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Sent: Tuesday, March 21, 2023 11:32 AM
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Subject: Ballona Wetlands Update

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Dear Conservancy Board Members,

It has now been over six months since even your last web page update ([9/19/2022](#)) regarding the Ballona Wetlands. CA Fish and Wildlife has not been sending your staff quarterly progress reports, as required in the November 2021 grant agreement between the two agencies, which was executed by your staff pursuant to your May 2021 authorization. This is precisely the same lack of oversight, accountability and transparency that resulted in prior disbursements (most notably \$1.5 million in 2007 and \$6.25 million in 2012) being spent without achieving the stated objectives. At the 2012 meeting, Mary Small explained why the Conservancy would **not** seek to permit the project sequentially ("it would cost so much more"), gave a project timeline of a just a few years (18 months for the project team and another year to year-and-a-half for USACE), and assured the Board that the \$6.25 million was enough to get through "the final engineering" [[audio](#)]. Now, over 11 years later, Conservancy staff **are** seeking to permit the project sequentially, cannot produce *any* timeline for the completion of final permitting and design for the actual project, and have nowhere near the funds needed to get through the "final engineering" (now estimated at an additional \$7 to \$9 million).

In that same 2012 meeting, Chair Bosco ["firm assurances of how this process is going to work" - [audio](#)] and Board member Notthoff ["transparency and inclusion" - [audio](#)] stressed the need to keep the public informed, sentiments that were repeated in May of 2021 and again in March of 2022 but never followed up on. Further, there has not been a single public meeting pursuant to funds you allocated in May 2021 and reallocated in March 2022 for that purpose, even as CDFW had plowed ahead with its desired plans. It is imprudent and inappropriate for a public agency to go silent on a matter of broad public interest for no other reason than to shield itself against public interest litigation that was itself necessitated by a lack of transparency and accountability. Just this week, headlines across major newspapers discussed our rapidly closing window of opportunity to address climate issues (early 2030s). Our planet and its many component ecosystems cannot survive public officials at any level that are more concerned with their own image than with the health and sustainability of these ecosystems for future generations.

CA Fish and Wildlife is currently paying Environmental Science Associates (ESA) from the Fish and Game Preservation Fund (FGPF). While CDFW may prefer that the FGPF funds eventually be reimbursed from the Prop 12 grant, we have not been provided with a single document or other piece of information indicating that such reimbursement is required by law or otherwise. CDFW has yet to submit a valid Request for Disbursement for the Prop 12 funds, which are set to expire in 11 months. It is important that you, and the public, receive a candid progress report at the April 6th meeting, summarized in a written staff report prior to that meeting, with an opportunity for genuine public discussion. Magical thinking is not going to provide a different result at Ballona this time around. The only way to avoid yet another disappointing outcome, and associated waste of time and money, is for you to exercise some basic leadership and to ask some difficult but necessary questions of your staff. What is the status of the public access plan for the ecological

reserve that has been discussed in detail in numerous staff reports? What is the status of the promised re-evaluation of soil excavation to better mitigate against sea level rise? What is the currently anticipated timeline and budget for completing new watershed modeling and levee design and obtaining federal permits and approvals? Why is your staff supporting sequential permitting now when they assessed such an approach was not feasible in 2012? What hydrological impairment is CDFW's current focus on only the first two construction sequences out of thirty-five designed to address?

Until you ask these questions, they will remain unanswered. Thank you for considering these comments.

Walter Lamb
Ballona Wetlands Land Trust

