

Outdoors

in Orange County

Friends of Harbors, Beaches and Parks Summer 2019



A residential project in the Yorba Linda hills.

Premier Environmental Law at Risk

By: Claire Schlotterbeck, FHBP Consultant

In recent years, the State of California has taken significant steps to encourage the construction of more affordable housing, particularly within already-developed areas.

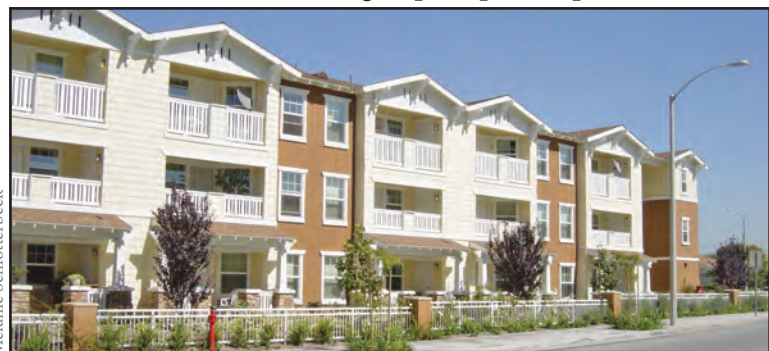
The most effective way to address our housing crisis is to develop and enforce policies that are laser-targeted to increase housing supply and address issues of affordability. This issue is simply too important to waste time and energy chasing down red herrings that won't make a meaningful difference in the supply of affordable units. For example, earlier in the year, Governor Newsom threatened to support legal action against the City of Huntington Beach for shirking its responsibility to zone enough land for affordable housing units. This sent a clear signal to jurisdictions throughout California: state regulators are prepared to enforce existing housing law to meet the demand for affordable housing.

Unfortunately, big developers, banks, and their mouthpieces are attempting to leverage the housing crisis as an excuse to weaken key environmental laws like the California Environmental Quality Act (CEQA). Weakening our state's premier environmental law would pave the way for developers to make big profits by building tract homes on agricultural land, open space, and fire-prone areas that are inappropriate for development rather than producing infill-style housing. Removing environmental protections would also clear the way for oil producers and trucking companies to pollute our shared air and water instead of taking steps to protect public health.

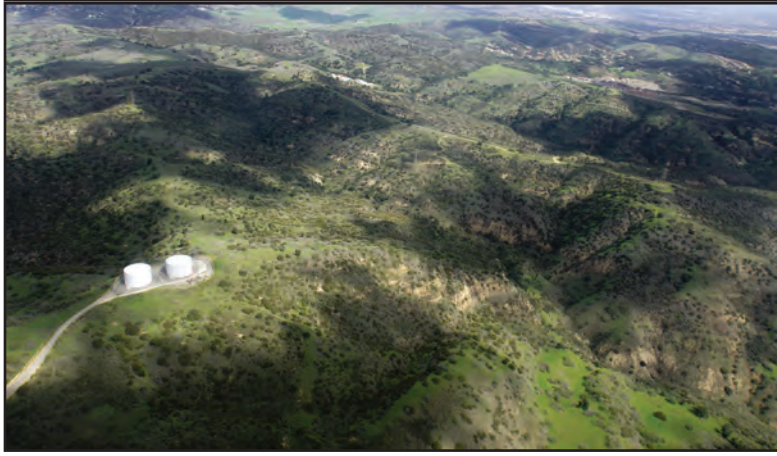
Many developers prefer to build single-family homes in undeveloped areas because they enjoy higher profits than they might in redeveloping a parcel that's close to existing businesses and transit. But single-family homes built far away from jobs ultimately cost more, not only in purchase price but also in transportation costs, commute times, and in many cases, wildfire risk. And they create more traffic and air pollution for all of us. The long-term solution to our affordable housing crisis is infill housing, built within urban areas and with access to transit options. It is both more affordable by design and consistent with other state priorities, like improving air quality and limiting the impacts of climate change. Town homes built in urbanized areas often cost much less than traditional single-family homes in suburbia—sometimes half the price—enabling more young families to become homeowners without giving up the benefits of city living.

We don't need to make any changes to our state's environmental laws, including CEQA, to reach current and projected housing goals. CEQA has been revised and streamlined in recent years specifically to encourage infill housing. And very few lawsuits are actually filed under CEQA: less than 1% of projects subject to CEQA review are actually challenged in court. Several independent studies, including two recent reports from UC Berkeley, show that local policies and regulations—rather than state planning and environmental review requirements—are the real source of the home building holdup.

State policymakers—from Governor Newsom to local city council members—must find a way to make housing more affordable while still protecting precious natural lands, public health, water supplies, and air quality. Such solutions should retain laws like CEQA, which give all members of the public a voice in land use decisions that affect their community. And they should prioritize targeted solutions that directly address the question of the hour: how to provide safe, healthy, and affordable housing for every Californian.



Local CEQA Successes



Melanie Schlotterbeck

By: Gloria Sefton, FHBP Board member

The California Environmental Quality Act (CEQA) requires public agencies to prepare an Environmental Impact Report (EIR) whenever a project may cause significant adverse effects on the environment. A “significant effect on the environment” means a substantial, or potentially substantial, adverse change in physical conditions within the area affected by the project. The EIR must adequately describe the project, analyze alternatives (including “no project”), and adopt feasible mitigation measures to avoid significant environmental impacts. The governmental agency determines whether impacts can be mitigated to below a level of significance. The EIR is designed to encourage public input regarding a project’s environmental and community impacts.

FHBP has been involved in challenges where CEQA and other state law violations were found, including:

Red Rock Gardens (2018): Approval of a commercial events venue along Santiago Canyon Road in Silverado violated CEQA because the County failed to prepare an EIR analyzing the project’s potentially significant traffic safety impacts. The Board of Supervisors rescinded the approvals in June 2019. This decision has now been appealed by the project applicant.

Esperanza Hills (2015): The EIR for the project’s 340 houses on 469 acres in unincorporated Orange County above the City of Yorba Linda failed to properly analyze and/or mitigate greenhouse gas (GHG) and water impacts, and fire evacuation plans. It also failed to describe the project adequately by not including its adjacency to Chino Hills State Park. Project approvals were overturned twice. The GHG section is being updated for consideration by OC Supervisors in August.

Madrona (2014): The EIR for the project’s 162 hilltop houses on 365 acres in the City of Brea failed to analyze consistency with Brea’s Sustainability Plan and the Carbon Canyon Specific Plan grading standards. It also failed to analyze climate change, traffic, and recreation impacts. Because the court found the EIR inadequate, the City, following a court order, rescinded all project approvals in July 2018.

Saddle Creek in Trabuco Canyon and **Banning Ranch** in Newport Beach are other successful local CEQA challenges. CEQA was also used to reach settlement agreements with the following projects: **Cielo Vista** (above Yorba Linda), the **North Diemer Access Road** (Brea), and **Tonner Hills** (above Brea).

FHBP’s CEQA Study



Robb Hamilton

By: Melanie Schlotterbeck, FHBP Consultant

Last December, Friends of Harbors, Beaches and Parks (FHBP) received a grant to analyze development and infrastructure projects in Orange County. This grant focuses on projects that have been approved and constructed already. When an environmental review occurs under the California Environmental Quality Act (CEQA), the first goal is to avoid impacts. If that can’t be done, then those impacts must be reduced through mitigation (offsetting the impacts). Our effort is to determine if a project’s mitigation measures were successful at reducing impacts to endangered and threatened plant and animal species.

We asked conservation and community groups to submit projects and 40 projects were received. To date, 28 projects have been removed because they were: (1) duplicates, (2) the project did not impact endangered or threatened species, (3) the projects were tied to a master conservation plan (so mitigation was done at broad scale already), or (4) the documents didn’t show where the mitigation sites were located—making it impossible to determine success or failure of the mitigation measures. We have focused on 12 projects that impact sensitive plants and/or animals and where mitigation measure information can be obtained.

FHBP has used a variety of tools in our efforts to gather information, including: personal communications with agency staff, interviews with local conservation groups involved in the project, submission of nearly 60 Public Record Act Requests (a process that allows the public to view government documents), and, when necessary, requesting documents from the developer directly. Since, we are still sifting through the paperwork and maps, and completing site visits, we don’t have details to share just yet. However, our goal is to publish a report this fall outlining our findings.

For the last year, CEQA lawyers have been meeting across the state to discuss specific revisions to CEQA that improve, streamline, or remove burdensome requirements. It’s called CEQA 2.0. Our overarching goal is to be able to use Orange County as a statewide example for how biological mitigation is or isn’t working. This way everyone in the state can benefit from our research. We plan to include a number of recommendations in the study and use the information we have gathered for future projects.

Local Extinction Risks



By: Claire Schlotterbeck, FHBP Consultant

According to a recently released report by the United Nations (UN), it estimated that one million species are at risk of extinction due to deforestation, overfishing, poaching, development, invasive species, and other human activities. Human pressures threaten to unravel the bonds that link us all to the earth we depend on. Loss of one million species poses serious consequences for human beings as well as the planet.

The report was based on a review of about 15,000 scientific and government sources by 145 experts from 50 countries. The rich biodiversity of our planet provides us with food, clean water, air, and energy. National Geographic reported, “In parts of the ocean, little life remains, but green slime. Some remote tropical forests are nearly silent as insects have vanished, and grasslands are increasingly becoming deserts. Humans have severely altered more than 75 percent of Earth’s land ...”

The UN report suggests that saving land for the suite of species that belong there is the way to stem the dangerous tide. Their goal is to protect half of the planet by 2050.

A local example of the impacts of the loss of biodiversity recently came to light. It appears cougars in Southern California mountains, including our own Santa Ana Mountains (shown above), are at risk of extinction due to inbreeding. Our mountains have already lost the other top level predator—the grizzly bear.

Top level predators manage the whole ecosystem. Without them, in simplest terms, there is an explosion of mid-level predators like skunks, raccoons, and opossums. They are much better raiders of bird nests which then threatens the bird population. Without the birds distributing plant seeds, the whole ecosystem begins to fall apart. Many of the charismatic wildlife we have worked to save could be lost over the long term as pieces of the web collapse.

The Mountain Lion Foundation and the Center for Biological Diversity have petitioned the State to list six sub-populations of cougar as a threatened species. Local cougars face a myriad of threats, including but not limited to depredation, loss of habitat, motor vehicle collisions, infighting between cougars due to overlapping territories, rodenticide poisoning, and poaching. Without the mountain lion, our local conservation efforts will not have the same ecological value.

2019's Wildflower Bonanza



By: Melanie Schlotterbeck, FHBP Consultant

This year’s Super Bloom was brought to us by a convergence of perfect conditions: just the right amount of sun, a lot of rain, and seeds that have been waiting for this opportunity for possibly decades. It is interesting how even those folks that really have NO apparent interest in wild spaces or recreation all of the sudden come in droves to catch a glimpse of nature’s beautiful spectacle.

Not only do we want to see pretty wildflowers, but we also want to hike to them, be photographed with them, and sadly roll around in them. Thousands of people descended on Walker Canyon in Lake Elsinore and it literally shut down the freeway for miles. Visitors left trash, used the side of the road as a restroom, and walked on the freeway. In another instance, a helicopter landed in the middle of the Antelope Valley Poppy Preserve, where two passengers hopped out and traipsed through the poppy fields. This isn’t how you treat nature.

While we may have no control over the Super Bloom itself, we do have control over how we respond to these appealing displays of color. Did you know that walking on a wildflower in bloom means that those flowers won’t go to seed and therefore won’t bloom again in that location? The same applies for that selfie lying down in a field of flowers—crushed flowers can’t bloom either.

Poppies are California’s state flower. They are protected by state law. Did you know a picked poppy is a dead poppy? That’s right, they die immediately and it will never make it to the vase.

In fact, many of the locations these flowers bloom occur are actually susceptible to damage because people go off trail—creating social trails. These new trails compact the soil and make it that much harder for any future vegetation to grow there. The oxygen, bacteria, and fungus that nurtures these plants are damaged indefinitely. Then, unknowingly, inexperienced users continue to walk or ride on these newly created trails.

So, the next time there is a Super Bloom, consider:

- Using an official trail map to see where it is okay to be;
- Avoiding crushing the flowers,
- Picking up your trash,
- Avoiding picking any flowers,
- Parking in designated locations, and
- Treating the gift kindly.



DRAFT

A Green Vision for Orange County...

This parcel-level map is the result of an ongoing collaborative project between Friends of Harbors, Beaches and Parks and local conservation and community organizations. It is a work in progress and intended for use as a general planning tool only.

Acquisition Opportunities

- Active Conservation Project
- Potential Conservation Land

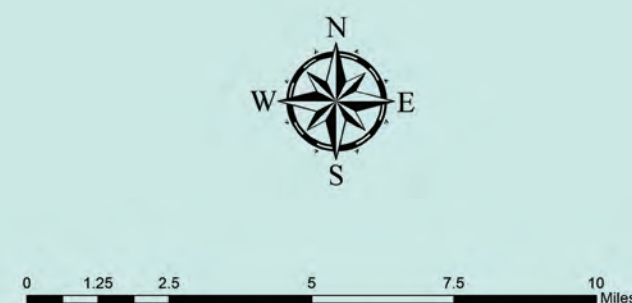
Other Land Designations

- Public Conservation Land
- Private Conservation Land
- Public Not Protected
- Easement / H.O.A. Land
- Golf Course / Cemetery
- Landfill
- Military Land
- Utility Land

Other Map Layers

- Nature / Education Center
- Stream Corridor
- Sacred Site
- County Boundary
- Watershed Boundary
- Highway

Data compiled from a variety of sources including First American Title and OCTA, with input from OC Parks; the California GAP Program at the University of California, Santa Barbara; the California Resources Agency - Legacy Project (2003); the Cities of Brea, Irvine, and San Juan Capistrano; and the California Protected Areas Database. © FHBP 2009-2019. All Rights Reserved.



Detailed descriptions of the categories used in this map can be obtained from the Friends of Harbors, Beaches and Parks website at: www.FHBP.org.

Articles: 1 & 6 Melanie Schlotterbeck; 2 Angela Lindstrom; 3 Theresa Sears; 4 Terry Watt; and 5 Flor Barajas-Tena

Project Updates

Esperanza Hills, above Yorba Linda (Map #1)

In May 2019, Protect Our Homes and Hills—a resident based group in Yorba Linda—won its fourth legal victory against a 340-unit hillside project in County territory adjacent to Chino Hills State Park. The Appellate Court decision outlined how a “trust us” approach in the Environmental Impact Report (EIR) doesn’t meet the standards of the law. The developer must revise the EIR for a fourth time and show the calculations that solar panels aren’t feasible mitigation measures for reducing greenhouse

gas emissions for this project. Unfortunately, the group just lost its 2018 lawsuit, but another appeal on CEQA is going through the court process. Residents are worried about the addition of hundreds more cars to local streets—when those same streets were gridlocked in the 2008 Freeway Fire evacuation.



Melanie Schlotterbeck

Coyote Hills, Fullerton (Map #2)

A voter approved referendum in 2012 and a number of legal challenges have not stopped the City of Fullerton from granting Chevron-Pacific Coast Homes approval for its development. Nonetheless, the effort to acquire the land continues. Between Friends of Coyote Hills’ efforts and the City’s work, \$23M is available for acquisition. With the parcel of land saved as a result of the referendum, the City is preparing to close a deal that will save the east half of the site, shifting most of the development

to the west side. The Friends continue to seek cooperation and funds to save all of West Coyote Hills to protect the viability of this precious habitat, and to allow park-poor North Orange County to get closer to its fair share of parks. This land use battle has been ongoing for more than 17 years.



Karen Lane

Sully Miller, Orange (Map #3)

There has been a long history to ensure that the Sully Miller property is kept as open space. Approximately 96 acres of the 109-acre former sand and gravel site has been designated “Permanent Open Space” by four different community plans, including the Santiago Greenbelt Plan. All plans were adopted by the City of Orange in the 1970s. Only 12 acres are zoned for residential with the balance currently zoned sand and gravel. Santiago Creek flows

through the heart of this property. Impacts from development cannot be properly mitigated as it’s in a flood plain, next to a landfill, and is prone to natural hazards. Orange residents already stopped two poorly planned projects. Now it is a 128-unit proposal. For more information go to: www.KeepOrangeSafe.org.



J. Phillips

Los Cerritos Wetlands, near Seal Beach (Map #4)

There is never enough funding to conserve the important landscapes that sustain wildlife, people, and planet earth. So, it is worth celebrating the launch of the Los Cerritos Wetlands Fund, a nimble philanthropic Fund, supporting projects that conserve, manage, restore, and enhance wetland and upland habitat in the unique Los Cerritos wetland ecosystem of Long Beach and Seal Beach. The Fund will achieve its mission primarily through grants to qualifying organizations that undertake projects

that the Fund believes will advance its mission. Founders of the Wetlands Fund represent businesses, non-profits, and individuals. These include The Trust for Public Land, AES California, Los Cerritos Wetlands Land Trust, and Beach Oil Minerals Partners.



Melanie Schlotterbeck

Willowick, Santa Ana (Map #5)

Willowick, an approximately 100-acre greenfield, is owned by the City of Garden Grove, but located in the City of Santa Ana. The site is presently used as an 18-hole golf course, and is designated as open space. Garden Grove has proposed to change the land use. Because Willowick is in Santa Ana, any new plans fall under its jurisdiction—not Garden Grove. Orange County Communities Organized for Responsible Development has organized Santa Anita neighborhood residents to promote a

community-driven process that prioritizes the land for parks, affordable housing, and other community uses. This area is park-poor and any development of this public land should consider the principles of equity that prioritizes the residents’ needs.



Melanie Schlotterbeck

OCTA Fire Management Plans, OC (Map #6)

The Orange County Transportation Authority (OCTA)—as part of its stewardship requirements for its 1,300 acres of natural lands—is creating Wildfire Management Plans. Seven preserves were created through the Authority’s mitigation program and each one gets its own fire plan. As part of this effort, past wildfire activity, sensitive wildlife and habitat communities, fire access roads, and anticipated future wildfire modeling will be included in these documents. The Plans are expected to be completed by Fall

2019 and will be posted online for the public to review. Concurrently, the Invasive Plant Species Plans are all drafted and some are already being implemented. This is an effort to remove non-native plants from the preserves and boost native habitats. Non-native plants can have enormous impacts on the land and spread of fire.



Projection: Lambert Conformal Conic
Datum: North American 1983
Last Update: February 2019

Friends of Harbors, Beaches and Parks (FHBP) works to protect the natural lands, waterways, and beaches of Orange County. Learn more at:

www.FHBP.org



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The 10 Outdoor Essentials

By: Amy Litton, FHBP Board member

Whether you recreate with friends or in a group, it is good to be prepared. What you carry with you, and why, is worth reviewing so that you're prepared in case of an emergency—yours or someone else's.



Locally, I often encounter hikers with little water (1) or no map or compass/GPS (2). I can provide directions, or give them my map. I can share water, too. But it's likely they're lacking in the rest of the "10 essentials." In reality, what you bring will depend on the weather, difficulty and duration of a hike, and the distance from help. Any equipment you bring; you should also know how to use.

Carry a head lamp (3) and extra batteries because if you fall and remain conscious, you can signal for help. Sunglasses (4) and sunscreen (5) are important, as is a compact, but well-stocked, first aid kit (6). Think about items with multiple uses. A light emergency bivy can serve as shelter for you or an injured hiker awaiting rescue. Having extra food (7) and water if you need it or to share is important, too. Both protective and extra clothes (8) in case you get wet or conditions change are smart items to carry.

That's eight. The remaining two are a knife (9) and fire (10) (matches, lighter, tinder, and/or stove). I don't carry these on short local hikes, but including them in a bag to transfer easily into your pack of choice is a good idea. Trekking poles can help on unstable sections of trail or if you twist an ankle. Remember to contact the park for questions about trail conditions. Notify someone outside your group about your route, or leave the route in your car. Wondering if you should use the sign in sheet at the trailhead? Yes. And remember - have fun!

FHBP leads several hikes a year. Our first hike was in May at the Dilley Preserve in Laguna Beach. The next hike is at O'Neill Regional Park in Trabuco Canyon on Saturday, October 19th. And, our final 2019 hike is at the San Joaquin Marsh on Saturday, November 9th. Registration links will be available at www.FHBP.org this fall.

Audubon California, Laguna Canyon Foundation, Sea & Sage Audubon, Sierra Club, and FHBP are founding members of the Safe Trails Coalition, but have over 30 support organizations. This article is intended to support the Coalition's effort. Learn more at: www.SafeTrailsCoalition.org.

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