

WILDLIFE CORRIDOR CONSERVATION AUTHORITY

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January 17, 2014

David Crabtree, AICP
City Planner/Community Development Deputy Director
City of Brea
Civic & Cultural Center
1 Civic Center Circle
Brea, California 92821

**Brea City Council Meeting January 21, 2014, Appeal of
Development Review (CCSP) No. DR 08-01, Vesting
Tentative Tract Map No. TT 15956 and 2012/2013
Update of Final Environmental Impact Report
No. EIR 02-01 for the Madrona Residential
Development Plan**

Dear Mr. Crabtree:

The Wildlife Corridor Conservation Authority (WCCA) was created to provide for the proper planning, conservation, environmental protection and maintenance of the habitat and wildlife corridor between the Whittier-Puente Hills, Chino Hills, and the Cleveland National Forest in the Santa Ana Mountains.

Orange County, including the project site, is part of the Southwest Ecoregion of the California Floristic Province. This region is considered a global hot spot of biodiversity – a place rich in species, which is also threatened by development.

WCCA provided comments on the 2012 Update of the Environmental Impact Report No. 02-01 for the Madrona Residential Development Plan in a letter dated January 31, 2013. WCCA has followed the proposed developments on this site over many years and provided numerous comment letters on the previously-proposed Canyon Crest Plan for the subject site.

Approval of the project as currently proposed would necessitate adoption of a Statement of Overriding Considerations (SOC) in the areas of land use/planning (regarding removal of oak and walnut woodlands), air quality, and traffic. Based on WCCA's evaluation, a SOC cannot be supported. There is no justifiable public benefit to approve the project as proposed. WCCA's previous letters made recommendations for project alternatives. WCCA continues to recommend that the applicant reduce and shift the project footprint to avoid significant adverse environmental impacts. The project should be reduced and shifted to avoid more oak

David Crabtree, City of Brea
Madrona Residential Development Plan
January 17, 2014
Page 2

and walnut woodlands, while resulting in a balance of cut and fill. It should be the applicant's and City's responsibility to modify the project so that it does not result in those unavoidable significant adverse impacts.

In particular, over 1,300 oak and walnut trees would be removed. Oak and walnut woodlands are limited distribution habitat types. Every effort must be made to avoid impacts to these trees and woodlands. The proposed Tree Management Plan (TMP) is inadequate mitigation to adequately offset the anticipated acreage loss of walnut and oak woodlands. For any TMP, the conditions of approval for the project must include the requirement that the California Department of Fish and Wildlife review and approve the TMP, including specific locations with land access agreements settled, prior to vegetation clearance.

WCCA also emphatically reiterates from previous comment letters that the assurances for permanent protection of remaining open space onsite (and for mitigation areas) are inadequate. It is not appropriate to dedicate the natural open space onsite to a homeowners' association (HOA), as the goals of the HOA may be contrary to the goals of permanently and steadfastly preserving the biological resources. A condition of approval should specify that the remaining open space shall be protected in perpetuity through a fee title dedication, and/or a grant of a conservation easement(s), to a conservation and land management agency acceptable to the City and the California Department of Fish and Wildlife. An appropriate entity to accept this dedication could be California State Parks (dependent on State Parks' concurrence at that time), WCCA, or the Mountains Recreation and Conservation Authority.

A condition of approval must also be included that incorporates a provision for funding the monitoring and/or management of the open space. It does not make sense for a public agency to take on that expense, in essence subsidizing the development. The project description, mitigation measures, and conditions of approval should identify the specific, pre-permit issuance timing of the establishment of the open space funding. For example, this condition could require placing the funding in an escrow account, or finalizing a Landscape Maintenance District, prior to the issuance of a grading or other permit, map recordation, vegetation removal, or issuance of a certificate of occupancy.

We appreciate your consideration of these comments. Please maintain our agency on your email/ mailing lists for this project. If you have any questions, please contact Judi Tamasi of our staff by phone at (310) 589-3230, ext. 121, or by email at judi.tamasi@mrca.ca.gov.

Sincerely,



Glenn Parker
Chairperson