

Responses to Jack Bath Letter (Dated August 3, 2009) and Naturalists of the Whittier Narrows Natural Area Letter (Dated October 29, 2007)

Historical Resources

The commenter asserts the EIR did not provide an adequate evaluation of historical resources at the project site. The commenter states that he found artifacts on the project site and provides photographs as part of the commenter letter.

A cultural resources field survey was conducted by qualified archaeologists on July 28, 2006 for the purposes of identifying and recording cultural resources within the project area. No archaeological resources were identified. Six historic-era buildings were identified during the cultural resources survey. The six identified buildings were recorded on Department of Parks and Recreation (DPR) forms and will be assigned Primary numbers by the State Office of Historic Preservation. The resources were evaluated and are not considered eligible for National Register of Historic Places or California Register of Historical Resources listing.

As discussed on pages 3.4-4 through 3.4-6 of the Draft EIR and in detail in Appendix D of the Draft EIR, the cultural resources assessment for the project site consisted of an archival records search, Native American consultation, and site surveys. As stated on pages 3.4-4 and 3.4-5 of the Draft EIR, the archival records search consisted of a search at the South Central Coastal Information Center in Fullerton, review of historic US Geological Survey (USGS) topographic maps, review of the County Assessor's database, previous archaeological investigations within a one-mile radius, historic resources documented within a one-mile radius, records and maps contained at the WNNC, interviews with WNNC staff members, review of USACE documents of the project area, and additional research at the Los Angeles Public Library including modern and historic newspapers and magazines.

As described on page 3.4-5 of the Draft EIR, the Native American contact program involved outreach to the representatives identified by the Native American Heritage Commission. As discussed on pages 3.4-5 and 3.4-6 of the Draft EIR, the site survey consisted of an assessment of the existing structures and landscape features, as well as transects covering the entire lease boundary. These methods are consistent with acceptable practices and are adequate to evaluate cultural and historic resources. For these reasons, the commenter's recommendation to perform additional research is not necessary.

Based on the research that was conducted and visits to the site, it was determined that much of the ground disturbing activities required during construction would occur within recent alluvial deposits; such deposits are not likely to contain archaeological resources. Thus, the chance of encountering archaeological resources during excavation would be considered low. As stated on page 3.4-16 of the Draft EIR, in the unlikely event that archaeological resources are uncovered during construction, construction activities would be required to halt while the find is assessed in accordance with CEQA Guidelines Section 15064.5 and Section 106 of the National Historic Preservation Act. Because resources are not likely located within the depths of soil that would be

disturbed during construction, it is not necessary to undertake an archaeological testing program prior to the start of construction.

In addition, after the preparation of the Final EIR, a letter was received from the California State Historic Preservation Officer in January 2010 concurring with the findings of no significant effect in the EIR Cultural Resources Report from April 2007 (Appendix D of the Draft EIR).

Biological Resources

The commenter indicates the Draft EIR fails to evaluate the biological aspects of the Natural Area and the proposed project has the potential to negatively impact mammalian movement and migration. As discussed on pages 3.3-13 and 3.3-14 of the Draft EIR, the discussion of wildlife corridors and wildlife migration states that the Natural Area is expected to support some large terrestrial species. As characterized by the Sierra Club and the Conservation Biology Institute, the Natural Area itself is considered an isolated terminal segment of the Puente-Chino Hills Wildlife Corridor, which is a peninsula of mostly undeveloped hills jutting about 26 miles from the Santa Ana Mountains into the densely urbanized Los Angeles Basin (see page 3.3-25 of the Draft EIR). It occurs at the very western terminus of this important regional corridor. The Natural Area is an isolated portion of the Puente-Chino Hills Wildlife Corridor, effectively disconnected by major roads and urban barriers (see Figure 3.3-3). Therefore, this regional corridor is not contiguous with the site. Although the Natural Area is considered an isolated portion and unable to support large focal species (such as mule deer and bobcat), it is likely to support some coyotes. However, local movement is facilitated by the nearby soft-bottom channel San Gabriel River, as animals may use the riverbed to move throughout undeveloped habitat in this isolated fragment of habitat surrounded by urban development (see page 3.3-14 of the Draft EIR).

The commenter asserts that birds were not adequately evaluated in the Draft EIR. Because efforts to improve the WNNC have been contemplated for many years and because the WNNC is a popular wildlife viewing area, the flora and fauna of the lease boundary and surrounding area are well-documented. The surveys conducted and the literature reviewed provides abundant information about the birds that utilize the proposed project area year-round. Appendix C, Biological Resources Reports, of the Draft EIR contains biological resources reports that provide detailed information from a variety of sources regarding species reported to occur in the lease boundary, as well as in the Recreation Area. Appendix C, Plant Species Observed On-Site, to Appendix C-4, Revised Biota Report/Biological Assessment, of the Draft EIR, contains a list of plants observed during general surveys and focused surveys conducted in 2006 and 2007. Appendix E, Flora Observed in the Recreation Area, to Appendix C-4, Revised Biota Report/Biological Assessment, of the Draft EIR, contains a list of birds reported to occur in the Recreation Area as compiled from various sources including materials available at the Nature Center, in addition to the surveys conducted specifically in support of the Draft EIR, such as the Summer Bird Survey Report for the San Gabriel River Discovery Center provided in Appendix C-2 of the Draft EIR. The results of these surveys and the analysis provided in the Draft EIR

constitute substantial evidence and provide the decision makers with sufficient information and analysis which enables them to make a decision which intelligently takes account of environmental consequences.

As stated in the Draft EIR, removal of mature native and landscape trees within the lease boundary would create permanent, direct impacts to suitable nesting habitat for bird species. Mitigation measures BIO-A through BIO-C would increase sensitive habitats for use for refuge and foraging within the lease boundary. Irrigation of saplings as part of the restoration plan would be necessary for establishment only. In addition, the proposed project involves creation of a constructed riparian/wetland area that would have a beneficial impact to species such as the least Bell's vireo in the long-term. Mitigation measure BIO-E is provided to ensure that all birds, are not harmed during construction. The impacts would be less than significant with implementation of mitigation measures BIO-A through BIO-Q.

The commenter also asserts wetlands were not adequately evaluated. As discussed on pages 3.3-22 and 3.3-23 of the Draft EIR, the Robert S. Joe Commemorative Ditch is located on the eastern edge of the natural area. In order to avoid this area entirely, the lease boundary was modified prior to the release of the Draft EIR. As such, there is no riparian habitat located within the lease boundary (see pages 3.3-2 through 3.3-8 of the Draft EIR). In addition, some of the related projects, including the Lario Creek (Zone 1 Ditch) Realignment and the USACE 1135 project would actually provide more riparian habitat through these projects than currently exists.

As stated in response to comment 4-1 and as discussed on page 3.3-6 of the Draft EIR, in the Whittier Narrows area, the original walnut trees that make up the walnut woodland community located within the lease boundary may have been planted for cultivation. The walnut trees within the lease boundary were determined to be of hybrid origin involving California walnut and either black walnut and/or English walnut. See also pages 21 through 24 of Appendix C-3, Habitat Assessment for the Whittier Narrows Natural Area (Eastern Portion) in Appendix C of the Draft EIR. As stated on pages 3.3-19 through 3.3-21 of the Draft EIR, because the walnut trees in the lease boundary are hybrids, they are not considered a rare and sensitive vegetation community, like the California walnut woodland. Even though this community is not a sensitive vegetation community, the Authority chose to mitigate for impacts to the walnut woodland at a replacement ratio commensurate with California walnut woodland. With implementation of mitigation measure BIO-A, the impact to walnut woodland would be reduced to a less than significant level and a total of 0.32 acres of walnut woodland would be replanted within the lease boundary.

CEQA requires consideration of effects to candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, including species which meet definition of endangered, rare or threatened even if they are not formally listed. No listed, candidate, sensitive, or special status insects are known to occur within the vicinity of the proposed project based on a review of the California Natural Diversity Data Base described on page 3.3-9 of the Draft EIR.