2014
BALDWIN HILLS CONSERVANCY
MEETING DATES*

FRIDAY, JANUARY 17
FRIDAY, MARCH 28
FRIDAY, MAY 2
FRIDAY, JUNE 6
FRIDAY, AUGUST 1
FRIDAY, SEPTEMBER 19
FRIDAY, OCTOBER 24
FRIDAY, DECEMBER 5

***Note: dates are tentative and subject to change.**
Meetings are regularly scheduled from 10:00 a.m. until noon.

Baldwin Hills Conservancy (BHC)
NOTICE OF PUBLIC MEETING
The meeting of the Baldwin Hills Conservancy will be held
Friday, November 1, 2013 from 10:00 a.m. - 12:00 p.m.
Kenneth Hahn State Recreation Area
Community Center
4100 South La Cienega Blvd.
Phone (323) 298-3660

Teleconference Location:
Natural Resources Agency
1416 Ninth Street, 13th Floor
Conference Room 1305
Sacramento, CA 95814

10:00 am: CALL TO ORDER G. Allan Kingston, Chairman

MEETING AGENDA

PUBLIC COMMENTS ON AGENDA OR NON-AGENDA ITEMS WILL BE CALLED PRIOR TO ACTION ITEMS

Public Comment and Time Limits: If you wish to speak on an agenda item cards are available near the door to the meeting room. Individuals wishing to comment will be allowed up to three minutes to speak. Speaker times may be reduced depending on the number of speakers.

1. Call to Order – G. Allan Kingston, Chair

2. Roll Call – Gloria Dangerfield, Executive Secretary

3. Approval of Minutes (September) – G. Allan Kingston, Chair

4. Presentation of the Baldwin Hills Scenic Overlook Film produced by the California Legacy Project – Craig Sap, District Superintendent Angeles Sector California State Parks

5. Consideration of a resolution rescinding Resolution 13-09 and related amendments for agreement #BHC11000 with Los Angeles Infrastructure Academy – David McNeill, Executive Officer

6. Consideration of a resolution approving staff comments for the L.A. Citywide Cat Program Initial Study Mitigated Negative Declaration – David McNeill, Executive Officer

7. Executive Officer Report – BHC Staff Representatives
   Project Status Update
   Fiscal Update

8. Ad Hoc Committee Reports – Committee Chairs
   Board Development
   Marketing & Special Events

9. Board Member announcements or agenda items for future meetings

* Next meeting is tentatively scheduled for *December 13, 2013.*

ADJOURNMENT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodations to attend or participate in this meeting, including auxiliary aids or services, please call Gloria Dangerfield at the Conservancy at (323) 290-5270 at least five days prior to the meeting. For more information about the Conservancy, you may visit our website at **www.bhc.ca.gov**

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY
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MINUTES OF THE PUBLIC MEETING
of the
BALDWIN HILLS CONSERVANCY
SEPTEMBER 20, 2013

I. CALL TO ORDER

The public meeting of the Baldwin Hills Conservancy was assembled on September 20, 2013, at 9:10 a.m. and was held inside the Community Room at Kenneth Hahn State Recreation Area, at 4100 South La Cienega Blvd., Los Angeles, CA 90056. David McNeill, Executive Officer, announced that as the Chair had not yet arrived and the Vice Chair would not be in attendance, an Interim Chair would have to be elected. Member Guiney nominated Allan Boodnick as Interim Chair and was seconded. Call for the vote; all ayes and carries.

The Chair stated that roll call and approval of minutes would be heard once a quorum and the meeting would proceed with Item III on the agenda.

II. Consideration of a Resolution Authorizing a Matching Grant in an Amount Not to Exceed $141,000 of BHC Prop 84 Funds to the University of Southern California (Spatial Sciences Institute) for the Urban Biodiversity Assessment: Baldwin Hills Biota Update – David McNeill, Executive Officer

Mr. McNeill stated that this was a voting item and since there was no quorum, recommended reports on Items V and VI on the agenda be heard instead. The Chair stated he would pass on Item V, as a full board would need to be present to discuss it, and the meeting would advance to Item VI on the agenda.

III. Executive Officer Report

Project Status Update – Gail Krippner
Fiscal Update - David McNeill
Legislative Update – David McNeill

<u>Local assistance capital outlay project report</u>.
Mr. McNeill stated that currently the Conservancy has three Prop 84 projects and five Prop 40 project in various stages of completion:
1) Today – completion of the Los Angeles County Eastern Ridgeline Development Project. The Department of Toxic Substances Control did the majority of monitoring the site and they have come up with a soil management plan to deal with any soils that may cause problems.
2) Norman O. Houston Park Improvements. The City of Los Angeles is still working on pre-construction of the sewer connection for the restrooms being installed.
3) Infrastructure Academy Grant. Mr. McNeill stated he worked with them and the Council for Watershed Health and they were not able to come to an agreement to continue work as proposed in the amendment. He will be coming back to the board to rescind the recommendation. They are going straight to project closeout and he has done all due diligence collecting key information and the grantee is transferring the Greenhouse to the County of Los Angeles as a donation; they are working on a MOU to have the L.A. Audubon Society take over the greenhouse and related facilities.
4) Stoneview Nature Center Grant. Los Angeles County Parks' planning and design program is in progress and there has been several meetings in regards to the interpretative programming of the site and how it will work. The County has hired a new consultant group to look at options on how to integrate agriculture, water management, and a number of other opportunities for habitat interpretation at the site.
5) Park-to-Playa. Project on Stocker (across the street from the current Eastern Ridgeline Project) is one of three projects meeting at the intersection of Overhill, Stocker, and La Brea. One has just been completed, one is in the design stage, and the other one has just started

III. Executive Officer report (cont'd)

Fiscal Update (Attachment II).
Mr. McNeill reported on expenditures - the Conservancy is working on a new FY since June and this report is as of end of July.

- The Prop 40 and Prop 84 positions. Interviews are scheduled for the Prop 84 position for September 23¨ Patrick Reynolds (Culver City) and Sean Woods (State Parks) will be assisting him with the interviews.
- Capital Outlay. BHC has approximately eighteen million dollars remaining in Prop 84 and Prop 40 funding. The balance of funds is tied to the Strategic Plan and over the next five years will contribute to accomplishing parts of our mission.
- Bond Cash. This is basically cash which the Conservancy can spend on these projects immediately and totals five million dollars. It's sufficient to get the Conservancy through its monthly projections and expenditures.
- Legislative Updates - Senate Bill 184 (County of Los Angeles sponsored bill). The bill was signed by the Governor and the measure becomes effective January 1, 2014. This allows for the County Supervisor to appoint a designee to represent Supervisor Mark Ridley-Thomas on the
- Conservancy's board. Karly Katona will serve as his designee.
- SB4 is the oil and gas well stimulation bill that was put together by Senator Fran Pavley. The bill has passed the Assembly and concurrently was passed by the Senate with some amendments. It is prepared to be placed on the Governor's desk for approval.
- Water Bill – two different bills are going through the Senate and the Assembly. Both are in committee and being proposed for a water bond/climate change bond for November 2014. Both are similar in terms of their objectives. In regards to the funding and spending, they have several different chapters in which the spending will be allocated for different priorities. The Conservancy is certainly interested in being part of these priorities. A committee meeting will be held on September 24 in Sacramento and the Conservancy will have representatives from the community to speak on its behalf.

At this point, the board was still without a quorum; the Chair stated Agenda Item III could not be discussed, and apologized to the guests present scheduled to speak on that item. Member Dixon thought it would be worthwhile to allow them to go through the materials on Agenda Item III. The Chair stated he had considered the idea to proceed with the item without acting on it. Mr. McNeill asked Travis Longcore (USC) to go ahead and give his presentation for discussion only until such time a quorum could be met; Mr. Longcore complied.

IV. Consideration of a Resolution Authorizing a Matching Grant in an Amount Not to Exceed $141,000 of BHC Prop 84 Funds to the University of Southern California (Spatial Sciences Institute) for the Urban Biodiversity Assessment: Baldwin Hills Biota Update – David McNeill, Executive Officer

Travis Longcore, Regent Professor, USC Spatial Science Institute, stated he had been approached sometime ago by Bill Vanderberg who was interested in having them do an updated biota of the Baldwin Hills. They have done projects in the past and have worked with the Baldwin Hills Conservancy on them. They are proposing an update to the 2002 study, as time has elapsed and with the changes in technology, they can now create on-line maps that can be accessed and used as a framework to keep track of what goes on in the natural areas. His proposal involves several major species inventory and tracking components. Mr. Longcore expects to integrate with education programs going on through L.A. Audubon and others and also expect to integrate with systems science projects out of the Natural History Museum; with the possibility to get people to do a Baldwin Hills specific mobile phone app. He's received a number of letters of support from colleagues and hopes that the Baldwin Hills Conservancy will support it as well. The funds will be matched pending action on a grant from the Baldwin Hills Regional Conservation Authority.

V. Public Comments

Bill Vanderberg, Baldwin Hills Conservation Regional Authority board member, stated he served several years ago served on the executive committee who came up with the vision of "one great park." When the initial study of the Baldwin Hills biota was done, he was impressed with the details, but as it's a book, he

V. Public Comments (cont'd)

Finds it not very useable. He's a frequent park user and see signs warning of certain animals that don't exist in reality, as this is an urban park. He feels these signs and misconceptions scare away potential visitors. He's very excited about the opportunity to support this project and asks that the Conservancy support it as well.

Ron Webster, member of the Santa Monica Mountains Task Force and Sierra Club, represents the Sierra Club in the Baldwin Hills area; they highly support the update of the biota assessment.

At this point, the Interim Chair turned the meeting over to the Chair who had arrived during the discussion. The Chair asked if there were any further comments

Member Guiney stated County Parks supports the study and they would look into the mountain lion signage.

Member Jones stated he would like the idea of having signs warning of rattlesnakes put in place.

Quorum present – this portion of the minute reflects discussion and board approval of Agenda Item III (Consideration of a Resolution Authorizing a Matching Grant in an Amount Not to Exceed $141,000 of BHC Prop 84 Funds to the University of Southern California (Spatial Sciences Institute) for the Urban Biodiversity Assessment: Baldwin Hills Biota Update)

Mr. McNeill stated staff was seeking approval of Resolution 13-12 authorizing approval of a matching grant in an amount not to exceed $141,000 from Prop 84 funds, but first informed the board that the first Item III, which says "supplement in the board package," should be removed and to proceed to the second Item III. He deferred to their ad hoc committee chair, Member Lloyd Dixon to give an update of their committee's review of the grant in terms of criteria.

Member Dixon reported their committee had met last Monday to review the grant and evaluate it based on the criteria the Baldwin Hills Conservancy has in place for these types of submissions. They found that overall the grant complied with different aspects with different criteria. They also assessed ways in which the project could contribute to the goals of the Baldwin Hills Master and Strategic Plan. They found first that it would help restore natural habitat and in addition, improve watersheds connected to the Santa Monica Bay.

Mr. McNeill added they will have technical reports for each survey area and will also be working with USC's project managers throughout the project and receive updated reports from them. They will be working with some local support groups and non-profits (in terms of the field work) and training them on how to use the database. Member Alvis suggested that if the board approves this item that the geo-spatial data be made available to California's geo portal. Mr. Longcore (USC) responded that they have their own geo portal and can port it over to anyone else who wants to have it. Member Guiney made the motion to approve and the motion was seconded. The Chair called for the vote; all ayes, motion carries.

VI. Roll Call

Members Present:
Julie Alvis, Allan Boodnick, Lloyd Dixon, Russ Guiney, Robert Jones, Chair Allan Kingston, Jason Marshall, and Craig Sap.
Members Absent:
Jacquelyn Dupont-Walker*, Karen Finn*, Yolanda Gorman*, Starlett Quarles*, Supervisor Mark Ridley-Thomas, Sara Amir*, Joan Cardellino*, Patricia O'Toole, Joe Edmiston, Patrick Reynolds, and Marina Voskanian*.
(* = advance notification of absence)
Staff Present:
David McNeill, and Gloria Dangerfield.

VII. Approval of Meeting Minutes (June)

The Chair called for the motion to approve June's minutes. Member Boodnick made the motion and was seconded. The Chair called for the vote. All ayes, motion carries.

VIII. Discussion and Possible Action on the Baldwin Hills Conservancy 2013 Strategic Plan Update – David McNeill, Executive Officer

Mr. McNeill reported the update will translate the goals of the Baldwin Hills Master Plan into actionable steps towards achieving the agency objectives. The Conservancy has done the Strategic since 2004, with several updates. Mr. McNeill finished with an overview of the plan. Member Boodnick made the motion to approve and was seconded. The Chair called for the vote. All ayes, motion carries.

IX. Ad Hoc Committee Reports -
Board Development – Allan Boodnick

Member Boodnick stated that in the next board meeting (if there's a quorum) he would like to revisit this report. Today, he will lay down the foundation. The Baldwin Hills Conservancy is comprised of individuals committed to its mission and apparently, the governor has determined to keep it that way; at least for those he ultimately appoints, giving the board the opportunity to recommend their own choices. He went over current vacancies that exist on the board. He proposed a board development committee to assist those whose terms have expired or will expire with their re-application process; pre-screen and recruit potential candidates, replace those who choose not to re-apply; assist active members with the completion of their annual Conflict of Interest Form (Form 700) identify legislature or legislatures who will sponsor change to the Baldwin Hills Conservancy's statute (relative to extending term limits) and assist members with on-line ethics training. Suggestions were made by members on how to make it a priority for elected members to be present.

X. Board Announcements

A public comment was made by George Rheault who is a resident Village Green. December 14 marks the fifteenth anniversary of the collapse of the Baldwin Hills Reservoir and he is curious if the Baldwin Hills Conservancy was doing any type of acknowledgement. Village Green is planning a lecture/event on the afternoon of December 14 to commemorate and would like anyone to have who would like to participate. He feels it's important and asked Mr. McNeill if it was on his radar and maybe has spoken with DWP and other county people who might, themselves, want to pull together some of their history. Mr. McNeill responded he appreciated Mr. Rheault's offer of partnership and there's already been a kick-off meeting to talk about it. Irma Munoz has been spearheading talks with County Supervisor Mark Ridley-Thomas, County Parks, and the Baldwin Hills Conservancy. They've had discussions about doing something inside Kenneth Hahn State Recreation Area. Mr. McNeill would love to partner with Village Green and like Mr. Rheault to join the next planning meeting.

Member Dixon expressed that he was disappointed that the Infrastructure Academy project fell through, he thought it was a great project and the type of thing that he would like to keep doing. He encouraged Mr. McNeill to solicit other proposals to do the invasive species removal and habitat restoration.

Member Boodnick mentioned the handout from the New York Time's article about diversity in parks didn't really apply to the Conservancy, but thought it was an interesting article for them to read.

XI. Adjournment

There being no further business brought before the board, the meeting was adjourned at 11:13 a.m. to attend the Eastern Ridgeline Facilities Dedication Ceremony.

Approved:

G. Allan Kingston
Chairman

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Memorandum

To: **Governing Board**

Fr: **David McNeill, Executive Officer**

Date: **November 1, 2013**

Re: Agenda Item 4: Presentation of the Baldwin Hills Scenic Overlook Film produced by the California Legacy Project – Craig Sap, District Superintendent Angeles Sector California State Parks

Background: Last month California State Parks hosted the film premier of the new visitor's film produced for the Baldwin Hills Scenic Overlook. The outdoor event was well attended by area stakeholders and provided a preview of a larger effort to promote the variety of parks that make up the State's wealth of public open space. The fifteen minute film offers a brief history of the geology and ecology of the Scenic Overlook and its interface with the largest county in California.

Please see the following link to download the film clip being presented at the meeting:

https://www.dropbox.com/sh/3fi92mjty5urgeg/F-fejj-fug

The **California Environmental Legacy Project** offers a fresh approach the environmental education challenge. Combining rich visual imagery, digital distribution and artful storytelling, the Legacy Project seeks to awaken public understanding and stimulate cultural change through an integrated package of environmental media programs. Led by distinguished scientists, leading educators and award-winning media professionals, the Legacy Project will connect our everyday lives to the life of California's natural systems and inspire us to become long-term partners with nature.

Becoming California is a two-hour public television documentary that will explore our past, present and future relationship with California's natural environment. Narrated by award winning actress Jane Fonda and with an original score by legendary musician Pat Metheny, the producers present a monumental tale of colliding tectonic plates, the community of life, human exploitation, coexistence and more. Astonishing videography and photorealistic 3D animations will make this program one of the most compelling of its kind. The documentary is targeted for statewide broadcast in spring 2014.

For more information visit: http://www.calegacy.org/the-documentary/

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Memorandum

To: Governing Board

Fr: David McNeill, Executive Officer

Date: November 1, 2013

Re: Agenda Item 5: Consideration of a resolution rescinding Resolution 13-09 and related amendments for agreement #BHC11000 with Los Angeles Infrastructure Academy

Recommendation: Adopt resolution 13-13 rescinding authorization for amendments to agreement #BHC11000 with Los Angeles Infrastructure Academy

Background: Approval of this resolution would allow staff to finalize project closeout certification in preparation for disencumbering the remaining unspent balance of approximately $177,225 in BHC Prop 84 grant project funds.

On June 28, 2013 the Governing Board approved resolution 13-09 authorizing the Executive Officer to execute an amended agreement with our grantee, Los Angeles Infrastructure Academy, for the Baldwin Hills Parklands Restoration Project. The impetus behind the amendment was the announcement of Infrastructure Academy's intent to dissolve by the end of September 2013. The proposed amendment provided for budget reallocations within the original grant amount as well as a revised scope for technical assistance, mapping, weed monitoring, and reporting. Execution of the amendment was predicated on an agreement for sub-contracted services being reached between Infrastructure Academy and its project partner, Council for Watershed Health.

During the three weeks following the BHC action, the two parties were unable to reach an agreement and Infrastructure Academy withdrew from the negotiations citing time constraints imposed on the organization by their Board of Directors. Once BHC staff was notified there were no further plans for the project, a close out program was initiated to collect a full accounting of grant and matching fund expenditures, project deliverables commensurate with the nineteen (19) months of program implementation, and an inventory of project assets purchased pursuant to the scope of work.

Through the remainder of September, staff worked with Los Angeles County Parks and Recreation to document the transfer of all project assets to the County for use solely within the Baldwin Hills Parklands for invasive species removal and habitat restoration related projects. Additionally, a three year In-Kind Use Agreement was executed between County Parks and our non-profit partner, Los Angeles Audubon Society, to maintain and utilize the project greenhouse, shade structure, tools and associated equipment for volunteer native plant propagation, invasive weed removal, habitat restoration and stewardship training within the Baldwin Hills territory.

BALDWIN HILLS CONSERVANCY (BHC)
RESOLUTION 13-13

RESOLUTION RESCINDING RESOLUTION 13-09 AND AUTHORIZING THE WITHDRAWAL OF PROPOSED AMENDMENTS TO THE PERFORMANCE PERIOD, SCOPE AND BUDGET FOR AGREEMENT #BHC11000 WITH LOS ANGELES INFRASTRUCTURE ACADEMY FOR THE BALDWIN HILLS PARKLANDS HABITAT RESTORATION PROJECT

WHEREAS, under Division 22.7 of the California Public Resources Code, the Baldwin Hills Conservancy was created to acquire open space and manage public lands within the Baldwin Hills area and to provide recreation, restoration and protection of wildlife habitat within the Conservancy territory; and

WHEREAS, Public Resources Code 32569 (a) states the Conservancy may award grants to nonprofit organizations for the purposes of its division; and

WHEREAS, Los Angeles Infrastructure Academy is an exempt organization under section 501 (c) (3) of the Internal Revenue Code; and

WHEREAS, pursuant to Public Resources Code 75060, funds from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 are available for projects in the Baldwin Hills and Ballona Creek Watershed to promote access to and enjoyment of the coastal resources of the State; and to prevent contamination and degradation of coastal waters and watersheds; and

WHEREAS, Los Angeles Infrastructure Academy entered into agreement #BHC11000 with the BHC under a Prop 84 grant award pursuant to BHC Resolution 11-05; and

WHEREAS, Los Angeles Infrastructure Academy has managed the Baldwin Hills Parklands Restoration Project over the past nineteen (19) months meeting the scheduled timeline and milestones for tasks and deliverables for that portion of the agreement; and

WHEREAS, Los Angeles Infrastructure Academy's fiscal constraints made it necessary for the organization to notify the BHC of its scheduled date to cease current staff operations on June 15, 2013, with plans to formally dissolve the organization after financial and legal obligations have been concluded; and

WHEREAS, the BHC, Los Angeles Infrastructure Academy and the existing project partners failed to enter into an agreement for implementation of proposed amendments to include budget reallocations for technical assistance, mapping and reporting; and

WHEREAS, all parties agree to cease project activities and close out the grant leaving the unexpended project balance of $177,225 in BHC Prop 84 grant funds for disencumbering; now

THEREFORE BE IT RESOLVED, THE BHC GOVERNING BOARD APPROVES RESOLUTION 13-13, RESCINDING RESOLUTION 13-09 AND AUTHORIZING THE WITHDRAWAL OF PROPOSED AMENDMENTS TO THE PERFORMANCE PERIOD, SCOPE AND BUDGET FOR AGREEMENT #BHC11000 WITH LOS

Passed and Adopted by the Board of the
BALDWIN HILLS CONSERVANCY

on _____, 2013.

_____
Allan Kingston
Chair

ATTEST: _____
Rosana Miramontes
Deputy Attorney General

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Memorandum

To: **Governing Board**

Fr: **David McNeill, Executive Officer**

Date: **November 1, 2013**

Re: Agenda Item 6: Consideration of a resolution approving staff comments for the L.A. Citywide Cat Program Initial Study Mitigated Negative Declaration

Recommendation: Approve Resolution 13-14 for the attached draft comment letter submission to the City of Los Angeles on or before November 4, 2013.

Background: On October 3, 2013, the City of Los Angeles released an Initial Study /Mitigated Negative Declaration that proposes the establishment of a "Cat Program" involving the citywide coordination of actions and activities to increase spay/neuter of rates of cats and generally reduce the euthanasia of cats in City animal shelters. In addition, the proposed program includes: 1) a minor amendment to Section 5.199 of the Los Angeles Administrative Code regarding the scope of use of the Animal Spay and Neuter Trust Fund; 2) increasing the number of cats that may be kept without a kennel permit to five cats; 3) allowing the feeding of free-roaming cats in colonies; and 4) exempting cat colony operators from cat kennel permit requirements. Under the proposal, cat colonies would not be allowed in Environmentally Sensitive Areas or parks.

Staff's analysis of the City's proposed program finds problems with the strategies to reduce the incidents of stray cat euthanasia through more aggressive spay/neutering and allowing for increased outdoor feeding of colonies to reduce kennel population. While the program would include public education opportunities for wildlife advocacy, the proposed amendments are primarily aimed to benefit cats and would have undisputed ecological impacts in the Baldwin Hills territory. Based on our analysis, two specific amendments proposed by the City present an inherent detriment to indigenous wildlife and are in conflict with existing State Law. Ultimately, these proposed amendments are not compatible with the habitat preservation and wildlife protection goals of the Conservancy.

The Baldwin Hills Parklands, including Kenneth Hahn State Recreation Area, Culver City Park, Scenic Overlook and adjacent community parks currently have an overabundant feral cat population. This is an incessant problem for most large wilderness areas in the County due to the public's continual abandonment of unwanted pets at parks (see attachment #2). Despite current policies and ongoing enforcement of County and State law, the proliferation of cats in our parks is unabated. These free roaming cat colonies depend on local residents and or non-profit advocates to water and feed them at illegal stations in and around the Baldwin Hills. Park or animal control officials regularly remove the feeding stations and educate cat care takers of the prohibition on feeding activities; however the problem has not been curtailed.

As a part of our mission, the Conservancy is actively involved in protection and restoration of native habitat within the territory. Addressing feral cats and their negative impacts on preservation of the remaining biodiversity of plant and animal species residing in the parklands is critical to the health of the remaining native ecosystems. Accordingly, the draft comment letter prepared by staff does not support the proposed ordinance as written (see Attachment #1).

BALDWIN HILLS CONSERVANCY (BHC)

RESOLUTION 13-14

RESOLUTION APPROVING THE SUBMISSION OF THE DRAFT STAFF COMMENT LETTER TO THE CITY OF LOS ANGELES, REGARDING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE CITYWIDE CAT PROGRAM

WHEREAS, under Division 22.7 of the California Public Resources Code, the Baldwin Hills Conservancy was created to acquire open space and manage public lands within the Baldwin Hills area and to provide recreation, restoration and protection of wildlife habitat within the Conservancy territory; and

WHEREAS, pursuant to Public Resources Code 32565.5, the BHC shall give priority to related projects that create expanded opportunities that provide recreation, aesthetic improvement, and wildlife habitat in the Baldwin Hills area.; and

WHEREAS, the City of Los Angeles proposes to amend sections of Chapter V Article 3 of the Los Angeles Municipal Code to reduce cat euthanasia and kennel overpopulation in the City; and

WHEREAS, Staff analysis of the proposed amendments reveal conflicts with California Fish and Game Code Section 252.1, as well as potential threats to the indigenous habitat of the Baldwin Hills Parklands and Significant Ecological Areas of the Ballona Creek which exist in within the Conservancy's statutory boundaries; and

NOW, THEREFORE BE IT RESOLVED, THE GOVERNING BOARD APPROVES THE SUBMISSION OF THE DRAFT STAFF COMMENT LETTER TO THE CITY OF LOS ANGELES, REGARDING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE CITYWIDE CAT PROGRAM

Passed and Adopted by the Board of the
BALDWIN HILLS CONSERVANCY

on _____, 2013.

_____
G. Allan Kingston (Chair)

ATTEST: _____
Rosana Miramontes
Deputy Attorney General

DRAFT

November 1, 2013

Catalina Hernandez
City of Los Angeles
Bureau of Engineering
1149 South Broadway, Suite 600, Mail Stop 939
Los Angeles, CA 90015.

Re: Initial Study/ Mitigated Negative Declaration - Los Angeles Citywide Cat Program

Ms. Catalina Hernandez:

The Baldwin Hills Conservancy was created to manage and acquire land within the Baldwin Hills Area and provide wildlife habitat restoration and protection pursuant to California Public Resources Code 32555 (a). The Conservancy Territory and its amalgamation of public lands rest at the intersection of unincorporated Los Angeles County, Culver City, City of Los Angeles and the State of California. The unenclosed boundaries of nearly 750 acres of parkland overlap jurisdictions in several areas, making the unintended impacts of a neighboring municipality's ordinances a going concern for the agency's planning and habitat conservation goals. As a concerned stakeholder, we offer comments on a few specific amendments as proposed in the City's Initial Study/Mitigated Negative Declaration for the Citywide Cat Program.

Two new provisions discussed in the Initial Study pose significant challenges in future application and enforcement and are not adequately addressed by the Mitigated Negative Declaration. The first is the provision that attempts to geographically define the term "colony" without addressing open space or vacant areas that are not parkland. The second is the proposed exemption for persons feeding and watering feral cats, a practice currently prohibited by Section 53.06.5 (b) of the Los Angeles Municipal Code.

Under the existing municipal code, "colony" is undefined. The definition provided in the Initial Study attempts to protect two geographic areas by simply restricting the free roaming feral cat hunting and foraging area to spaces that are; a) not inside parks; and b) not within a mile of a Significant Ecological Area (SEA). This definition would allow unfettered feeding and care of feral cats to take place in large open space areas immediately adjacent to the Baldwin Hills Parklands and the SEA's of the Ballona Creek and Wetlands.

It is important to recognize one of the unique characteristics of the Baldwin Hills Territory is its proximity to a wide range of open spaces that are not considered parks, but are indisputably open natural areas that host a variety of animal life. Large easements held by utility, flood and transportation entities, as well as undeveloped cemetery land in and around the Parklands and Ballona Creek would become fair ground for lawful feeding and care of feral cat populations exclusively. Several of these unenclosed areas host free roaming cat populations currently being fed by volunteer caretakers illegally. As defined under the new ordinance, restrictions for feeding in these geographic areas would be lifted, allowing for a potential increase in feral cat population and permeation of the cat colonies into adjacent parks. This also creates the potential risk that cats in a colony within one mile of an environmentally sensitive area could end up in an SEA as part of their extensive foraging range.

Implementation of a policy that provides for legal feeding of cats without addressing other wildlife living in these large areas also imposes a major enforcement issue for the City, County and State. Moreover, the policy is in conflict with the native habitat restoration objectives of the Conservancy and could have devastating consequences to the California Threatened or Species of Special Concern listed as a part of the Ballona Creek SEA.

The newly proposed exemption cited in the ordinance would also lift prohibitions for the volunteer caretakers who feed and water sterilized cats, explicitly negating the existing Municipal Code Section 53.06.5 (b), which, as described in the Initial Study, “prohibits any person from feeding or in any manner providing food for a non-domesticated mammalian predator, which may include feral cats”. The exemption would also undermine existing California Fish and Game Policy. The Fish and Game Code is the foundation for the enforcement of wildlife regulations within the County. Case law has upheld that feeding stray cats, feral cats and wildlife animals fall under the California Fish and Game Code 251.1 Harassment of Animals. Per the code, "harassment" is defined as: An intentional act which disrupts an animal's normal behavior patterns, which includes, but is not limited to, breeding, feeding or sheltering. This section applies to the feral cat feeders because wild animals have access to the food stations as well. If the act of the feeding is intentional, it does not matter that the food was intended for feral cats if wildlife animals have access.

If the proposed ordinance is adopted as written, the normal activities of foxes, raccoons, skunks, vermin and other animals that hunt and forage in the area would be disrupted. The ongoing maintenance of cat colonies by caretakers in these unrestricted open areas would create an attraction for mesopredators to join the ritual feeding and vie for the regularly scheduled sustenance. To further complicate the issue, in order to avoid violating the revised municipal code, the caretaker would be responsible for identifying only sterilized cats for feeding

DRAFT

while restricting non-sterile cats and at-large wildlife community from partaking. Enforcement of the ordinance as written is highly unlikely, creating an untenable situation for both caretakers and law enforcement agencies.

While the Citywide Cat Program has the humane goal of reducing cat euthanasia in Los Angeles, the prescribed course of action should not create unintended adverse impacts to publicly owned natural lands, nor should it contradict existing law. Accordingly, the Conservancy recommends removal of the amendment provision that includes a definition of a colony from the municipal code; and removal of the exemption provision proposed for LAMC Section 53.06.5 (b).

Sincerely,

David McNeill
Executive Officer

DRAFT

Attachment #2

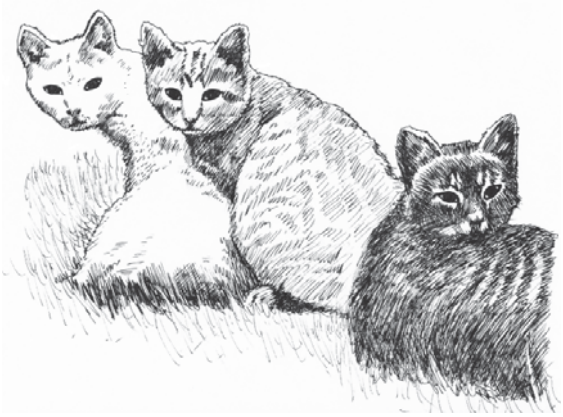
Housecats in Our Parks

Listen! What's that rustling in the bushes? It's not wildlife, it's a housecat! Untamed domestic, or "feral," housecats are commonly found on city streets, and are being seen more and more frequently in our state parks.

Where do they come from and why are there so many?

Pet owners faced with unwanted cats may abandon them outdoors, sometimes in parks. Well-meaning people then feed these cats, sometimes following a plan where the cats are trapped, neutered, possibly vaccinated, and re-released in an outdoors location. Problems inherent in this approach include:

- Cats will continue to be dumped where people think they will be fed.
- Catching all cats before they reproduce is impossible, so the number of cats increases.
- A large number of cats in one area, and cat food, attracts predators and other animals and encourages the spread of disease.
- People may stop putting out food, leaving the cats to try to survive on their own.



What is the problem with cats in parks?

Cats catch and kill small mammals, birds, reptiles and amphibians—it is their habit as predators—and by doing so they compete with native predators. Studies have found that the typical housecat allowed to roam outdoors brings home more than 50 small mammals, birds, and lizards per year. This number would be even higher for feral cats living in our state parks.

Additionally, feral cats also pose a public health risk, from bites and scratches to rabies and other diseases that can be passed to both wildlife and humans. Feral cats live difficult, often painful lives, exposed to a host of dangers including bad weather, accidental injury, intentional harm, predation by dogs and wildlife, injury from other cats, and disease.

What is park policy on feral cats?

Housecats do not belong in our state parks. To willfully abandon any animal is prohibited by state law, and the feeding of feral cats within state parks is specifically prohibited by state regulations. Whenever possible, cats are humanely trapped by park staff or animal control agencies and removed to local animal shelters, where they often must be euthanized.

What can you do?

Visitors should report feral cats and feeding stations to park staff when cats are seen in undeveloped areas of the park.

Please do not feed cats, or any wildlife, in state parks.

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www.parks.ca.gov

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Memorandum

To: Governing Board

Fr: David McNeill, Executive Officer

Date: November 1, 2013

Re: Item 7: Executive Officer Report

Projects Status Report

Please see the updated BHC Local Assistance / Capital Outlay Projects Status Report (attachment #1).

Fiscal Update

Please see BHC Summary Expenditure Sheet by Fund (attachment #2) and the BHC Prop 40 & Prop 84 Bond Cash Funds (attachment #3). The reports correspond with the end of month two (2) of the 2013-14 fiscal year.

Attachment #1

Baldwin Hills Conservancy
Local Assistance / Capital Outlay Projects Status Report
11/1/13

Capital Outlay Grantee/Administrator	Project Title	ContractID	Fund Source	Funds Allocated	PROJECT STATUS
California Dept. of Toxic Substance Control (DTSC)	Environmental Monitoring and Soil Management Plan Implementation	BHC11004	Prop 40	$465,000	**Eastern Rideline Project is complete; DTSC will continue to monitor Soil Management Plan on upcoming construction projects.**
Los Angeles County Chief Executive Office	Eastern Ridgeline Development at KHSRA	BHC07012	Prop 40	$2,971,900	**Open to public on 9/20/13; Project closeout late Winter 2013.**
City of Los Angeles	Outdoor Improvements at Norman O. Houston Park	BHC11002	Prop 40	$1,800,000	**Pre-construction on sewer connection began 9/9; construction contract awarded; Project completion expected June 2014.**
Generation Water	Baldwin Hills Parklands Habitat Restoration	BHC11000	Prop 84	$400,000	**Project complete; closeout Fall 2013.**
City of Culver City	Park to Playa Trail - Design Development of Pedestrian/Bicycle Ramp at Higuera Street	BHC11003	Prop 84	$60,000	**Design contract awarded June 2013; Design completion expected October 2013.**
Mountains Recreation and Conservation Authority (MRCA)	Milton Street Park Construction	BHC12000	Prop 84	$2,000,000	**Final plan approvals Fall 2013; expected to go out to bid Winter 2013.**

Baldwin Hills Conservancy
Local Assistance / Capital Outlay Projects Status Report
11/1/13

Capital Outlay Grantee/Administrator	Project Title	ContractID	Fund Source	Funds Allocated	PROJECT STATUS
Los Angeles County Dept. of Parks & Recreation	Stoneview Nature Center	BHC 12002	Prop 40	$5,000,000	**Park program planning and site design in-progress; Project completion expected Winter 2015.**
Mountains Recreation and Conservation Authority (MRCA)	Park to Playa Trail - Stocker Corridor Section	BHC12004	Prop 40	$1,030,000	**Construction documents in review; obtaining permits in Fall 2013; Expected to go out to bid early 2014.**
University of California (USC)	Baldwin Hills Biota Update	BHC 13003	Prop 84	$140,794	**Contract documents in-progress.**

Attachment #2

Baldwin Hills
2013/14 Summary Sheet by Fund

Fiscal Month 02

As of 8/31/2013	PCA #	Original Appropration	EXP + ENC	BALANCE
ELPF - #0140, Support				
2013 Budget Act Item 3835-001-0140	**10001**	$ 351,000.00	$ 42,023.66	$ 308,976.34
Prop 40 - #6029, Support				
2013 Budget Act Item 3835-001-6029	**10005**	$ 115,000.00	$ 15,225.82	$ 99,774.18
Prop 84 - #6051, Support				
2013 Budget Act Item 3835-001-6051	**10009**	$ 101,000.00	$ -	$ 101,000.00
		Total Support Balance:		**$ 509,747.52**
Prop 40 - #6029, Capital Outlay				
2005 Budget Act Item 3835-301-6029	**20003**	$ 8,648,000.00	$ 2,253,388.19	$ 6,394,611.81
2004 Budget Act Item 3835-301-6029	**20002**	$ 7,200,000.00	$ 3,817,597.65	$ 3,382,402.35
2003 Budget Act Item 3835-301-6029	**20001**	$ 7,200,000.00	$ 5,199,999.11	$ 2,000,000.89
2002 Budget Act Item 3835-301-6029	**22000**	$ 15,000,000.00	$ 14,473,955.70	$ 526,044.30
Prop 84 - #6051, Capital Outlay				
2009 Budget Act Item 3835-301-6051	**30002**	$ 3,050,000.00	$ 980,280.00	$ 2,069,720.00
2008 Budget Act Item 3835-301-6051	**30001**	$ 3,050,000.00	$ -	$ 3,050,000.00
2007 Budget Act Item 3835-301-6051	**30000**	$ 3,050,000.00	$ 2,000,000.00	$ 1,050,000.00
		Total Cap Outlay Balance:		**$ 18,472,779.35**

Attachment #3

BOND CASH FUNDS

As of 8/31/13

		CASH ALLOCATED	EXPENDITURES	BALANCE
2010 SPRING BAB SALE				
	PROP 40:	$579,277.00	579,277.00	$0.00
	PROP 84:	$829,272.44	740,990.31	$88,282.13
2010 DECEMBER BAB SALE				
	PROP 40:	$603,452.18	239,694.32	$363,757.86
2010 DECEMBER TE SALE				
	PROP 40:	$60,547.82	0.00	$60,547.82
2010 SPRING TE SALE				
	PROP 40:	$1,415,869.68	0.00	$1,415,869.68
	PROP 84:	$2,473,145.41	0.00	$2,473,145.41
2009 OCTOBER TE SALE				
	PROP 40:	$782,332.87	292,768.39	$489,564.48
	PROP 84:	$197,000.00	39,254.99	$157,745.01
2009 MARCH SALE				
	PROP 40:	$901,961.01	901,961.01	$0.00
			Total Bond Cash	**$5,048,912.39**

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Memorandum

To: Governing Board

Fr: Board Development Ad Hoc Committee – Allan Boodnick, Chair

Date: November 1, 2013

Re: Item 8: Ad Hoc Committee Report

Report: The committee requests Board Members recommend candidates for the Nomination Committee to consider for potential election to the Vice Chair position. Eligible candidates will be selected by the Nomination Committee and presented for open elections at the upcoming December 13th Conservancy meeting.

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Memorandum

To: Governing Board

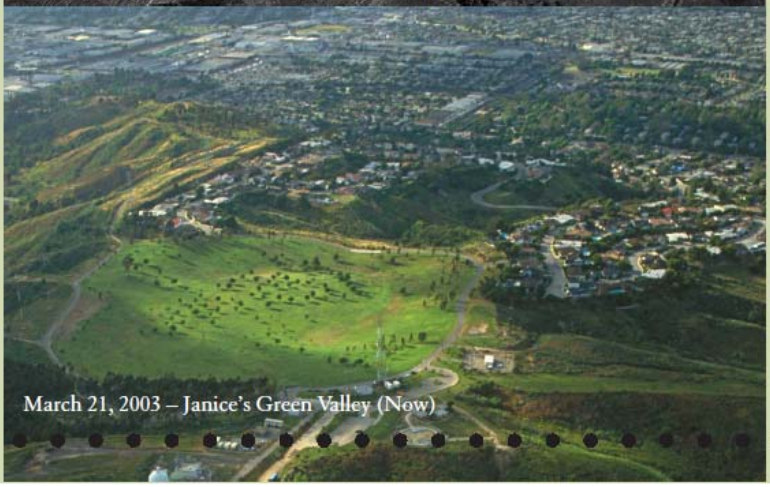
Fr: Marketing/Events Ad Hoc Committee – Jackie DuPont Walker, Chair

Date: November 1, 2013

Re: Item 8: Ad Hoc Committee Report

Report: The committee is coordinating the Baldwin Hills Dam – 50 Years Later Commemoration scheduled for December 14, 2013 (see Save the Date flyer on next page). The Los Angeles County Department of Parks and Recreation will be hosting the event at Janice's Green Valley (former dam site) from 11:00 am to 4:00 pm. The event will feature multiple booths with a history of the area, emergency responders, homeowner associations, non-profits, businesses and community organizations. Save the date flyers have gone out and outreach to media, participants and stakeholders is underway. Support for the event is being provided by the L.A. County Supervisors Office of Chairman Mark Ridley-Thomas, L.A. County Parks, Ladera Civic Association, Village Green, Mujeres De La Tierra, Northeast Trees, the Los Angeles Department of Water and Power and the Conservancy.

December 14, 1963 – Baldwin Hills Reservoir (Then)


March 21, 2003 – Janice's Green Valley (Now)

SAVE THE DATE!

COMMEMORATE

the 50th Anniversary of
the Baldwin Hills
Dam Failure &
Celebrate the Unfolding of
our Magnificent Parklands

Saturday, December 14, 2013
11:00 am to 4:00 pm
Janice's Green Valley
(former dam site)
Kenneth Hahn State Recreation Area

For additional information,
please call 323 290-5270
or email david.mcneill@bhc.ca.gov