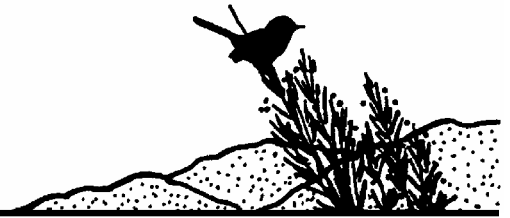


ENDANGERED HABITATS LEAGUE

Dedicated to Ecosystem Protection and Improved Land Use Planning

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A Palos Verdes NCCP Unpreserve

With a habitat reserve map that shatters the Palos Verdes Peninsula's most important remaining habitat into two isolated fragments, the City of Rancho Palos Verdes (RPV) released its "preferred alternative" design for the Natural Community Conservation Plan, or NCCP. Similar to an alternative put forward by the two main landholders, the City version leaves the door open for the development of dozens of homes and two golf courses in areas that should be preserved. If both golf courses were to go forward, they would flout the warning message of the recent landslide on the Ocean Trails Golf Course by overrunning coastal bluff top open space, including 30 acres of designated mitigation, and by building in an active landslide zone.

While relatively small in size, the Palos Verdes Peninsula is an important part of the coastal sage scrub ecosystem and westernmost stronghold of the California gnatcatcher. Originally a Channel Island which fused with the mainland, the peninsula retains a fascinating biota. If done correctly, the NCCP would capture and perpetuate these resources.

Whatever public reaction to the current proposal may be, the environmental

community and the wildlife agencies should shudder at maps like the one released. The RPV alternative illustrates everything the most extreme critics of the NCCP say is wrong with the program. It goes against the basic principles of sound habitat planning by fragmenting large blocks of habitat and disrupting wildlife corridors. It flouts the principle of avoiding hazardous areas by allowing developers to exchange unbuildable lands for properties of great value elsewhere. In the end, the critics insist, we would preserve more if we were to do away with the NCCP and fight each project on a case by case basis.

It's possible the critics are right when it comes to the PV NCCP. After five years of effort, we have a City-sponsored preserve design that cannot work as shown. The local success of the NCCP depends on how closely the final preserve comes to the alternative design prepared by EHL and local environmentalists. If RPV were to steadfastly refuse to allow building in landslide areas and keeps its agreement with the U.S. Fish and Wildlife Service on bluff top mitigation, enough land could be added to the "preferred alternative" to make a sensible preserve. If it does not, the NCCP must fail.

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Visit EHL's website at: <http://exo.com/~dsilver/>

EHL Testifies at Congressional Hearing

On July 9, 1999, the House of Representatives Resources Committee held a field hearing in Hemet, in western Riverside County. Boycotted by the minority party, the ostensible topic of the hearing was "Implementation of the Endangered Species Act in Southern California." Most of the day was spent in a one-sided bashing of the Carlsbad Field Station of the U.S. Fish and Wildlife Service.

One witness was a property owner trying to despoil the San Diego countryside with leapfrog development. He complained that the U.S. Fish and Wildlife Service found his surveys for the quino checkerspot butterfly inadequate. This infringement on perceived "property rights" was decried by Committee Members, yet the question was never asked, why didn't he simply do a survey according to published protocols? In another example, a minister advocating stewardship over Creation was mocked by one Committee Member and personally attacked by another.

The Endangered Habitats League, represented by Dan Silver, presented a different point of view. Project-by-project application of the Endangered Species Act serves no interest well. On the other hand, comprehensive multiple species plans not only protect species, but provide open space and quality of life benefits for local communities. Constructive, problem-solving approaches did not fit into the agenda of most Committee Members, however, and EHL's testimony garnered little attention. Overall, the hearing missed the opportunity for a productive dialogue on difficult issues, and legitimate concerns were overshadowed by angry rhetoric.

It is worth noting that despite the anti-environmental tone of the hearing, some Committee Members, such as Representatives Calvert and Bono, have provided important support for funding for habitat acquisition.

Delhi Sands Ecosystem Teeters on Brink

Last issue, we reported on the continued confrontational stance of Inland Empire jurisdictions toward the endangered Delhi Sands flower-loving fly (DSF) and its dune habitat. In the interim, there has been marginal progress but also a setback.

The Endangered Habitats League had sued the City of Rialto under the California Environmental Quality Act over issuing grading permits on habitat occupied by the fly. After the U.S. Dept. of Justice obtained an injunction against the project on Endangered Species Act grounds, the applicant came to its senses and negotiated an acceptable development footprint with the U.S. Fish and Wildlife Service, setting aside the occupied habitat. With this positive outcome, EHL also settled its case.

Subsequent to this demonstration of will by the federal government, a group of San Bernardino County

jurisdictions initiated discussions with the Service on a comprehensive conservation plan for the Delhi Sand dunes ecosystem. We will be supporting and monitoring the progress of this promising effort.

Meanwhile, EHL's challenge to the County of Riverside's approval of a project impacting Delhi Sands habitat - without recognizing the impact as significant under CEQA or requiring mitigation - was heard in Superior Court. While the judge was considering the case, the developer attempted to eliminate the sand dune vegetation which had rapidly restored itself after earlier grading. Unfortunately, the judge eventually ruled against us. EHL is appealing.

In a most ominous development, the City of Colton is set to approve an industrial project in the heart of the largest and most viable remaining block of Delhi Sands habitat. Only in this "core area" is it likely that the full diversity of the dune ecosystem can be maintained. The project would pose unmitigable impacts. EHL will be submitting comments under the California Environmental Quality Act and is prepared to litigate.

Crisis Averted on San Diego's Last Coastal Mesa

A crisis in the Multiple Species Conservation Program (MSCP) was narrowly averted in July when intense negotiations to preserve vernal pool habitat on Carmel Mt. in the City of San Diego proved successful. EHL worked with community and other environmental interests to resolve a complex land use conflict between conservation needs and Standard Pacific Homes.

At stake were the standards for defining the functional values of vernal pool watersheds. Without intact watersheds, the pools cannot persist. With the application of proper standards to the Carmel Mt. pools, a precedent has been set for future avoidance requirements as the MSCP is implemented.

Integral to the resolution were the State Coastal Conservancy, the Torrey Pines Assoc., the Nature Conservancy, and the Mayor's office. Also vital was the willingness of Standard Pacific to suspend grading in the disputed area while negotiations occurred.

ENDANGERED HABITATS LEAGUE

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

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Revised Timeline Issued for Southern Orange County NCCP

Testing the already depleted patience of conservationists, the Rancho Mission Viejo Company has issued yet another timeline for NCCP completion over its 34,000 acres. After years of delay and revised schedules, a proposed reserve design is now anticipated in mid-2000. Perhaps this time they're serious, as sought-after wetlands permits are being integrated into the NCCP process by the Corps of Engineers through a Subarea Management Plan, or SAMP.

EHL has consistently pointed out the conservation essentials for the plan. These critical areas include the whole of Chiquita Canyon - home to one of the two largest populations of gnatcatchers in the United States, lower Gobernadora Canyon, and the vast wilderness south of Ortega Highway and adjacent to Camp Pendleton and the Cleveland National Forest. Also, existing agricultural uses should be maintained along Ortega Highway. The wildlife values are enormous and unique, yet we anticipate extensive proposals for suburban sprawl.

If progress is not forthcoming, the County of Orange should exercise its prerogative to plan the area. Failing that outcome, a ballot measure would be imperative.

Upcoming Conferences on "Smart Growth"

The "hot" topic of smart growth will have a full airing at two upcoming conferences. The California Futures Network will host a Southern California Symposium on October 6, 1999 at the Biltmore Hotel in downtown Los Angeles (easily accessible by train). The keynote address will be given by State Treasurer Phil Angelides, who has emerged as an exciting leader on growth issues and is a "must hear" speaker. A strong coalition for change is taking shape. For information, contact the California Futures Network at 510-238-9762 or at «cfn@igc.org». EHL serves on the Steering Committee of CFN.

The following month, the Partners for Smart Growth Conference will be held on Nov. 17-19, 1999 at the Hotel del Coronado in San Diego. Hosted by the Local Government Commission, Urban Land Institute, U.S. EPA, and the Conservation Fund, meetings will explore why "dumb" growth into "greenfields" occurs, how new economic forces are shaping development patterns, and at infill project success stories. EHL is a co-sponsor of the event. For more information, visit the homepage at <www.uli.org> or call 800-248-5011 (Urban Land Institute) or 800-290-8202 (Local Government Commission).

Roads to Sprawl Update

San Diego County

For several months, EHL and our ally, the Back County Coalition, have committed great time and energy to a study being conducted by the San Diego Assoc. of Govts. (SANDAG) on the future of SR 94, a road targeted by highway boosters for expansion from 2 to 4 lanes. If expanded, it would open up the pristine countryside of southern San Diego County to bedroom communities. The study is based upon various assumptions of future growth and domestic and international traffic. EHL, with the assistance professional consultants, has taken issue with many of the initial technical assumptions. We have also rebutted a report issued by SANDAG making the implausible claim that growth induction would not occur and which downplayed the devastating effects of highway expansion on rural character. The future of one of the "last great places" is at stake.

Orange County

The battle against the Foothill Tollroad, slated to slice through San Onofre State Beach and the habitat of seven federally listed species continues unabated. Under legal pressure, the U.S. Fish and Wildlife Service finally designated San Mateo Creek, which the tollroad would impact, as "critical habitat" for the endangered tidewater goby. Also, DNA testing has confirmed that Southern steelhead trout inhabit the creek. It may take legal action to compel the recalcitrant National Marine Fisheries Service to recognize this population as endangered, however. On another front, the Federal Highway Administration is convening affected federal agencies to formulate a set of alternatives to consider. Such a list should include "no build" options such as widening Interstate 5 as well as less damaging routes. EHL will actively engage in the Environmental Impact Statement process. Meanwhile, Senator Tom Hayden's bill to protect all of California's State parks from incompatible highways has become a two year bill.

Fairy Shrimp Conservation Advances on Otay Mesa

EHL is partnering with the Southwest Center for Biological Diversity and aviation interests to develop a vernal pool conservation plan for the endangered Riverside fairy shrimp at Otay Mesa, near the Mexican border in San Diego County. Otay Mesa is one of the few remaining strongholds of the species, which only lives in these shallow, intermittently filled depressions. As mitigation for impacts to man-made ponds at Brown Field, the Air Commerce Center will acquire and enhance existing habitat, and create new habitat. The project will help recover the Riverside fairy shrimp, and further the science of vernal pool restoration.

Beasts and Botany of the Coastal Sage Scrub: Sagebrush

A sliver of moon hangs in the morning sky over the hillside as we wait. A light spring breeze catches at the sagebrush's feathery-tipped branches, giving them a slight motion. Enough to mask our bird's wary approach to the nest, did we not know exactly where that rests, hidden in the shrub's deceptively dense foliage. For sagebrush has an athletic delicacy to it, lithe and slender, yet wiry and tough as the landscape in which it lives. As safe a place as any to raise young, and a fitting plant to hang under such a moon.

No plant better characterizes our coastal sage scrub ecosystem than sagebrush, which takes its scientific name, *Artemisia californica*, from the huntress and moon goddess of Greek mythology, Artemis, who was herself portrayed as rugged, lean. Perhaps this plant takes its common name from the fragrance of sage, which it emulates, and which was known to the Europeans who settled the North American west. For there are many species of sagebrush in the west, all belonging to the genus *Artemisia*, which is itself worldwide in scope.

Of course, sagebrush was known—and used—long before European settlers arrived. The oils that provide its strong scent have antiseptic properties that allowed dried leaves to be ground and used for baby powder. It also was a valued fixture in the sweat lodges, increasing the potency of curative vapors. Its strength however, makes it doubtful that it ever replaced true sage as a cooking ingredient.

But sagebrush is food for others than humans. Many species of insects are adapted to it, including a shiny dark green one which first appears for a few weeks in huge numbers in its larval form, then later for a similar short time as an adult beetle. It probably serves as an important food item in the California gnatcatcher's diet, whose life is more closely tied to this plant than any other. I'd ask this one, but that quick flick of the tail over there means she's slipped back onto her nest. We're too late to ask this time around.

by Jess Morton

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First Class