Shadow Hills Property Owners Association

Dedicated To Preserving Rural Community

December 7, 2003

Maya Zaitzevsky, Project Coordinator
City of Los Angeles Dept. of City Planning
200 North Spring Street, Room 763
Los Angeles, California 90012

Re: Canyon Hills Project
~~ENV-2002-2481-EIR~~
SCH No. 2002091018
October 2003

Ms. Zaitzevsky,

We find many features of the biological resource impact analysis either woefully inadequate or highly questionable.

Initially, the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR"), implies that the "study area" includes the totality of the 887 acre Canyon Hills Project ownership as well as the adjacent Duke property yet, further down the same page, a statement is made that the focused surveys for special status species and vascular plants were generally limited to the proposed development areas and areas affected by the access road across the Duke Property. Survey's should have been conducted over the totality of the 887 acres ownership first because a development of this size will surely impact areas far beyond those of actual construction and secondly because one of the Alternatives – Alternative *D* – will indeed cover the entire ownership. 18-1

~~A glaring example of a highly questionable survey methodology would be that for the~~ California Gnatcatcher. The preferred habitat for this bird is Coastal Sage Scrub (CSS) and Coastal Sage Scrub/Chaparral Ecotone. I refer to page 305-306 of the DEIR CD-Rom Biological File. By reconnaissance survey and examination of aerial photography of the Survey Area, site access and estimation of the extant of CSS and CSS/Chaparral Ecotone habitats which would serve as potentially suitable habitats by the coastal California Gnatcatcher were determined. This determined Survey Area was then broken down into four habitat survey polygons of less than 80 acres each. Protocol surveys were claimed to have been conducted according to the 1997guidelines issued by the USFWS. Each single biologist surveyed one survey polygon per day. The presence or absence of the coastal California Gnatcatcher was determined by identifying each bird by sight and/or call using a combination of taped vocalizations and "pishing" sounds. Taped vocalizations were played 18-2

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at intervals of approximately 200 feet for at least 10 -15 minutes. The use of taped vocalizations was utilized only when necessary to illicit a response from birds.

Now, I am not the greatest mathematician in the world, but:

44,000 sq. ft./1 acre = X sq. ft./80 acres X=3,520,000 sq. ft. of terrain surveyed in one day by one biologist

18-2

200 ft x 200 ft = 40,000 sq. ft. (the area covered per observation)

3,520,000 sq. ft. (total terrain)/40,000 sq. ft. (per observation) = 88 observation stops

88 stops/day x 15 min./stop x 1 hr./60 min. = **22** hrs./day that our diligent biologist dedicated to this survey

Sorry, but I find this hard to believe.

I quote from the DEIR CD-rom Biological File 2.2.12: "Surveys for special- status raptors were conducted in concert with the surveys for the California Gnatcatcher, Least Bell's Vireo and Rufous-crowned Sparrow. Now, if there were a team of at least two Biologists working together, they might be able to do justice to a survey for such a multitude of species – especially considering these birds are not extremely obvious – but for one Biologist to do an adequate survey for each of these at the same time is questionable, especially after about the 10th hour straight in the field.

18-3

I further quote from the DEIR CD-rom Biology File 4.3.2: "Coastal sage scrub vegetation is the preferred habitat for the federally listed threatened Coastal California Gnatcatcher; however, focused protocol surveys conducted within all areas of Coastal Sage Scrub within the proposed development area in 2002 did not detect any Coastal California Gnatcatchers in the Study Area. Many of the slopes that support Coastal Sage Scrub are very steep while Gnatcatchers generally prefer areas that exhibit more gentle topography. As such, the lack of detection of Gnatcatchers is in large measure ~~due to unsuitable topography.~~" This quote makes me highly suspicious that areas of Coastal Sage Scrub (CSS) habitat in steep slope area were never even surveyed just as areas of steep slopes and high concentration of poison oak nullified Oak Tree surveys in those areas. (DEIR CD-rom Biology File 2.2.13 -2) According to the current USFWS survey protocol (U.S. Fish and Wildlife Service. Coastal California Gnatcatcher. Presence/Absence Survey Guidelines. February 28, 1997.) , 6-9 visits are required during a season in all appropriate habitat.

18-4

I note also that two gentlemen joined the tree survey team as well as the avifauna survey team – Mr. Rick Riefner and Mr. Jeff Ahrens. Not questioning their knowledge, in my ignorance, I ask if this is appropriate procedure for such a large and complex project.

Elektra G.M. Kruger, Shadow Hills Property Owners Association