

Dear Mr. Armond Gonzales:

The County of Los Angeles Department of Public Works received notification from our local Integrated Regional Water Management (IRWM) group about the California Department of Fish and Wildlife's (CDFW's) workshops around the State for the update to its 2005 State Wildlife Action Plan (SWAP).

We administer the Los Angeles County Flood Control District. The District is an agency charged by the California Legislature's Los Angeles County Flood Control Act of 1915 with protecting the health, safety and water supply of the District's almost 10 million residents.

Department staff reviewed the 2005 SWAP and attended the October 15, 2013 workshop for the Los Angeles area. We have the following comments we hope CDFW will address in its SWAP Update:

- We see the 2005 document repeatedly asserts that residential development is the basis of the State's wildlife ills. The presentations at the October 15 workshop made a similar assertion. We are concerned this assertion may be used to justify policies that also affect operation and maintenance of flood protection and water conservation facilities to the extent that they would result in increasing Los Angeles County residents' exposure to flood and fire hazards. We are also concerned the assertion would be used to attack not only the residents' imported water supply but also their local water supply.
- We are concerned that CDFW seeks to base dam operation, water diversion, and flood channel policies with what appears to be an inaccurate understanding of: Los Angeles County's natural hydrologic and sediment transport regime; how the County's flood protection and water conservation facilities came about; the nature of dam operations in the County; and the adverse impacts of proposed policies on the health, safety and water supply for Los Angeles County's residents.
- Many of the large dams and the large concrete channels in the Los Angeles County were planned and constructed in the 1920s – 1940s to protect not only urban areas but also large agricultural areas such as the San Fernando and San Gabriel Valleys.
- In Los Angeles County there is one of the most erosive mountain ranges in the world, the San Gabriel Mountains. The valleys and plains in Los Angeles County are alluvial plains. Under natural conditions major sediment deposition occurs in these areas and much of the sediment either remains in the areas or takes many years to migrate to the coast; rivers and streams fill up with sediment and water and sediment finds new paths over the valley floors and plains. This regime led to flooding problems for the communities and agricultural lands that became established on the valley floors and plains in the 1800s and early 1900s. This led the State Legislature in 1915 to enact law to establish the County's Flood Control District and why

many dams and channels were constructed or initiated in the County during the 1920s through the 1940s (prior to the WWII population boom mentioned in the 2005 document).

- Removing dams and channels, or decreasing their storage or operational capacities, would bring back conditions that posed a demonstrated flooding problem for Los Angeles County's human inhabitants and businesses when Los Angeles County was mostly agricultural and had a population of less than 1 million residents. Flooding of today's urban areas will create even worse adverse environmental impacts for the County's present population of almost 10 million residents. We believe any wildlife plan will need to avoid increasing inhabitants' and businesses' exposure to flooding hazards.
- The 2005 document's assertion that the "irregular" scheduling of dam releases hinders the development of downstream riparian and fish communities does not take into account that the hydrologic regime in Los Angeles County is itself irregular. The October 15 workshop presentations stated dams as "threats." Under the natural hydrologic regime, most of the rivers and streams in the County run only during and shortly after storms; they are dry the majority of the year. Due to their water conservation release schedules, many of the dams in the County actually deliver water to the streams below them for longer lengths of time after storms and in the dry season than under natural conditions.
- The 2005 document's assertions about sedimentation appear to contradict each other. One assertion is that dam releases contribute to turbidity. However, sediment accumulation behind dams shows that the dams actually decrease the sediment load and thus lower the turbidity of the flows that pass downstream. On the other hand, CDFW asserts (per a reference dated 2001) that dams prevent the transport of sediment to important habitat in downstream reaches and to the beaches. However, flows transporting sediment will have high turbidity.
- We believe the 2005 document incorrectly asserts in a blanket fashion that dam releases introduce exotic species to streams. In our experience the exotic fish are often planted by others, not by the dam operations, in the streams and reservoirs above the dams and in the streams below the dams, because of access for recreational operators and/or the public to many reservoirs and streams and the watersheds tributary to them.
- Los Angeles County Flood Control District has almost 10 million residents. We believe these residents are not going to go away in the foreseeable future and CDFW needs to work around their continued presence.

- CDFW needs to be aware that policies (e.g., minimum flow requirements, mandated flow patterns) that impact the Los Angeles County Flood Control District's ability to operate and maintain flood protection and water conservation facilities consequently increases residents' exposure to flood hazards and decreases these residents' local water supply. These effects may result in increased adverse environmental impacts in Los Angeles County (e.g., from flooding of urbanized land, loss of human life) and in other regions of the State (e.g., habitat impacts in the Sacramento Delta; and increased greenhouse gases for the power to move water to the Los Angeles region).
- The 2005 document's recommendations included riparian conservation involving: restoring more natural flow regimes; accommodating over-bank flooding; enlarging levee set-backs; and removing riprap in some areas. We believe CDFW needs to be mindful that these measures may very likely involve displacing people, damaging crops, and increasing insurance rates for residents and businesses in the resultant expanded flooded areas. We understand Federal law has increased flood insurance rates as of October 1, 2013. We understand from a California Sixth District Appeals Court decision (*Arreola v. County of Monterey*) an entity carrying out an action or policy that lessens flood protection is liable for inverse condemnation on the properties that are damaged by the increased exposure to flood hazards. For Los Angeles County, given its hydrology and topography, we are concerned that CDFW is significantly underestimating how many residents and businesses would be affected by the implementation of these recommendations regarding channel configuration.
- We are pleased to learn from the October 15 workshop that CDFW is coordinating with the California Department of Water Resources' State Water Plan. We also recommend CDFW review and be consistent with the recommendations identified in California Department of Water Resources' Flood Future Plan. (We understand CDFW was among the stakeholders consulted on this report.) We believe State agencies need to be consistent with each other's missions and goals when preparing action plans and recommendations. There should not be a situation where California Department of Water Resources advocates enhancement of the water supply and flood protection for all regions of the State and CDFW advocates measures that can lead to decreasing the water supply and level of flood protection in Los Angeles County.
- Also in regards to the need for consistency in recommendations, we agree with the 2005 document's assertion that *tamarisk* and *arundo donax* should be removed because these invasive non-native species consume prodigious amounts of water. However, in its designation of critical habitat for the southwestern willow flycatcher the U.S. Fish and Wildlife Service dismisses this impact, and in fact makes statements that appear to express a desire to interfere with removal of tamarisk located within critical habitat for this species.
- We are concerned that CDFW overstates the role of residential development and understates that of recreational users in regards to adverse impacts to the State's wildlife resources, especially in regards to fires and the introduction and spread of invasive species.

- In Los Angeles County, the largest human-caused fires in recent memory were not caused by the proximity or inhabitants of residential development in the wildland/urban interface. Many of the largest human-caused fires in the County had their origin in National Forests and parks and were started by arsonists or recreational visitors.
- In recommending non-governmental organizations and “citizen biologists” (as advocated by some of the attendees at the October 15 workshop) to inventory and evaluate sensitive habitat, we believe these volunteers need to ensure they do not themselves damage the resources they want to protect (e.g., the spread of the mud snail infestation in the Santa Monica Mountains). Infrastructure entities and residential developments should not have to shoulder all of the blame for the introduction and spread of invasive species.

Therefore, we believe CDFW needs to put in as much effort and candor in developing policies to address the above adverse impacts as much as it does for residential development.

- The 2005 document recommends that public land managers protect wildlife habitat linkages on public lands. We believe CDFW needs to make it easier for these managers to get mitigation credits for these efforts. To offset the cost of protection, CDFW should make it easier for owners of public lands to either sell those credits or use them towards any project they undertake, regardless of the project’s location in relation to the land being protected.
- Based on these concerns, we request CDFW’s SWAP Team notify us of any workshops discussing water, channel maintenance or flood protection. We believe CDFW’s SWAP Team needs to consult water supply and flood protection stakeholders that hold adjudicated water rights and/or perform dam operations.

Thank you for this opportunity to participate in the SWAP Update process. For more information and to send notifications of any future SWAP workshops, please contact me. My contact information is below.

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