

APPENDIX IV.C-10
CDFG Streambed Alteration
Agreement Determination and
Mitigation Project Description

Heidi McWhorter

From: Camacho, Elizabeth [ECamacho@irell.com]
Sent: Wednesday, September 06, 2006 3:28 PM
To: Heidi McWhorter
Cc: Abshez, Allan
Subject: FW: Ponte Vista

Attachments: PonteVistamitigation.8.3.06.doc; Complete letter w miss.doc



PonteVistamitigation.8.3.06.doc... Complete letter w miss.doc (70...

-----Original Message-----

From: Abshez, Allan
Sent: Thursday, August 03, 2006 04:38 PM Pacific Standard Time
To: 'carlos@rodriguezandco.com'; Bob Bisno; Romay, Andy; Camacho, Elizabeth
Subject: FW: Ponte Vista

-----Original Message-----

From: Jamie Jackson [mailto:jjackson@dfg.ca.gov]
Sent: Thursday, August 03, 2006 3:06 PM
To: Larry Eng; Michael Mulligan; Terri Dickerson; Abshez, Allan
Cc: carlos@rodriguezandco.com
Subject: Ponte Vista

Dear Allan,
Attached is the complete letter for Streambed Agreement 1600-2006-0139-R5 and the mitigation discussed and agreed as acceptable.

The Department is pleased we were able to mutually agree to the proposed mitigation. If you have any questions, please feel free to contact me at any time.

Sincerely, Jamie Jackson

Jamie Jackson-Environmental Scientist
California Department of Fish and Game
South Coast Region-Region Five
PO Box 92890
Pasadena, California 91109
(626) 296-3430
E-mail: jjackson@dfg.ca.gov

ccmailg.irell.com made the following

annotations-----PLEASE
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**DEPARTMENT OF FISH AND GAME**

Jamie Jackson
P.O. Box 92890
Pasadena, CA 91109
(626) 296-3430



August 03, 2006

Mr. Allen Abshez
Irell & Manella, LLC
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067

Streambed Alteration Agreement Number # 1600-2006-0139-R5
Ponte Vista Project; San Pedro, California

Re: Notification of Lake or Streambed Alteration
Notification No. 1600-2006-0139-R5
Wet Basin of the Los Angeles Channel

Dear Mr. Abshez:

On April 07, 2006, the Department of Fish and Game (Department) received your notification of Lake or Streambed Alteration. On April 17, 2006, the Department sent a letter describing the information necessary to complete the Notification. On June 07, 2006, the Department received additional information, more detailed project location, description, plans, and proposed mitigation, submitted by BDC, Ponte Vista, LLC, on your behalf. On August 03, 2006, the Department determined that your notification is complete. By law, the Department is required to submit a draft Lake or Streambed Alteration Agreement to you within 60 calendar days from the date the notification is complete, if the Department determines that an agreement is required for the project. Hence, the Department has until October 01, 2006, to issue you a draft agreement or inform you that an agreement is not required.

As explained in the notification package you received, the Department must comply with the California Environmental Quality Act ("CEQA") (Public Resources Code section 21000 *et seq.*) before it may issue a final agreement. The Department will issue a final agreement after it receives from you the signed draft agreement. If the project described in your notification is not exempt from CEQA, the lead agency must prepare an environmental document for the project. If you represent a public agency, that agency is the lead agency for the project.

If the Department does not issue you a draft agreement or inform you that an agreement is not required by October 01, 2006, you may complete the project without an agreement. If that occurs, however, the project must be the same one and conducted in the same manner as described in the notification, which would include implementing all measures to protect fish and wildlife resources identified in the notification. (Fish and Game Code section 1602(a)(4)(D).) If your project differs from the one described in the notification, you may be in violation of Fish and Game Code section 1602. Also, even though you would be entitled to complete the project without an agreement, you would still be responsible for complying with all other applicable local, state, and federal laws, including, for example, the state and federal Endangered Species Acts and Fish and Game Code sections 5650 (water pollution) and 5901 (fish passage).

If you have any questions regarding this matter, please contact me at (626) 296-3430.

Sincerely,

Jamie Jackson
Environmental Scientist





To: Jamie Jackson
From: Barbara Dye
Date: August 3, 2006
Re: Identification of potential riparian mitigation projects for Ponte Vista Park Drainage Crossing

A total of 3.48 acres of habitat restoration within the Portuguese Bend Nature Preserve are proposed as mitigation for the Ponte Vista Park Drainage Crossing, at a total cost of \$107,000.

Klondike Canyon (2 acres)

Klondike canyon is a perennial stream capable of supporting significant riparian habitat. It is part of the newly-acquired property in the 1,200-acre Portuguese Bend Preserve, with flows from the stream outfalling into Portuguese Bend cove. Approximately two acres of riparian habitat can be established within the canyon following non-native species eradication. The Palos Verdes Peninsula Land Conservancy restoration team estimates cost for riparian habitat restoration work within this canyon to be on the order of \$35,000 per acre for a total cost of \$70,000 for two acres of riparian habitat to be restored.

Coastal Sage Scrub restoration (1.48 acres)

Additional habitat restoration could be performed adjacent to Klondike Canyon within the Portuguese Bend Nature Preserve. This would be coastal sage scrub (css) habitat restoration, which would provide significant habitat benefits and provide a buffer to the riparian area. As specified within the Rancho Palos Verdes Natural Communities Conservation Plan, the cost of css habitat restoration is \$25,000 per acre. For 1.48 acres, the cost would be \$37,000.

Reporting

As part of the mitigation, PVPLC will provide a short annual report describing the work performed and the general status of the restoration effort. We can provide a sample report upon request for projects completed for the Wetlands Recovery Project.

Payment

Payment for habitat restoration should be made to the Palos Verdes Peninsula Land Conservancy, 916 Silver Spur Road, Suite 207, Rolling Hills Estates, California 90274.