



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 Referred
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	12/9-10/2020
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.

Photos to East of South Drain Area B

October 2012 Pre-capping Photo J. Coffin

August 2020 Three years post capping Photo M. Griswold

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

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

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.