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December 26, 2003

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200 North Spring Street, Room 763
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Dear Ms. Zeitzevsky:

Please accept my comments on the Draft Environmental Impact Report for the Canyon Hills Project, ENV-2002-2841-EIR, SCH #2002091018.

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Literature Review: Citation #8 is incorrectly cited. The correct citation is: CNPS. 2001. *Inventory of Rare and Endangered Plants of California* (sixth edition). Rare Plant Advisory Committee, David P. Tibor, Convening Editor. California Native Plant Society. Sacramento, CA x +388pp. 102-1

Page IV. D4

Vegetation Mapping: Nelson(1994)[1] is cited as the basis for the guidelines for plant field surveys. *CNPS Botanical Survey Guidelines*(2001)[2] is the current version of Nelson(1994) that should have been used. Further comments below. 102-2

Figure IV.D-2

Sensitive Species Location Map: The legend does not indicate the meaning of the symbols on the map. Is there a one-to-one correlation between symbols and individuals? Further comments below. 102-3

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Survey Limitations: The *CNPS Botanical Survey Guidelines* mentioned above, although not cited as the basis for plant survey methods, is contained within the *Inventory of Rare and Endangered Plants of California*(sixth edition)[3] - a document cited in another part of the DEIR, yet not with regard to survey methods. The *CNPS Botanical Survey Guidelines* state: 102-4

"5. Complete reports of botanical surveys shall be included with all environmental assessment documents, including Negative Declarations and Mitigated Negative Declarations, Timber Harvesting Plans, Environmental Impact Reports, and Environmental Impact Statements. Survey reports shall contain the following information:...

d. Discussion, including:

1. Any factors that may have affected the results of the surveys (e.g., drought, human disturbance, recent fire)."

Accordingly, it was proper that the DEIR discuss the negative effect that the drought occurring in the 2001-2002 rainy season may have had on the quality of plant surveys performed. It would have also been proper to give specific mention at this point to the species encountered on the project site whose populations may have been underestimated due to this factor, especially if it was a special-status plant. After all, the discussion which is called for above is not an academic one as to whether the survey had flaws, as any human-directed method will, but rather, whether the survey was doing the job it was required to do. *Calochortus plummerae*, Plummer's Mariposa Lily, a special-status plant known to exist on the project site, is one of these "bulbiferous perennial plant species that may fail to germinate or grow during adverse conditions," but it goes unmentioned in this section. *Calochortus plummerae* flowers May- July and generally then dies back to the ground each year, springing up from an underground bulb, given sufficient rainfall the following winter. These factors put the results of the survey for this species in question. Further discussion below. 102-4

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Southern Coast Live-Oak Riparian Forest: "California buckwheat (*Eriogonum californicum*)" is a non-existent species. The common name "California buckwheat" refers to *Eriogonum fasciculatum*. *Eriogonum fasciculatum* does occur on the project site. 102-5

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Plummer's Mariposa Lily (Calochortus plummerae): As mentioned above, the results of the survey for this plant are in question due to drought effects. The fact that two and possibly as many as 17 individuals were located, is significant. The diminutive stature of this plant compared to the dominant chaparral or sage-scrub species that surround it, make it very difficult to spot unless it is in flower. The fact that this many non-flowering dried individuals were located may point to a large unmeasured dormant population, except in the unlikely case that the DEIR consultants actually surveyed extremely intensively over the 800+ acres of habitat but did not indicate that fact in the text. In addition, the question arises as to the differentiation of the two individuals that were mapped on Figure IV.D-2, the Sensitive Species Location Map, and the 17 individuals mentioned in the text that had characters matching *C. plummerae*. Certainly, the flowers did not remain on the two identified plants that had been drying out for the last 11+ months since the last rain in April 2001[4]. What plant parts were used to identify these two plants that were not available in the 17 plants that still had seed capsules? There aren't many more characteristics left to use in the identification of mariposa-lilies. The two C. plummerae on Figure IV.D-2 quite likely could have been many more. 102-6

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Ocellated Humboldt Lily (*Lilium humboldtii* ssp. *ocellatum*): The number of *Lilium humboldtii* ssp. *ocellatum* shown on Figure IV.D-2, the Sensitive Species Location Map, is inaccurate. The map shows 5 symbols in Drainage 4. Assuming each symbol has a one-to-one correlation to the 102-7

individual plants found, there is a gross underestimation. On December 7, 2003, I counted 58 easily-identifiable dried stalks of *L. humboldtii* ssp. *ocellatum*, just in the lower reaches of Drainage 4. Is it possible the actual population of lilies was underestimated by an order of magnitude? 102-7

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Impacts to Special-Status Plants: Concluding that Plummer's mariposa lily "would not be impacted by project grading, nor would there be impacts associated with fuel modification," is false, since the survey for *C. plummerae* was inadequate. *L. humboldtii* ssp. *ocellatum* is a CNPS List 4 species, and statewide it's vulnerability or susceptibility to threat is low, but a proper survey giving an accurate estimate of the extent of its population is still required to assess the impacts to this resource if this project goes through. 102-8

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Methods and Inventory: On November 22, 2003, I accompanied Mr. Fred Dong to the Study Area and can corroborate his recording of a number of *Quercus agrifolia* (Coast Live Oak) in Drainage 4 without tags but with DBH much greater than 8 inches. I personally inspected a sample of these for evidence of tag removal and found none. Some of these trees were within a few meters of tagged individuals. None of these trees were surrounded by impenetrable poison oak (*Toxicodendron diversilobum*). The combination of these factors lead to the conclusion that a number of trees protected by LA Municipal Code will not receive their legal protection. Completion of the tagging would be required to meet legal requirements. 102-9

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Methods and Inventory: The methods used in the "Tree Report" to evaluate wildland tree health, as laid out in the "*Guide for Plant Appraisal*,"[5] although accepted by some local governments at this time, is inadequate to the task due to the inapplicability of certain measures in wildland habitats rather than the urban and residential landscapes for which the methods were developed. For example, "insects and disease"(see Table IV.D-7) of a limited extent can be considered a positive value the oak tree lends to the habitat, yet, it is always considered a negative value in the urban and residential environment where the "*Guide for Plant Appraisal*" is designed to be used. The evaluation of tree health is inadequate, and therefore the impact to the resource will be incorrect and actually unknown. The people of the City of Los Angeles will not be best served until a proper instrument is instituted. 102-10

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LEVEL OF SIGNIFICANCE AFTER MITIGATION: The DEIR correctly states that, "over the short-term, it is anticipated that, even with the implementation of the conceptual tree planting program, the impact on coast live oaks would remain significant." According to Harris and Kocher (2002)[6], and Standiford (2002)[7], it is in fact unknown whether, as the DEIR states, "this near-term significant impact (would) be mitigated to a less-than-significant level 10-20 years following the completion of the conceptual tree planting program." Quoting Harris and Kocher (2002), "There appears to be a need to improve the methods used to evaluate and assess impacts on oak woodlands. The practice of planting to mitigate losses is itself questionable." And to this Standiford (2002) 102-11

adds: "... it is important to evaluate if tree planting is a viable method of mitigation. Many important habitat elements, such as cavities, acorns, snags, and woody debris will not be mitigated- at least in the 50-year interval evaluated in this study - through a tree planting strategy alone." 102-11

REFERENCES

1. Nelson, J.R. 1994. *Guidelines for Assessing Effects of Proposed Developments on Rare Plants and Plant Communities*. In: Skinner, M.W. and B.M. Pavlik, eds.1994. *Inventory of Rare and Endangered Plants of California. Special Publication No. 1* (fifth edition). California Native Plant Society. Sacramento, CA
2. *CNPS Botanical Survey Guidelines*. 2001. In: CNPS. 2001. *Inventory of Rare and Endangered Plants of California* (sixth edition). Rare Plant Advisory Committee, David P. Tibor, Convening Editor. California Native Plant Society. Sacramento, CA
3. CNPS. 2001. *Inventory of Rare and Endangered Plants of California* (sixth edition). Rare Plant Advisory Committee, David P. Tibor, Convening Editor. California Native Plant Society. Sacramento, CA x +388pp.
4. http://cdec.water.ca.gov/cgi-progs/reports/PRECIPOUT.BSN.2002.html. California Department of Water Resources. Division of Flood Management. 2001 Water Year Monthly Precipitation. Los Angeles Civic Center.
5. Council of Tree and Landscape Appraisers. 2000. "*Guide for Plant Appraisal.*" Ninth Edition. International Society of Arboriculture. Savoy, Illinois.
6. Harris, Richard R. and Susan D. Kocher. 2002. *Oak Management by County Jurisdictions in the Central Sierra Nevada, California.* In: Proceedings of the Fifth Symposium on Oak Woodlands, Oaks in California's Changing Landscape, October 22-25, 2001, San Diego, California. USDA Forest Service General Technical Report PSW-GTR-184. pp 463-472.
7. Standiford, R.B., D. McCreary, W. Frost. 2002. Modeling the effectiveness of tree planting to mitigate habitat loss in blue oak woodlands. in: Proceedings of the Fifth Symposium on Oak Woodland: Oaks in California's Changing Landscape, October 22-25, 2001, San Diego, CA. USDA Forest Service General Technical Report PSW-GTR-184. pp. 591-600