From:	patricia mcpherson
To:	Samuelson, Taylor@SCC
Cc:	jeanette vosburg
Subject:	Coastal Conservancy November 30, 2022 Meeting--PUBLIC COMMENT. Update Ballona
Date:	Wednesday, November 23, 2022 2:20:12 PM
Attachments:	Screen Shot 2022-07-26 at 9.34.05 AM.png

Good Afternoon Taylor,

If you would please place this Update on Ballona Wetland matters onto Public Comment for the Coastal Conservancy's November 30, 2022 Meeting, we would be much obliged.
Thank you Taylor, these are current issues directly responsive regarding Coastal Conservancy actions taking place, affecting Ballona Wetlands Ecological Reserve.
Patricia McPherson, Grassroots Coalition

GRASSROOTS COALITION
Environmental Integrity & Public Policy

Dear Jennifer Wong (Dept of Water Resources/SGMA/GDE) and LA Regional Water Quality Control Board leadership, and the Santa Monica Groundwater Sustainability Agency,

The following information is additional response for the Santa Monica Basin Groundwater Sustainability Plan and is sent requesting your support to protect Ballona Wetlands biodiversity via protection of its natural freshwater resources that are in imminent peril of contamination with TMDL impaired sediment and saltwater via the California Department of Fish & Wildlife's (CDFW) intent to start excavation and construction for conversion of Ballona Wetlands, a predominantly freshwater driven ecosystem, into a fully tidal saltwater bay. This link goes right to CDFW's Land Manager-Brody's presentation at the start of the Coastal Commission November 18, 2022 Meeting and ends approximately six minutes later.

Your help and support in garnering the surface and groundwater interface data of the Playa Vista/ Ballona area per Best Management Practices under the Sustainable Groundwater Management Act will help your efforts with ours to properly evaluate Ballona under SGMA and as a Groundwater Dependent Ecosystem.

Please review the following Link that contains 2 ppts and letter to CDFW's SGMA division. The **first PPT**: provides slides of Ballona's plentiful, clean freshwater resources that are available, but that are being needlessly diverted to both the LA Sanitary Sewer System and the ocean by the adjacent development-Playa Vista and by the California Department of Fish & Wildlife. The **second PPT:** includes CDFW's Sequence 1 & 2 which proposes to initiate their conversion of Ballona Wetlands. CDFW intends to be on the Coastal Commission agenda this December 2022 to garner a Coastal Development Permit to start on Sequence 1,2.

The third includes Grassroots Coalition's letter to CDFW's Sustainable Groundwater Management Act Division and pertains to Ballona Wetlands and the need for a full Groundwater Dependent Ecosystem evaluation of Ballona.

https://saveballona.org/cdfws-nefarious-scheme-destroy-ballona-rare-coastal-wetlands.html

Background

While the Wildlife Conservation Board's September 30, 2003 minutes of meeting, cite to the California Department of Fish & Wildlife and the Coastal Conservancy and others as having temporary oversight of Ballona Wetlands during the acquisition period of Ballona, a clear path emerged via the determination of having the regulatory branch of the Department of Natural Resources--namely the California Fish & Game Commission induct Ballona Wetlands into the Ecological Reserve system of California. Accordingly, in 2005, the California Fish & Game Commission (FGC) approved Ballona Wetlands specifically as a Title 14, Section 630 Terrestrial, Non-Marine Ecological Reserve, vetting and registering the specific Purpose and Goal for Ballona's acquisition and induction into the Reserve system via the Office of Administrative Law (OAL) as follows:

1. California Regulatory Notice Register 2005, Volume No. 20-Z, Starting on page 663 Ballona Wetlands Ecological Reserve

https://www.dhcs.ca.gov/services/medi-cal/Documents/AB1629/ZREG/ZREG%2020-Z_5.20.05_notice.pdf

"Ballona Wetlands consisting of 553 acres in Los Angeles County is proposed for designation as an ecological reserve for the protection and enhancement of coastal salt marsh and freshwater marsh habitats, and associated species, including the state listed endangered Belding's savannah sparrow. The area is also an important wildlife movement corridor to other public lands in the vicinity of the wetlands.

The reasons for listing this property in Title 14 are to regulate public use and provide the best available protection for the species and habitats the property was acquired to protect." *Section 630, Title 14, California Code of Regulations, relating to Ballona Wetlands Ecological Reserve, 2005.*

https://www.laaudubon.org/blog/2021/10/30/inconsistencies-and-missed-opportunities-

The FGC induction of Ballona Wetlands into the California Ecological Reserve System, specific to Title 14, Section 630, having attendant specific Purpose and Goals set forth in the Office of Administrative Law (OAL) Registry, provided for the California Department of Fish & Wildlife (CDFW) to become the lead agency with oversight for Ballona Wetlands Ecological Reserve. The Fish & Game Commission already has codes and regulations in place that are Ecological Reserve protocols for management, evaluation and administration to which its Department of Fish & Wildlife is required to adhere.

Therefore, upon designation of Ballona Wetlands into the California Ecological Reserve System, the California Coastal Conservancy was no longer a lead agency but instead, an advisory agency whose role was to advise the CDFW on how to secure and utilize the legislatively appropriated, Ballona dedicated Proposition 12, 50 Funds. The millions of dollars of Proposition 12 & 50 funds have been available to fulfill the regulations and codes FGC requires to be performed for a newly inducted terrestrial, nonmarine ecological reserve (Title 14, Section 630).

It was incumbent upon the Coastal Conservancy to advise CDFW to utilize the funds held by the Coastal Conservancy for Ballona's restoration evaluations, which start with fulfillment of a Land Management Plan (LMP) under Section 1019 of the Fish & Game Code. A Land Management

Plan for the Ecological Reserve itself, would have included evaluation of Ballona's Reserve's own natural water resources, including groundwater and surface water (fresh and salt) as set within the entire watershed of its location.

This comprehensive Land Management Plan (LMP) has never occurred for the Ballona Wetlands Ecological Reserve. The lack of an LMP for the Ballona Wetlands is an anomaly within the Ecological Reserve system of California.

Rather than advising CDFW to utilize the legislatively available funds for evaluation of Ballona Reserve's own freshwater resources via the required Land Management Plan, the lead person for the Coastal Conservancy's advisory role, instead steered the funds into a switched and unapproved Purpose and Goal for Ballona. The Coastal Conservancy narrowed the scope of evaluation, by among other means, contracting and funding a 'Science Advisory Panel'* for their advice on how to achieve the Coastal Conservancy's preferred outcome, namely--'to restore the ebb and flow of the ocean'. The Coastal Conservancy's project choice was to radically remove the levee structures located outside of the Ballona Ecological Reserve boundaries and create new levees on Ballona Reserve's perimeter thereby creating a saltwater bay by introducing tidal saltwater into an historically closed to the ocean, and predominantly freshwater wetland ecosystem (Historical Ecology of Ballona Creek Watershed- Dark,Stein, Bram, Osuna, Monteferante,Longcore, Grossinger, Beller).

This Coastal Conservancy preferred outcome was a non-vetted and unapproved Purpose of Acquisition that was unknown to the public and contradicted the Fish & Game's Commission's and Office of Administrative Law's approval and registration of Ballona as a Title 14, Section 630 Terrestrial, Non-Marine Ecological Reserve whose Purpose of Acquisition required protecting the existing salt marsh (a vegetation indicator, not a term of saltwater inundation) and freshwater marsh habitats. * See slides 9,10 of 12: https://saveballona.org/president.presentations/ballona-wetlands.legal.review.2006.html

(This PPT also contains early agreements/ MOUs and the unanticipated switch to estuarine focus by the Coastal Conservancy.)

Significantly, the actions of the Coastal Conservancy narrowed the scope of review for Ballona's restoration and precluded all reasonable alternatives from being evaluated--including the most reasonable alternative, namely, an alternative that would evaluate and protect the abundant natural freshwater resources of Ballona in pursuit of a natural, highly sustainable approach to protecting the historic and current biodiversity of Ballona as a predominantly freshwater, seasonal and now very rare coastal wetland.

This alternative is still achievable and is the purpose of this letter requesting conformance with the Sustainable Groundwater Management Act; Porter-Cologne; 88-88; Clean Water Act; and conformance with numerous Fish & Game Codes.

The current situation of CDFW's drive for Coastal Develop Permits to start its conversion of Ballona Wetlands into a fully tidal saltwater wetland is imminent (Sequence 1,2 Coastal Commission 11/18/22 Meeting). The Coastal Conservancy is financially driving this conversion while claiming that if Ballona is not excavated below sea level, then the saltwater will not drain away from Ballona. We ask what does this matter to Ballona? Tidal saltwater regularly draining in and out of Ballona was not Ballona's historical nature, therefore tide gates to bring in and drain out impaired, toxic saltwater into Ballona neither protects the salt pan (which becomes active with seasonal freshwater ponding) nor protects salt tolerant pickleweed as can be observed in the

nontidal Sequence 1,2 areas that are healthy pickleweed vegetated areas due to Ballona's freshwater. Neither the Coastal Conservancy nor CDFW can provide a response without understanding the freshwater natural resources that exist at Ballona.

https://www.youtube.com/watch?v=w7S4A177FKs at 56:20 SCC's Mary Small:

'Coastal wetlands are vulnerable to sea level rise, absent any project the Ballona Reserve will lose existing habitat as sea levels rise, the tide gates that support the existing wetlands and salt pan will have to be permanently closed to prevent flooding of adjacent roadways, the site will no longer drain and existing habitat in the southwestern corner of the site would continue to convert to stagnant, flooded ponds.'

This comment is made without ever funding an LMP or GDE evaluation of Ballona itself.

And, with the tide gates permanently closed, she recites there is no risk of seawater flooding the roadways. So, ostensibly there would be no stagnant saltwater ponds. And there would not be a Flood Risk from saltwater intrusion.

The CDFW modeling does demonstrate, as Ms. Small also cites, that the southwestern area's current saltmarsh habitat will be destroyed, turning into mud flats and open water when Ballona is excavated per the CDFW Preferred Plan.

It would appear that the Coastal Conservancy, and CDFW (a board member of Playa Vista's flood control Ballona Conservancy (the catch basin system) are focused upon keeping drainage availability for the Playa Vista project needs rather than protection of Ballona Wetlands Ecological Reserve. The Main Drain of the Playa Vista Catch Basin is questionable as to its ability to act as a drain without excavating Ballona per CDFW's Preferred Plan.

Need for a Groundwater Dependent Ecosystem Study of Ballona- The target habitat cited by the Fish & Game Commissioners for Ballona in their approval of Ballona as a Title 14, Section 630 terrestrial, non-marine ecological reserve, is pickleweed, a foraging and nesting favorite of the endangered Belding's Savannah Sparrow. As can be seen in the PPT Contractions to Sequence 1,2, pickleweed growth is both healthy and regenerating on its own in the Sequence 1,2 areas but has also regenerated to the north of Jefferson Blvd, on the north side of Sequence 1,2 due to sealing off the CDFW/Playa Vista unpermitted drains that for 20 plus years had been draining away the natural fresh surface and fresh groundwater in this area. This occurred as the result of Grassroots Coalition's prevailing lawsuit against both CDFW and Playa Vista, with the assistance of the Coastal Commission's investigation and follow through in ending what the Coastal Commission stated was a Coastal Act Violation that had harmed the hydrology of Ballona Wetlands.

The comment by Ms. Small, presupposes that saltwater is necessary for Ballona's sustaining itself while never providing funding for an evaluation of Ballona's natural freshwater resources as a sustaining factor. **Numerous trees that are supported by freshwater are now proposed by CDFW to be cut down in the southwest corner of Ballona Wetlands—**an area that also is spring-water fed but, has not been evaluated for these natural resources in the CDFW Environmental Impact Report or GDE/LMP.

As noted in the Waters of Ballona PPT, **US Fish & Wildlife writes to the Army Corps of Engineers citing the failure of the Corps to fulfill the scientific and legal review for the creation of the tide gates and advises the Corps not to proceed in such fashion again as there may be serious, negative restoration impacts for Ballona including a loss of sustainable restoration alternatives.** The USFWS letter refers to the same area Ms. Small addresses in her comment. In the Coastal Conservancy Meeting, Ms. Small goes on to say that the wetlands are vulnerable to sea level rise because of the existing tide gates and the Final Environmental Impact Report reveals that with the excavation of Ballona to below sea level, the current pickleweed habitat and rare salt pan will start to immediately become mud flats to open water, thus destroying the targeted habitat if Ballona is excavated below sea level. Similarly, we now know that the

artificial opening allowing seawater intrusion into the Bolsa Chica Ecological Reserve has destroyed targeted pickleweed growth (salt marsh habitat) and turned the area into mud flats and open water. A Sustainability Report (2021) advises the immediate closure of the opening to the sea in order to attempt to utilize the site's freshwater to restore the salt marsh vegetation. https://bclandtrust.org/preservation/ Sustainable Alternatives Study for the lowland wetland system at the Bolsa Chica Ecological Reserve.

CDFW, if allowed to proceed will be destroying the historic biodiversity of Ballona and potentially contaminating its multiple underlying freshwater aquifers with impaired, toxic saltwater and sediment. The manmade waterways in Ballona Wetlands are the only TMDL/toxic impaired waterways in Ballona Wetlands Ecological Reserve. The remaining land mass, seasonal surface water and groundwater, including spring water is healthy, clean water which has not been considered by CDFW in its environmental studies of Ballona. CDFW has not included Ballona Wetlands in their adherence to the Sustainable Groundwater Management Act and has not adhered to performance of a Groundwater Dependent Ecosystem evaluation of Ballona despite the Department of Water Resource's acknowledgement of Ballona Wetlands as a Groundwater Dependent Ecosystem. Instead, CDFW defies the California laws for disallowing the wasting of freshwater 88-88, Porter-Cologne, Clean Water Act and SGMA and GDE evaluation of Ballona. Further, we believe that CDFW has failed to adhere to Fish & Game Code 1745 which requires any/all agreements pertaining to Ballona must adhere to the Purpose for which it was acquired, namely-

Title 14, Section 630 Terrestrial, Non-Marine Ecological Reserve having a Purpose to protect Ballona's freshwater resources, its saltmarsh vegetation and the endangered species reliant upon that habitat. It is also incumbent to protect the existing wildlife corridors which--**as stated by the Wildlife Conservation Board in the meeting minutes of 2003 --the Ballona Channel is one of the wildlife corridors that leads to the Baldwin Hills and the coastal dunes.**

"Wildlife Conservation Board Meeting Minutes, September 30, 2003

pg. 4

The subject property is a composition of upland scrub, open salt/mud flat, riparian, coastal dune and grasslands providing habitat for a number of special animal species. A few of the species found on site include Lange's El Segundo dune weevil, Dorothy's El Segundo dune weevil, wandering skipper (federal species of concern), silvery legless lizard, Stevens' California vole (federal and State species of concern), California brown pelican (federally and State-listed endangered), California least tern (federally and State-listed endangered) and Belding's Savannah sparrow (a federal species of concern and State-listed endangered). Several of the species listed above rely on wetland habitat, which is quickly disappearing. The Ballona Wetlands once consisting of approximately 1,500 acres, has been reduced over time to less than 150 acres. However, **several narrow corridors, such as the Ballona Creek Channel connect the subject property with other open areas nearby, including Baldwin Hills to the northeast and a restored dune system at the western end of the Los Angeles International Airport located to the south."** (emphasis added)

And, should CDFW choose to continue to not adhere to the Title 14, Section 630 status of Ballona Wetlands Ecological Reserve then, CDFW has the obligation to Petition the California Fish & Game Commission for a Regulation Change and request that Ballona Wetlands Ecological Reserve have a status change to become what CDFW is attempting to convert Ballona into, **namely a Section 632 Marine Preserve**. Unless and until such a status change occurs, Grassroots Coalition believes CDFW is performing outside the laws the Fish & Game Commission has created for its Department to adhere.

Sustainable Groundwater Management Act and need of a Groundwater Dependent Ecosystem study for protection to Ballona Wetlands.

Ballona Wetlands is acknowledged by the Department of Water Resources as a Groundwater Dependent Ecosystem(GDE) per the Sustainable Groundwater Management Act.

Acknowledged freshwater diversion/drainage harm to Ballona Wetlands establishing need of protection and Groundwater Dependent Ecosystem evaluation for sustaining Ballona's natural freshwater supported ecosystem:

CDFW has acknowledged problems with freshwater diversion by Playa Vista's ongoing dewatering and diversion away from Ballona, that has harmed the hydrology and ecosystem(s) of Ballona.saveballona.org/2017-california-department-fish-wildlife-cdfw-betty-courtney-cites-harm-ballona-due-reduced-water-flow-playa-vista.html (CDFW Betty Courtney letter to Playa Vista).

Ms. Courtney of CDFW, has since retired but the letter clearly announces the harm to Ballona Wetlands due to Playa Vista's failure to allow freshwater flow to Ballona.

"The **reduced volume of water has compromised the success** of the mitigation project, limited the habitat function and value, and decreased fish and wildlife diversity." Betty Courtney CDFW

And, the California Coastal Commission has confirmed that CDFW violated the Coastal Act via unpermitted drainage of Ballona Wetlands since CDFW's acquisition of Ballona Wetlands in the 2003/4 timeframe. Any take away of Ballona's freshwater is harmful to Ballona Wetlands Ecological Reserve. There is no excuse for throwing away this precious, life-giving water.

As cited in the California Coastal Commission (CCC) Letter (4/11/14) to Playa Vista and CDFW … draining Ballona is harmful to the ecosystem

"… a water supply of a reliable quantity and quality is needed thus contributing to the habitat function of the larger Ballona Wetland project instead of directing it away from habitat regs within the Ballona Wetlands Ecological Reserve." (p. 3 of 9 4/11/14 CCC Letter to Playa Capital LLC and to CDFW re: unpermitted drains)

"… a **continuous detriment to wetland** hydrology and habitat that relies on water to function."

"… **degradation of wetland** function through alteration of hydrology means that the same plants may not grow and habitat value and
wildlife use of the wetland are reduced." (p. 8 of 9 4/11/14 CCC Letter to Playa Capital LLC and CDFW)

As discussed by **Lisa Haage lead of CCC enforcement**, referencing that taking away water from a wetland is the exact opposite of what one would allow in a wetland:

"We think that draining a wetland is about the **most amazing violation** that you could have."

"I mean, putting a drain in a wetland is **exactly the opposite** of anything that you'd do in a wetland."
(December 14, 2017 Dana Point CCC Meeting Item 10 C)

This CDFW/ Playa Vista unpermitted drainage has since been stopped via Grassroots Coalition litigation against CDFW & Playa Vista, leaving the Ca. Coastal Commission to order

the capping of the illegal drainage. The area now ponds again and the Title 14, Section 630 Purpose and Goal--targeted vegetation pickleweed has passively regenerated throughout this previously drained area. The Endangered Belding's Savannah Sparrow, a targeted species, now has this habitat again to forage and nest. **Passive regeneration has since occurred which highlights the need to further protect and utilize Ballona's own natural freshwater resources.** CDFW has not addressed any of the ongoing passive regeneration on Ballona Wetlands Ecological Reserve.

ADDITIONAL NEW INFORMATION TO DEPARTMENT OF WATER RESOURCES The following freshwater resource information of Ballona Wetlands is provided to establish that there is freshwater data available. We request support from the Department of Water Resources, the Los Angeles Regional Water Quality Control Board, The CDFW Sustainable Groundwater Management Division and the Santa Monica Groundwater Sustainability Agency, in being responsive to the Sustainable Groundwater Management Act and to protect Ballona's natural freshwater resources via performance of a GDE evaluation.

Recap of PPTs provided herein:

Please review the following Link that contains 2 ppts and letter to CDFW's SGMA division. **The first PPT**: provides slides of Ballona's plentiful, clean freshwater resources that are available, but that are being needlessly diverted to both the LA Sanitary Sewer System and the ocean by the adjacent development-Playa Vista and by the California Department of Fish & Wildlife. **The second PPT**: is specific to CDFW's current intent to secure a Coastal Development Permit as soon as possible upon Sequence 1,2 to cut new saltwater channels into Ballona's clean freshwater habitat area.

CDFW intends to be on the Coastal Commission agenda this December 2022. **Third is a Letter** to CDFW's SGMA Division requesting a Groundwater Dependent Ecosystem study of Ballona.

https://saveballona.org/cdfws-nefarious-scheme-destroy-ballona-rare-coastal-wetlands.html

Ballona Ecosystem Education Project (BEEP. Website) includes the Playa Vista, Phase 1 EIR hydrology information in Volume 16 below.

The Playa Vista hydrology information is not included in the Environmental Impact Report(s) of the California Department of Fish and Wildlife. Evaluation of Ballona Wetlands Ecological Reserve's natural freshwater resources is absent in the restoration planning for Ballona and is absent in the Groundwater Sustainability Plan for the Santa Monica Basin area in which Ballona Wetlands resides. The following information needs to be included as part of a Groundwater Dependent Ecosystem study for Ballona Wetlands Ecological Reserve.

WATER BALANCE FOR THE PROPOSED FRESHWATER WETLAND SYSTEM PLAYA VISTA by Camp Dresser & McKee **starts on page 010271.**

https://drive.google.com/drive/folders/0B5SGRAMv8RXuSzdqcXpmSjFfTms?resourcekey=0-AhPmx3n8TcNSb9jzLXi0Cw

Excerpts from the Water Balance Report:

WATER BALANCE FOR THE PROPOSED FRESHWATER WETLAND SYSTEM PLAYA VISTA —CDM June 13, 1991

EX-5

A comparison of average seasonal water demands with water supplies over the next 30 years shows the an excess of water supply over demand will always exist in the system.

After 30 years, the groundwater beneath the project site is project to be cleansed of the existing contaminants. At that point, groundwater could be continued to be pumped into the system to maintain its wetland habitat. No legal restrictions exist on the long term use of groundwater and technical analyses have concluded that sufficient quantities of quality groundwater will continue to exist after 30 years to meet the needs of the system.

Groundwater could provide the 50 million gallons of freshwater required during the dry summer growing season, and such quantities as may be needed during the rainy season, to assure adequacy of water on an ongoing basis.

Following cessation of groundwater remediation plant discharge, continued pumping of groundwater is proposed as a source.

One of the assumptions used in the report was that rainfall over the next 30 years would be similar to flows from the driest years over the last. 43 years. Even under this condition, adequate water for the needs of the proposed system would be available.

The freshwater marsh is designed to allow natural cleansing processes to rather reduce concentrations of suspended and dissolved substances as water flows through the marsh. An additional 45 percent removal of total suspended solids would be achieved by these processes. This would provide freshwater of even higher quality for the restored saltwater marsh, as such freshwater may be needed, or for release into the Ballona Flood Control Channel.

Average supply from the NPDES treated groundwater will be more than 1 1/2 XS average demand. Stormwater runoff source 20-30 rainy season days after pass pretreament areas.

EX 3

The amount of stored water is projected to range from 4 million gallons in the winter to 14.4 million gallons in the summer.

The annual average of the water sources is 17.2 million gallons per month, or more than 2.5 times greater than the total annual average demand. During the summer, an average of 11.4 million gallons would be available each month. A monthly average of 22.9 million gallons would be available during the winter months, however, because of the increased frequency of rainfall. Stormflow represents an average of approximately 9 % of the total water supply during summer and 55% of the supply during winter months.

EX5

A comparison of average seasonal water demands with water supplies over the next 30 years shows that an excess of water supplied over demand will always exist in the system.

After 30 years, the groundwater beneath the project site is projected to be cleansed of the existing contaminants. At that point groundwater could be continue to be pumped into the system to maintain its wetland habitat. …

1-11

Section 1 Introduction

The freshwater wetland system is designed to create and restore freshwater wetland habitats and to enhance their associated uplands. It would also allow control of freshwater discharges into the adjacent saltwater marsh, thereby contributing to the restoration of that system.

(CAO is tertiary treated discharge)

2.1.3 Water Storage.

In order to provide open water areas in the freshwater wetland system for waterfowl and wildlife, water flowing into the system must be stored. This is to be accomplished by controlling the discharge elevation from the freshwater marsh into Ballona Channel. All flows in excess of the desired level would flow into Ballona Channel, or into the salt marsh during storm events, while flows resulting in water elevations below the discharge elevation would be retained.

- Additional background information includes Playa Vista issues as they relate to Ballona Wetlands and Playa Vista's partnering with CDFW.

https://saveballona.org/jvstop-drying-out-ballona-wetlands-ecological-reserve-stop-playa-vistas-confiscation-and-throw-away-ballonas-freshwater-resources.html

Thank you for your consideration of this newly gathered information. Grassroots Coalition is a volunteer organization that continues to outreach to LARWQCB and LA City Sanitation for further information of diversion of Ballona's freshwater away from Ballona. Neither CDFW nor the Coastal Conservancy have made themselves available for discussion of these matters despite repeated stakeholder requests.

Patricia McPherson, Grassroots Coalition

Ballona Wetlands is a Predominantly Freshwater, Seasonal Wetlands

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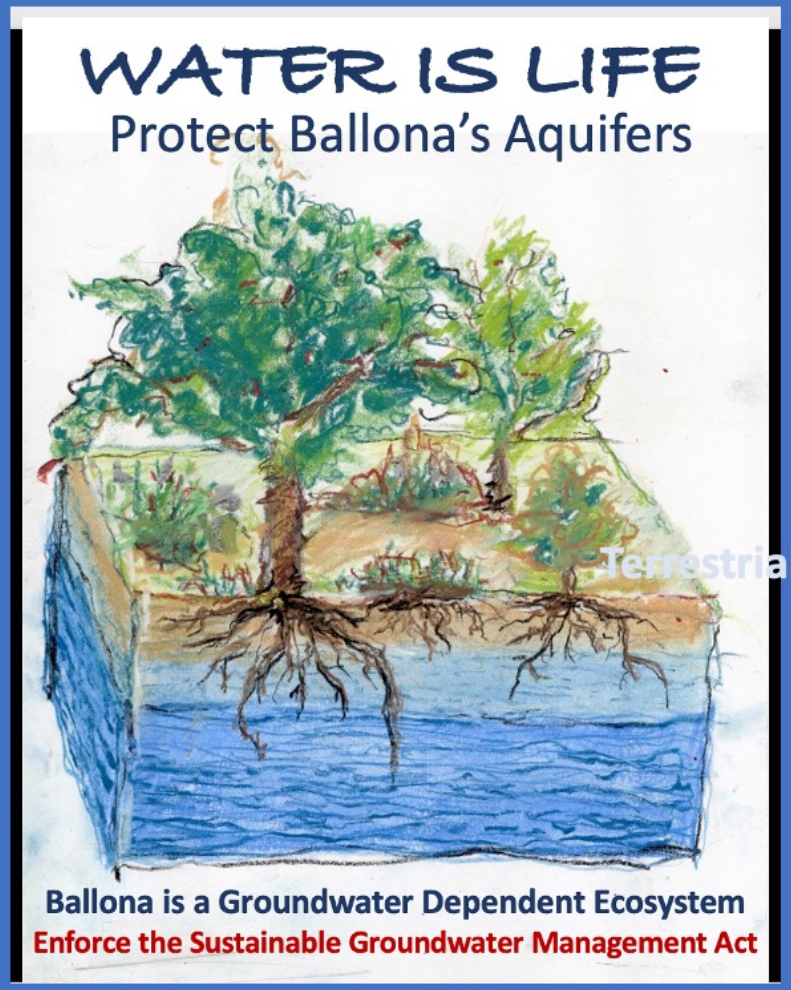
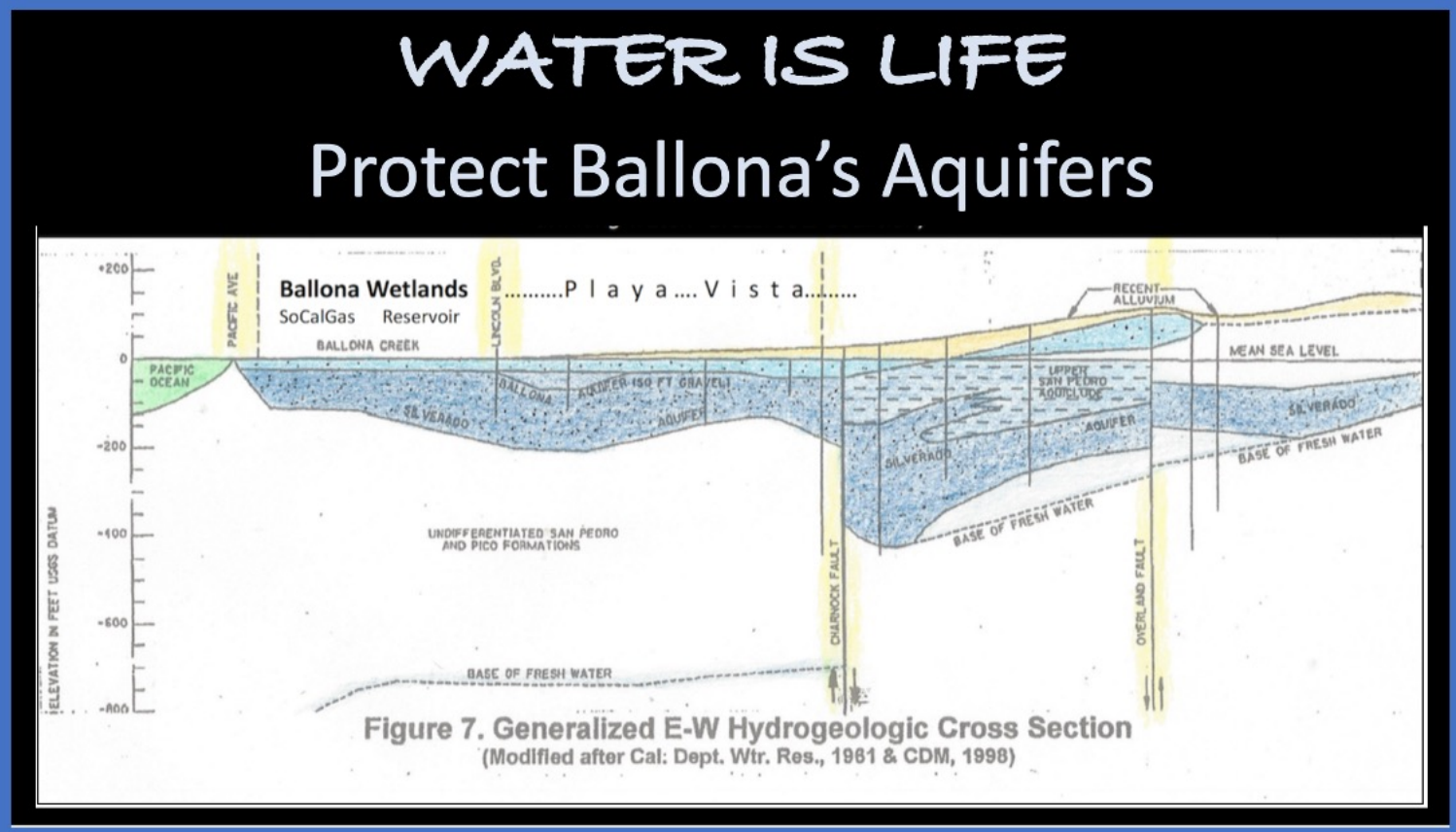




A Title 14, Section 630, Non-Marine Ecological Reserve (FGC 2005)

TATTN

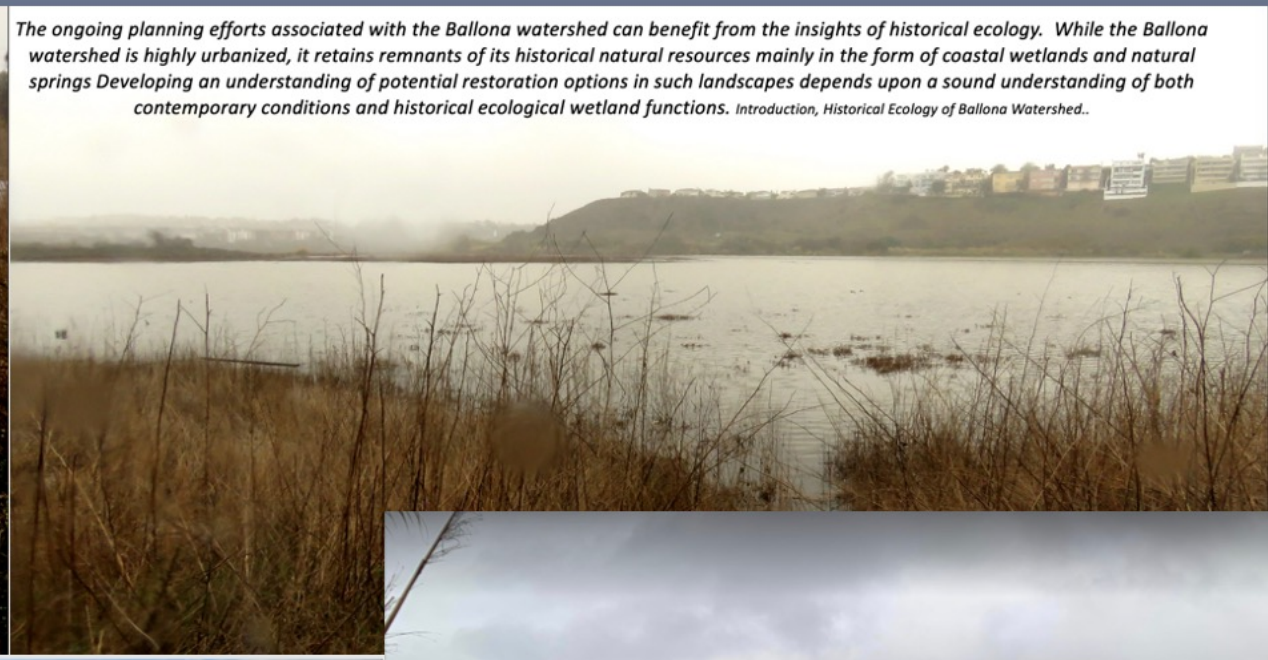
TONGVA ANCESTRAL TERRITORIAL TRIBAL NATION

A TRIBAL SOVEREIGN NATION UNDER THE UNDRIP AND AS A CALIFORNIA NATIVE AMERICAN TRIBE –VERIFIED BY NAHC - SB18-AB 52-AJR 42 RECOGNIZED BY THE STATE OF CALIFORNIA AS THE ABORIGINAL TRIBE OF THE LOS ANGELES BASIN AND ISLANDS

Who is protecting Ballona's Plentiful Natural Freshwater?

Who is Promoting the Freshwater Drainage and Conversion of Ballona Wetlands Into Something It Never Was?

The ongoing planning efforts associated with the Ballona watershed can benefit from the insights of historical ecology. While the Ballona watershed is highly urbanized, it retains remnants of its historical natural resources mainly in the form of coastal wetlands and natural springs Developing an understanding of potential restoration options in such landscapes depends upon a sound understanding of both contemporary conditions and historical ecological wetland functions. Introduction, Historical Ecology of Ballona Watershed..



What Are the Dewatering Needs of the Playa Vista Project?

1. **Stormwater Surface Runoff for Flood Control**

2. **Remediation** of the Howard Hughes/McDonald Douglas Aircraft **groundwater** contamination (Clean Up & Abatement Order 98-125, oversight by Los Angeles Regional Water Quality Control Board (LARWQCB) - treat/pump/discharge- NPDES Permits)

3. **Permanent Groundwater dewatering for methane gas mitigation** at building sites to keep the groundwater one foot below the gas mitigation systems, to prevent failure from clogging with water/silt etc. (Playa Vista Methane Prevention Detection & Monitoring Program (PVMPDMP) LA CITY ORDINANCE for Phase 1; Phase 2 Citywide Methane Code)

The fresh groundwater across Playa Vista/Ballona Wetlands is at or near the surface. (Playa Vista EIRs, Phase 1- 1990; Phase 2, Village- 2003. The freshwater aquifers are classified by LARWQCB as Drinking Water & Potential Drinking Water.

Ballona's Aquifers

No Aquitard is known to exist between the Bellflower/Ballona Gravel and the Silverado sands. Therefore, there is Hydraulic continuity between the Bellflower/Ballona Aquifer and the Silverado Aquifer, and they form one aquifer zone under most of the Plant Site. Source-pg. III-8 DEIR- Technical Appendices Volume VI; Appendix E: (Earth) 1992; Playa Vista EIR No. 90-0200-SUB C CUZ CUB.

(*The Silverado Aquifer is the major drinking water source for the Los Angeles Basin. Ballona's aquifers are classified as potential drinking water. Grassroots Coalition)

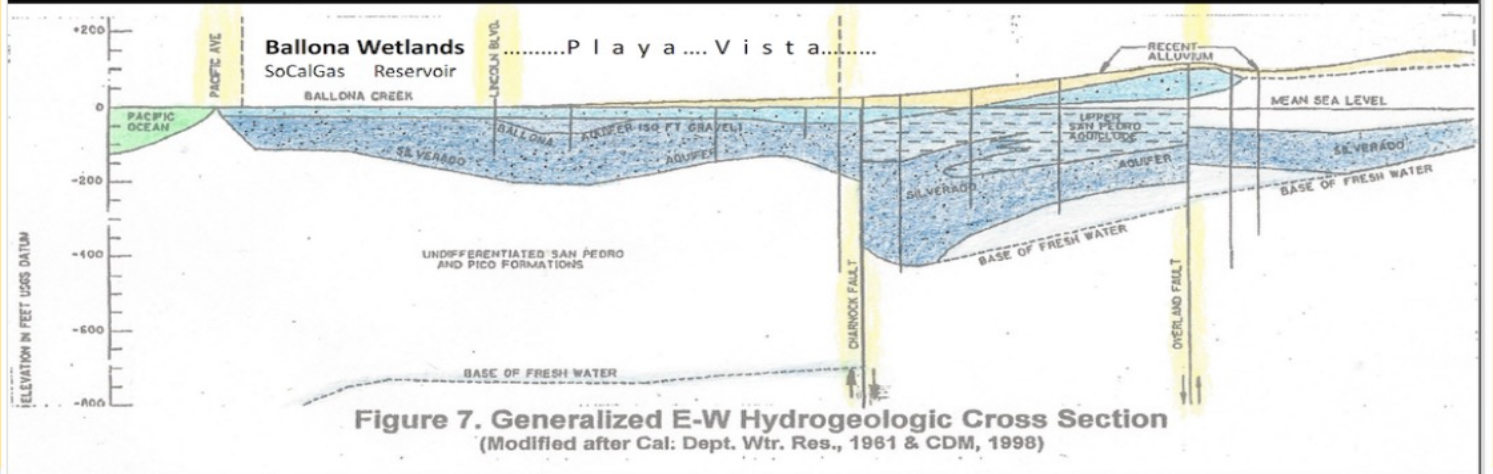


Figure 7. Generalized E-W Hydrogeologic Cross Section
(Modified after Cal. Dept. Wtr. Res., 1961 & CDM, 1998)

Jill Weinbe

Playa Vista's 400 acre site is built on a Seasonal Freshwater Wetlands

Playa Vista buildings have groundwater pumped up and out to lower the fresh groundwater table so that its gas mitigation systems are kept free of clogging with water and silt.

The clean freshwater is wasted as it is thrown away into the sanitary sewer system rather than being sent to the freshwater dependent Ballona Wetlands. This occurs despite legal agreements to not harm Ballona Wetlands from Playa Vista's development.

(2006 Stipulated Agreement...Playa Vista/Ballona Conservancy), City of LA, Friends of Ballona, California Coastal Commission from

1:15:27

2003- Playa Vista EIR

Note the Percentage of Total Surface Stormwater Flow (in acre feet) sent into the Freshwater Marsh System from Project Buildout of Playa Vista.

The System sends 54% to 63% of the total surface stormwater flow off Playa Vista, into their flood control basin the 'freshwater marsh'. This water is diverted away, to the Ballona Channel via the basin's Main Drain. The catch basin is designed to prevent downward percolation due to its clay lining. Overflow is drained via drainage ditches to Ballona Channel.

CDFW can ask for Playa Vista's discharged clean freshwater to be used for sustaining Ballona. CDFW has not. CDFW hasn't performed the required Land Management Plan to use this clean freshwater for Ballona Wetlands. (Fish & Game Code 1019)

Table 28

TOTAL STORMWATER RUNOFF AND PERCENTAGE OF TOTAL FLOWS TO THE FRESHWATER MARSH AND BALLONA WETLANDS

	50-Year Storm	25-Year Storm	10-Year Storm	5-Year Storm	2-Year Storm	1-Year Storm
	Amount of Total Runoff to Freshwater Marsh (in acre-feet)[a]					
With Playa Vista First Phase Project						
Flow to Freshwater Marsh	1,171	1,051	892	771	571	502
With Playa Vista First Phase Project and Proposed Project						
Flow to Freshwater Marsh	1,176	1,056	896	775	574	504
Percent of Total Flow to Freshwater Marsh Due to Proposed Project	0.4%	0.5%	0.5%	0.5%	0.4%	0.4%
	Amount of Total Runoff to Ballona Wetlands (in acre-feet)					
Pre-First Phase Project						
Flow from Drains	1,039	933	792	685	507	445
Flow from Other Sources[b]	636	571	485	419	310	272
With Playa Vista First Phase Project						
Flow from Freshwater Marsh over Weir	139	104	61	32	5	0
Flow from Other Sources[b]	618	555	471	407	302	265
With Playa Vista First Phase Project and Proposed Project						
Flow from Freshwater Marsh over Weir	149	122	77	48	11	0
Flow from Other Sources[b]	618	555	471	407	302	265
Percent of Total Flow to Ballona Wetlands Due to Project Buildout Compared to Pre-First Phase	-54%	-55%	-57%	-59%	-62%	-63%
Percent of Total Flow to Ballona Wetlands Due to Proposed Project (Compared to Playa Vista First Phase Project)	1.3%	2.7%	3.0%	3.6%	2.0%	0.0%

[a] *Freshwater Marsh did not exist during pre-First Phase conditions.*
[b] *Flows in this table summarize flows to the Ballona Wetlands which are not the same as flows from other sources indicated in Table 24 because modeled peak flows over the weir do not necessarily occur at the same time as the peak flows to the Freshwater Marsh and the Ballona Wetlands. Variances may be caused by storm intensities and time of concentrations in the SWMM model.*

Source: Psomas.

the existing Ballona Wetlands. Table 28 provides a breakdown of stormwater flows to the Ballona Wetlands calculated for various size storm events.

As indicated in Table 28, the increase in amount of runoff flowing to the Ballona Wetlands due to development of the Proposed Project compared to with Playa Vista First Phase is estimated to range from 0 percent to 3.6 percent, depending on the size of the storm event.

None of this available freshwater has been considered by CDFW for providing freshwater to Ballona, in their Environmental Impact Report.

None of Ballona's natural freshwater has been evaluated per compliance with the Sustainable Groundwater Management Act to protect the multiple underlying freshwater aquifers classified as Drinking Water & Potential Drinking Water.

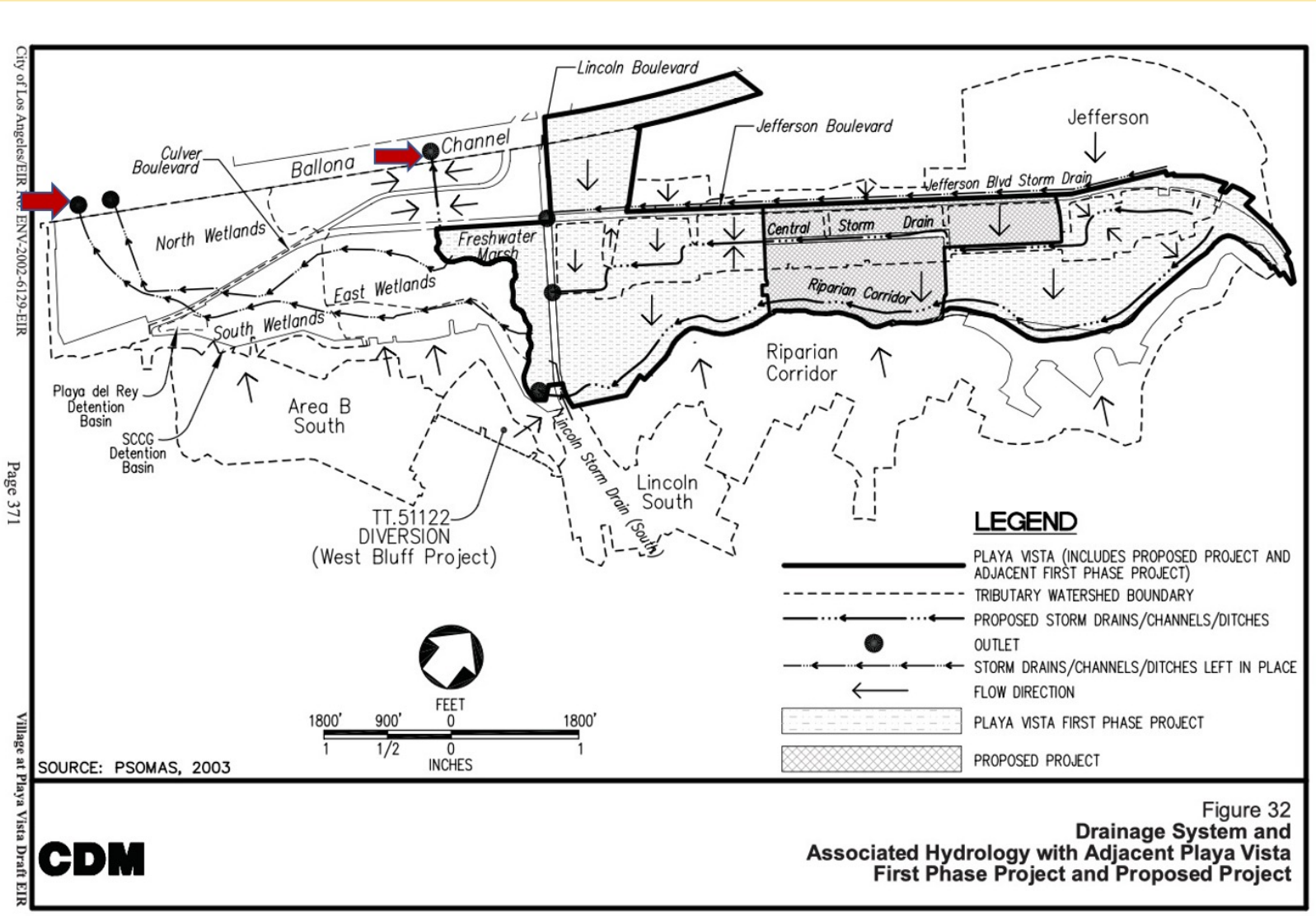
CDFW provides no hydrological consideration to protect & use Ballona's freshwater in this Groundwater Dependent Ecosystem.

Phase 1 & 2 Playa Vista Drainage System 2003, EIR

Phase 1 & 2 Drainage System still intended to use the Ballona Wetlands as areas to receive and transfer storm water from the planned development. However, the Ballona Wetlands now are owned by the State of California.

Note: the **red arrows** have been added to indicate where runoff from storm events will exit the Ballona Wetlands and the Fresh Water Marsh into the Ballona Flood Control Channel.

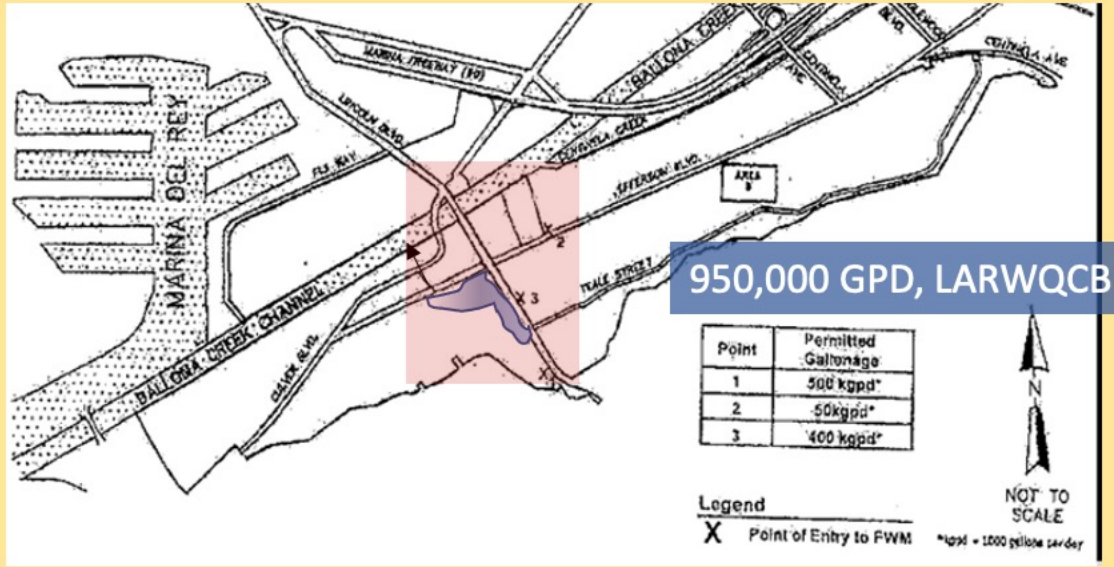
No consideration of **Sea Level Rise** in the the discussion of the runoff into the Ballona Flood Control Channel.



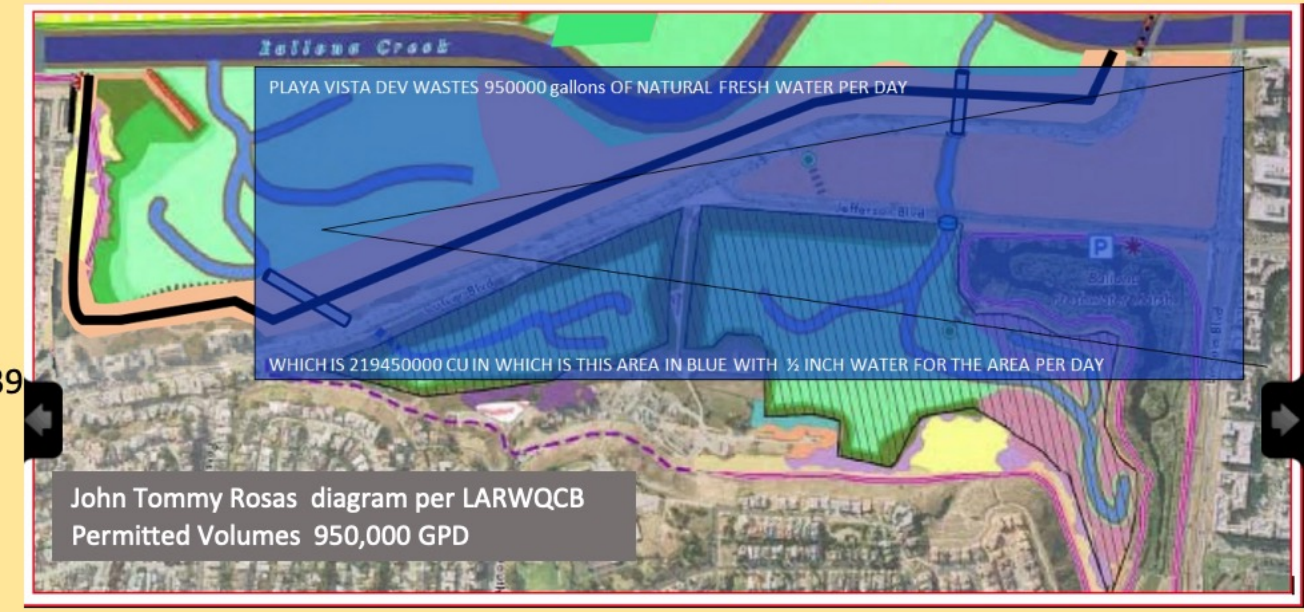
LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD DEWATERING/ DISCHARGE OF CLEANSED GROUNDWATER FOR CLEAN UP & ABATEMENT ORDER 98-125.

Howard Hughes / MacDonald Douglas Aircraft Operations Contamination/Remediation

LARWQCB Records show **950,000 Gallons Per Day** permitted Discharge to the Flood Control Basin and other culverts—all discharge to the Ballona Channel. Occasional overflow of the Basin is received by Ballona Wetlands but, drainage ditches divert the surface flow into Ballona Channel also.



John Tommy Rosas- Tongva Ancestral Tribal Territorial Nation (TATTN) registered Ballona Wetlands as the Tongva/ Gabrieleno Sacred Site, Sa'anga. The land & water of Ballona are SACRED. His calculations of LARWQCB dewatering discharges provide the diagram below that depicts the availability of ½" of daily freshwater across the blue highlighted area of Ballona.



<u>As of 2020</u>, LARWQCB cites there is one active, NPDES Discharge permit for Playa Capital LLC. that allows for 500,000 gallons per day (gpd) of cleansed groundwater to be sent into the flood control system of Playa Vista.

All exit into Ballona Channel.(NPDES CAG914001/Order R4-2018-0087,CI-6839

A school site's groundwater (1,500 gpd) is sent to **LA Sanitation** as are **<u>the volumes of residential gas mitigation dewatering</u>** **under Industrial Wastewater Discharge (IWD)permits.**

These are all development sites at Playa Vista that require permanent groundwater dewatering in order
to keep their gas mitigation systems, at least, one foot above the groundwater, so system failure does not occur due to clogging with water and silt.

From: Manik Mohandas
To: Kang, Jim@Waterboards, Lonnie Ayers, Jose Uy
CC: Lonnie Ayers, Jose Uy
Date: Sep 13, 2018 at 8:45 AM
Subject: Re: Manik, LA Sanitation contact info
Attachment(s): 1

Hi Jim,

Below is the link to download the 45 permits in the vicinity of Playa Vista. Apologize that it took so long, please let me know if you have any questions or have issues downloading the permits.

https://drive.google.com/drive/folders/12h4HWVeErsbBlP1v-n0lo1okFdxSmDjD?usp=sharing

Thanks
Manik

SerialNumber	PermitDate	IU_Number	PermitNumber	IU_Name	FileName
1	20080326	IU021530	W503029	Chatelaine	20080326_IU021530_W503029_Chatelaine.pdf
2	20080318	IU099092	W505365	Waterstone	20080318_IU099092_W505365_Waterstone.pdf
3	20080326	IU099105	W505382	Tapestry	20080326_IU099105_W505382_Tapestry.pdf
4	20080326	IU099106	W505383	Tapestry	20080326_IU099106_W505383_Tapestry.pdf
5	20080318	IU101692	W508846	Coronado	20080318_IU101692_W508846_Coronado.pdf
6	20080318	IU102894	W510023	CrescentWalk	20080318_IU102894_W510023_CrescentWalk.pdf
7	20080318	IU102896	W510024	CrescentWalk	20080318_IU102896_W510024_CrescentWalk.pdf
8	20080326	IU102900	W510025	Villa_dEste	20080326_IU102900_W510025_Villa_dEste.pdf
9	20080326	IU102903	W510026	Catalina	20080326_IU102903_W510026_Catalina.pdf
10	20080318	IU102904	W510027	Paraiso	20080318_IU102904_W510027_Paraiso.pdf
11	20080318	IU102906	W510028	Avalon	20080318_IU102906_W510028_Avalon.pdf
12	20080318	IU105693	W512474	CenterPointe	20080318_IU105693_W512474_CenterPointe.pdf
13	20080319	IU105696	W512476	TheMetro	20080319_IU105696_W512476_TheMetro.pdf
14	20080320	IU105696	W512477	TheMetro	20080320_IU105696_W512477_TheMetro.pdf
15	20080319	IU106016	W512921	ParkHomes	20080319_IU106016_W512921_ParkHomes.pdf
16	20080319	IU106479	W513124	FountainPark	20080319_IU106479_W513124_FountainPark.pdf
17	20080318	IU106480	W513125	FountainPark	20080318_IU106480_W513125_FountainPark.pdf
18	20080409	IU106481	W513126	CrescentPark	20080409_IU106481_W513126_CrescentPark.pdf
19	20080409	IU106482	W513127	CrescentPark	20080409_IU106482_W513127_CrescentPark.pdf
20	20080318	IU101692	W517549	Coronado	20080318_IU101692_W517549_Coronado.pdf
21	20080318	IU114063	W517621	Tempo	20080318_IU114063_W517621_Tempo.pdf
22	20080318	IU114063	W517622	Tempo	20080318_IU114063_W517622_Tempo.pdf
23	20080318	IU099092	W517683	Waterstone	20080318_IU099092_W517683_Waterstone.pdf
24	20080318	IU113748	W517692	TheVentana	20080318_IU113748_W517692_TheVentana.pdf
25	20080322	IU113749	W517693	TheVentana	20080322_IU113749_W517693_TheVentana.pdf
26	20080318	IU102904	W517695	Paraiso	20080318_IU102904_W517695_Paraiso.pdf
27	20080327	IU113705	W517800	Esplanade	20080327_IU113705_W517800_Esplanade.pdf
28	20160512	IU135160	W543700	TheIrvineCompany	20160512_IU135160_W543700_TheIrvineCompany.pdf
29	20160512	IU135160	W543701	TheIrvineCompany	20160512_IU135160_W543701_TheIrvineCompany.pdf
30	20160512	IU135160	W543702	TheIrvineCompany	20160512_IU135160_W543702_TheIrvineCompany.pdf
31	20160512	IU135217	W543703	TheIrvineCompany	20160512_IU135217_W543703_TheIrvineCompany.pdf
32	20160512	IU135217	W543783	TheIrvineCompany	20160512_IU135217_W543783_TheIrvineCompany.pdf
33	20160512	IU135217	W543784	TheIrvineCompany	20160512_IU135217_W543784_Playa_Vista.pdf
34	20160512	IU135218	W543859	TheIrvineCompany	20160512_IU135218_W543859_TheIrvineCompany.pdf
35	20160512	IU135218	W543860	TheIrvineCompany	20160512_IU135218_W543860_TheIrvineCompany.pdf
36	20160512	IU135218	W543861	TheIrvineCompany	20160512_IU135218_W543861_TheIrvineCompany.pdf
37	20180901	IU140424	W546417	Playa_Vista	20180901_IU140424_W546417_Playa_Vista.pdf
38	20150804	IU142166	W547009	WatersEdge	20150804_IU142166_W547009_WatersEdge.pdf
39	20180804	IU141607	W547010	WatersEdge	20180804_IU141607_W547010_WatersEdge.pdf
40	20160405	IU146871	W550050	RunwayAtPlayaVista	20160405_IU146871_W550050_RunwayAtPlayaVista.pdf
41	20160406	IU146872	W550051	RunwayAtPlayaVista	20160406_IU146872_W550051_RunwayAtPlayaVista.pdf
42	20160406	IU146873	W550052	RunwayAtPlayaVista	20160406_IU146873_W550052_RunwayAtPlayaVista.pdf
43	20160407	IU146874	W550053	RunwayAtPlayaVista	20160407_IU146874_W550053_RunwayAtPlayaVista.pdf
44	20160407	IU146876	W550084	RunwayAtPlayaVista	20160407_IU146876_W550084_RunwayAtPlayaVista.pdf
45	20160407	IU146877	W550085	RunwayAtPlayaVista	20160407_IU146877_W550085_RunwayAtPlayaVista.pdf

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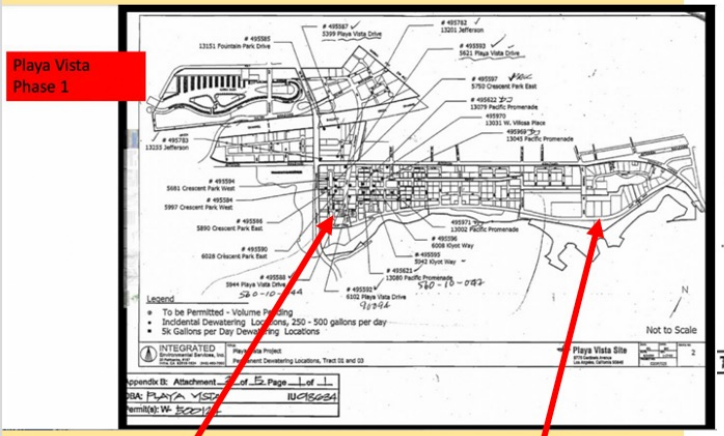
Manik Mohandas, P.E.,
LA Sanitation - IWMD
Environmental Engineer
2714 Media Center Drive
Los Angeles, CA 90065
W 323 342 6046 – F 323 342 6111
Manik.Mohandas@lacity.org

Permanent Dewatering for Methane Gas Mitigation Systems

Phase 1- west Playa Vista:

72, 500 Gallons of Clean Freshwater Per Day is diverted away from Ballona Wetlands to the LA Sanitary Sewer System



Phase 1 West Playa Vista

Phase 1 East Playa Vista

Playa Vista
Industrial Waste Discharge Permits

Map ID	Permit Number	Project Number	Project Name	Project Address	Permitted Discharge (gal/day)	Billing Company Name	Billing Contact Person	Billing Address
1	W-510028	200	Avalon	13068 Pacific Promenade	5,000	Avalon Maintenance Corp	Shelle Xanthos	16430 Roscoe Blvd. Ste 205 Bldg 3 Van Nuys CA 91406
2	W-502607	550-1	Bridgeway Mills	5300 Playa Vista Drive	1,000	Playa Capital	Accounting	12555 W Jefferson Blvd Ste 300 Los Angeles CA 90066
4	W-502599	500-2	Carabela	12982 Augstin Place	1,000	Playa Capital	Accounting	12555 W Jefferson Blvd Ste 300 Los Angeles CA 90066
5	W-510026	200-2	Catalina	12983 Runway Road	1,000	Catalina Maintenance Corp	Shelle Xanthos	16430 Roscoe Blvd. Ste 205 Bldg 3 Van Nuys CA 91406
25	W-503027	-	CenterPointe Club	6200 Playa Vista Drive	1,000	Playa Vista Parks & Landscape	Terrance Smith	6200 Playa Vista Dr Playa Vista CA 90094
32	W-503029	1000	Chatelaine	5721 Crescent Park West	1,000	Merit Property Management	Terrance Smith	25910 Acero St 2nd Fl Mission Viejo CA 92691
7	W-495596	325	Concerto	6008 Kiyot Way	5,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
20	W-502105	-	Construction	12900 Runway Road	1,500	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
29	W-508846	625	Coronado	7101 S. Playa Vista Drive	1,000	Warmington Group	Accounting	3090 Pullman Street Costa Mesa CA 92626
9-A	W-500133	2000	Crescent Park Apts	5750 Crescent Park East	5,000	Fairfield Residential LLC	Accounting	5510 Morehouse Dr Ste 200 San Diego CA 92121
9B	W-500135	2000	Crescent Park Apts	5621 Crescent Pk East	5,000	Fairfield Residential LLC	Accounting	5510 Morehouse Dr Ste 200 San Diego CA 92121
10-B	[redacted]	100	Crescent Walk	6028 Crescent Park East, bldg 2	1,000	Crescent Walk @ PV	Shelle Xanthos	16340 Roscoe Blvd, Ste 205 Van Nuys CA 91406
10-A	[redacted]	100	Crescent Walk	6028 Crescent Park East, bldg 1	1,000	Crescent Walk @ PV	Shelle Xanthos	16340 Roscoe Blvd, Ste 205 Van Nuys CA 91406
6-2	W-502606	1000-2	Dorian	6135 Crescent Park West	1,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
11	W-503028	500	Esplanade	13080 Pacific Promenade	1,000	Merit Property Management	Terrance Smith	25910 Acero St 2nd Fl Mission Viejo CA 92691
	W-507619	-	Firestation	5460 Playa Vista Drive		Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
12-1	W-495585	-	Fountain Park Apts	13151 Fountain Park Drive	1,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
12-2	W-495587	-	Fountain Park Apts	5399 Playa Vista Drive	1,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
14	W-495971	300/1250	Lofts/Park Houses	13002 Pacific Promenade	5,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
13-A	W-500127	800	Paraiso	13073 Pacific Promenade, bldg 1	1,000	Shea Homes	Melinda Kuhn	603 S Valencia Ave Brea CA 92823
13-B	W-500129	800	Paraiso	13073 Pacific Promenade, bldg 2	1,000	Shea Homes	Melinda Kuhn	603 S Valencia Ave Brea CA 92823
15	W-503026	400	Promenade	13044 Pacific Promenade	1,000	Western Pacific Housing	Rodney Singh	6701 Center Dr W #900 Los Angeles CA 90066
8	W-508847	850	Runway Lofts	12920 W. Runway Road		Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
16	W-495970	825	Serenade	13031 W. Villosa Place	1,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
17	W-502604	2000	South Crescent Park Apts 1	7225 Crescent Park West	10,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
26	W-502605	2000	South Crescent Park Apts 2	6555 Crescent Park West	6,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
18	[redacted]		Sunrise	5555 Playa Vista Drive	-			
19	W-505382	900	Tapestry	5700 Seawalk Drive	1,000	Tapestry Maintenance Corp.	Bruce Ratliff	16340 Roscoe Blvd, Ste 205 Van Nuys CA 91406
19.	W-505383	900	Tapestry	5701 Kiyot Way	1,000	Tapestry Maintenance Corp.	Bruce Ratliff	16340 Roscoe Blvd, Ste 205 Van Nuys CA 91406
27	W-495969	250	Tempo	13045 Pacific Promenade	1,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
	W-500124	-	Test Site 2	12890 Discovery Creek Road		Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
21-A	W-500132	600-1	The Metro	5681 Crescent Park West	1,000	Crescent Park Ventures	Accounting	1663 Sawtelle Blvd Los Angeles CA 90025
21-B	W-500134	600-1	The Metro	5625 Crescent Park West	1,000	Crescent Park Ventures	Accounting	1663 Sawtelle Blvd Los Angeles CA 90025
22-B	W-510025	700	Villa D'Este	13201 West Pacific Promenade	1,000	Villa D' Este	Shelle Xanthos	16340 Roscoe Blvd, Ste 205 Van Nuys CA 91406
22-A	W-500137	700	Villa D'Este	13215 West Pacific Promenade	1,000	Villa D' Este	Shelle Xanthos	16340 Roscoe Blvd, Ste 205 Van Nuys CA 91406
23	W-502609	700-2	Villa Savona	7204 Crescent Park East	1,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
26-A	W-495782	-	Waters Edge	13201 Jefferson Boulevard	1,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
26-B	W-495783	-	Waters Edge	13255 Jefferson Boulevard	1,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
24	W-502601	102	Waterstone	6400 Crescent Park East	5,000	Playa Capital	Accounting	5510 Lincoln Blvd Ste 100 Los Angeles CA 90094
Total Permitted Discharge Volume					72,500			

This clean groundwater is available to be sent, instead to Ballona Wetlands Ecological Reserve, a Groundwater Dependent Ecosystem, acknowledged by the Department of Water Resources for protection under the Sustainable Groundwater Management Act.

Last Revision: 11/07/05
Printed: 11/10/2005, 2:37 PM

Playa Vista Has Sent Miscellaneous Dewatering Discharges of 1,000s of Gallons of Clean Groundwater to the Storm Drain System DAILY

These thousands of gallons of clean groundwater have been available for supporting the vegetation & wildlife needs of Ballona Wetlands Ecological Reserve but instead are sent to the Ballona Channel, 'through Ballona'= the flood control basin.

VOLUME AND DESCRIPTION OF DISCHARGE

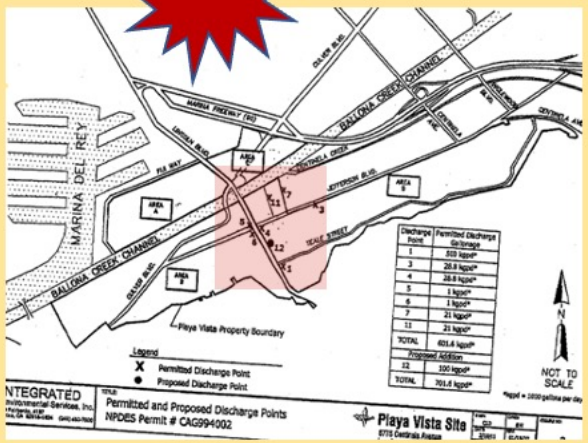
Playa Capital is authorized to discharge groundwater from dewatering activities to the storm drain system at the following locations, below (See also Figure 2). Discharge from the outfalls listed below flows to Centinela Ditch or storm drain, through Ballona Wetlands, to Ballona Creek, a water of the United States.

Outfall	Location	Latitude	Longitude	Maximum Daily Flow (gallons per day)
01	Teale St., East of Lincoln Blvd.	33° 58' 15"	118° 25' 30"	500,000
03	South West of Alla Rd./Jefferson Blvd.	33° 58' 30"	118° 25' 31"	29,000
04	South East of Lincoln Blvd / Jefferson Blvd.	33° 58' 20"	118° 25' 47"	29,000
05	North West corner of Lincoln Blvd. and Jefferson Blvd.	33° 58' 22"	118° 25' 49"	1,000
06	South West corner of Lincoln Blvd. and Jefferson Blvd.	33° 58' 20"	118° 25' 48"	1,000
07	Bay St., North of Jefferson Blvd.	33° 58' 34"	118° 25' 37"	21,000
11	Playa Vista Dr., North of Jefferson Blvd.	33° 58' 31"	118° 25' 38"	21,000
12	East Side of Lincoln Blvd. between Teale St. and Jefferson Blvd.	33° 57' 58"	118° 25' 32"	100,000

Outfall	Location	Latitude	Longitude	Maximum Daily Flow (gallons per day)
02	North East corner of Bay St. and Jefferson Blvd.	33° 58' 26"	118° 25' 39"	29,000
08	North of Jefferson Blvd., West of Lincoln Blvd.	33° 58' 13"	118° 26' 01"	21,000
09	North of Jefferson Blvd., West of Lincoln Blvd.	33° 58' 12"	118° 26' 04"	170,000
10	South of Jefferson Blvd., West of Lincoln Blvd.	33° 58' 11"	118° 26' 03"	21,000

CDFW's Environmental Program Manager, Rich Burg replies below as to CDFW's relationship with Playa Vista's Ballona Wetlands Conservancy, ***"The Department is an active participant on the Ballona Wetlands Conservancy Board."***

With easy access to the freshwater dewatering information, why has CDFW not utilized it for a Land Management Plan & GDE Study to use the plentiful, available, clean freshwater for habitat & wildlife & aquifer protection for Ballona Wetlands?



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

September 7, 2016

Ballona Wetlands Conservancy
Attn: Mr. Marc Huffman
Executive Director
12045 E. Waterfront Drive, Suite 400
Playa Vista, CA. 900094
Marc.Huffman@brookfieldrp.com

Subject: Notice of Violation of Fish and Game Code Section 1602

Dear Mr. Huffman:

On August 22, 2016, Department of Fish and Wildlife (Department) Environmental Scientist Victoria Chau, Taylor Van Berkum, and Wildlife Officer Warden James Nguyen visited the property at Ballona Freshwater Marsh located southwest of West Jefferson Boulevard and Lincoln Boulevard, Playa Del Rey, County of Los Angeles (Figure 1). This site can be located at Latitude 33° 58' 14" North, Longitude -118° 25' 51" West. During the visit, Ms. Chau and Mr. Van Berkum entered the property from West Jefferson Boulevard and immediately observed an

Rich Burg
Environmental Program Manager at California Department Fish and Wildlife

From: Burg, Richard@Wildlife <Richard.Burg@wildlife.ca.gov>
Date: Thu, May 2, 2019 at 12:57 PM
Subject: RE: Four quick questions/comments
To: Walter Lamb <landtrust@ballona.org>, Brody, Richard@Wildlife <Richard.Brody@wildlife.ca.gov>

Good afternoon Mr. Lamb. I hope you are having a pleasant and productive week. Please see below in red answers to your questions. Have a great afternoon!

Rich

Richard Burg
Environmental Program Manager
California Department of Fish and Wildlife
South Coast Region 5
3883 Ruffin Road
San Diego, CA 92123
T: (858) 467-4209
F: (858) 467-4239

3) Does CDFW still have a membership on the Ballona Wetlands Conservancy board? There has been some stakeholder confusion on that point and it would help everyone to have an official answer. The Department is an active participant on the Ballona Wetlands Conservancy Board.

PLAYA VISTA

BALLONA WETLANDS CONSERVANCY
Created by Playa Vista in 2000.

PLAYA VISTA

LA Regional Water Quality Control Board Dewatering/ Cleansing/ Discharge Volumes vary from year to year. This available clean groundwater can be returned to Ballona Wetlands for supporting habitat and wildlife, and for replenishment to the underlying freshwater aquifers.

This plentiful, clean freshwater is available for supporting Ballona's ecosystems, but is instead diverted away, into the sea via discharge to Ballona Channel.

7/22/2008) Augustine Anijielo - Playa Vista Actual Discharge Volume under General NPDES permit CI-6839 & CI-7648 Page

1999	3,545,100
2000	700,600
2001	1,520,288
2002	50,949
2003	42,966
2004	20,000
2005	80,000
2006	32,115,621
2007	45,443,762
2008	12,549,378

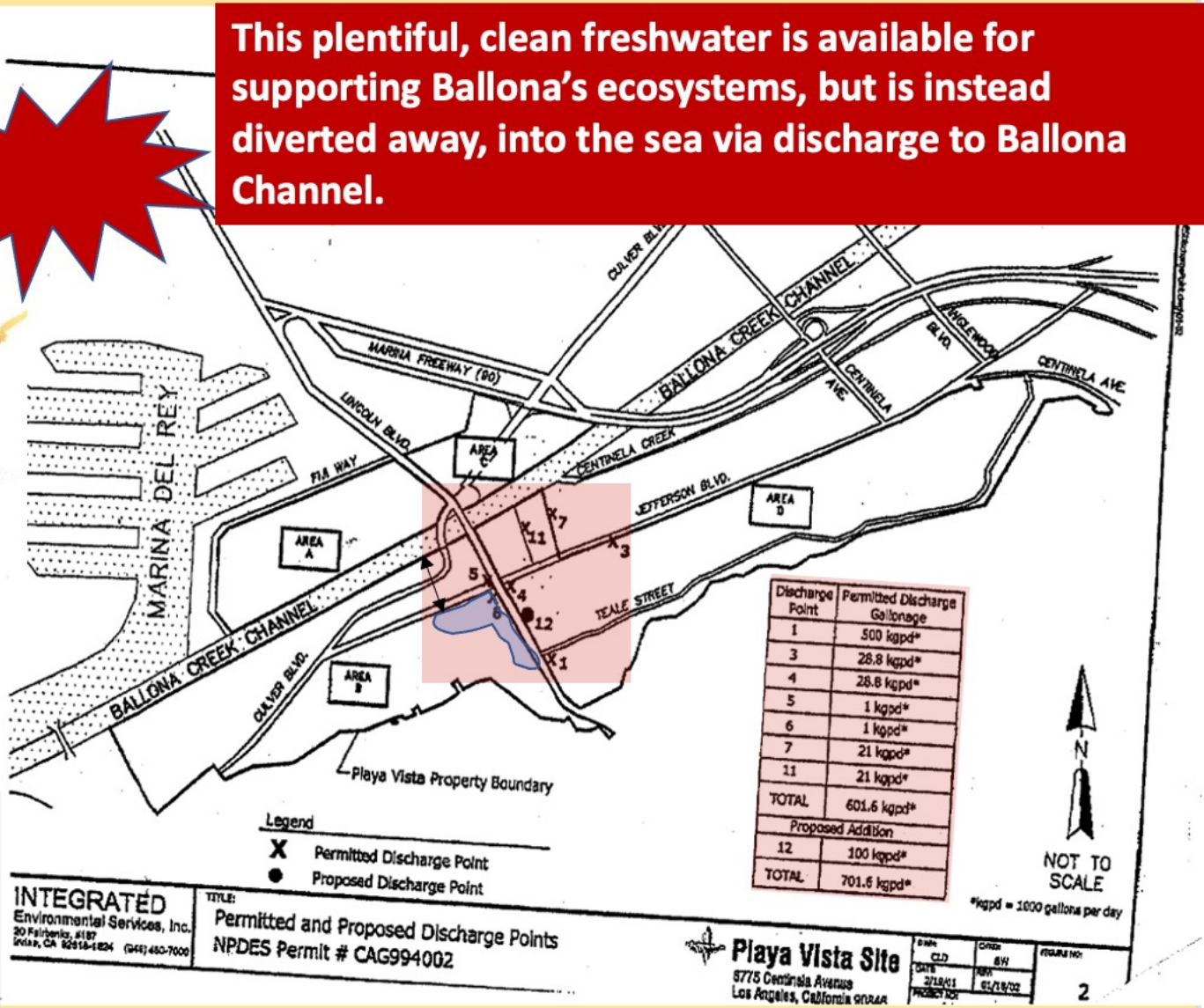
Augustine Anijielo, P.E., Chief
General Permitting/Special Projects Unit
Phone (213) 576-6657
Fax (213) 576-6660
aanijielo@waterboards.ca.gov

Playa Vista Construction Dewatering Permit, NPDES No. CAG994004, Order No. 2003-0111,CI-7648

Year	Total Discharge in gallons
2007	1,680,000
2006	300,000
2005	1,992,000
2004	12,199,741
2003	-------
2002	893,151
2001	14,338,946
2000	507,700

Playa Vista Groundwater Cleanup Project CAG914001; Order No. 2007-0022;CI-6839

Year	Total Discharge in gallons
1996	43,301,400
1997	8,863,200
1998	14,874,960

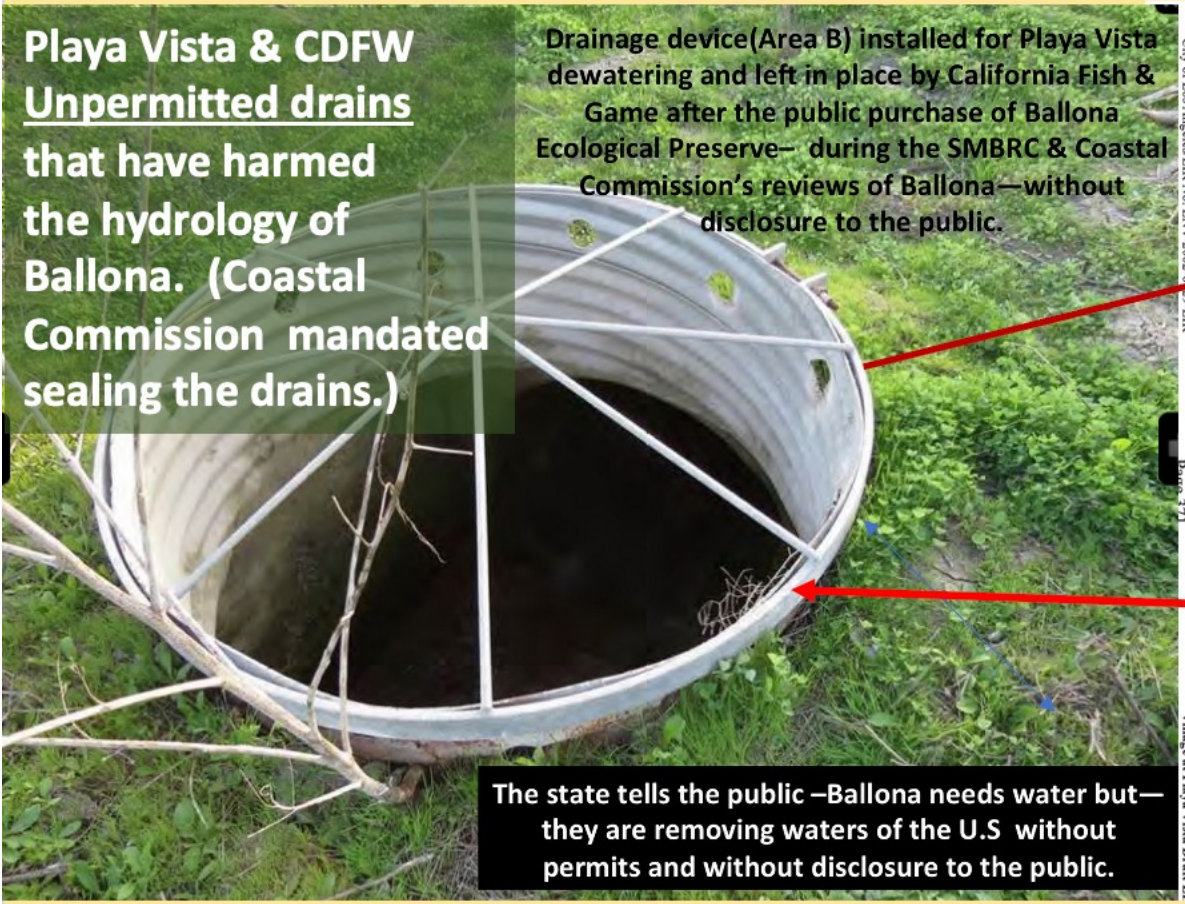


Discharge Point	Permitted Discharge Gallonage
1	500 kgpd*
3	28.8 kgpd*
4	28.8 kgpd*
5	1 kgpd*
6	1 kgpd*
7	21 kgpd*
11	21 kgpd*
TOTAL	601.6 kgpd*
Proposed Addition	
12	100 kgpd*
TOTAL	701.6 kgpd*

<u>WATER BALANCE FOR THE PROPOSED FRESHWATER WETLAND SYSTEM, PLAYA VISTA</u> by Camp Dresser & McKee Inc. 1991 discusses this available freshwater for Ballona Wetlands, including post remediation availability of the clean freshwater for sustaining Ballona Wetlands ecosystems. **CDFW does not include this information in its environmental studies for Ballona Wetlands Ecological Reserve**

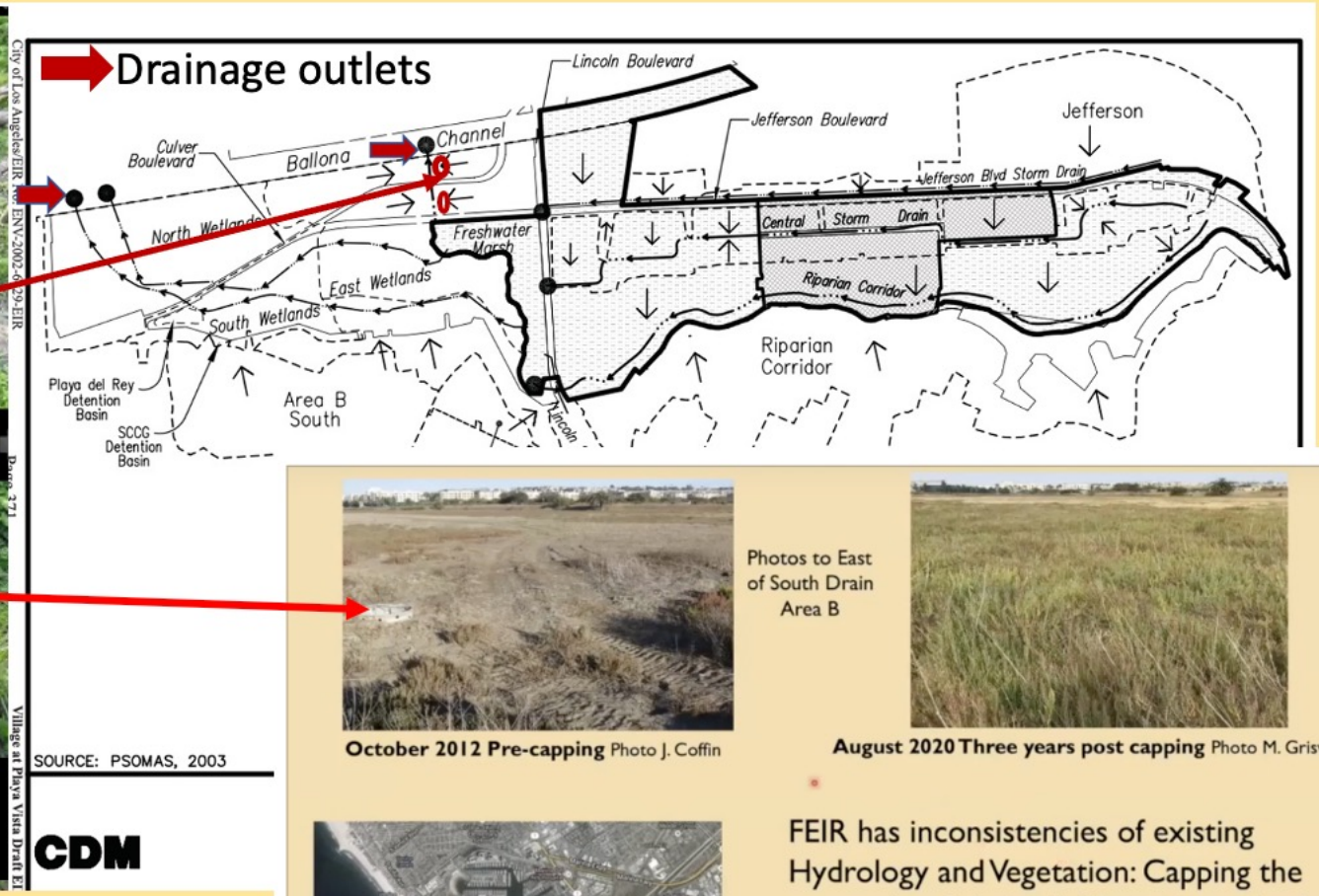
Playa Vista Freshwater Drainage Created By Playa Vista and Used By Playa Vista and CDFW to Drain Ballona's Freshwater Seasonal Ponding

Playa Vista & CDFW <u>Unpermitted drains</u> that have harmed the hydrology of Ballona. (Coastal Commission mandated sealing the drains.)



Drainage device(Area B) installed for Playa Vista dewatering and left in place by California Fish & Game after the public purchase of Ballona Ecological Preserve– during the SMBRC & Coastal Commission's reviews of Ballona—without disclosure to the public.

The state tells the public –Ballona needs water but—they are removing waters of the U.S without permits and without disclosure to the public.



SOURCE: PSOMAS, 2003

CDM

October 2012 Pre-capping Photo J. Coffin

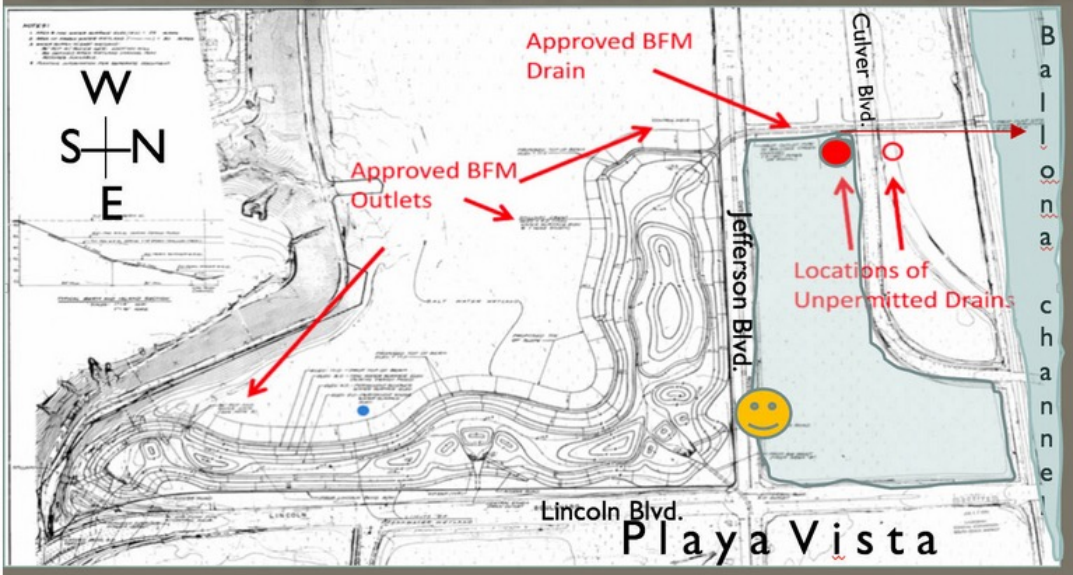
Photos to East of South Drain Area B

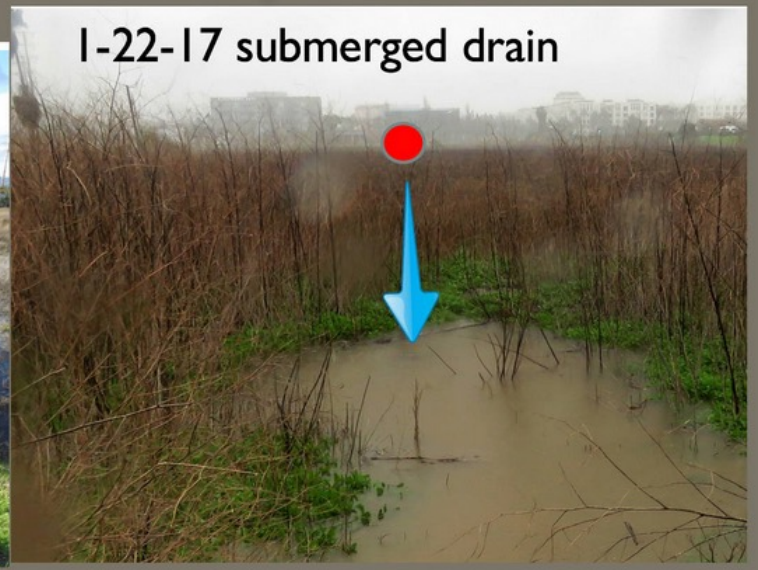
August 2020 Three years post capping Photo M. Griswold

Unpermitted drains in Area B in currently preserved areas that support wetland vegetation once drains were capped.

FEIR has inconsistencies of existing Hydrology and Vegetation: Capping the unpermitted drains in B north resulted in native pickleweed wetland habitat.

CDFW & Playa Vista: DRAIN FRESHWATERS OF BALLONA= Violation of the Coastal Act & Unpermitted 2004-2017





Ballona Wetlands Ecological Reserve

Roughly 100,000-200,000 cubic feet of water is thrown away each rain event shown.

1-23-17 Rainwater has been drained into Ballona Channel

The Wildlife Conservation Board approved funding for a LAND MANAGEMENT PLAN for Ballona Wetlands. It has not been done. A timely LMP is required under Fish & Game Code 1019 for new Ecological Reserves. No LMP has been done. CDFW's LMP protocol provides for surface/groundwater interaction as outlined in CDFW's protocol for Groundwater Dependent Ecosystems.

We request all stop on public trust property of Ballona ER and the Expanded Wetlands Parcel until a full GSP/LMP is performed.

No hydrology studies of Ballona Wetlands itself have been done to determine the negative impacts of the cumulative freshwater dewatering to Ballona Wetlands as can be noted in the following document portion produced by a member of the Project Management Team in the current EIR/S; Water Resource Development Act (WRDA) process. (Public Record Act response document)

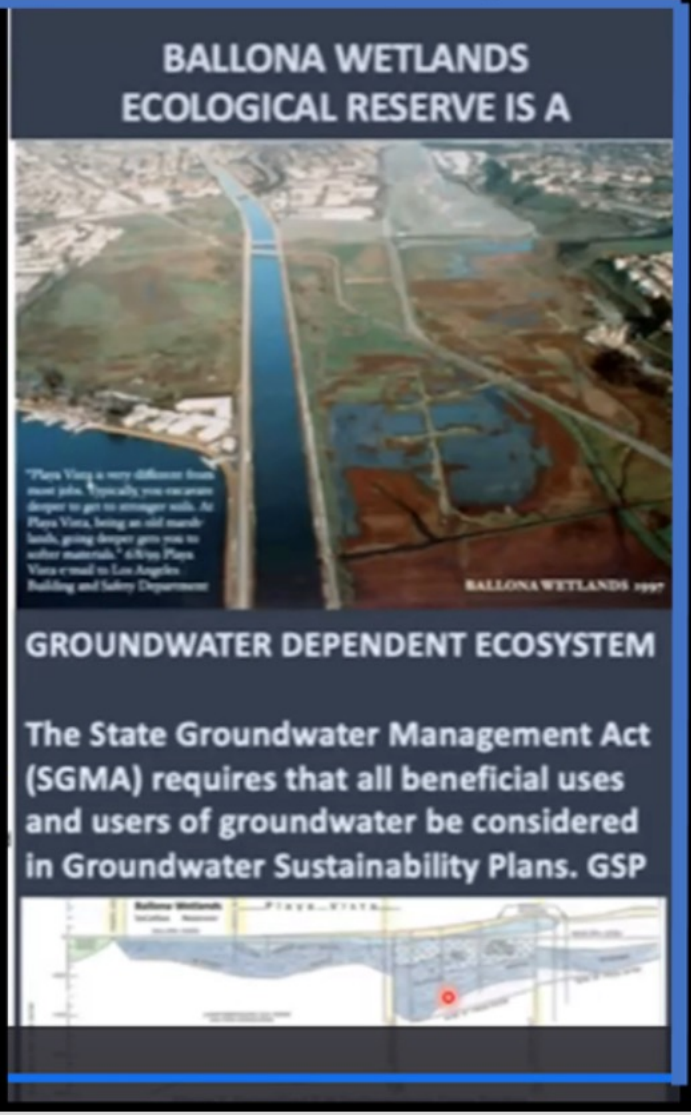
5670662	Geotechnical	Appendix B – Geotechnical Memorandum	n/a	n/a

Comment Classification: **For Official Use Only (FOUO)**

What is the groundwater condition at the project site?

Submitted By: David Tran (213-452-3563). Submitted On: Jun 05 2014

Evaluation not conducted



1998 DEPARTMENT of the INTERIOR. US FISH & WILDLIFE Expressing Concerns for Maximum Restoration Benefits and the Failure of the Army Corps to Coordinate With USFWS on the 1135 Projects- Levee Outlets to Ballona Channel

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Field Office
2730 Loker Avenue West
Carlsbad, California 92008

AUG 4 1998

Colonel Robert L. Davis
District Engineer, Los Angeles District
U.S. Army Corps of Engineers
P.O. Box 532711
Los Angeles, California 90053-2325

Attn: Ruth Villalobos

Re: Ballona Wetland Section 1135 Project, Los Angeles County, California

Dear Colonel Davis:

The U.S. Fish and Wildlife Service (Service) has reviewed the May 28, 1998, draft report describing the referenced project. This letter responds formally on the draft report.

Reportedly, the landowner and resources agencies support the referenced project provided that it does not interfere with the future restoration of adjacent wetlands nor require the landowner to mitigate for any improvement to the on-site baseline of species listed under the Endangered Species Act (Act). Local environmental groups, Heal the Bay and Friends of Ballona, also support the project because any long-term restoration plan is too far off to provide any immediate help for the degraded wetlands. Though we support the former concern, the baseline issue likely would need to be dealt with pursuant to the joint draft policy on "Safe Harbor" with the National Marine Fisheries Service and Fish and Wildlife Service (62 FR 32178). Regardless, impacts to any federally listed species, enhanced or not, would still need to comply with the Act.

The Corps and Service are currently involved in litigation regarding the land where the proposed project is located. A recent court decision rescinded the Corps permit for development and wetland mitigation on a portion of this same property, indicating a completed Environmental Impact Statement (EIS) for the entire property was warranted before development on any portion could proceed. In addition, a regulatory EIS is now being prepared for the project area. The Service strongly supports long-term habitat restoration projects. Because of the extensive comprehensive planning for wetland restoration that has occurred and is ongoing, any proposed project would have to be compatible with any larger or long-term plan. Moreover, the Service maintains that the Ballona wetlands need to be addressed in a comprehensive manner to realize maximum restoration benefits. In this regard, Russ Kaiser of your staff indicated that the project had been scaled back to 5-10 acres to ensure that it would be compatible with and not preclude any long-term planning.

G-25

Col. Robert L. Davis -2- AUG 4 1998

In conclusion, based on the information provided in the draft report, and clarifying conversations with your staff, the Service generally supports this proposed 1135 project. We note that because section 1135 funds are scarce, we assume the Corps has determined that other restoration opportunities do not exist that could provide greater benefits for fish and wildlife resources.

We hope that the Corps will improve upon future efforts to coordinate with the Service on section 1135 projects. The Corps indicated in the draft project report that they would only fund the Service to prepare a Fish and Wildlife Coordination Act (Coordination Act) report addressing existing conditions, alternatives analyses, and final recommendations. This report would be prepared after the project alternative is selected. The existing conditions and alternatives analyses are typically presented in planning aid reports during the development of the project alternative. According to the Coordination Act, the Corps should coordinate with the Service early on and during the entire planning process of a water resources development project. Pursuant to the National Transfer Funding Agreement, which implements the requirements of the Coordination Act, we believe this process has been severely truncated for this 1135 project. We believe any water resource development project, including a comprehensive plan for Ballona wetlands, warrants early Service involvement as set forth in the Transfer Funding Agreement, including preparation of the appropriate planning documents, alternatives analysis, and finally a Coordination Act Report for a comprehensive plan.

If you have any questions, please feel free to contact John Hanlon, Chief, Branch of Federal Projects, at (760) 431-9440.

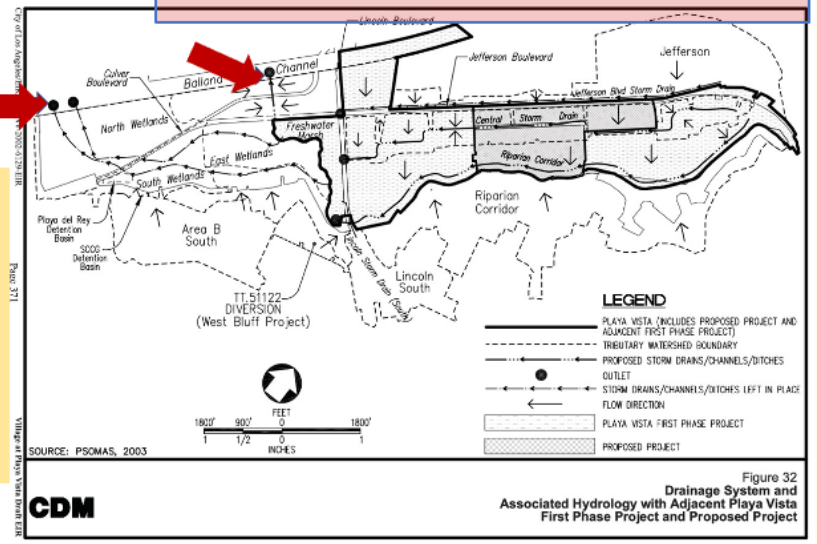
Sincerely,

for Ken S. Berg
Field Supervisor

G-26

There was a lack of legally required coordination with USFWS which would have allowed for discussion of other restoration opportunities. USFWS cites a need for an EIS on the entire property before development of any portion.

TODAY: Existing conditions of Ballona's sustainable freshwater resources are still not addressed or protected by CDFW .



red arrows show USACE 1135 levee projects

The draining of Ballona's freshwater and failure to address saltwater intrusion upon Ballona's aquifers per the Clean Water Act; California's Porter Cologne Act

US EPA- FINAL REPORT 1986 Determination of the Presence of Aquatic and Wetland Habitats Subject to Federal Regulatory Jurisdiction Within the Ballona Creek Land Tract,

Prepared for USEPA, Region IX by Terry Huffman, Phd, Huffman Technologies Co.

-**Clean Water Act jurisdiction may be assumed for all of the aquatic and Wetland areas found**. P.1

- The lands are subjected to some drainage and flood and tidal protection but have not been converted into dry lands. P.2

-**Hydrologic Conditions**. At higher elevations saturated soil conditions occur as a result of heavy rainfall retention during portions of the early growing season (December to April) by heavy soils of low permeability. This, combined with a seasonal shallow ground water table, causes saturated soil conditions within the root zone to occur for several months during most years. P.10

-**Wetland Areas**. The principal type of wetlands found is commonly referred to as "pickleweed marsh" wetlands. P. 15

-**Vegetation**. …anaerobic soil conditions are such that the typical crops planted, such as lima beans, cannot be successfully planted and harvested until late spring when the saturated soil conditions have subsided.

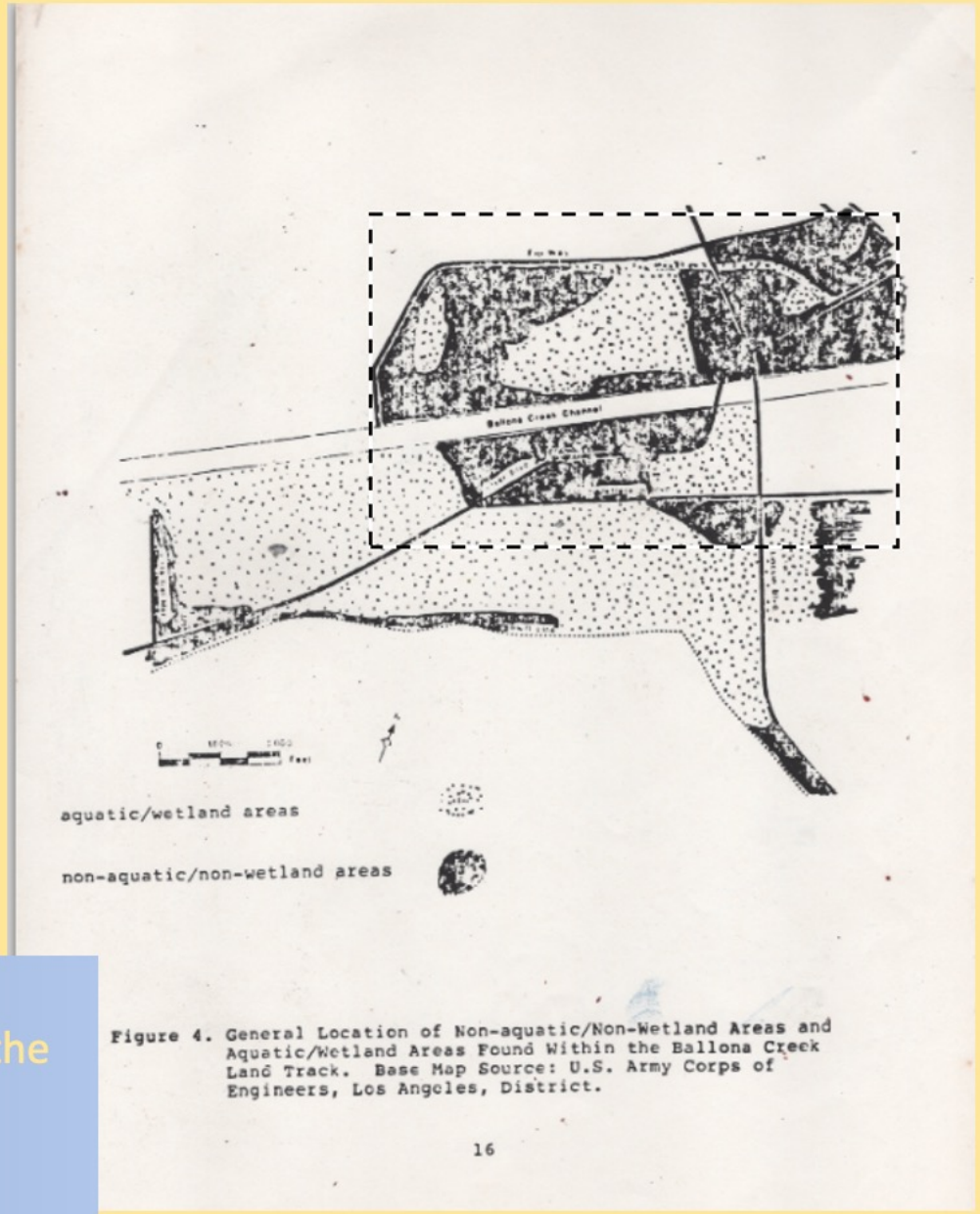


Figure 4. General Location of Non-aquatic/Non-Wetland Areas and Aquatic/Wetland Areas Found Within the Ballona Creek Land Track. Base Map Source: U.S. Army Corps of Engineers, Los Angeles, District.

16

The report clearly indicates the seasonal freshwater nature of Ballona and the ability of the soils to retain moisture when inundation from seasonal rains dissipates.

Playa Vista pumps away the ponding rainwater and pumps out groundwater throughout its development project

- What is Rare Regional Habitat?
- Coastal predominantly seasonal freshwater wetlands / upland complexes; salt flats/pans , salt marsh; Belding's Savannah Sparrow and the whole suite of species currently calling Ballona HOME.

Historic and Contemporary Acres of Coastal Wetland Habitats

	Historical (acres)	Contemporary (acres)	% Change
Salt marsh	1,330	1,170	-12%
Salt flat (seasonally flodded)	1,230	120	-90%
Open Water/mud flat	140	980	615%
Freshwater/brackish wetland	1,650	760	-54%
Developed		1,440	

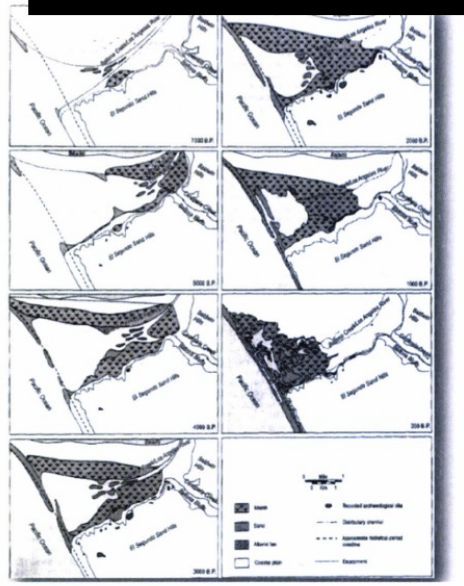
From: Northern San Diego County Lagoons Historical Ecology Investigation: Regional Patterns, Local Diversity, And Landscape Trajectories. San Francisco Estuary Institute, 2014.

Meeting with Sam Schuchat

Written by Travis Longcore PhD

Full Tidal Restoration Threatens Southern California Native Biodiversity

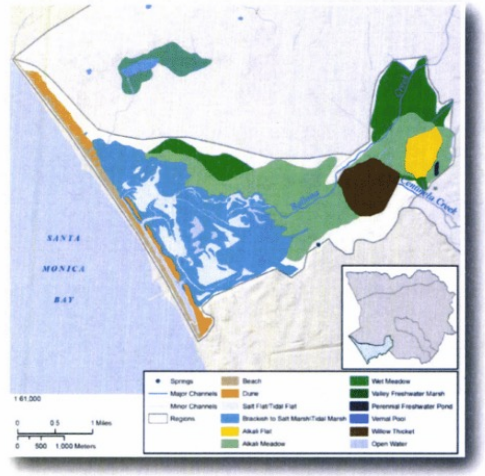
In southern California, perennially open, fully tidal estuaries are not natural, except for San Diego Bay. Coastal Conservancy funded research has revealed historical records showing that Mugu Lagoon, Agua Hedionda, Batiquitos, Los Peñasquitos, San Diegito, and Bolsa Chica were all closing systems, at least for part if not most of the year, prior to widespread human alteration (mid to late 1800s). This new information falsifies the studies that connected tidal prism to opening frequency.



As a consequence of regular closure and dominance of freshwater inputs over tidal flows, the natural history of organisms in these estuaries is tied to this pattern of closing and the natural features that develop with this hydrology (e.g., salt flats, alkali meadows, upstream riparian zones) rather than to conditions associated with fully tidal, perennially open systems. Examples of specialists in closing systems include tidewater goby, southern steelhead (juveniles), and the endemic sea slug *Alderia willowi*. Furthermore, periodically flooded wet meadows support their own endemic species such as south coast marsh vole and southern California salt marsh shrew. Other species dependent on these habitats specialize in the dense bullrushes and willows that form in the upstream zones (e.g., south coast garter snake, willow flycatcher).

Wetland creation projects that create fully tidal wetlands where they are not supported by the natural hydrology have the following adverse consequences:

1. Extremely expensive to maintain because they require frequent dredging.
2. Lowered water table and drying of upstream wetland habitats.
3. Loss of habitat and extirpation for specialist endemic species.
4. More release of bacteria to beaches during the summer.



Ballona Wetlands Were Not Fully Tidal and Should Not Be Turned Into Full Tidal Wetlands

Historical records are clear that Ballona Creek only emptied to the ocean during the winter under rainy conditions. Otherwise, the system is completely non-tidal. Ballona Lagoon was a true lake through the 1800s, until it was jettied open in 1887. It was not an open bay, which has not been present at Ballona for at least 2,000 years. Historic surfaces at Ballona are intertidal or above high tide. Many areas would have been wet in the winter and dry in the summer (which is how the salt pan formed). Creation of a fully-tidal system from whole cloth will harm the sensitive endemic species found at the site (e.g., south coast marsh vole, southern California salt marsh shrew), the upland and transition zone species (including fully protected white-tailed kite, and loggerhead shrike). The Ballona project is being driven by outdated goals (maximize tidal flow and estuarine habitat) that should have been revised in light of recent scientific advances in historical ecology.

A State Coastal Conservancy Grant authorized in May, 2021, to CDFW, authorized a scope of work outside the Ecological Reserve, to correct flood control errors. Instead, CDFW now pursues a blind construction effort to excavate habitat & create saltwater channels of intrusion into areas that do not warrant such disruption because: 1) the area is passively regenerating native habitat; 2) the area already maintains lush saltmarsh habitat; 3) saltwater intrusion into fresh groundwater dependent habitat can harm the habitat, wildlife and the fresh groundwater, violating SGMA & Porter-Cologne Act. While multiple lawsuits challenge the FEIR, the CDFW Sequence 1,2 plans are an end-run to start the creation of a full tidal saltwater bay.

Ballona Wetlands Restoration Project

Sequence 1 and 2 Design and Permitting Solicitation Announcement

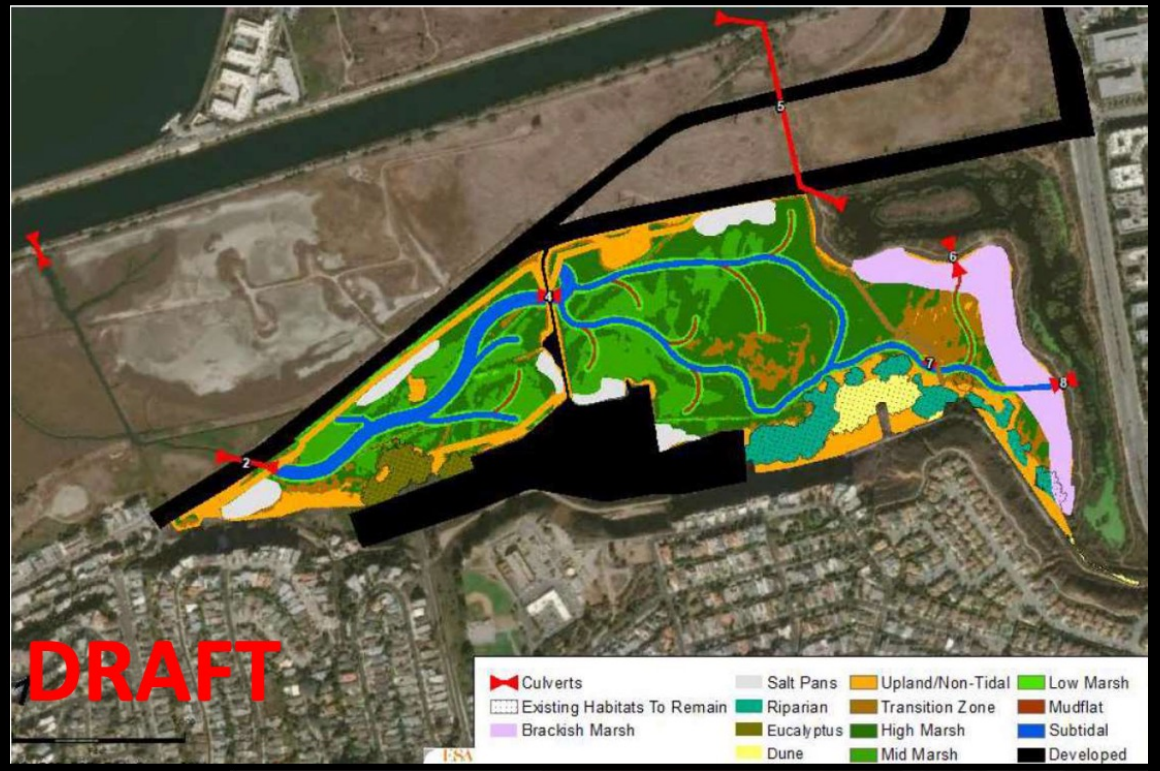
CDFW is pleased to announce that, as of April 1, 2022, we are requesting proposals from qualified firms to complete necessary designs and acquire necessary permits for Sequences 1 and 2 for the Ballona Wetlands Restoration Project.

More information can be found in the complete Request for Qualifications (RFQ).

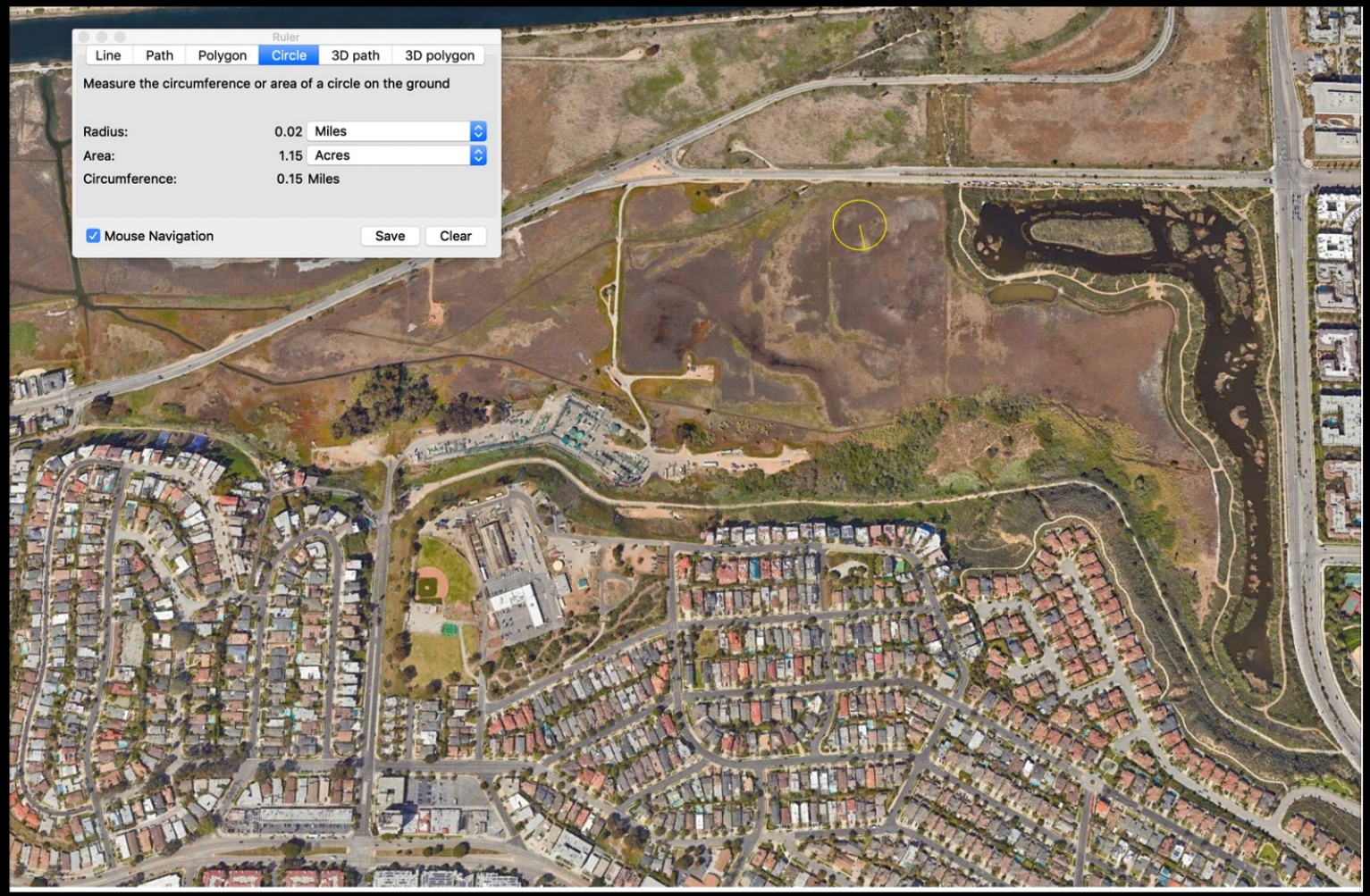
CDFW is excited to take this step in order to begin the initial two sequences of the restoration project. These two sequences involve removing and relocating an existing gas line and restoring and enhancing an approximate 60-acre degraded tidal, brackish, and freshwater wetland area in South and Southeast Area B of the ecological reserve (as analyzed in the Ballona Restoration Environmental Impact Report).

- These initial improvements will benefit endangered species. They will functionally lift and expand approximately 60 acres of habitat for the Belding's savannah sparrow and improve and expand freshwater and brackish habitat for least Bell's vireo and potentially light-footed Ridgway's rail.
- With minimal ground disturbance and a focus on improving hydrology, these initial sequences will increase tidal circulation and freshwater inputs (receiving flows from the Ballona Freshwater Marsh) to an area of the ecological reserve that has been hydrologically starved from its water source for many decades and, subsequently, where steady habitat decline is documented.

Sequence 1 & 2 Areas



Public Trust lands and waters of the State Lands Commission are the first on the controversial conversion chopping block.



Note the yellow circle on the left, which demonstrates roughly the size of 1 acre.
The underlying fresh groundwater & aquifers of Ballona, are not evaluated for protection in the FEIR or Sequence 1,2. The seasonal, roughly 60 + acres of ponding freshwater throughout this area, are not discussed for protective consideration.

Language from CDFW's – ESA consulting group per Sequence 1 & 2

Existing Topography

- West Area B is lower in elevation than South and Southeast Area B
- ~3.9 acres in West Area B are inundated with high water
- Only ~1.1 are inundated by high water level in South and Southeast Area B

Presumably, ONLY ADDRESSING acreage of SALTWATER INNUNDATION via the manmade & TMDL (toxic) compromised trenches from Ballona Channel. There is no discussion of Ballona as a Groundwater Dependent Ecosystem per the Sustainable Groundwater Management Act. No evaluation of the natural surface/groundwater/habitat connection.

CDFW's Sequence 1, 2 continue to fail to address the natural freshwater systems of Ballona Wetlands and fail to address the natural regeneration of Ballona that is taking place.

The ongoing planning efforts associated with the Ballona watershed can benefit from the insights of historical ecology. While the Ballona watershed is highly urbanized, it retains remnants of its historical natural resources mainly in the form of coastal wetlands and natural springs Developing an understanding of potential restoration options in such landscapes depends upon a sound understanding of both contemporary conditions and historical ecological wetland functions. *Introduction, Historical Ecology of Ballona Watershed..*

No hydrology studies of Ballona Wetlands itself have been done to determine the negative impacts of the cumulative freshwater dewatering to Ballona Wetlands as can be noted in the following document portion produced by a member of the Project Management Team in the current EIR/S; Water Resource Development Act (WRDA) process. (Public Record Act response document)

5670662	Geotechnical	Appendix B – Geotechnical Memorandum	n/a	n/a

Comment Classification: **For Official Use Only (FOUO)**

What is the groundwater condition at the project site?

Submitted By: David Tran (213-452-3563). Submitted On: Jun 05 2014

Evaluation not conducted

CDFW's Coastal Act violation of unpermitted drainage of Ballona's freshwater, which harmed the hydrology and targeted habitat—Pickleweed, has been stopped. With restored seasonal ponding, passive regeneration has occurred. On the north side of Sequence 1, 2 areas, the habitat for the endangered Belding's Savannah Sparrow has been restored as seen below.

October 2012 Pre-capping Photo J. Coffin

Photos to East of South Drain Area B

August 2020 Three years post capping Photo M. Griswold

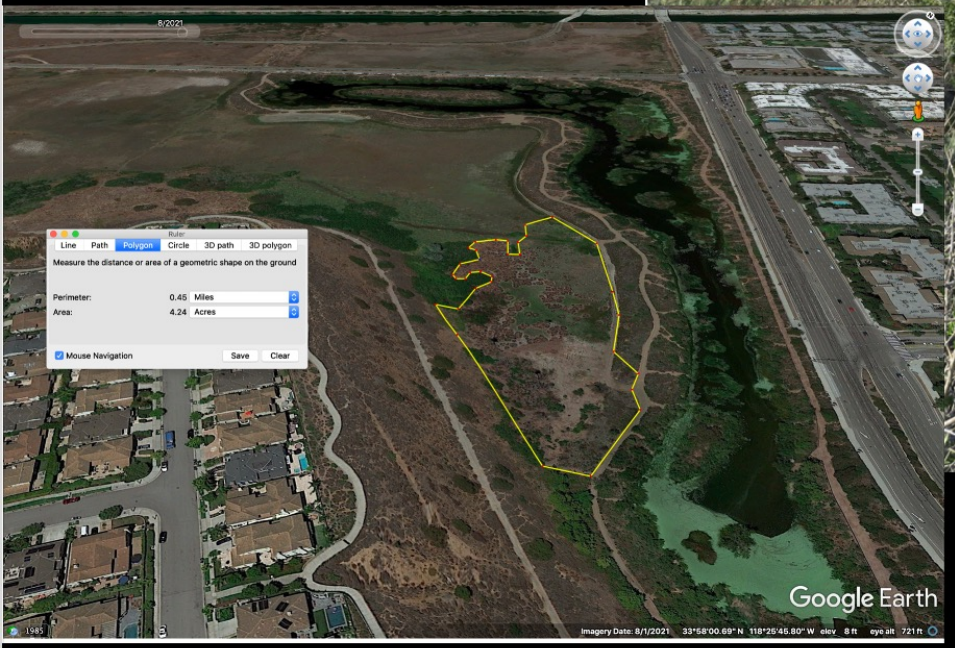
Unpermitted drains in Area B in currently preserved areas that support wetland vegetation once drains were capped.

FEIR has inconsistencies of existing Hydrology and Vegetation: Capping the unpermitted drains in B north resulted in native pickleweed wetland habitat.

Endangered Belding's Savannah Sparrow


Lincoln Bl.
BWER
Area B North
Belding's Savannah Sparrow 4-8-14

March 24, 2021 post fire (left side) May 29, 2021 post fire regrowth (right side)



Ongoing, passive regeneration of native plant species can be seen in these photos by Jonathan Coffin.

The Google Earth aerial view to the left, is outlined for the post-March 23, 2021 BWER 4.25 acre burn area as it appears on August 1, 2021

Salicornia pacific (Pickleweed) post burn regrowth along the back roadside with a row of burned Pampas Grass stumps May 29, 2021

Bolboschoenus (Sedges) post burn regrowth May 29, 2021

Google Earth August 1, 2021;
Jonathan's photos showing post fire, passive regeneration of native plants.

Flowering Alkali Mallow (Malvella leprosa) and Pickleweed (Salicornia pacifica) with some Atriplex in the mix of post burn regrowth on wetland soils May 29, 2021

Alkali Mallow (Malvella leprosa) in the foreground and Bolboschoenus (Alkali Bulrush) in the background post burn regrowth and some burned Pampas Grass stumps May 29, 2021

"The plants which are all native are all identified in my photos. You have to be specific which plants you are referring to. The "grasses"… Bolboschoenus are Alkali Bulrushes which are sedges (sedges have edges)." Photographer & Naturalist, Jonathan Coffin.

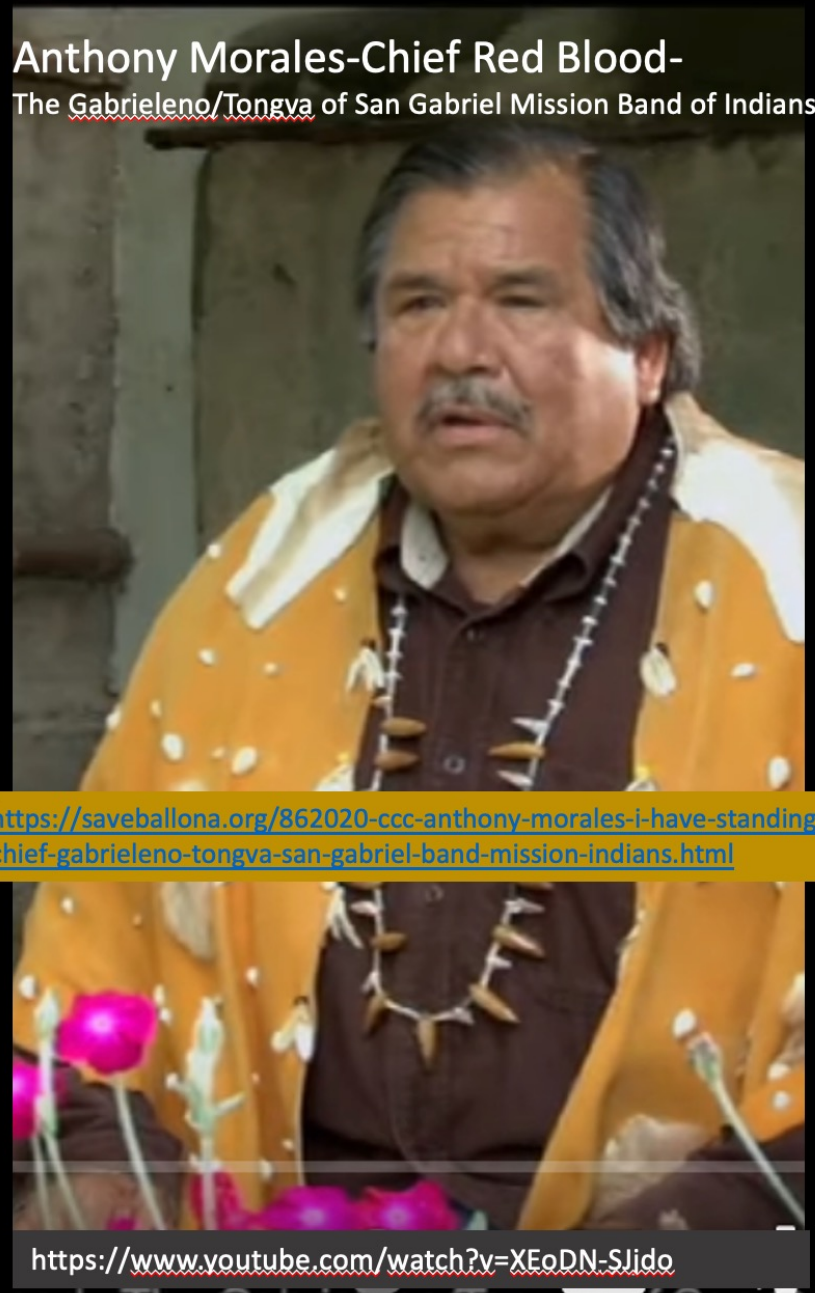
> “These photos of the burn area show that tidal channels are not needed.
> There never were tidal channels in this area … there were never tidal channels where they put the tide gates in for the 1135 project, for that matter. “ Margot Griswold Ph.D. Restoration Ecologist

The Sequence 1,2 area west of the expanded wetland portion is an area that has maintained Ballona's saltmarsh habitat, Pickleweed, which is the foraging and nesting habitat for the endangered Belding's Savannah Sparrow .

"Because this area is seasonally saturated with freshwater & has a historic high groundwater table, there likely is no need to create potentially harmful saltwater channels. A Land Management Plan, which would necessitate evaluation of the site's natural hydrology has not been performed as required (F&G Code 1019)." Margot Griswold PhD.

Anthony Morales-Chief Red Blood-

The Gabrieleno/Tongva of San Gabriel Mission Band of Indians



https://saveballona.org/862020-ccc-anthony-morales-i-have-standing-chief-gabrieleno-tongva-san-gabriel-band-mission-indians.html

https://www.youtube.com/watch?v=XEoDN-SJido

ood - The Gabrieleno/Tongva of San G

Sacred Site Registry

Site name: SA'ANGA-
County: Los Angeles
Tribe: GABRIELINO/TONGVA INDIANS of CA. TRIBAL COUNCIL

LOCATION

USGS Quad | Meridian | Township | Range | Section | NW | NE | SW | SE

CA-LAN-
164, 163, 203, 204 65
206A, etc.

OWNERSHIP SA'ANGA = TONGVA Village(s)

Owner name: ABORIGINAL title due to preemptive and
Owner address: prohibiting of ABORIGINAL TONGVA claim to land water, cultural resources.
5450 SLAUSON AVE, SUITE 151 CULVER City, CA 90230-6000

SITE TYPE

Burial Site	☒	Reburial Site	☐	Rock Shelter/Cave	☒
Lithic Scatter	☒	Caches	☒	Worship/Ritual Site	☒
Ceramic Scatter	☒	Village Site	☒	Sacred/Power Area	☒
Bedrock Mortar	☐	House Pits	☒	Collection Area	☒
Art	☒	Camp Site	☒	Unknown	☐

Other (specify): LAST COASTAL Site Not Built OVER. Sacred AREA.

DOCUMENTATION Village

Books, periodicals, knowledgeable person, other references: Well Documented - CA-LAN

RECORDER
Name: JohnTommy Rosas
Address: MLD TRIBAL COUNCIL WGN
Phone: 707-961-0229 PRIVATE!
Title/Affiliation: GABRIELINO / TONGVA INDIANS OF CALIFORNIA TRIBAL Council
Date originally recorded 1930

CONSULTANT MLD
ROBERT DORAME
TRIBAL Council CHAIRMAN

2005 Tongva Burial Grounds-Playa Vista-Con

https://www.youtube.com/watch?v=x9-YY6UaoC0 Ballona Restoration

Tongva Burial Grounds-Playa Vista-Comme...

Tongva Ancestral Territorial Tribal Nation

https://saveballona.org/john-tommy-rosas-ccc-tongva-burial-grounds-2005-video-maxine-waters-freshwater-marsh.html

! YOU ARE NOT LISTENING TO US !

California Department of Fish & Wildlife; California Coastal Conservancy;
California State Lands Commission; California Coastal Commission

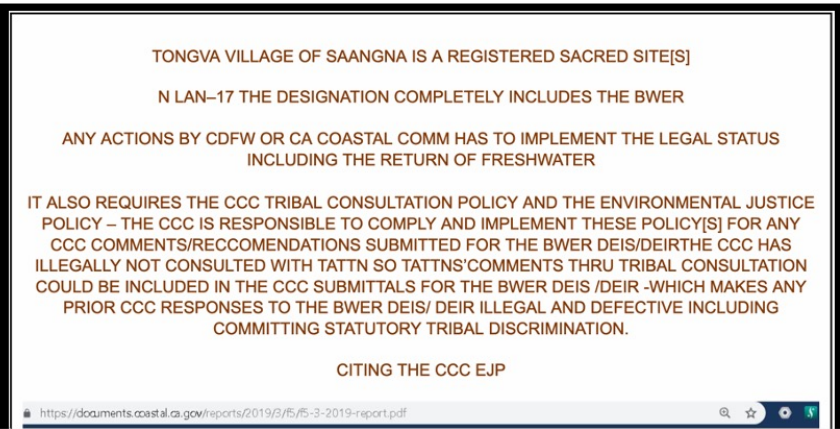
You have requested our input on Ballona's Restoration, but you have been nonresponsive to our voluminous written and videotaped input. Sequence 1 & 2 is simply part of your overall destructive plan for conversion of our Sacred ancestral lands and waters into a full tidal saltwater bay that serves as a flood control device for Playa Vista. This FEIR, Alt. 1 Plan should not be allowed to move forward.

Chief Anthony Morales

https://saveballona.org/862020-ccc-anthony-morales-i-have-standing-chief-gabrieleno-tongva-san-gabriel-band-mission-indians.html

" Traditional *Ecological Knowledge The phrase "traditional ecological knowledge," also called "indigenous knowledge" or "Native science," refers to the evolving knowledge acquired by indigenous and local peoples over hundreds or thousands of years through direct contact with the environment. This knowledge is specific to a location and includes the relationships between plants, animals, natural phenomena, landscapes and timing of events that are used for lifeways, including but not limited to hunting, fishing, trapping, agriculture, and forestry. Traditional knowledge is an accumulating body of knowledge, practice, and belief, evolving by adaptive processes and handed down through generations by cultural transmission, about the relationship of living beings (human and non-human) with one another and with the environment. It encompasses the world view of indigenous people which includes ecology, spirituality, human and animal relationships, and more.* "

please see the attached TATTN files - I appreciate it , thanks , jt



TONGVA VILLAGE OF SAANGNA IS A REGISTERED SACRED SITE[S]

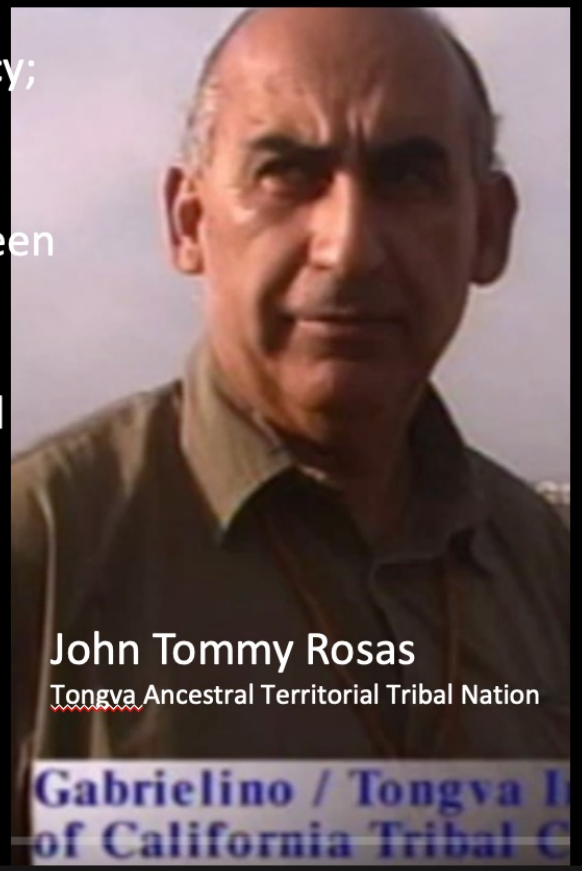
N LAN–17 THE DESIGNATION COMPLETELY INCLUDES THE BWER

ANY ACTIONS BY CDFW OR CA COASTAL COMM HAS TO IMPLEMENT THE LEGAL STATUS INCLUDING THE RETURN OF FRESHWATER

IT ALSO REQUIRES THE CCC TRIBAL CONSULTATION POLICY AND THE ENVIRONMENTAL JUSTICE POLICY – THE CCC IS RESPONSIBLE TO COMPLY AND IMPLEMENT THESE POLICY[S] FOR ANY CCC COMMENTS/RECCOMENDATIONS SUBMITTED FOR THE BWER DEIS/DEIRTHE CCC HAS ILLEGALLY NOT CONSULTED WITH TATTN SO TATTNS'COMMENTS THRU TRIBAL CONSULTATION COULD BE INCLUDED IN THE CCC SUBMITTALS FOR THE BWER DEIS /DEIR -WHICH MAKES ANY PRIOR CCC RESPONSES TO THE BWER DEIS/ DEIR ILLEGAL AND DEFECTIVE INCLUDING COMMITTING STATUTORY TRIBAL DISCRIMINATION.

CITING THE CCC EJP

https://documents.coastal.ca.gov/reports/2019/3/f5/f5-3-2019-report.pdf



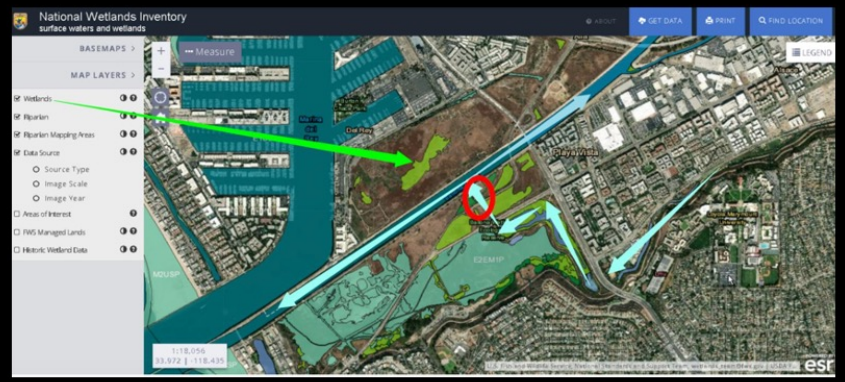
John Tommy Rosas
Tongva Ancestral Territorial Tribal Nation

Gabrielino / Tongva
of California Tribal

https://saveballona.org/john-tommy-rosas-ccc-tongva-burial-grounds-2005-video-maxine-waters-freshwater-marsh.html

We are requesting the cessation of any activities to forward the CDFW, Final Environmental Impact Report's - Preferred Alternative Plan, including its initiation through the 'Sequence 1 and 2.'

Further, we are in process of requesting the CDFW's, Section 1019, Land Management Plan (LMP) occur. We are in process of requesting a grant from the Wildlife Conservation Board that would provide funding for the LMP to be performed which would include freshwater natural resource planning for Ballona as it is a Groundwater Dependent Ecosystem and requires adherence to the Sustainable Groundwater Management Act.
We are asking for archaeological evaluation having an intent of protecting all of Ballona as the Sacred Site of SA'ANGA inclusive of reparations for protection of ancestors, our culture and the natural resources that encompass the world view of indigenous people which includes ecology, spirituality, human and animal relationships, and more. Chief Anthony Morales




SRI GRAVE DIGGERS TRYING TO RECOVER TONGVA REMAINS WASHED OUT


Chief Anthony Morales

https://saveballona.org/2004-new-york-times-playa-vista-digs-tongva-native-american-burial-grounds-and-more.html

GRASSROOTS COALITION

Environmental Integrity & Public Policy

Good afternoon Ms. Murvine,

This email is sent to you as the Sustainable Groundwater Management Act/ Groundwater Dependent Ecosystem administrator for the California Department of Fish & Wildlife. Please note/ include the email sent today, to you from Grassroots Coalition that is additional response regarding the Santa Monica Basin and Ballona Wetlands Ecological Reserve –a Groundwater Dependent Ecosystem. (sent at 2:10 pm Monday, Oct. 31, 2022)

https://mywaterquality.ca.gov/monitoring_council/environmental_flows_workgroup/docs/2019/cdfw_sgma_20190514.pdf,

Grassroots Coalition continues to attempt to bring CDFW into compliance with the Sustainable Groundwater Management Act (SGMA) and compliance with Groundwater Dependent Ecosystem evaluation for protection of the **Title 14, Section 630 FGC approved and Office of Administrative Law registered, Terrestrial / Non-Marine Ecological Reserve--Ballona Wetlands Ecological Reserve, located on the Los Angeles coastline in the Santa Monica Basin--**a medium priority basin. The Department of Water Resources has acknowledged Ballona Wetlands as a Groundwater Dependent Ecosystem (GDE).

CALIFORNIA FISH AND GAME COMMISSION - NON-REGULATORY REQUESTS - ACTION

FGC - California Fish and Game Commission DFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee

Name/Organization of Requestor	Subject of Request	Short Description	FGC Receipt Scheduled	FGC Initial Action Scheduled	Initial Staff Recommendation	Referred To	Date Referre
Jeff Maassen	Application to commercially harvest Sargassum horneri	Submits an application to FGC to commercially harvest Sargassum horneri consistent with the commercial kelp regulations, per Section 165(f) of Title 14, CCR.	10/14/20	12/9-10/2020	REFER to DFW for review and recommendation	DFW	12/9-10/202
Patricia McPherson, Grassroots Coalition	Ballona Wetlands Ecological Reserve	Asks that FGC revisit the documentation for the designation of Ballona Wetlands Ecological Reserve to emphasize its freshwater nature, and enumerates concerns related to the Sustainable Groundwater Management Act and a land management plan for the reserve. Originally submitted as a petition for regulation change, the petition was rejected by staff because there is no specified regulation change; however, the ask is being processed as a non-regulatory request.	8/18/21	10/13-14/21	There is no legal mechanism for FGC to revise documentation relied upon in a closed rulemaking that designated an ecological reserve. Note that groundwater plans are prepared on a watershed scale, not for individual land parcels. The hydrological nature of Ballona Wetlands Ecological Reserve should be borne out by the restoration plan, and determined by the ecological values as well as desired wildlife and habitats in the reserve. No action recommended.		

As cited above by the staff of the Fish & Game Commission (FGC) the issues of protection Ballona Wetlands Ecological Reserve (BWER) under SGMA as a GDE are a part of discussions with FGC staff and Grassroots Coalition as to how to protect Ballona Wetlands, as legally required.

As noted in the comment by FGC staff, the geohydrological / GDE issues of BWER should be included in the restoration objectives of Ballona by CDFW. However, SGMA and GDE issues are not addressed in the CDFW certified Final Environmental Impact Report (FEIR). **Neither the Draft EIR nor the FEIR have geohydrological evaluation of Ballona Wetlands Ecological Reserve itself.** There are two CDFW failed / rejected by Army Corps of Engineers, flood control/ hydraulics studies for the Ballona Channel (which is outside the the Ecological Reserve). Thus far, there has been no address/ evaluation by CDFW of Ballona Wetlands Ecological Reserve itself as a GDE. There has been no address or evaluation by CDFW for the protection of the multiple underlying freshwater aquifers that underlie both the adjacent Playa Vista development site (of which CDFW claims to be a board member of the Playa Vista Ballona Conservancy) and underlies all of Ballona Wetlands Ecological Reserve.

CDFW has acknowledged problems with freshwater diversion by Playa Vista's ongoing dewatering and diversion away from Ballona, that has harmed the hydrology and ecosystem(s) of Ballona.
https://saveballona.org/2017-california-department-fish-wildlife-cdfw-betty-courtney-cites-harm-ballona-due-reduced-water-flow-playa-vista.html (CDFW Betty Courtney letter to Playa Vista).

Ms. Courtney of CDFW, has since retired but the letter clearly announces the harm to Ballona Wetlands due to Playa Vista's failure to allow freshwater flow to Ballona.

"The reduced volume of water has compromised the success of the mitigation project, limited the habitat function and value, and decreased fish and wildlife diversity." Betty Courtney CDFW

And, the California Coastal Commission has confirmed that CDFW violated the Coastal Act via unpermitted drainage of Ballona Wetlands since CDFW's acquisition of Ballona Wetlands in the 2003/4 timeframe.

Any take away of Ballona's freshwater is harmful to Ballona Wetlands Ecological Reserve. There is no excuse for throwing away this precious, life-giving water.

As cited in the California Coastal Commission (CCC) Letter (4/11/14) to Playa Vista and CDFW … draining Ballona is harmful to the ecosystem:

"… a water supply of a reliable quantity and quality is needed thus contributing to the habitat function of the larger Ballona Wetland project instead of directing it away from habitat regs within the Ballona Wetlands Ecological Reserve." (p. 3 of 9 4/11/14 CCC Letter to Playa Capital LLC and to CDFW re: unpermitted drains)

"… a continuous detriment to wetland hydrology and habitat that relies on water to function."

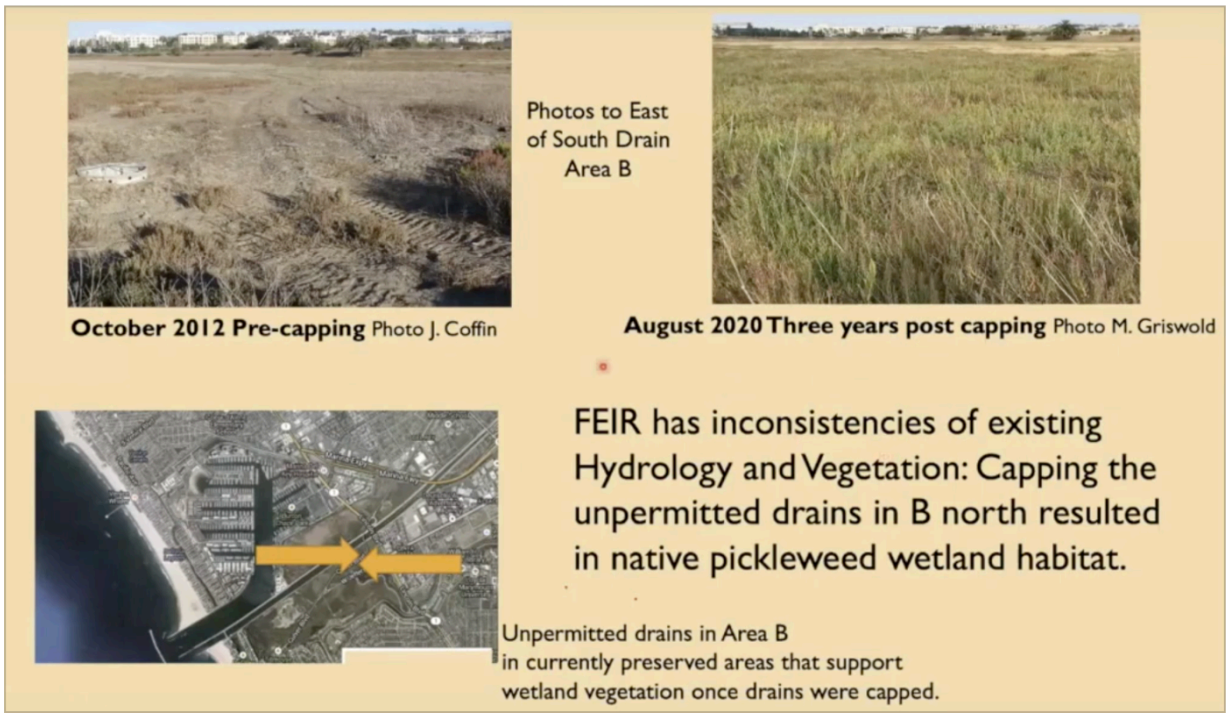
"… degradation of wetland function through alteration of hydrology means that the same plants may not grow and habitat value and wildlife use of the wetland are reduced." (p. 8 of 9 4/11/14 CCC Letter to Playa Capital LLC and CDFW)

As discussed by Lisa Haage lead of CCC enforcement, referencing that taking away water from a wetland is the exact opposite of what one would allow in a wetland:

"We think that draining a wetland is about the most amazing violation that you could have."

"I mean, putting a drain in a wetland is exactly the opposite of anything that you'd do in a wetland."
(December 14, 2017 Dana Point CCC Meeting Item 10 C)

This CDFW unpermitted drainage has since been stopped via litigation against CDFW, and the Ca. Coastal Commission ordered the capping of the illegal drainage. The area now ponds again and the Title 14, Section 630 Purpose and Goal--targeted vegetation pickleweed has passively regenerated throughout this previously drained area. The Endangered Belding's Savannah Sparrow, targeted species, now has this habitat again to forage and nest.



None of this activity has been accounted for in the FEIR or in any recent activities proposed by CDFW for this and adjacent areas wherein CDFW is now proposing to contaminate the freshwater aquifers with new manmade channels to bring in toxic Ballona Channel, Santa Monica Bay seawater. (LARegional Water Quality Control Board has listed the manmade Ballona Channel and the manmade channel entrances for seawater into Ballona Wetlands as IMPAIRED waterways/sediment. The land and groundwater areas of Ballona outside these impaired waterways have been provided No Further Action (NFAs) by LARWQCB as clean.)

At this time, there is exigency of CDFW's SGMA/GDE division to compel adherence to SGMA and GDE protective measures of evaluation and of protective measures for the freshwater natural resources of Ballona Wetlands Ecological Reserve.

There is also ongoing pumping, dewatering of Playa Vista clean groundwater that has not been evaluated per any Groundwater Sustainability Plan which is simply sent to the City of LA's Sanitary Sewer under Industrial Wastewater Permits. (Grassroots Coalition, in response to the Draft Groundwater Sustainability Plan for the Santa Monica Basin has

been responsive including adding the Playa Vista/ CDFW dewatering information to DWR.)
Since, Ballona's acquisition by CDFW, there has been no protective hydrological evaluation of the multiple drainage channels that Playa Vista had created in the Ballona Wetlands Ecological Reserve that continue to needlessly discharge seasonal rainwater ponding into the ocean via the Ballona Channel discharge points. None of the pumping/dewatering/ diversions of Ballona's natural freshwater (both surface and groundwater) by either Playa Vista (for dewatering to keep groundwater at least 1 foot below oilfield gas intake pipes; the LARWQCB CLEAN UP & ABATEMENT ORDER program; or CDFW drainage and diversion of Ballona's freshwater to the sea, has been evaluated and/or addressed as required per SGMA and GDE(s) protocol.

Currently, CDFW is attempting to excavate new channels to bring in saltwater into the predominantly seasonal freshwater wetlands, into areas that have not had tidal influence (Historical Ecology of Ballona Wetlands Watershed, Dark, Longcore et al) The area under immediate threat, CDFW is calling Sequence 1,2. At risk are the underlying freshwater aquifers that are classified by the Los Angeles Regional Water Quality Control Board as Drinking Water and Potential Drinking Water. At risk is the biodiversity of Ballona Wetlands as a Groundwater Dependent Ecosystem.
The following PDF is a powerpoint presentation pertaining to Sequence 1, 2.

Grassroots Coalition respectfully requests your response to these very timely and now urgent issues,

Patricia McPherson, Grassroots Coalition

Please note included powerpoints in the email cover letter for further information.