of tree removal before permanently removing these special, beneficial trees.

Thank you for your consideration.

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Application No. 5-21-0541 - request for special conditions
Date: Friday, December 2, 2022 1:42:04 PM

From: Adrian Peters <amrpeters@gmail.com>
Sent: Friday, December 2, 2022 1:14 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Application No. 5-21-0541 - request for special conditions

Dear Coastal Commission staff and Commissioners,

I am writing to urge you to add special conditions to any permit you may grant to the Friends of Ballona Wetlands that protect a small number of mature palm trees along the nature trail in Area B of the Ballona Wetlands Ecological Reserve.

I understand that none of the palm trees at Ballona are native, but several trees along the nature trail provide habitat for numerous native bird species, including owls, hawks, kestrels and woodpeckers, as well as insects such as funnel weaver spiders. As such, the trees also provide invaluable educational merit to students and visiting adults. Two Canary Island Date Palm trees combine to provide shade to students in what is a natural outdoor classroom. There are dozens of other palm trees throughout the ecological reserve, including young and expanding trees, that would be a higher priority for removal in the goal of protecting native plant species. Friends of Ballona Wetlands has been working in this area since 1990, yet the proposal to remove these trees only surfaced in 2020, the same time that mitigation funds became available that needed to be spent quickly.

Please add special conditions to any permit that at least delay removal of the select group of date and fan palm trees along the nature trail until what Friends of Ballona Wetlands is calling Phase 6 of their plan. This would leave the palm trees in question in place for 9 years, allowing for Friends of Ballona Wetlands to monitor the impact of earlier phases of tree removal before permanently removing these special, beneficial trees.

Thank you for your consideration,

Adrian Peters
Nature Enthusiast

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell,Mandy@Coastal)
Subject: FW: Ballona Wetlands Ecological Reserve - Permit No CDP 5-21-0541 - Item TH16c
Date: Thursday, December 1, 2022 5:27:33 PM
Attachments: [Coastal Lands Action Network-Ballona Wetlands Institute-Permit No CDP 5-21-0541 - Item TH16c.pdf](#)

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

From: Marcia Hanscom <wetlandact@earthlink.net>
Sent: Thursday, December 1, 2022 5:05 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Ballona Wetlands Ecological Reserve - Permit No CDP 5-21-0541 - Item TH16c

Please see attached.

~ Marcia



To: California Coastal Commission staff

Refer to: Proposed removal of mature trees in Ballona Wetlands Ecological Reserve - Permit No CDP 5-21-0541 - Item TH16c

Dear Coastal Commission staff:

On behalf of the Coastal Lands Action Network, Defend Ballona Wetlands and Ballona Wetlands Institute we ask that you recommend that the Commission not approve the removal of 48 trees and 83 shrubs at the Ballona Wetlands Ecological Reserve. Below are some of our concerns and reasons why this application should not be approved.

- 1) A similar, but smaller project to this one, has been advertised with flyers attached to fences surrounding the ecological reserve as a "restoration." There is an alleged "restoration" that has been undergoing environmental review for a number of years.

While the California Department of Fish & Wildlife (CDFW) certified an Environmental Impact Report (EIR) a couple of years ago, the United States Army Corps of Engineers and the County of Los Angeles have expressed concerns about the use of flood risk because the consultants hired by CDFW used flawed measurements, so the federal NEPA (National Environmental Policy Act) process has been stalled.

After the EIR was certified **five environmental and community organizations filed four different lawsuits** challenging the adequacy of the EIR. Allowing this project to proceed – **within the same footprint of the project proposed under the current CEQA process (squarely within the geographic boundary of the EIR (see EIR maps) - is a piecemealing of the larger project proposed at the Ballona**

Wetlands Ecological Reserve. The Commission's approval would be allowing part of that project to proceed while Court dates scheduled for the spring of 2023. It is premature and improper to issue a permit or approve any part of a "restoration" to proceed while these lawsuits are in process.

- 2) Removal of this significant amount of trees and shrubs is not in compliance with the nature-based solutions that Governor Newsom has stated we need to focus on for climate change.

Killing these trees and shrubs will release the carbon they are currently sequestering and storing into the atmosphere - adding to greenhouse gasses we need to keep in the ground instead of adding to climate change impacts.

These are mature trees – and the carbon is better left in the trees and shrubs and soil.

Machinery and trucks used to remove these trees and shrubs will also release carbon into the atmosphere.

- 3) This is a significant amount of habitat that wild animals are using now, including some rare species that the Coastal Commission is charged with protecting. Why was this specific project not included in the EIR that the Coastal Commission has CEQA requirements to meet, as well? Your discretionary authority on this project requires you to evaluate whether your approval has a significant effect on the environment.

This proposal relies on either non-existent or inadequate surveys for birds or other wildlife - including pollinator insects and invertebrates which are crucial to the health of the ecosystem.

Given the inadequacy or lack of proper protocol surveys for numerous species known and documented to be in the proposed permit area, that evaluation cannot be adequately completed.

- 4) CA Dept of Fish & Wildlife is required to develop and approve a land management plan for every ecological reserve they oversee, and yet there is not one for the Ballona Wetlands Ecological Reserve, even after nearly 20 years of the State of California having acquired the land for the public good. Such a plan would prevent the constant piecemealing of "restoration" efforts on the

site and would have likely prevented numerous organizations from being in Court on the EIR.

- 5) The trees under consideration for removal are MATURE trees. Mature trees are relied on by birds and other wildlife and should not be removed from the ecosystem.
- 6) No public outreach was done to known stakeholder groups or tribal groups for this proposal. The Coastal Commission has **repeatedly** asked CDFW to complete outreach to known stakeholders and neighborhood groups related to plans for the Ballona Wetlands that would come before the Commission. Here is an example of this agency ignoring the stated wishes of the Commission.

Please recommend denial of this proposed project, ask CDFW to complete the proper outreach and wait to approve any further work at the Ballona Wetlands Ecological Reserve until after relevant CEQA and NEPA processes are completed.

Thank you for your kind attention and consideration of our request.

Marcia Hanscom /s/

Robert J. van de Hoek /s/

Marcia Hanscom
Founder & Community Organizer
Coastal Lands Action Network
(310) 877-2634

Robert Jan "Roy" van de Hoek
President & Environmental Scientist
Ballona Wetlands Institute
The Voice for Nature on the Los Angeles Coast

Organizers, Defend Ballona Wetlands

Cc: Bryan Pease, Esq.

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell,Mandy@Coastal)
Subject: FW: Ballona wetlands
Date: Friday, December 2, 2022 9:27:26 AM

From: Sharon Keith <sharonakeith@mac.com>
Sent: Thursday, December 1, 2022 8:07 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Ballona wetlands

To: SouthCoast@coastal.ca.gov

Subject: Public comment for CDP 5-21-0541 (Ballona tree removal)

Message:

Dear Coastal Commission staff,

Please consider at least delaying the removal of a small number of palm trees along the nature trail in Area B of the Ballona Wetlands. These trees provide habitat for native wildlife, educational value for students and adults, and rare shade for visitors. These mature trees have been present for decades. Removing these trees will be a blow to the many volunteers who lead nature walks in this area.

There are other palm trees throughout the ecological reserve that provide substantially less ecological and educational benefit than the ones slated for removal. Removing mature trees while allowing new trees to expand is counter to established best management practices.

—Sharon Keith
657 Hightree Road
Santa Monica, CA90402
skeith@me.com

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: COMMENTS IN FAVOR OF CDP APPLICATION 5-21-0541, ITEM NO. Th-16c; CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW)
Date: Friday, December 9, 2022 10:38:45 AM
Attachments: [Comments in favor of CDP application 5-21-0541.docx](#)

From: L Flynn <lzflyn@yahoo.com>
Sent: Friday, December 9, 2022 9:49 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: COMMENTS IN FAVOR OF CDP APPLICATION 5-21-0541, ITEM NO. Th-16c; CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW)

December 9, 2022

California Coastal Commission
South Coast Area Office
301 E. Ocean Blvd., Suite 300
Long Beach, CA 90802-4302

Ladies and Gentleman:

SUBJECT: COMMENTS IN FAVOR OF CDP APPLICATION 5-21-0541, ITEM NO. Th-16c;
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW)

My name is Lynzie Flynn. I live in Playa Vista, steps away from the Ballona Wetlands Ecological Reserve.

I support the Staff Recommendation to Approve the Department of Fish and Wildlife's CDP Application No. 5-21-0541, Agenda Item No. Th-16C.

The Ballona Wetlands Restoration Project, long planned and now managed by CDFW, received CEQA certification by the State of California a few years ago; certification which presently stands with the support of our Resources Secretary and Governor behind it.

Opponents and litigants of the Project registered opposition to the Subject CDP Application. Their comments and letters of opposition employ a familiar strategy to delay the Project by incrementally imposing burdens on your staff and that of CDFW, among others. I do not believe their strategy should be aided and abetted. Indeed, their comments in the record before you dredge up twenty-year-old correspondence woven into conspiratorial nonsense, which you properly dismissed at an informational presentation from your staff and others at the Commission's meeting on May 8, 2019. (Meeting Item No. 13.a). Their comments on the Subject CDP Application should be summarily dismissed, as you properly did at the 2019 meeting.

To that end, it is appropriate for CDFW, partnering with community organizations, to begin removing on-native invasive plant species from the BWER. The subject CDP Application authorizes that effort and should be approved.

The subject application also proposes installation of an osprey nesting platform atop the remaining trunk of one of the trees to be topped. Based on my informed, non-expert knowledge of osprey nesting, this platform would be located in an ideal spot; adjacent to the osprey food source, the tidal prism of Ballona Creek, and far from any human interference. I support the inclusion of the osprey platform in the subject CDP. Osprey platforms are now routinely installed at tidal wetlands across the country.

I am of the understanding that one of the platforms used at San Dieguito Wetlands is used every breeding season and 2-3 chicks have fledged every year since platform installation. I look forward to a similar outcome with a platform in the BWER.

Finally, allow me to commend staff for Special Condition No. 3 in the proposed CDP, which requires certain pre-construction monitoring and mitigation actions, including temporal work restrictions. This Special Condition is consistent with those recommended by the U.S. Fish and Wildlife Service (USFWS), collaborating with the Avian Powerline Interaction Committee (APLIC). APLIC is an ad hoc committee of

avian biologists and utility construction and operations experts from across the country. APLIC continuously improves utility practices for eliminating avian impacts during tree removal, among other activities. APLIC principles and practices are endorsed by USFWS nation-wide.

As you must know, utilities trim and remove hundreds of thousands of trees each year across the country to ensure electrical reliability and to prevent wildfires. Last year alone, Southern California Edison Company trimmed or removed 131,4000 trees within their 50,000 square mile service territory. (https://download.newsroom.edison.com/create_memory_file/?fid=603e696eb3aederc92db9f08&content_verified=True)

Some commenters on the Subject CDP may assert that the trees CDFW proposes to remove are somehow uniquely critical to the foraging and nesting activities of local bird species. Nothing could be further from the truth. As utility work, APLIC and USFWS studies have shown repeatedly, birds simply move perching and nesting activity to nearby trees when a “favored” tree is removed.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynzie Flynn". The signature is fluid and cursive, with the first name being more prominent than the last.

Lynzie Flynn
5721 S. Crescent Park #404
Playa Vista, CA 90094

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Please stop chopping and removing trees from the Ballona Wetlands Ecological Reserve!
Date: Friday, December 2, 2022 1:41:05 PM

From: Jane Velez-Mitchell <janevelezmitchell@yahoo.com>
Sent: Friday, December 2, 2022 10:39 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Please stop chopping and removing trees from the Ballona Wetlands Ecological Reserve!

Dear Coastal Commission staff,

Please consider at least delaying the removal of a small number of palm trees along the nature trail in Area B of the Ballona Wetlands. These trees provide habitat for native wildlife, educational value for students and adults, and rare shade for visitors. These mature trees have been present for decades. Removing these trees will be a blow to the many volunteers who lead nature walks in this area.

There are other palm trees throughout the ecological reserve that provide substantially less ecological and educational benefit than the ones slated for removal. Removing mature trees while allowing new trees to expand is counter to established best management practices.

Sincerely,

Jane Velez-Mitchell
Founder **UnchainedTV**
We are a 501c3 non-profit
WATCH NOW at:
UnchainedTV.com

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Public comment for CDP 5-21-0541 (Ballona tree removal)
Date: Friday, December 2, 2022 9:31:04 AM

From: Westside NC Land Use/Mobility Committee <wncluc@gmail.com>
Sent: Friday, December 2, 2022 2:56 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public comment for CDP 5-21-0541 (Ballona tree removal)

Dear Coastal Commission staff,

It is important that at this critical moment you consider delaying the removal of a small number of palm trees that are located along the nature trail in Area B of the Ballona Wetlands. As you are likely aware, these trees provide habitat for native wildlife, educational value for students and adults, and rare shade for visitors. These mature trees have been present for decades and their value should not be underestimated. The removal of these trees will be a significant loss to the many volunteers who lead nature walks in this area and to the wildlife who rely upon them in the course of their daily activities..

There does not appear to be a consistent rationale for the proposed removal as there are other palm trees throughout the ecological reserve that provide substantially less ecological and educational benefit than the ones slated for removal. Removing mature trees while allowing new trees to expand is counter to established best management practices.

At the very least, the proposed removal should be delayed so that a more reasoned and balanced approach to the evaluation of these resources can be done.

Thank you for your consideration,

Barbara Broide
West Los Angeles

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Public comment for CDP 5-21-0541 (Ballona tree removal)
Date: Friday, December 2, 2022 9:27:41 AM

From: cindy@cindygrant.com <cindy@cindygrant.com>
Sent: Thursday, December 1, 2022 8:18 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public comment for CDP 5-21-0541 (Ballona tree removal)

Dear Coastal Commission staff,

Thanks to the staff that were on the call with me and the other Ballona Land Trust board members a few weeks ago regarding the trees slated for removal.

I would like you to consider again delaying the removal of a small number of palm trees along the nature trail in Area B of the Ballona Wetlands.

We think that these trees provide habitat for native wildlife, educational value for students and adults, and rare shade for visitors. These mature trees have been present for decades. Removing these trees will be a blow to the many volunteers who lead nature walks in this area.

There are other palm trees throughout the ecological reserve that provide substantially less ecological and educational benefit than the ones slated for removal. Removing mature trees while allowing new trees to expand is counter to established best management practices.

Thank you for your consideration. These trees should have standing and need your assistance.

Best,

Cindy

Cindy Grant Architecture, Inc.
p: 818-379-9566
c: 310-804-4655
cindy@cindygrant.com
<http://www.cindygrant.com>

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Public comment for CDP 5-21-0541 (Ballona tree removal)
Date: Friday, December 2, 2022 9:26:55 AM

From: Adam Long <adam@adamlong.com>
Sent: Thursday, December 1, 2022 6:33 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public comment for CDP 5-21-0541 (Ballona tree removal)

Dear Coastal Commission staff,

I'm an outdoor educator and have volunteered to assist with field trips at the wetlands. The trees described below provided such an important space for youth education!!

Please consider at least delaying the removal of a small number of palm trees along the nature trail in Area B of the Ballona Wetlands. These trees provide habitat for native wildlife, educational value for students and adults, and rare shade for visitors. These mature trees have been present for decades. Removing these trees will be a blow to the many volunteers who lead nature walks in this area.

There are other palm trees throughout the ecological reserve that provide substantially less ecological and educational benefit than the ones slated for removal. Removing mature trees while allowing new trees to expand is counter to established best management practices.

Thank you,

Adam Long

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Public comment for CDP 5-21-0541 (Ballona tree removal)
Date: Monday, December 5, 2022 11:05:38 AM

From: David Dichner <daved@zss.com>
Sent: Monday, December 5, 2022 9:53 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public comment for CDP 5-21-0541 (Ballona tree removal)

Dear Coastal Commission staff,

I know everyone wants to finally get started with the Ballona restoration, which has taken 15 years of planning -- so far! The urge to "Lets do something" gets accentuated as time passes.

I too am distressed that getting this going has taken so long. "Justice delayed is justice denied" applies to at least some extent to delaying restoration. But resist the temptation to "Just do something!"

Please consider delaying the removal of a small number of mature palm trees along the nature trail in Area B of the Ballona Wetlands.

[These trees provide habitat for native wildlife, educational value for students and adults, and rare shade for visitors. These mature trees have been present for decades. Removing these trees will be a blow to the many volunteers who lead nature walks in this area.](#)

There are other palm trees throughout the ecological reserve that provide substantially less ecological and educational benefit than the ones slated for removal.

Removing mature trees while allowing new trees to expand is counter to established best management practices. Maybe remove the younger ones instead?

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0541
Date: Friday, December 9, 2022 10:36:06 AM
Attachments: [BWER letter of support DSC.pdf](#)

From: Scott Culbertson <scott@ballonafriends.org>
Sent: Friday, December 9, 2022 10:33 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0541

--

[Scott H. Culbertson](#) | Executive Director

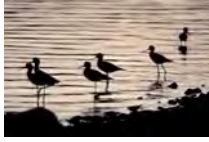
[Friends of Ballona Wetlands](#) | P.O. Box 5159 | Playa del Rey | CA | 90296

p. [310.306.5994](tel:310.306.5994) | m. [310.612.4551](tel:310.612.4551)

scott@ballonafriends.org

www.ballonafriends.org

|



COOPER ECOLOGICAL MONITORING, INC.
EIN 72-1598095
DANIEL S. COOPER, PRESIDENT
255 SATINWOOD AVE
OAK PARK, CA 91377
(323) 397-3562
WWW.COOPERECOLOGICAL.COM
DAN@COOPERECOLOGICAL.COM

October 24, 2022

To Whom It May Concern:

I'm writing to express my strong support for continued active restoration of the Ballona Wetlands ecosystem, including the removal of non-native vegetation such as palm trees (including *Phoenix* spp. and *Washington* spp.), by Friend of Ballona Wetlands. Specifically, I am in full support of Neysa Frechette as a field ornithologist performing bird surveys for this project (and any others) at Ballona. I have known Neysa for many years, and have been in the field with her, initially field-training her on bird survey methods at Ballona Wetlands Ecological Reserve as my own surveys there were winding down. I began professionally surveying birds in the Ballona area in 2003 (see publication list below), and began coordinating the Los Angeles Christmas Bird Count, which includes volunteer-observers at Ballona (including Neysa), since 2007. I would rank Neysa near the top of these observers in terms of skill level.

I am very familiar with the arguments for and against non-native species removal. While there may be some temporary effects on common, widespread species such as Barn Owl (*Tyto alba*) and perhaps less-common species such as yellow bat (*Lasiurus xanthinus*) and American Kestrel (*Falco sparverius*), all palm specialists in the local area – I feel the “good outweighs the bad” in this case.

Palms are abundant weeds in the Ballona area. They are often transported by mulch, and occur today in large numbers throughout the Ballona ecosystem, and across Los Angeles in general. They are home to several other bird species nest in them, including Hooded Oriole (*Icterus cucullatus*), non-native parrots, and urban mammal species like raccoon (*Procyon lotor*). However, importantly, all these species have abundant, ample habitat throughout the Los Angeles area, and across the Ballona ecosystem, and the loss of palms from one area or another will have little effect on their overall local abundance. By contrast, species that depend on the natural wetlands at Ballona are *not* widespread in the region; in fact, they have almost no other habitat in Los Angeles County away from the Ballona Wetlands (incl. Belding's savannah sparrow, etc.).

I am not saying that palms make wetland species go away, or that they directly harm them. However, leaving palms intact in the ecosystem may have several negative functions. When located on dune, bluff scrub, or wetland habitats, as they are at Ballona, the species they support are not those that are part of those relict, original habitats, but are part of the novel ecosystem that Ballona has become. To the extent that restoration wishes to bring back lost and degraded ecosystem function, they really should be removed.

Were these the only palms left in the Ballona area I might feel differently, but as of 2022, they are clearly elements to be removed, not retained.

References provided below.

Peer-reviewed papers

Cooper, D.S. 2011. Two recent records of the clapper rail from the Ballona Wetlands, Los Angeles County, California. *Western Birds* 42:111-114.

Cooper, D.S. 2008. The use of historical data in the restoration of the avifauna of the Ballona Wetlands, Los Angeles County, California. *Natural Areas Journal* 28:83-90. DOI: 10.3375/0885-8608(2008)28[83:TUOHDI]2.0.CO;2

Cooper, D.S. 2006. Annotated checklist of extirpated, reestablished, and newly-colonized avian taxa of the Ballona Valley, Los Angeles County, California. *Bull. So. Calif. Acad. Sci.* 105:91-112. DOI: 10.3160/0038-3872(2006)105[91:ACOERA]2.0.CO;2

Book chapters

Cooper, D.S. 2007. "Playa del Rey/Ballona Freshwater Marsh", p. 336, *In: A Birder's Guide to Southern California*, Schram, B., American Birding Association, Colorado Springs, CO.

Popular articles

Cooper, D.S. 2005. "A duck club in L.A.?: The near-death and slow recovery of the Ballona Wetlands". *California Waterfowl*. June/July 2005.

Cooper, D.S. 2005. "Birding the Ballona Wetlands". *Winging It*. 17(2):1-4.

Presentations

Cooper, D.S. Rates of Return on Investment (If You Build It, Will They Come? The Novel Bird Community of the Ballona Freshwater Wetlands System, 2003-present) (presentation). *Southern California Academy of Sciences Annual Meeting*. May 4, 2012. Occidental College, Los Angeles, CA.

Cooper, D.S. Bird species turnover in the "modern" Ballona Wetlands (presentation). *Ballona Wetlands Science and Research Symposium*. Dec. 8. 2010. Loyola Marymount Univ., Westchester, CA.

Cooper, D.S. Avian extirpation and colonization at the Ballona Wetlands, Los Angeles County, California (presentation). *Southern California Academy of Sciences Annual Meeting*. May 20-21, 2005. Loyola Marymount University, Los Angeles, CA.

Technical Reports (by D.S. Cooper unless indicated)

Johnston, K.K., E. Del Giudice-Tuttle, I.D. Medel, J. Dorsey, D.S. Cooper, and S.P. Bergquist. 2011. The Ballona Wetlands Ecological Reserve Baseline Assessment Program: 2009-2010. Santa Monica Bay Restoration Commission. Report prepared for the California Coastal Conservancy and California Dept. of Fish and Game. 446 pp.

Protocol survey for California gnatcatcher, *Poliophtila californica*, at the Ballona Wetlands Ecological Reserve, Los Angeles Co., Calif. (Final). Prepared for ICF International, July 19, 2011.

2010 Survey for Belding's Savannah Sparrow (Final), Ballona Wetlands Ecological Reserve, Los Angeles (Playa del Rey), California. Prepared for ICF International, San Jose, CA. Nov. 2, 2010.

Baseline bird survey of the Ballona Wetlands Ecological Reserve, 2009-2010 (Draft). Prepared for Santa Monica Bay Restoration Foundation, Oct. 27, 2010.

2010 Survey for Least Bell's Vireo (Final), Ballona Wetlands Ecological Reserve, Los Angeles (Playa del Rey), California. Prepared for ICF International, San Jose, CA. Oct. 25, 2010.

Read, E.R. and D.S. Cooper. 2009. Botanical and avian surveys of the proposed Early Action Plan, First Phase project area (Ballona Wetlands Ecological Reserve). Prepared for California Dept. of Fish and Game, May 24, 2009.

Quarterly bird surveys, including breeding bird surveys, Ballona Freshwater Marsh at Playa Vista, Playa del Rey, California. Prepared for Center for Natural Lands Management/E Read and Associates, Orange, California (various dates, 2003-2008).

Chapter 6: Birds of the BOLD Project Site. *In*: J.H. Dorsey and S. Bergquist (*Eds.*), 2007. "A baseline survey of the Ballona Outdoor Learning & Discovery (BOLD) Area, Ballona Wetlands, Los Angeles County, California". Report submitted to The California Coastal Conservancy and Santa Monica Bay Restoration Commission by the Ballona Wetlands Foundation, April 2007.

Annotated checklist of birds of Ballona Valley, Los Angeles County, California (Online). March 2006. Available: http://www.cooperecological.com/birds_of_ballonaweb.htm [annual updates posted at: <http://www.cooperecological.com/BallonaBirds.htm>].

Ballona Wetlands Training Manual, Audubon Ballona Wetlands Program. 54 pp.

Checklist of birds of Ballona Valley, Los Angeles County, California (Online). Available: http://www.cooperecological.com/ballona_field_checklist_v.htm.

Letters/Memoranda

"Ecological Reserve status for remaining Ballona Wetlands." Memo to Calif. State Fish and Game Commissioners and Executive Director. August 16, 2005.

I hereby certify that the information herein is correct.



Daniel S. Cooper
President, Cooper Ecological Monitoring, Inc.

Daniel Steven Cooper, Ph.D.
255 Satinwood Ave.
Oak Park, CA 91377
(323) 397-3562 / dan@cooperecological.com

EDUCATION

University of California, Los Angeles, Ph.D. 2020 (Biology)
University of California, Riverside, M.Sc. 1999 (Biogeography)
Harvard University, A.B. 1995 (Biology)

EXPERIENCE

Resource Conservation District – Santa Monica Mountains. Topanga, CA. 2022 - present
Senior Conservation Biologist. Continuing and developing the long-term research program of the RCD, focused on sensitive species and habitat protection in the Los Angeles area.

Cooper Ecological Monitoring, Inc. Los Angeles, CA. 2005 - present
President. An independent ecological consulting firm specializing in land use, wildlife and biodiversity issues, we provide expertise in study design & analysis, ecological assessment, and management recommendations.

- Manage projects in the \$1,000 - \$100,000 range for up to 20 clients per year in the Los Angeles area.
- Past clients include municipalities (Los Angeles, Torrance), non-profit groups (The Nature Conservancy, Trust for Public Land), agencies (U.S. Fish and Wildlife Service, California Coastal Conservancy), and various private firms and individuals.
- Hire and supervise up to five subcontractors per year.

National Audubon Society Los Angeles, CA. 2001 - 2005
Director of Bird Conservation, Audubon California.
Member of senior management team for Audubon California, worked with national staff and partner organizations to shape bird conservation agenda in California; organized donor cultivation activities, and assisted development staff in grant writing; wrote and published a landmark reference guide ([Important Bird Areas of California](#); findings later incorporated into state legislation); helped draft Audubon California's strategic plan; visited and evaluated sites for new Audubon nature centers; wrote staff training manuals for existing centers and programs.

Biologist, Audubon Center at Debs Park 1999 - 2001
Member of core team charged with developing an urban nature education center at a large city park in urban Los Angeles (Debs Park); drafted and implemented habitat management plan; organized neighborhood focus groups for parents and teachers in northeast Los Angeles to assess public perception of nature and conservation organizations; initiated baseline natural history research in surrounding region for development of educational materials and programs for new Audubon Center.

APPOINTMENTS/BOARDS

Research Associate, Dept. of Ornithology, Natural History Museum of Los Angeles County, 2020 – present
IUCN World Protected Areas, 2017 – present
Associate Editor, *Western Birds* 2014 – present
Oak Park – Park and Recreation Planning Committee (Elected member, 2020-present)
Southern California Academy of Sciences 2013 – 2015
SEATAC (Los Angeles Co. Dept. of Regional Planning) 2009 – 2013
Los Angeles Dept. of Recreation and Parks - Griffith Park Postfire Recovery Team, 2007 – 2008
California Dept. of Water Resources - Salton Sea Restoration Advisory Committee 2003 – 2005
Central Valley Habitat Joint Venture – Management Board 2002 – 2005
California Partners-in-Flight - Executive Steering Committee 2003 – 2005
Los Angeles and San Gabriel Rivers and Mountains Conservancy - Technical Advisory Board 2002 – 2005
Friends of the Los Angeles River - Technical Advisory Board 1989 – 2001

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0541
Date: Friday, December 9, 2022 10:35:48 AM
Attachments: [Dr Edith Read_supportletter_Frechette.pdf](#)

From: Scott Culbertson <scott@ballonafriends.org>
Sent: Friday, December 9, 2022 10:33 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0541

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[Scott H. Culbertson](#) | Executive Director

[Friends of Ballona Wetlands](#) | P.O. Box 5159 | Playa del Rey | CA | 90296

p. [310.306.5994](tel:310.306.5994) | m. [310.612.4551](tel:310.612.4551)

scott@ballonafriends.org

www.ballonafriends.org

|



E Read and Associates, Inc.

Ecological Surveys, Restoration, Maintenance, and Monitoring

368 South Grand Street, Orange, CA 92866

P 714.366.8857 marshmistress@msn.com

October 31, 2022

Re: CDP 5-21-0541 for Removal of Non-Native Vegetation at the Ballona Wetlands

To Whom it May Concern:

Over the past two years, nesting surveys for raptors and other birds were conducted in the proposed removal areas as required under this CDP. Detailed methods and results of these surveys conducted by Neysa Frechette were provided in a report to the CCC by the Friends of Ballona Wetlands in September 2022¹. However, it came as a surprise to me that Neysa's credentials and qualifications to conduct these surveys have been questioned by a member of the public, even though the detailed resume that was provided in an appendix to the report should speak for itself.

I have been managing the Ballona Freshwater Wetlands on behalf of the Ballona Wetlands Conservancy, adjacent to the Ecological Reserve, for nearly two decades. Her surveys for nesting birds have provided an unbiased record that has enabled us to avoid impacts while maintaining the system for mosquito abatement and regulated public access. I have full confidence in the quality and results of Neysa's work.

A handwritten signature in black ink, appearing to read "Edith A. Read". The signature is fluid and cursive, written over a light gray rectangular background.

Edith A Read, PhD
Senior Ecologist, Ecological Society of America
President, E Read and Associates Inc.

¹ Freschette, N., 2022. Wintering Raptor, General Nesting, and Burrowing Owl Monitoring Report for Restoration Project at the Ballona Wetlands Ecological Preserve. Final Report submitted to the California Coastal Commission.

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0541 (California Department of Fish
Date: Friday, December 9, 2022 6:49:04 AM

From: Edith Read <marshmistress@msn.com>
Sent: Thursday, December 8, 2022 7:15 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0541 (California Department of Fish

As manager of the Ballona Freshwater Wetlands and Board member of the Friends of Ballona Wetlands with more than 20 years of experience at Ballona, I strongly support this permit application. Removal of non-native invasive vegetation is critical for any restoration project including the Ballona Wetlands. CCC staff has properly conditioned this permit to ensure ongoing protection of native wildlife and habitat while removal of non-natives can continue to improve the extent and quality of native resources. Please approve application no. 5-21-0541. Edith Read

Sent from [Mail](#) for Windows

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0451 (California Department of Fish and Wildlife (CDFW) and Friends of Ballona Wetlands)
Date: Monday, December 5, 2022 11:08:10 AM
Attachments: [D.Kay Comments Letter 5-21-0541.pdf](#)

From: David Kay <dkaykdx200@gmail.com>
Sent: Monday, December 5, 2022 10:16 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Fwd: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0451 (California Department of Fish and Wildlife (CDFW) and Friends of Ballona Wetlands)

Please discard the Word document attached to my previous e-mail on this matter and replace it with the attached .pdf format. Thank you.

----- Forwarded message -----

From: **David Kay** <dkaykdx200@gmail.com>
Date: Mon, Dec 5, 2022 at 9:37 AM
Subject: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0451 (California Department of Fish and Wildlife (CDFW) and Friends of Ballona Wetlands)
To: <SouthCoast@coastal.ca.gov>

Please see my comments below and attached on the subject agenda item. Thank you.

David W. Kay

December 5, 2022

California Coastal Commission
South Coast Area Office
301 E. Ocean Blvd., Suite 300
Long Beach, CA 90802-4302

Ladies and Gentlemen:

SUBJECT: COMMENTS IN FAVOR OF CDP APPLICATION 5-21-0541, ITEM NO. **Th-16c**;
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW)

My name is David W. Kay. I live in Playa Vista, steps away from the Ballona Wetlands Ecological Reserve (BWER). I am presently retired, but previously managed the San Dieguito Wetlands Restoration near Del Mar, from 2000-2016, a project this Commission permitted and continues to this day to collaborate on for monitoring, technical support and regulatory oversight.

I support the Staff Recommendation to Approve the Department of Fish and Wildlife's CDP Application No. 5-21-0541, Agenda Item No. Th-16c.

The Ballona Wetlands Restoration Project (Project), long planned and now managed by CDFW, received CEQA certification by the State of California a few years ago; certification which presently stands with the support of our Resources Secretary and Governor behind it.

Opponents and litigants of the Project registered opposition to the Subject CDP Application. Their comments and letters of opposition employ a familiar strategy to delay the Project by incrementally imposing burdens on your staff and that of CDFW, among others. I do not believe their strategy should be aided and abetted. Indeed, their comments in the record before you dredge up twenty-year-old correspondence woven into conspiratorial nonsense, which you properly dismissed at an informational presentation from your staff and others at the Commission's meeting on May 8, 2019 (Meeting Item No. 13.a.). Their comments on the Subject CDP Application should be summarily dismissed, as you properly did at the 2019 meeting.

To that end, it is appropriate for CDFW, partnering with community organizations, to begin removing non-native invasive plant species from the BWER. The subject CDP Application authorizes that effort and should be approved.

The subject application also proposes installation of an osprey nesting platform atop the remaining trunk of one of the trees to be topped. Based on my informed, non-expert knowledge of osprey nesting, this platform would be located in an ideal spot; adjacent to the osprey food source, the tidal prism of Ballona Creek, and far from any human interference. I support the inclusion of the osprey platform in the subject CDP. Osprey platforms are now routinely installed at tidal wetlands across our country.

Corresponding presently with Ms. Shawna Anderson, Executive Director of the San Dieguito River Park JPA, Ms. Anderson informed me there are two such platforms now at the San Dieguito Wetlands, installed since I passed the management baton to others in 2016. Ms. Anderson stated one of the platforms is used every breeding season and 2-3 chicks have fledged every year since platform installation. I look forward to a similar outcome with a platform in the BWER.

Finally, allow me to commend staff for Special Condition No. 3 in the proposed CDP, which requires certain pre-construction monitoring and mitigation actions, including temporal work restrictions. This Special Condition is consistent with those recommended by the U.S. Fish and Wildlife Service (USFWS), collaborating with the Avian Powerline Interaction Committee (APLIC). APLIC is an ad hoc committee of avian biologists and utility construction and operations experts from across the country. APLIC continuously improves utility practices for eliminating avian impacts during tree removal, among other activities. APLIC principles and practices are endorsed and enforced by USFWS nation-wide.

As you must know, utilities trim and remove hundreds of thousands of trees each year across the country to ensure electrical reliability and to prevent wildfires. Last year alone, Southern California

Edison Company, my former employer, trimmed or removed 131,400 trees within their 50,000 square mile service territory. (https://download.newsroom.edison.com/create_memory_file/?f_id=603e696eb3aed34c92db9f08&content_verified=True)

Some commenters on the Subject CDP may assert that the trees CDFW proposes to remove are somehow uniquely critical to the foraging and nesting activities of local bird species. Nothing could be further from the truth. As utility work, APLIC and USFWS studies have shown repeatedly, birds simply move perching and nesting activity to nearby trees when a “favored” tree is removed.

Thank you for the opportunity to comment.

Sincerely,

Dr. David W. Kay, D. Env
13060 Discovery Creek
Playa Vista, CA 90094

December 5, 2022

California Coastal Commission
South Coast Area Office
301 E. Ocean Blvd., Suite 300
Long Beach, CA 90802-4302

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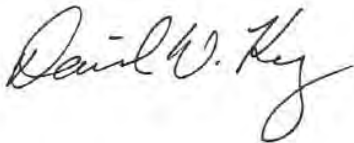
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https://download.newsroom.edison.com/create_memory_file/?f_id=603e696eb3aed34c92db9f08&content_verified=True

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A handwritten signature in black ink that reads "David W. Kay". The signature is written in a cursive style with a large, sweeping 'y' at the end.

Dr. David W. Kay, D. Env
13060 Discovery Creek
Playa Vista, CA 90094

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0451 (California Department of Fish and Wildlife (CDFW) and Friends of Ballona Wetlands)
Date: Monday, December 5, 2022 11:05:23 AM
Attachments: [D.Kay Comments Letter 5-21-0541.docx](#)

From: David Kay <dkaykdx200@gmail.com>
Sent: Monday, December 5, 2022 9:37 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0451 (California Department of Fish and Wildlife (CDFW) and Friends of Ballona Wetlands)

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December 5, 2022

California Coastal Commission
South Coast Area Office
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Long Beach, CA 90802-4302

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Finally, allow me to commend staff for Special Condition No. 3 in the proposed CDP, which requires certain pre-construction monitoring and mitigation actions, including temporal work restrictions. This Special Condition is consistent with those recommended by the U.S. Fish and Wildlife Service (USFWS), collaborating with the Avian Powerline Interaction Committee (APLIC). APLIC is an ad hoc committee of avian biologists and utility construction and operations experts from across the country. APLIC continuously improves utility practices for eliminating avian impacts during tree removal, among other activities. APLIC principles and practices are endorsed and enforced by USFWS nation-wide.

As you must know, utilities trim and remove hundreds of thousands of trees each year across the country to ensure electrical reliability and to prevent wildfires. Last year alone, Southern California Edison Company, my former employer, trimmed or removed 131,400 trees within their 50,000 square mile service territory. (https://download.newsroom.edison.com/create_memory_file/?f_id=603e696eb3aed34c92db9f08&content_verified=True)

Some commenters on the Subject CDP may assert that the trees CDFW proposes to remove are somehow uniquely critical to the foraging and nesting activities of local bird species. Nothing could be further from the truth. As utility work, APLIC and USFWS studies have shown repeatedly, birds simply move perching and nesting activity to nearby trees when a "favored" tree is removed.

Thank you for the opportunity to comment.

Sincerely,

Dr. David W. Kay, D. Env
13060 Discovery Creek
Playa Vista, CA 90094

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0541 (California Department of Fish
Date: Friday, December 9, 2022 4:19:29 PM

From: Gabrielle Crowe <gabrielle@ballona.org>
Sent: Friday, December 9, 2022 2:56 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on December 2022 Agenda Item Thursday 16c - Application No. 5-21-0541 (California Department of Fish

Dear Coastal Commission staff,

I wanted to express my gratitude for the staff's recommendation to delay the removal of a small number of palm trees along the nature trail in Area B of the Ballona Wetlands. These trees provide habitat for native wildlife, educational value for students and adults, and rare shade for visitors. I have taught many programs in Area B and these trees are wonderful for teachable moments with students. These mature trees have been present for decades. As an indigenous person with ancestral ties to the Ballona Wetlands, I believe it is always important to speak for my animal and plant relatives that don't have a voice. I appreciate the time and consideration the staff put into this decision.

Much gratitude,

Gabrielle Crowe (she/her)

Vice Chair, Gabrielino-Shoshone Tribal Council of Southern California

Cultural and Environmental Education Consultant

[Ballona Wetlands Land Trust](#)

P.O. Box 5623

Playa Del Rey, CA 90296

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Support for California Department of Fish & Wildlife Restoration, Agenda Item Th16c, Application No. 5-21-0541
Date: Friday, December 9, 2022 10:36:57 AM

From: Catherine Tyrrell <catherine.a.tyrrell@gmail.com>
Sent: Friday, December 9, 2022 10:11 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Support for California Department of Fish & Wildlife Restoration, Agenda Item Th16c, Application No. 5-21-0541

December 9, 2022

California Coastal Commission
South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302

Sent Via E-mail to: SouthCoast@coastal.ca.gov

Re: Support for California Department of Fish & Wildlife Restoration, Agenda Item Th16c, Application No. 5-21-0541

Dear Chair Brownsey and Coastal Commissioners:

I'm a neighbor of the Ballona Wetlands, Board member of the Friends of Ballona Wetlands, and also serve as the President of the Ballona Wetlands Conservancy. I offer my complete support for Application No. 5-21-0541 submitted by the California Department of Fish and Wildlife.

The long planned Ballona Wetlands Restoration managed by CDFW received CEQA certification by the State a few years ago with the support of our Resources Secretary and Governor behind it. To that end, it is appropriate for CDFW, partnering with community organizations, to begin removing non-native invasive plants including trees.

Restoration of the Ballona Wetlands will be one of the most significant environmental restoration and public access projects ever undertaken for the residents of Los Angeles County. This is a rare opportunity to provide our State with an invaluable way to stay resilient in the face of climate change, provide a wildlife haven and recreational treasure, and leave a legacy for future generations. We urge you to approve this application and allow CDFW to take the next step towards this important regional goal.

Sincerely,

Catherine Tyrrell

Catherine Tyrrell

5721 Crescent Park West
Playa Vista, CA 90094
Cheers,

Catherine

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Support letter for Agenda item Th16c, Application No. 5-21-0541
Date: Friday, December 9, 2022 5:01:44 PM
Attachments: [2022-12-09_HtBandEActoCCC_BallonaTreeRemovalRestoration.pdf](#)

From: Katherine Pease <kpease@healthebay.org>
Sent: Friday, December 9, 2022 4:58 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Support letter for Agenda item Th16c, Application No. 5-21-0541

To Whom It May Concern:

Please find attached Heal the Bay and the Environmental Action Committee of West Marin's support letter for Agenda Item Th16c, Application No. 5-21-0541 for the restoration and removal of non-native trees and shrubs on the Ballona Wetlands Ecological Reserve by CDFW and Friends of Ballona Wetlands.

Thank you.

Best, Katherine Pease

KATHERINE PEASE, PH.D. | DIRECTOR OF SCIENCE & POLICY
She/Her/Hers ([What does this mean?](#))

[Heal the Bay](#)

1444 9th Street
Santa Monica, CA 90401

T: 310.451.1500 x 141 | **F:** 310.496.1902





Heal the Bay



December 9, 2022

California Coastal Commission
South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302

Sent Via E-mail to: SouthCoast@coastal.ca.gov

Re: SUPPORT for California Department of Fish & Wildlife (CDFW) and Friends of Ballona Wetlands to remove non-native trees and shrubs to restore habitat of the Ballona Wetlands Ecological Reserve, Agenda Item Th16c, Application No. 5-21-0541

Dear Chair Brownsey and Coastal Commissioners:

On behalf of Heal the Bay and the Environmental Action Committee of West Marin, we respectfully submit the following comments in strong support of Application No. 5-21-0541. We support the staff special conditions and urge you to approve the Coastal Development Permit (CDP). Heal the Bay is a non-profit environmental organization with over 35 years of experience and 20,000 members dedicated to making the coastal waters and watersheds of Greater Los Angeles safe, healthy, and clean. We would first like to recognize that we are on unceded Indigenous land. The Ballona Wetlands Ecological Reserve sits on Tongva land¹ and we would like to acknowledge and pay our respects to Tongva and Chumash elders past, present, and emerging.

We enthusiastically supports the application by CDFW and the Friends of Ballona Wetlands to remove non-native trees and shrubs to improve ecological conditions for special status native species in the Ballona Wetlands Ecological Reserve. Given the historic loss of coastal wetlands, remnant wetland habitat must be restored and must prioritize habitat for wetland-dependent and special status species. We recognize that non-native trees and vegetation can have benefits, such as providing shade and roosting/nesting sites for non-sensitive species; however, a wetlands Ecological Reserve is not where these benefits should be prioritized. The phasing of the tree and shrub removal is more than sufficient to minimize and delay impacts to non-sensitive species.

¹ Native Land Digital. 2022. Our home on native land. Available at: <https://native-land.ca/>



Heal the Bay



This project will have a positive impact by restoring native coastal dune, riparian, and transitional saltmarsh habitats. Restoration of degraded rare habitats to healthy thriving ecosystems is critical to ensuring resilience and maximizing biodiversity in the face of continued and ongoing threats. We urge you to approve the project today.

We appreciate the opportunity to provide comments. If you have any questions, please contact Katherine Pease by email at kpease@healthebay.org or by phone at 310-451-1500 X 141.

Sincerely,

A handwritten signature in black ink that reads 'Katherine M. Pease'. The signature is written in a cursive style with a light grey background behind it.

Katherine Pease, PhD
Director of Science & Policy

Morgan Patton, Executive Director
Environmental Action Committee of West Marin

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Support Letter: Agenda Item Th16c, Application No. 5-21-0541
Date: Friday, December 9, 2022 4:22:08 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[LMU CUREs CCC CDP BWER Restoration Letter Dec 9 2022.pdf](#)

From: Fimiani, Lisa <Lisa.Fimiani@lmu.edu>
Sent: Friday, December 9, 2022 3:54 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Support Letter: Agenda Item Th16c, Application No. 5-21-0541

Hello,

On behalf of our Center, I am attaching a letter of support for the Friends of Ballona Wetlands' plan, Agenda Item Th16c, Application No. 5-21-0541, as specified in the Coastal Commission Hearing agenda, set for Thursday, December 15th.

Thank you!

Lisa

Lisa Fimiani
Drollinger Family Charitable Foundation Environmental Fellow

[Center for Urban Resilience \(CUREs\)](#)



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Mobile [310.339.2737](tel:310.339.2737)
Email lisa.fimiani@lmu.edu



"As part of Loyola Marymount University's recognition of our history, location, and relationship to the indigenous communities in Los Angeles, we acknowledge the Tongva peoples as the traditional land

caretakers of Tovaangar (the Los Angeles basin and southern Channel Islands) and the presence of LMU on this traditional, ancestral, and unceded land. We are grateful to have the opportunity to live, learn, study, create, and be in this place.”



Center for Urban Resilience
Academic Affairs

Loyola Marymount University
1 LMU Drive, Research Annex 120
Los Angeles, CA 90045-2659

T 310.338.7337
CURes.lmu.edu

December 9, 2022

California Coastal Commission
South Coast Area Office
301 E. Ocean Blvd., Suite 300
Long Beach, CA 90802-4302

Via Email: SouthCoast@coastal.ca.gov

**Re: COMMENTS IN FAVOR OF CDP APPLICATION 5-21-0541, AGENDA ITEM Th-16c;
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW)**

Dear Chair Brownsey and Coastal Commissioners:

Our Center has been partnering with Friends of Ballona Wetlands for over a decade on their restoration efforts in the Ballona Wetlands Ecological Reserve (BWER). We support their plan to remove non-native trees and shrubs to restore riparian, coastal dune, and transitional saltmarsh habitat. Here's why:

Half of the historic Ballona Wetlands estuary has been in limbo ever since Howard Hughes' estate sold it to a developer over 40 years ago, with the intention of developing all of it. If it wasn't for the valiant efforts of the Friends back then, Trust for Public Lands' designated Areas A, B and C would have become a high-end community, sending the final death blow to any hope of restoring the remaining wetlands. Dr. Howard Towner, Biology professor at LMU at the time, and one of the first board members of the newly formed Friends of Ballona Wetlands, proved the degraded property was indeed wetlands worthy of restoration. As the last remaining wetland in LA County, Ballona has had moments of success with the 30-year restoration of 8 acres of dune habitat in Area B, under the stewardship of the Friends and LA Audubon. The rest of the remaining wetlands, however, has been slipping away under an ever-increasing wasteland of non-native invasive plants. At this point, with over 590 acres on the tipping point of remaining in limbo or moving forward, the stakes couldn't be higher, with sea-level rise, climate change, and the injustice of not opening up the wetlands to the indigenous people who lived there before Europeans colonized America. We don't have another 30 years of slow-paced efforts to wait. Not only are our local Tongva Gabrielino Indians not able to freely visit and embrace Ballona, but also, and as egregiously, are many underserved communities who cannot take advantage of limited tour dates and times provided by the Friends and LA Audubon as part of their State access permits. There have been delays, after delays, after delays, and meanwhile the Ballona Wetlands languishes, and the wildlife suffers. Endangered species are not able to establish healthy populations to sustain their existence in such a marginal habitat, where common species thrive in non-native flora, and there is nowhere else for more sensitive species to go in the area. It's time to move forward.

The Friends' plan is exactly what should be happening now. Our Center studies the resilience of nature, and removal of the specified non-native trees and shrubs is absolutely vital to the long term goals of bringing back the rare, endangered species that once flourished in the Wetlands. No more delays. Approve this plan please.

Sincerely,

A handwritten signature in black ink that reads "Eric G. Strauss". The signature is written in a cursive, slightly slanted style.

Eric G. Strauss, PhD
President's Professor of Biology
Executive Director, LMU Center for Urban Resilience

From: patriciamcpherson1@verizon.net
To: Revell_Mandy@Coastal; SouthCoast@Coastal; Ainsworth_John@Coastal
Subject: Fwd: Comment -Item 16 c -Fr. of Ballona CDP 5-21-0541 December 15, 2022 Ca. Coastal Commission Meeting
Date: Tuesday, December 6, 2022 11:10:16 AM
Attachments: [Screen Shot 2021-06-25 at 1.10.49 PM.png](#)

Can this please be included in the correspondence sent to CCC ?
Item 16 c -trees / Ballona Wetlands

Thank you in advance for your time getting this included,
Patricia McPherson, Grassroots Coalition

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

From: patriciamcpherson1@verizon.net <patriciamcpherson1@verizon.net>
To: southcoast@coastal.ca.gov <southcoast@coastal.ca.gov>; mandy.revell@coastal.ca.gov <mandy.revell@coastal.ca.gov>
Sent: Thu, Dec 1, 2022 1:08 pm
Subject: Comment -Item 16 c -Fr. of Ballona CDP 5-21-0541 December 15, 2022 Ca. Coastal Commission Meeting



Patricia McPherson President
Jeanette@SaveBallona.org (310) 721-3512

Coastal Commission Staff and Commissioners-

The purpose of this correspondence is to provide the Coastal Commission with Grassroots Coalition's comments to CDP 5-21-0541, which is the Friends of Ballona Wetlands' proposal to cut down dozens of mature, non-native trees in the Ballona Wetlands Ecological Reserve. We support the Ballona Wetlands Landtrust Letter regarding CDP 5-21-0541 and hope that you will address the concerns raised in the letters in your staff recommendation, and that the staff recommendation will include special conditions that spare a number of targeted trees as cited by the Ballona Wetlands Landtrust as the trees provide important habitat value for native wildlife, such as Barn Owl and other birds of prey, woodpeckers, orioles and other birds, or that will at least delay the removal of those trees to allow more time for monitoring and adaptive management.

Grassroots Coalition supports the comments below pertaining to patterns and practices of the applicants, Friends of Ballona Wetlands, providing inaccurate, misleading and incomplete information in order to forward their own agenda.

In the Case of Friends of Ballona Wetlands request for CDP 5-21-0541, ... "it is important for the Commission to recognize, based on the long and consistent pattern of the applicants providing inaccurate, misleading, and incomplete information, that unsubstantiated claims by the applicants do not qualify as substantial evidence. The applicant's representatives have made multiple false and/or highly misleading statements, including under oath, in pursuit of its efforts to cut down the trees in question, and therefore be eligible to spend mitigation funds directed to applicants from

the Coastal Commission." Landtrust Letter to Ca. Coastal Commission--Mandy Revell- Coastal Program Analyst, on Nov. 22, 2022

Grassroots Coalition raises similar attempts by FOB and their partner Playa Vista Development leadership, in order to demonstrate that the pattern and practice of improper, biased, conflicted behavior cited above is based in numerous other related situations.

NBC- BURNING QUESTIONS news broadcasts re: Ballona/ Playa Vista
Should anyone think that political collusion and conflict of interest is not really a part of the Ballona / Playa Vista triangles, the following message was delivered during an NBC- BURNING QUESTIONS interview with former California Public Utilities Commission leadership- Loretta Lynch:

Part 1 - **Methane Leakage / Dangers of Explosion** Loretta Lynch/ CPUC at 4:05
https://youtu.be/c4O6jl2y_m4

Loretta Lynch- *"It was made clear to me when I joined the PUC, that the development (Playa Vista) was going to happen and that no state agency should stand in the way. It was clear that the biggest democratic donors in town were behind that development deal. From my perspective, there was a whole atmosphere of ---we don't want to see anything."*

Paul Moyer (NBC Anchor)- *"In the year 2000 Playa Vista developers spent more money lobbying the city than almost any other company. They also passed out publicity flyers, saying there was 'little methane at the site' . The next year a city reviewer gave the the project a green light."*

Loretta Lynch- *" The city really was not looking at the key health issues that were involved here."*

*****P.Moyer,** *" The city said the SoCalGas underground gas storage facility "is not the source of methane contamination found at the site"a point repeatedly emphasized by Playa Vista and SoCalGas."*

It is hopefully a time for agencies to quit looking the other way on behalf of all these corporate bullies of Playa Vista and SoCalGas, that are simultaneously Playa Vista consultants to CDFW.

******* Playa Vista has long had a pattern and practice of denying the thermogenic gas issues of Playa Vista, its oilwell, University City Syndicate and the general Ballona region. SoCalGas has an even lengthier pattern and practice of denial that there have been SoCalGas reservoir gas leakage and migration issues throughout Ballona, Venice, Marina del Rey and Playa Vista.

The shutdown of SoCalGas operations during the 2010-11 timeframe by the Division of Oil & Gas and Geothermal Resources(DOGGR ORDER 1008), due to reservoir gas leakage to the surface, put an end to any dispute that Socalgas has reservoir gas leakage to the surface. The Grassroots Coalition PPT link below, includes numerous SoCalGas documents of reservoir gas leakage to the surface.

[Patricia McPherson SOCALGAS PLAYA DEL REY PRESENTATION 4.16.19.pdf](#)

additional SoCalGas /Playa del Rey information at the link below:

<https://saveballona.org/socal-gas-underground-storage-still-leaking-27-slides-presentation-pdf.html>

Oxford Basin--non native trees (Eucalyptus trees) harboring a new over-wintering site for Monarch Butterflies. Despite, Coastal Commissioners that sided with Grassroots Coalition and others that the newly documented Monarch Butterfly overwintering stand of non native Eucalyptus Trees should be left alone during the "renovation of Oxford Basin". And, despite CDFW biologists that provided written testimony that the stand of Eucalyptus trees should not be touched in order to maintain the new Monarch Butterfly over-wintering site. The County of Los Angeles claimed that the Coastal Commission had already permitted the renovation and therefore the Commission could not order a halt to the destruction of the trees, explicitly because the Monarchs were not yet Listed as Endangered.

What was left out of this story by CDFW and the proponents of the Oxford 'Renovation', was that CDFW Code 2068 provides for protection of a candidate species. At the time of the Oxford Basin 'renovation', Monarch Butterflies were under candidate status for listing as endangered. Such information, provided to the CCC would have provided a legal reasoning for the Commission's request to stop destruction of the non native trees being used as a new overwintering site by the Monarchs. Unfortunately, most of the non native trees in the new Monarch over-wintering site were chopped down. In this instance, CDFW entities were not working in coordination to protect the Monarch Butterflies and their new over-wintering site. And, the County of LA, simply muscled its way to destruction of the overwintering site. **Grassroots Coalition believes this story serves as a warning for taking the drastic action of mature tree removals.** Without full and complete information that is honestly rendered, mistakes are made-- as was the mistake made at Oxford Basin with negative consequential impacts upon the Monarch Butterfly population. And, a mistake that could easily have been avoided if only honesty had prevailed in CDFW actions and County of LA behavior of first seeking out the truth. And, perhaps if the Commissioners had requested more caveats in their initial CDP approval. Decisions matter and unfortunately Mother Earth is taking a beating at the hands of human decision making that is often rash, conflicted and wrong.

[Oxford Basin Re-Opening Dedication July 7, 2016 - 8 minutes - LA County & Activists' Points of View with narration](#) from [Jeanette Vosburg](#) on [Vimeo](#).

The California Endangered Species Act (CESA) states that **all native species** of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, **and their habitats**, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, **will be protected or preserved**. The California Department of Fish and Wildlife (CDFW) will work with all interested persons, agencies and organizations to protect and preserve such sensitive resources and their habitats.

Candidates are given full CESA protection. Fish & G. Code, §2068

And, per the Streambed Violation (CDFW 1603) that the Landtrust discusses, Grassroots Coalition pursued the Playa Vista violators, who did not have a permit from the City of Los Angeles Building & Safety or Public Works when the work was done. Playa Vista ultimately utilized Public Works to garner after-the-fact permits for its roadbuilding that required engineering information/work be supplied to Public Works. The Friends of Ballona's misinformation about what was actually unpermitted roadbuilding was via Friends of Ballona's Catherine Tyrrell, a lead environmental consultant for Playa Vista and founder and leader of the Bay Foundation, the private business that was/is provided public funds from the Coastal Conservancy for the

Ballona EIR studies. The Coastal Conservancy's lead project manager for Ballona was also a Board Member of the Bay Foundation. With CDFW's self acknowledged board membership on Playa Vista's--Ballona Wetlands Conservancy one is hard pressed to ignore the insider club of, at the very least---the appearance of conflicted interests.

These are just a few examples among many that can be provided to Coastal Commission Staff and Commissioners.

Please adhere to a principle of less is more and proceed with caution to protect Ballona's habitat, including non native, wildlife utilized habitat. Grassroots Coalition requests you follow the guidelines set forth by the Ballona Wetlands Landtrust and that you not approve the destruction of the mature trees.

Sincerely,
Patricia McPherson, Grassroots Coalition

Final comments re: CDPs 5-22-0750 and 5-21-0541

Walter Lamb <landtrust@ballona.org>

Fri 12/9/2022 11:11 AM

To: Revell, Mandy@Coastal <Mandy.Revell@coastal.ca.gov>

Cc: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

Hi Mandy,

I know you have received a lot of correspondence on these two items, so I'll try to keep these comments relatively brief and informal. Thanks for considering these and other comments.

CDP 5-21-0541

- We appreciate the compromise to preserve four palm trees along the nature trail until Phase 6 of the project and appreciate the clarification that the tall fan palm tree will be kept whole until that time, and only potentially converted to an Osprey nest platform during Phase 6.

- We appreciate the willingness to identify the fan palm trees more generically *Washingtonia sp.*, to avoid possible misidentification in the staff recommendation. That said, we have no reason to believe at this time that the identification of *Washingtonia robusta* in the certified FEIR for the project to be an error.

- With regard to the proposed Osprey nest platform, we think more analysis would be helpful regarding the suitability of the proposed location. However, given that the tall fan palm tree will be preserved in its entirety until Phase 6, given that that tree will either be removed completely or converted into a nest pole at that time, and given that of those two options we would prefer the latter, it seems that various stakeholders will have an opportunity to work through any potential issues after the hearing with or without any additional permit conditions.

CDPs 5-22-0750

- The letter from our attorney was intended to help further clarify the staff report. We hope it is taken in that spirit and that some or all of the requested information can be added to the staff report.

- We do believe that the Commission, as a responsible agency, is legally required to consider and approve (or disapprove) of the project that was certified two years ago before permitting the geotechnical studies because there is no evidence or any other indication that the studies are intended to change any of the fundamental issues that would put the certified project in conflict with the Coastal Act. While geotechnical studies could be thought of as analogous to biopsies from a medical perspective, they are still invasive and only justified when the study results are likely to inform a viable course of treatment. In this instance, the Commission has not made use of readily available information to formally conclude, as a responsible agency must, that the certified project is viable in terms of the Coastal Act, regardless of what information is obtained from the geotechnical studies.

- By not making a determination on the certified project now, we are concerned that staff will be under enormous pressure to make a positive determination in the future, to avoid an outcome in which 16 borings approved by the Commission in sensitive habitat were for ultimately for no purpose.

Numerous supportive comments in the staff report and in past discussions create the perception that the project has been independently analyzed and approved by the Commission, but this is not the case.

- The Commission has been involved with restoration discussions at the Ballona Wetlands since the 1980s, and has gone on record many times with regard to its policy objectives for this critical ecosystem. It is a bit myopic for the current staff report to address only the geotechnical studies in a vacuum, without any discussion of a road map for meeting the Commission's larger policy objectives for this ecosystem. The geotechnical studies are merely the first step of a brand new approach by CDFW that will have a profound impact on the timing and viability of efforts to meet those larger policy objectives. The Commissioners and the public are entitled to a candid and objective analysis of those impacts. What is the end game for the big Project, the little project, and the borings project? Even if it were permissible to approve the borings without first approving the certified EIR, what will the Commission be looking at in or around February 2024? Will it be the same project that was certified in December of 2020, or a new project that CDFW tries to get permitted independently of the FEIR project?

- I am attaching an image of equipment that seems to be consistent with what ESA is proposing to use for the geotechnical studies, along with a photo that Jonathan Coffin took of past impacts from we has indicated were pervious geotechnical studies at Ballona (note that the habitat in north Area A generally is not as sensitive as that in South and Southeast Area B. If ESA has photos that would be more accurately depict the equipment and impacts, they should provide them and they should be included as an exhibit. The purpose of the images is not to suggest that geotechnical studies should never be permitted in sensitive habitat, but rather to ensure that the necessary balancing of environmental impacts against the value of the information to be obtained is based on accurate perceptions of those impacts and benefits.



- Finally, it would be helpful to have photographs of the geotechnical study project site that show both the healthier areas within the site and also the areas that the applicants seek to address. I visit this area frequently, and it is currently ponded with the seasonal rains, supporting non-tidal pickleweed habitat and expected marsh birds such as Greater Yellowlegs, Killdeer and Wilson's Snipe. Again, the purpose of such images is not to suggest that the habitat in in South and Southeast Area B cannot be improved upon, but rather to establish its health relative to other areas of the reserve to allow for informed decision-making. Without such photographic documentation in a staff report exhibit, we are concerned that Commissioners will conflate images of other areas of the ecological

reserve with the work being proposed in this area. Below is a Greater Yellowlegs foraging in the large expanse of non-tidal salt marsh.



Thanks again for your considering of so many comments. This is a very important ecosystem and the decision before the Commission on Friday will determine the policy direction for the wetlands for many years to come.

Walter Lamb
Ballona Wetlands Land Trust
310-384-1042
[Facebook](#)