

Dan Silver • Coordinator
8424-A Santa Monica Blvd., #592
Los Angeles, CA 90069-4267
TEL: 323•654•1456 FAX: 323•654•1931



Southern Orange County NCCP in Jeopardy

Enrollment agreements for the “Southern Subregion” Natural Community Conservation Plan (NCCP) were signed in 1993. This program, the purpose of which is to protect natural resources and allow compatible economic activity, should have been completed long ago, but there is still no plan. While the County of Orange is ostensibly the lead agency, the process has actually been run by the major landowner, the Rancho Mission Viejo (RMV) Corporation.

Considerable survey and reserve design work was put on hold for several years in order to synchronize the NCCP with wetlands regulation under the Army Corps of Engineers. However, the delays did not stop developers from taking advantage of the federal “4(d)” rule, which allows expedited take of threatened California gnatcatchers for NCCP participants. Dozens of gnatcatchers were lost and at least 15,000 units of housing development, including a massive RMV project, have gone forward in the NCCP planning area since 1993.

However, the heart of the subregion — the remaining 25,000 acres of the Rancho Mission Viejo — is intact. The rancho’s original Mexican land grant covered today’s Camp Pendleton, part of San Juan Capistrano, and the new cities of Mission Viejo and Rancho Santa Margarita. What remains is simply the finest coastal sage scrub in existence — with the largest population of gnatcatchers — and a great wilderness of coastal river valleys, critical for endangered species like the arroyo toad, tidewater goby, and the southern steelhead trout. Without the RMV, mountain lions would vanish from the Santa Ana Mountains, as would the only golden eagle pair in southern Orange County. Indeed, this historic and pristine landscape is Orange County’s “heart and soul.”

Just when the NCCP finally appeared to be moving forward, it became clear that the RMV Corporation was not seriously looking at the NCCP as a path for stewardship of the land. Rather, accompanied by a heavy-handed public relations blitz, and without any community input, they rolled out a massive development plan that would eviscerate the landscape. Clearly intending to preempt the NCCP by gaining premature entitlements, this tactic took us away from a collaborative outcome — our preferred approach — toward one of protracted conflict.

Currently, the entire property is zoned Open Space in the Orange County General Plan. No land use entitlements should alter that situation until a biologically sound NCCP is completed, consistent with the County’s long-standing commitment to the program. In response to this crisis, EHL has done the following:

- commissioned a scientific report on the resources of the region;
- commented on “Notices of Preparation” for NCCP documents;
- urged the County of Orange to establish a process for public participation in the NCCP;
- initiated a strategic education campaign to inform elected officials and the public about the treasures in their own backyard and the importance of these lands to their quality of life; and
- prepared legal and other strategies as contingencies, if the NCCP fails.

Inside...

San Diego County General Plan Update at Critical Juncture	2
New Staff Person Welcomed	2

Growth Inducing Roads Opposed by EHL	2
Thoughts on the Last Ten Years	3
Conferences Announced	3
Old Chestnut, poetry by Jess Morton	4

San Diego County General Plan Update at Critical Juncture

The East County of San Diego contains picturesque towns and ranches. It also contains mushrooming, poorly planned development that is rapidly destroying rural character in places like Ramona and Alpine. The underlying problem is a General Plan that has created thousands of "estate lots," some built, others not.

Over the last few months, an "Interest Group" of environmental, building, farm, and planning organizations has labored to create a series of concepts that would fundamentally change the status quo. With EHL playing an important role in their formulation, the concepts would direct future growth into existing communities, limit estate lots to areas already committed to that pattern of development, create "edges" separating town from country, and curtail further subdivision of land in the most scenic areas. Landowning interests proposed a transfer of development rights program to help implement the concepts, wherein increases in development potential would be linked to financial equity for lands that are not developed. Community groups are skeptical, however, because they are not sure that increased density in some locations will be tolerable. Even after proper rezoning, it is evident that some type of purchase program will be needed due to the degree of existing parcelization.

At this time, a draft map has been prepared based on the concepts. Over the next few weeks, we will know if stakeholders can pull together on solutions, or whether litigation and ballot measures will continue as driving forces.

New Staff Person Welcomed

To increase our capacity to tackle sustainable community issues in San Diego, Lynne Baker has joined EHL's staff. Lynne has degrees in engineering and law, and business experience in the housing sector. She is well known to the San Diego environmental community for her work on clean water with the Regional Water Quality Control Board and the California Attorney General's Office, and as a volunteer with the Sierra Club.

We have learned that we must fashion positive alternatives to sprawl if we are to save natural habitats. All of Lynne's skills will be needed as she brings together community groups, local governments, and private investors to pursue these alternatives — infill, reinvestment in older communities, and compact and transit-oriented development — coupled with the preservation of open space. In particular, she will work with minority communities on reaping the benefits of "smart growth." We thank the James Irvine Foundation for its support of this position.

Growth Inducing Roads in Inland Empire Opposed by EHL

The Riverside County Integrated Plan (RCIP) is a massive undertaking to plan comprehensively for community development, transportation, and habitat. EHL has participated intensively, seeking to increase rural and wildlife protections and to focus future growth around transit centers.

Recently, a selection of transportation alternatives was proposed for detailed review in environmental documents. One alternative would have constructed a new freeway through rural areas south of the new Diamond Valley Reservoir and then "bypassed" Temecula to the east. Instead of directly serving the already excessive amount of growth planned for the westerly sections of the County, this highway would induce new and currently unplanned growth in the highly scenic and sparsely populated hills east of Temecula along Highway 79. The Temecula wine country would suffer, and a major new barrier to wildlife movement would be put in place.

EHL strongly opposed this alternative in comments to the Riverside County Transportation Commission and Federal Highway Administration. We were pleased to note that the transportation Advisory Committee concurred in eliminating this alternative from further consideration.

In upcoming weeks, a draft Multiple Species Habitat Conservation Plan will be released, which EHL will closely scrutinize. In addition, final work is being done on incentive programs for compact development and for rural preservation. Controversial transportation routes across the Cleveland National Forest into Orange County are not being advanced to environmental review at this time, but remain under consideration.

ENDANGERED HABITATS LEAGUE

The Endangered Habitats League is a non-profit organization.
All contributions are tax-deductible.

Dan Silver Coordinator and Newsletter Editor

Jack Bath Director-San Bernardino County/EHL Secretary

Michael Beck Director-San Diego County

Jane Block Director-Riverside County

Pete DeSimone Director-Orange County

Jess Morton Director-Los Angeles County/EHL Treasurer

Thoughts on the Last Ten Years

In the Summer of 1991, Southern California conservationists gathered at Starr Ranch Audubon Sanctuary in Orange County to face a crisis. The development industry had organized in opposition to what many saw as our salvation — the possible listing of the California gnatcatcher as an endangered species. We formed a new organization to counter the developers, the Endangered Habitats League. I became its interim coordinator. Michael Beck, a gifted conservation leader, took the reins in San Diego. Organizing scientific support, we were able to shepherd the gnatcatcher listing through. No longer interim, I'm still here, having given up my medical practice along the way for what is truly a privilege: being able to work on saving what is left of Southern California.

After these ten years, I first of all want to thank our loyal members. Year after year, your generosity has been a source of amazement. Your confidence has sustained us, not just financially.

EHL has filled the niche of a regional conservation advocate, realizing that from Los Angeles to San Diego, we inhabit the same ecoregion. We have taken risks in the process, pursuing not only traditional advocacy and litigation, but also negotiating with non-conservation interests on efforts such as Natural Community Conservation Planning (NCCP). Compared to alternative strategies, large net gains have resulted. Our guiding principle has simply been to do whatever will gain the most for wildlife. We also expanded our focus to include growth management, becoming a voice for compact community design and transit. Along the way, we developed invaluable working relationships with state and federal agencies and local governments.

Our work, of course, is hardly done — witness the current struggle for Orange County's last wilderness and ongoing efforts to secure better General Plans in San Diego and Riverside Counties. Steadily, however, an impressive interconnected ecosystem preserve — from the Palos Verdes Peninsula to the Inland Empire to the Mexican border — is emerging. This is a system whose future value we today cannot fully appreciate. For example, the combined value of the San Diego National Wildlife Refuge, Rancho Jamul State Ecological Reserve, and Multiple Species Conservation Program may be a benefit equivalent to, had it been done one hundred years ago, setting aside tens of thousands of acres along the Los Angeles River.

During its early years, EHL had only two staff members, whose hard work often had to serve as its own reward. Contributions of time and labor from EHL's Board of Directors — Jess Morton, Jane Block, Pete DeSimone, and Jack Bath — have all been invaluable. Because we were small, we could make decisions quickly and seize opportunities. With increased foundation support, EHL has an opportunity to become a larger and more permanent presence on the Southern California scene. I am recommending we move in that direction, but with caution not to lose the qualities that have taken us this far.

Please stay with us.

—Dan Silver

Conferences Announced

The Local Government Commission (LGC) will hold a major conference in San Diego on January 24–26, 2002. It is titled, *"New Partners for Smart Growth: Building Safe, Healthy and Livable Communities."* EHL is pleased to be a cosponsor. LGC can be counted on to present excellent speakers and lively panel discussions. We anticipate that the City of San Diego's City of Villages plan will be prominently featured.

For conference and registration information, contact Michele Kelso at 916-448-1198 or mkelso@lgc.org, or log on to: www.outreach.psu.edu/C&I/SmartGrowth/.

The Urban Wildlands Group and the UCLA Institute of the Environment are hosting a conference at UCLA on February 23–24, 2002, *"Ecological Consequences of Artificial Night Lighting."* Leading scientists will report on the disruptive effects of artificial lighting on natural ecosystems, and practitioners will lead a workshop on the incorporation of the best available science into workable policy proposals to protect and restore the under-appreciated ecology of night.

For more information and registration instructions see: www.urbanwildlands.org/conference.html.

Old Chestnut

There's no return to Beacon Hill's old streets.
The elms have turned another season's hues.
Gold touches them by long gone rendezvous
where workmen once returned to snug retreats.
Came rattling up toward Joy Street in cheap cars
shouting hellos, fighting, drinking in the bars.

Repairmen visit now in tree-lined malls
to pave the rough spots over, back and fill
for betters who have struggled up the hill.

I walked one passageway between brick walls
and found there, towering over a blind tee,
an ancient, solitary chestnut tree.

Ripe chestnuts lay untouched, littering the lane,
in a hopeless, but unceasing, wait for rain.

—Jess Morton

ENDANGERED HABITATS LEAGUE

Dan Silver • Coordinator
8424-A Santa Monica Blvd., #592
Los Angeles, CA 90069-4267
TEL: 323•654•1456 FAX: 323•654•1931

First Class