

## **-Chapter 2 Grassroots Coalition’s Response to the Santa Monica Subbasin GSP Draft Response (Draft) continued**

### *2.1 Description of Plan Area (Draft)*

Grassroots Coalition (GC) does not, at this time, dispute the overall description of the Los Angeles area basins which include the non-adjudicated Santa Monica Subbasin. However, overall it appears clear that similar to many other GSPs, the focus of the GSAs thus far has been upon human drinking water, potable water being pumped and utilized. The Santa Monica Draft GSP, overall contains little to no attention or data pertaining to the Groundwater Dependent Ecosystem of Grassroots Coalition’s focus, namely Ballona Wetlands and Ballona Wetlands Ecological Reserve. Therefore, GC’s comments below are generally specific to the southern portion of the Subbasin, Santa Monica Bay and Ballona Wetlands.

### *2.1*

Regarding the overlap of the Subbasin with the West Coast Basin (Adjudication ID No. A05), the Draft GSP suggests that the overlap is predominantly a ‘mapping imprecision’ and that “management of groundwater resources” are not impacted by one another. Ostensibly, as a result of this unsubstantiated conclusion, potential impacts to the West Basin’s water quality and potential subsequent further necessitated management ie. seawater barrier injection of freshwater, have not been considered in the GSP.

The Poland Report suggests, contrary to the “mapping imprecision” comment in the Draft, that there is interface between the Subbasin and West Basin (House Document 389 and Poland Report (Geology, Hydrology, and Chemical Character of Groundwaters in Torrance-Santa Monica Area, CA., J.F. Poland, A.A. Garrett & Allen Sinnott 1959) including but not limited to pages. 4-6)

“The groundwater basin on the southwest or coastal side of the uplift extends from Santa Monica to Long Beach and is flanked on the southwest by the Palos Verdes Hills and the Pacific Ocean. It was designated the west basin by Eckis, but in recent references by the California Division of Water Resources it has been called the west coast basin.” Page 6 (25miles long, 7 miles wide, 180 square mile area. Page 6)

The CDFW approved Plan for digging out Ballona Wetlands Ecological Reserve and converting it into a new, fully tidal saltwater bay, and allowing the toxic flow of Ballona Channel outflow water into Ballona Wetlands Ecological Reserve, will most certainly negatively impact the freshwater aquifers that provide freshwater to the near surface areas of Ballona Wetlands. The creation of the Ballona Channel itself is documented by Poland et al, and Congressional House Document (HD) 389, as having allowed for saltwater contamination to the immediate area of the Channel, therefore it would appear that further industrial scale digging out of the area and removing another 3 million plus cubic yards of soils, to allow for full tidal inundation for the creation of a new bay would pose seawater/ toxic Channel contamination side effects. The seawater of the Santa Monica Bay is also well known for its toxic contamination that has, thus far, not been remediated. Such negative impacts would affect both the freshwater aquifers of Ballona and potentially the West Basin. **No hydrologic modeling or studies of the effects of this approved saltwater intrusion, toxic Channel-water intrusion Plan are contained in CDFW’s FEIR and/or**

**the GSP Draft response. At the very least, prudent scientific study and evaluation should be undertaken.**

### *Basin Setting*

The southern portion of the Santa Monica basin has historically been a predominantly seasonal freshwater wetland area that, due to its freshwater and rich alluvial soils nature, had also been a farming area growing, by the 1960's 1,200 acres of truck crops using, at least 26 active irrigation wells within 3,000 feet of the proposed marina area, with the most distant at 9,000 feet away from the harbor perimeter. At the time, irrigation wells provided 2,000- acre feet and well water provided 4,000- acre feet per annum (Poland, HD 389 pg. 7-8)

The watershed through Ballona Wetlands has provided the multiple underlying aquifers (DWR map) and provides for the water-table throughout Ballona Wetlands, including the Playa Vista site, to be at or near the surface (Playa Vista EIR).

*“Ballona Creek was straightened and cemented between 1935 and 1939 by the U.S. Army Corps of Engineers, as part of a project to convert the formerly natural drainage to a flood control channel (USACE 1982).”* Draft GSP

The Dudek interpretation above is a very general narrative that needs clarification. While the Ballona Channel was ‘straightened’ in the general timeframe noted above, the straightening was due to damage and subsequent litigation against USACE’s and the County of LA’s original design that succumbed to over-topping by water during a large storm event, due to the flood control channel’s curvilinear path. The curvilinear path gave rise to slowing the outflow of stormwater to the end point of the flood control channel, which then, ended by depositing the freshwater into the predominantly seasonal freshwater wetlands, Ballona Wetlands. The end of the channel was approximately at Lincoln Blvd.

There was no *‘formerly natural drainage path’* as stated in the Draft GSP, but instead the Ballona Creek petered out in water volume within the Ballona Wetlands and spread out into varying smaller waterways and/or simply was absorbed into the soils. Only during extreme storm events did Ballona Creek swell enough to break through the coastal dunes and flow out to sea. Thereafter, the area silted back up and was closed to the ocean which provided for Ballona’s unique ecosystem and its underlying freshwater aquifers (*Historical Ecology of the Ballona Creek Watershed*, Dark et al 2011). As the City of Los Angeles grew and more hardscaping covered landscape that would ordinarily allow for rainwater percolation into the soils, there was a flood control need for Los Angeles to shed its water into a flood control system that would not overtop and allow flooding. The Ballona Channel was straightened to allow for faster flow of the stormwater and ultimately extended all the way to the Santa Monica Bay. Since, the straightening of the Channel for greater speed of conveyance, the Ballona Flood Control Channel has performed to prevent flooding. [Ballona Wetlands Preservation and Restoration: California Coastal Commission Hearing June 2013](#) (First slides show ponding across Ballona and the Ballona Channel prior to its straightening.)

### **GSP Draft Response- Unsupported Comments Regarding Fill on Ballona Wetlands**

Contrary to the conclusory statement made in the Draft GSP response by Dudek, pertaining to FILL, there are historical documents that refute the Draft GSP statement.

*“Dredge material from the straightening of the channel and from the later development of Marina del Rey in the 1960s was deposited in the Ballona Wetlands, raising its elevation (CDFW 2019).”* Draft GSP

The Draft GSP citation relies upon the CDFW Environmental Impact Report. There is a lack of data support in the CDFW Environmental Impact Report regarding the Marina del Rey dredge fill’s deposition locations. Neither CDFW nor the GSA provide data support for deposition of dredged soils placed upon the Howard Hughes private land adjacent to the County/Federal project either during its creation or left thereafter. To the contrary, numerous historic documents and photographs cite to the Marina del Rey dredged soils as deposited to the north and south of the Ballona Channel as part of an ongoing beach enhancement program (General Plan Development of the Santa Monica shoreline) and a beach erosion control study that was ongoing. The dredged soils were also deposited in the low marshy areas of the future marina’s moles and surrounding land mass utilized for the buildout of Marina del Rey, including its roadways and parking lots. The Draft GSP fails to address the readily available data that contradicts their conclusory statements including but not limited to Congressional House Document 389.

This is significant because the CDFW Plan for conversion of Ballona Wetlands Ecological Reserve (BWER) into a full tidal, saltwater bay, relies heavily upon the notion that Area A (northern parcel of BWER) must be dug out to bring back its historical ecological value. Numerous historical documents and studies demonstrate that Area A, within the area intended for CDFW removal of earth, is an undisturbed portion of Ballona Wetlands. (Poland 1959 et al., T. Huffman, USEPA 1986, Playa Vista Archaeology, EIR 1990; Congressional House Document 389 and attachments). The Ballona Channel excavation and levee construction is not disputed regarding the creation of the levee and its surface roadways that currently exist providing an unbroken track record of flood prevention to date. The lead GSA has been provided with this background information which appears to not be reflected in their Draft GSP comments.

“7. With respect to the effect of the improvement on adjacent shorelines, the district engineer finds that the shores of Santa Monica Bay down coast of the Santa Monica breakwater have been deprived of normal littoral nourishment since construction of the breakwater in 1933, and that the Playa del Rey jetties, 3 miles south of the breakwater, would act as a complete littoral barrier and would benefit the shore to the north. The plan of improvement proposed by the district engineer provides for deposition of 10, 130,000 cubic yards of material, dredged from the harbor, on the beaches immediately upcoast of the Playa del Rey jetties and downcoast between Playa del Rey and Ballona Creek jetties, and deposition of 3, 200,000 cubic yards of material downcoast of the Ballona Creek jetties.” Page 16 HD 389.

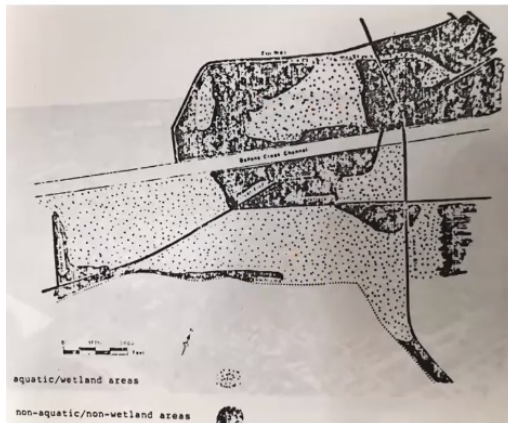
The soils dredged for the creation of Marina del Rey are documented as being deposited to create the Marina’s surrounding land mass and interior moles that support the marina’s infrastructure of condominiums, businesses etc. The soils are also documented as having been deposited to create extended jetties another 580 feet and breakwaters etc. (HD 389). Neither the GSA nor the CDFW Environmental Impact Report provide data support for placement of the dredged soils upon the private property of Howard Hughes that is now Ballona Wetlands Ecological Reserve and was dubbed as Area A by the former landowners, of the Playa Vista development project.

In fact, the Howard Hughes Company, the landowner of Area A and all of the Ballona property at issue here, explicitly informed the Board of Engineers for Rivers and Harbor, overseeing the development of the small craft harbor that the proposed improvement “would interfere with a contemplated expansion of its facilities and a proposed runway extension.”(HD 389 p. 17) The response to Hughes Co. revealed, “that no aircraft operation difficulties or conflicts will result by the development and operation of the

proposed improvement.” (HD 389 p.17) The Hughes Company’s concerns of interference upon their lands were alleviated by the acknowledgement by the state and federal officials that their property would not be affected. Area A contains multiple oilwells that were explicitly avoided in the marina construction.

Other scientific information (Playa Vista EIR 1990 Archaeology Report; T. Huffman, USEPA ’86) also reveals that Area A maintained most of its area as undisturbed wetlands. See GSP August presentation by Dr. Margot Griswold and Grassroots Coalition, Patricia McPherson which includes mapping from the Archaeology section of Playa Vista’s EIR, 1990, and mapping of Area A performed by T. Huffman for the USEPA & Army Corps of Engineers done in 1986.

## Inconsistency of the Record of Fill Placement from Marina Del Rey



1986 Wetland Map ACOE

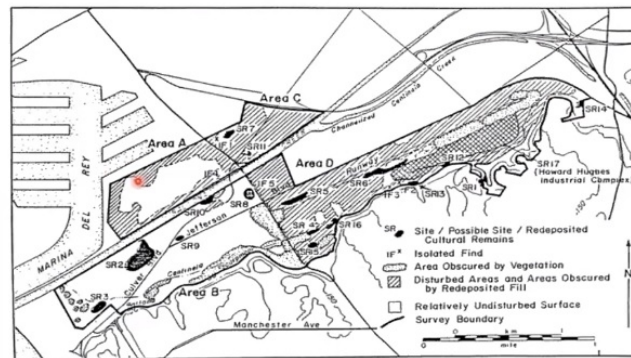


Figure 50. Map Showing the Locations of Previously Unrecorded Cultural Loci and Isolated Finds Identified during the August-September 1990 Cultural Resources Survey in Relation to Existing Surface Conditions.

1990 Surface Soil Conditions – Archeology Report

“Local interests consider that the proposed harbor at Playa del Rey would be an integral unit of an adopted general plan for development of the Santa Monica shoreline. This plan includes widening and improving beaches, providing adequate bath houses, parking areas, picnic facilities, special recreation centers, bathing and wading beaches, fishing piers, youth organization camps, tourist parks with cabin and trailer accommodations, and a bird refuge.” Page 6, Playa Del Rey Inlet and Basin, Venice, Calif., House of Representatives, Document No. 389 (HD 389)

Regarding the creation of the Ballona Channel by USACE and LA County Flood Control, soils were placed to either side of the Channel in order to create the levees of the flood control channel itself. Both north and south levees have roadways atop the levees for maintenance purposes. The north levee’s paved roadway serves as a bike path and has a wider footprint of the levee on the sides of the bike path. The wider north levee also has an interior roadway that runs the length of Area A, creating a roadway on both sides of a fence. Area A also has raised roadways to the SoCalGas oil/gas derricks onsite, as does Area B, the southern portion of the wetlands for vehicular access to wells on the south side. It is not

known where the soils that make up these raised roadways is from but the roadways can be seen in existence from when the wells were drilled. (Spence Collection)

*Pg. 2-2*

#### **2.1.1.1.2 State**

The GSA appears to have omitted key jurisdictions in the Subbasin.

*“CDFW manages the Ballona Wetlands.”* (Draft GSP) Correction, CDFW manages the Ballona Wetlands Ecological Reserve. The Public Trust lands of Ballona Wetlands include the Ecological Reserve however the freshwater marsh system which affects the ecosystem of Ballona Wetlands and is owned on behalf of the Public Trust land and water by the State Lands Commission but is managed via the Ballona Conservancy, the private development stakeholders that comprise Playa Vista (2006 Case No. C525 826 Ca. Coastal Commission v Friends of Ballona et al). This distinction is important. CDFW, despite legal documents to the contrary, claims itself as an active board member of the Ballona Conservancy and allows, without contracts or fees, for Playa Vista consultants to perform work on behalf of CDFW. (Rich Burg/CDFW letter to Ballona Wetlands Landtrust, ppt page 26 of 31 [California Coastal Commission Meeting, May 8 2019, Ballona Wetlands History, a PDF SlideShow Presentation](#))

*“The Department is an active participant on the Ballona Wetlands Conservancy Board.”* Richard Burg/CDFW, Environmental Program Manager, South Coast Region 5.

The GDE is Public Trust land and water. The GDE and all of **Ballona Wetlands is also a registered Sacred Site by John Tommy Rosas of the Tongva Ancestral Tribal Territorial Nation (TATTN)**. Tribal interests have been working and continue to work to stop the diversion and throw-away of Ballona’s Sacred Freshwater into the City of L.A.’s Sanitary Sewer System and/or the ocean.

Jeanette Vosburg has shared a OneDrive file with you. To view it, click the link below.

 [ANTHONY MORALES SUPPORTING JOHN TOMMY ROSAS POSITIONS ON BALLONA WETLANDS 8.5.2020 1.pptx](#)

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### ***Water Agencies within the Plan Area***

West Basin Municipal Water District (WBMWD) The West Basin supplies an unknown amount to Playa Vista in recycled water. CDFW has requested support from the West Basin board members for their FEIR PLAN for BWER. The Board members have responded with their intent to monitor ongoing issues and events which ostensibly would include the Groundwater Sustainability Planning for the Ballona area. Grassroots Coalition believes their interest and concern as an additional need to have an adequate GDE performed that would necessarily include the CDFW Plan and its potential effects upon all of the underlying aquifers/uneven aquitards .

The California Coastal Commission has jurisdiction over the coast and over Ballona Wetlands and Playa Vista per agreements and permits such as 5-91-463.

*Per the Draft GSP:*

*'The Ballona Wetlands consist of approximately 575 acres of tidal and non-tidal marshes, grassland, coastal scrub, invasive vegetation, and developed land, located south of Marina del Rey, north of the Ballona escarpment, and west of the Marina Freeway (SR-90)(Figure 2-2). CDFW manages and maintains primary ownership of the Ballona Reserve, which is currently being restored, with a smaller interest owned by the California State Lands Commission (CDFW 2019). Los Angeles Department of Water and Power (LADWP) and LACDPW–Waterworks Division maintain water mains located along the perimeter of the Ballona Wetland; however, the Culver Marina Little League baseball field and restrooms are the only areas within the Ballona Wetlands that receive water from LADWP (CDFW 2019).'*

Here again, the GSA appears to have its focus upon drinking water wells and does not include pertinent GDE information. LADWP is an oversight agency that includes the L.A. Department of Sanitation and has jurisdiction over NPDES permits for Playa Vista's waste of pumped fresh groundwater into the sanitary sewer system. Within the past two months, the LADWP was part of a request by Playa Vista to extend an NPDES permit for BaCEW-5 issued by the LARWQCB to continue to send pumped, cleansed groundwater discharge to the sanitary sewer system. Grassroots Coalition, in response to the LARWQCB's notification of such request, replied that the permit request should be denied based upon Best Management Practices and need for use of this clean water for the GDE- Ballona Wetlands. The LARWQCB subsequently denied Playa Vista's request for disposal of this clean groundwater via LADWP/ LA Sanitation and instead permitted the water flow into the Riparian Corridor of the FWM System (Aug. 4, 2021 email from LARWQCB to Grassroots Coalition). Efforts such as this by LARWQCB also signal their ability to review the GDE issues at stake and change ongoing negative practices of wasting freshwater in their disposal permits. This is exactly what Grassroots Coalition seeks assistance with and from the GSA per protecting Ballona Wetlands and the underlying aquifers--- positive administrative outcomes via consultation.

The Draft GSP's comment that Ballona Wetlands Ecological Reserve is "currently being restored" is highly misleading. There are currently multiple ongoing CEQA lawsuits and restraining orders against CDFW and the State Coastal Conservancy pertaining to the CDFW approved Final Environmental Impact Report (FEIR) for Ballona Wetlands Ecological Reserve. Thus far, the 'restoration efforts' constitute small areas of Ballona that the California Coastal Commission has allowed permits for hand work in performance of, for example, certain weeding of certain non-native vegetation. However, the mention of 'current restoration' by Dudek would imply to GC that Dudek is aware that any/all 'restoration' efforts need inclusion within the Draft GSP. And, that CDFW's approved FEIR Plans for restoration must be included in the Groundwater Sustainability Planning as SGMA includes future data and information, but Dudek as yet, has not.

An area of actual restoration aided by litigation and Mother Nature is shown below. The large expansion of pickleweed regrowth has been due to the restoration of freshwater ponding during seasonal rains. The restored pickleweed growth is a result of Grassroots Coalition's litigation against Playa Vista and CDFW, stopping their unpermitted drainage of the wetlands that had been ongoing for 20 years. The drainage of freshwater from this region of Ballona is not mentioned in the Draft EIR. The California Coastal Commission had previously written to Playa Vista and CDFW that they were in violation of the Coastal Act, harming the hydrology of Ballona Wetlands and to end the drainage. Neither Playa Vista nor CDFW was responsive to the CCC which led to the prevailing litigation by Grassroots Coalition against Playa Vista and CDFW. The CCC, in further action, supported GC and the sealing of these drains.

August 2021 GSP Presentation slide from Margot Griswold Phd.

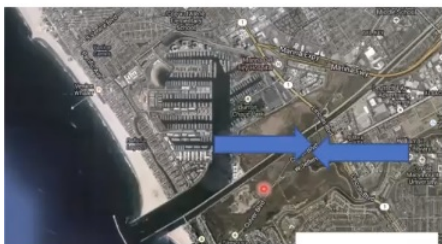
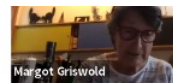


October 2012 Pre-capping Photo J. Coffin

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

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

**Federal**—The US Army Corps of Engineers (USACE) has oversight jurisdiction of Ballona Wetlands and the Ballona Channel via the USACE permit 90-326- EV. This USACE permit also provides for the description portion of the California Coastal Commission’s (CCC) 5-91-463 permit for Ballona Wetlands and the Freshwater Marsh System (FWM) resulting in the two tied permits. NOAA also has oversight of the Ballona area and is the umbrella federal agency to the CCC. USACE and the CCC are agencies having jurisdiction over permitting to Playa Vista and its dewatering activities, which once the cumulative data is assembled these agencies would have the tools for ecological assessments to provide protective amendments to permits allowing for proactive ecological protection to Ballona Wetlands Ecological Reserve and the underlying aquifers. A GDE study would provide such needed data and information to these agencies which conversely, the lack of such cumulative review which currently exists, leaves these agencies to piecemeal action and thwarts the purpose of SGMA and GDE evaluations.

LARWQCB is tasked with enforcement of the federal Clean Water Act and numerous state laws of oversight to the Ballona area and has oversight of the Clean Up and Abatement Order No. 98-125 for the Playa Vista development site, situated on the historic Ballona Wetlands area. Similarly, the LARWQCB which is typically focused solely upon water quality issues is also, tasked with water volume concerns for protection of environmental needs. However, without inquiry via a prudent GDE study that would include freshwater sustainability management focus and species specific/ vegetation specific evaluation, Ballona’s needs are black-holed into oblivion. **The GSA, under its authority for retrieval of information, has not reached out to garner dewatering data that is readily available from LARWQCB as well as the City of LA’s Sanitation Department data in order to accrue a cumulative big picture and fix this huge data gap. The GSA has made it apparent to Grassroots Coalition that we as volunteer stakeholders are either supposed to do that work and/or be the squeaky wheel stakeholder. Either way, Dudek appears to believe that they are not tasked with pulling this data together via interfacing with the multiple agencies now working in their own silos. This is the current situation and needs to be remedied via a good faith GDE study in order for informed decision making to occur that will be**

**protective of the freshwater resources of Ballona Wetlands and its survival as a unique coastal, predominantly freshwater wetland/ upland ecosystem complex. This also holds true for protection of the underlying freshwater aquifers that have been off everyone's radar whether deliberate or out of disconnection in oversight.**

The City of Los Angeles has jurisdiction vis a vis the Los Angeles Department of Building and Safety; Public Works, Flood Control; Los Angeles Dept. of Sanitation under the broader Los Angeles Department of Water and Power (LADWP).

## **DRAINAGE OF PUMPED GROUNDWATER & DRAINAGE OF PONDING SURFACE WATER**

LA City Public Works provides the city permitting for the Main Drain of the Freshwater Marsh System which is comprised of the Riparian Corridor, a mostly HDPE lined, waterway that extends from the east end of Playa Vista near the 405 freeway to the west end of Playa Vista ending at Lincoln Blvd. as the waterway cuts through underground, below Lincoln Blvd. and exits into the catch basin on the west side of Lincoln Blvd., known as the Freshwater Marsh (FWM). The FWM waters then exit to the ocean via the Main Drain on the north side of the catch basin which, in turn exits into Ballona Channel via the mechanical structure within the south Ballona levee that is maintained by the LA County Flood Control District and also permitted by USACE as part of EV 90-326. The entirety of the Freshwater Marsh System is also under the jurisdiction of the California Coastal Commission via Permit 5-91-463.

The Ballona Wetlands is a broader area that today is Public Trust land and water and encompasses approximately 600 plus acres. The Ballona Wetlands Ecological Reserve is approximately 533 plus acres.

Ballona Wetlands is also a registered Sacred Site by Tongva native American, John Tommy Rosas. His work is also supported and carried forward by Chief Anthony Morales. The issues of protecting the sacred freshwater resources are at stake as is stated by both in the following presentation.

 [ANTHONY MORALES SUPPORTING JOHN TOMMY ROSAS POSITIONS ON BALLONA WETLANDS 8.5.2020 1.pptx](#)

**The GDE encompasses all of the areas of Public Trust land and water. Ballona is a very rare coastal, predominantly freshwater wetland/ upland complex of ecosystems, now exceedingly rare due to the unfortunate conversion of most southern California coastal wetland/ upland ecosystems into homogenized full tidal systems that are unsustainable, requiring costly maintenance including dredging year after year.** (Dave Jacobs 4/13/2021 UCLA URSUS Environmental Symposium @ 23:16-37:46) ; Margot Griswold PhD, [Ballona Wetlands FEIR Inconsistencies and Overlooked Opportunities](#)

1. [4.20.21 Dr Margot Griswold Presents Ballona ... - youtube.com](#)

[www.youtube.com/watch?v=avpCqRoEbdc](http://www.youtube.com/watch?v=avpCqRoEbdc)

This video on 4.20.21 Dr Margot Griswold Presentation on Ballona Wetlands Final Environmental Impact Report - Inconsistencies and Overlooked Opportunities: C...

[The Ursus Environmental Symposium: Ballona Wetlands & the ...](#)

[www.youtube.com/watch?v=1CKrszkB-EM](http://www.youtube.com/watch?v=1CKrszkB-EM)



After decades of legal battles, discoveries of oilfield gas issues that gave rise to a willing seller, Ballona was acquired with public bond funds explicitly directing the protection of the unique habitat that is Ballona Wetlands.

<https://www.flickr.com/photos/stonebird/> - Jonathan Coffin photography of Ballona Wetlands.

Interrelations especially during drought and/or little rainfall are especially important to be proactive in protecting Ballona's freshwater resources.

Ballona was provided the highest protective status the state offers when, in 2003/4, the Wildlife Conservation Board, the policy decision making body for the California Department of Fish & Wildlife (CDFW), approved the inclusion of Ballona into the Ecological Reserve status sites (132) in California. With this protective status change, specific Purposes and Goals were assigned to Ballona that designated the whys and whats of Ballona that had to be protected. Each individual Ecological Reserve that enters this special status has its own unique Purpose and Goals under California Code of Regulations (CCR) Title 14, Section 630 (Ecological Reserve) laws for the protection of sensitive habitats and species. Ballona's Section 630 language specifically asserted protection to its freshwater resources alongside its saltmarsh habitat while citing the Belding's Savannah Sparrow and its nesting habitat, pickleweed, as critical to preserve. During the hearing for the Section 630 status approval, CDFW's biologist informed the public that with the approval of the Ecological Reserve status that day, the following day a Section 1016 study could begin. A CDFW 1016 study would have been roughly equivalent to a GDE study. Unfortunately, that study was never fulfilled and is therefore not a part of the FEIR. The failure to perform the basic hydrology studies for the protection of the Ballona Wetlands Ecological Reserve, provides even more exigency to the need for fulfillment of a GDE study via SGMA.

The Reserve is home to a myriad of threatened and endangered species including the Belding's Savannah Sparrow, Least Tern, and special status species including Burrowing Owls, White-tailed Kite, Least Bell's Vireo, Saltmarsh Harvest Mouse, Ornate Shrew, Grey Fox. Over 200 species of wild birds rely on the Ballona Wetlands for their survival. Over 1,000 types of native animals and plants exist at Ballona. Today, it harbors rare, native grasslands, home to rabbits, moles, voles, insects, snakes, lizards, frogs and provides a foraging area for threatened flocks of meadowlarks, and kites, Red Tail, Northern Harrier & other hawks; Short Eared, Barn and Great Horned Owls. Larger mammals prowl through Ballona, including coyotes, fox and skunks. Insects on the wing over Ballona provide sustenance for bats, swallows and swifts. Wide areas of pickleweed exist both north and south of the Ballona Channel, necessary for Belding's to outcompete other sparrow species for nesting habitat. Willows spread across its breath that in certain areas-- the threatened Least Bell's Vireo is documented as nesting. Upland species of native coyote bush, saltbush, and a myriad of mallows, meadows of Yerba Mansa and Goldenrod, Buckwheat and Coastal Sages, special status - Lewis' Evening Primrose grow across Ballona. Rare salt pans that secure the existence of copapods during the dry season extend across Area B and are found in Area A. Ponding in the rainy season precipitates the emergence of the tiny copapods, to swim in the freshwater ponds that in turn entice wading bird species that migrate here for this special orgy bonus food supply. Similarly, the emergence of chorus frogs across Ballona swells with the winter rains that typically pond across the entire Reserve.

All of the above require the seasonal, rainwater ponding and a fresh, groundwater table to remain at or near surface for the habitat and the species that rely upon that habitat to remain and flourish.

## **GSP DRAFT discussion of phreatophytes-**

Perhaps, the GSA construes and/or starts fundamentally from a point of view that considers native vegetation of an Ecological Reserve as a threat to water supply? A GDE may be considered in a far more universal, reasonable manner of investigation and protection to ensure that the ordinarily present freshwater is there to provide water to the root systems of plants of Ballona rather than allowing for, as is the case of Ballona, diversion and throw away of its water resources. Ballona's freshwater needs are not a waste to society, as society has paid millions of dollars to protect Ballona and its natural resources.

"Phreatophytes are plants that depend for their water supply upon ground water that lies within reach of their roots." T.W. Robinson Abstract; U.S. Dept. of the Interior-Geological Survey Water-Supply Paper 1423. <https://pubs.usgs.gov/wsp/1423/report.pdf>

The paper does acknowledge that definitions of phreatophytes and non-phreatophytes becomes really vague to indistinguishable per whether a plant obtains its water supply from soil moisture or from ground water (which also is acknowledged as difficult to determine). However, the paper continues, "The nonphreatophytic plants indirectly affect the water supply of a region by utilizing water in the soil column that might otherwise reach the water table as recharge. Phreatophytic plants, on the other hand, directly affect the available water supply by drawing from the ground-water reservoir as described earlier, thus reducing ground-water storage and related streamflow." p. 8 Paper 1423.

### 1. [SGMA Planning I Groundwater Resource Hub](#)

[groundwaterresourcehub.org/sgma-tools](https://groundwaterresourcehub.org/sgma-tools)

Plant rooting depth information can provide a useful insight on what groundwater levels may be needed to sustain GDEs. This species-specific rooting depth database of California groundwater-dependent plants provides a reference point for understanding whether GDEs are hydrologically connected to groundwater. [Learn More](#)

### 1. [Plant Rooting Depth Database I Groundwater Resource Hub](#)

[groundwaterresourcehub.org/sgma-tools/gde...](https://groundwaterresourcehub.org/sgma-tools/gde...)

The maximum rooting depth information in the Plant Rooting Depth Database is useful when verifying whether vegetation in the Natural Communities Commonly Associated with Groundwater (NCCAG Dataset) are connected to groundwater. A 30 ft depth-to-groundwater threshold, which is based on averaged global rooting depth data for phreatophytes [1], is relevant for most plants identified in the NC Dataset since most plants have a max rooting depth of less than 30 feet.

This paper features plants that rely upon groundwater to survive as a negative in the role of water supply. It includes many vegetation types of Ballona that endangered species expressly rely upon as nesting habitat, ie. Belding Savannah Sparrow's need for large swaths of pickleweed for nesting habitat in order to out compete other sparrow types using the area. The Belding and its nesting habitat are expressly singled out for protection under the Purpose and Goals of the Ecological Reserve, Section 630 status to Ballona Wetlands. Use of this terminology by the GSA consultants Dudek, raises concern for its Draft GSP investigation to include only 40 acres of Ballona as a GDE. Rare grasses of Ballona and other vegetation that are considered to not have 'high economic value' does not preclude their critical value

to wildlife species that rely upon them. Critical vegetation for Ballona includes pickleweed, willows and other vegetation.

“In fact, it was pointed out by Douglas (1954, p. 8-12) that the word ‘phreatophyte’ is becoming a group of destructive enemies that formerly were regarded as nuisances.” P. 8 of 92 Paper 1423.

**SGMA does utilize the NCCAG Data Set as a starting point for review of a GDE but also provides numerous disclaimers as to not using it as a sole source in determining the management of water resources for any given GDE.**

[groundwaterresourcehub.org/sgma-tools/gde](http://groundwaterresourcehub.org/sgma-tools/gde)

## **DRAINAGE OF PUMPED GROUNDWATER & DRAINAGE OF PONDING SURFACE WATER**

LA City Public Works provides the city permitting for the Main Drain of the Freshwater Marsh System which is comprised of the Riparian Corridor, a mostly HDPE lined, waterway that extends from the east end of Playa Vista near the 405 freeway to the west end of Playa Vista ending at Lincoln Blvd. as the waterway cuts through underground, below Lincoln Blvd. and exits into the catch basin on the west side of Lincoln Blvd., known as the Freshwater Marsh (FWM). The FWM waters then exit to the ocean via the Main Drain on the north side of the catch basin which, in turn exits into Ballona Channel via the mechanical structure within the south Ballona levee that is maintained by the LA County Flood Control District and also permitted by USACE 90-326-EV. The entirety of the Freshwater Marsh System is also under the jurisdiction of the California Coastal Commission via Permit 5-91-463.

**UNPERMITTED DRAINS in Ballona Wetlands** are under the jurisdiction of the California Coastal Commission (CCC). The CCC ordered the unpermitted drains sealed and ultimately their removal in order to protect Ballona’s freshwater resources and its habitat.

### *Draft GSP Page 15 of 230; Table 2-5, Basin Plan Beneficial Uses, Select Water Quality Objectives, and Water Quality Impairments for Receiving Waters within the Santa Monica Subbasin*

Ballona Wetlands has the designations as **EST, WILD, RARE, MIGR, SPWN, WET, REC1, REC2**, and none of lands and groundwater/ seasonal ponds within the boundaries of the Ecological Reserve or the greater Ballona Wetlands area of the State Lands Commission (SLC) property are currently known to be impaired (LARWQCB NFAs (No Further Actions designations for clean-up needs)).

**(BIOL) is not attributed to Ballona Wetlands Ecological Reserve in the designations of the Basin Plan Beneficial Uses. Why is this? Considering Ballona’s designation as a Title 14 Section 630- Ecological Reserve status should provide for the Basin Plan to include the BIOL designation to Ballona Wetlands and the Ballona Wetlands Ecological Reserve.**

*<sup>28</sup> Preservation of Biological Habitats (BIOL): Uses of water that support designated areas or habitats, such as Areas of Special Biological Significance (ASBS), established refuges, parks, sanctuaries, **ecological reserves**, or other areas where the preservation or enhancement of natural resources requires special protection. (pg. 17 of 230 GSP Draft, emphasis added)*

The Water Quality Impairment (303(d)Listing) designation would and/or will likely be extended into Ballona Wetlands Ecological Reserve and the SLC property, if the 303 impaired waters of Ballona Channel, Ballona Lagoon/Venice Canals and toxics from the ocean are allowed to enter into the Ecological Reserve as planned by CDFW. The Draft GSP, in prudent review of potential future negative impacts upon the GDE, should include an evaluation and/or comment upon this matter of great public concern. Page 14 of 230 lists the designations cited above from Chapter Two of the Draft GSP.

Grassroots Coalition believes the text cited within the column Water Quality Impairments (303(d)Listed) to be off-point and/or inaccurate/unreasonable per this listing. "Exotic Vegetation, Habitat Alterations, Reduced Tidal Flushing, Trash" :

1. Ballona does have nonnative vegetation that has been acknowledged however, the nonnative vegetation does not pose a threat to water quality or quantity and serves, in many instances to act beneficially for species nesting, foraging, and provides cover for wildlife while any restoration process is sorted. Some of its non- native vegetation supports species awaiting 'endangered' status listing, such as Eucalyptus Trees that provide critical overwintering sites for Monarch Butterflies.
2. Habitat alterations do not create water impairment issues unless that alteration introduces contaminated water into the Ecological Reserve which will only occur if the CDFW Plan is allowed.

Currently, the approved FEIR Plan of CDFW is acknowledged by CDFW as inaccurate and must be redone for a third attempt per its Ballona Channel, flood control data. Additionally, due to numerous deficiencies under the California Environmental Quality Act, at least five CEQA lawsuits have been merged against CDFW. The State Coastal Conservancy has been recently sued for its approval of the CDFW Plan via its grant award to CDFW for another attempt to perform adequate Ballona Channel flood control studies.

3. *"Reduced Tidal Flushing."* The Draft GSP states, without data support, that reduced tidal flushing is the impairment to Ballona's existence.  
Tidal flushing of Ballona Wetlands Ecological Reserve as cited in Historical Ecology of Ballona Creek Watershed, Dark et al.2011, and by Dave Jacobs, UCLA URSUS Symposium 2021), demonstrates that Ballona did not have regular tidal flushing, hence this text is misleading and without merit. Tidal flushing provides for contaminated saltwater intrusion into Ballona. The Ballona Channel waters are also impaired/toxic. Intrusion into Ballona of the contaminated Channel water is a concern and not discussed by the Draft GSP. The current tide gates (1135 USACE Project) did not fulfill legal requirements for the insertion of the gates as cited by USFWS Field Supervisor, Ken S. Berg and John Hanlon, Chief, Branch of Federal Projects in a 1998 letter to Col. Robert L. Davis (Conclusion portion of letter seen below). The improper insertion of the tide gates is still being contested for the unfulfilled legal and environmental evaluation needs. (Documents by John Tommy Rosas of Tongva Ancestral Territorial Tribal Nation (TATTN). GC is not aware of any 408 studies done since the 1998 timeframe on the tide gates installed in the western end of the Ecological Reserve that would evaluate the potential negative impacts of contaminated saltwater intrusion upon the underlying freshwater aquifers and/or other potential negative impacts as cited in the USFWS August 4, 1998 letter to USACE.

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,

  
Ken S. Berg  
Field Supervisor

cc: COE, Los Angeles, CA (Attn: Msrs. Copeland, Kaiser, and Young)

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Ballona is a predominantly freshwater, upland, wetland complex of ecosystems that include riparian and brackish/salt marsh habitat, all uniquely situated over freshwater aquifers classified by LARWQCB as Potential Drinking Water. The seasonal rains and the underground fresh watershed have been at or near the surface (Playa Vista EIR). Ongoing dewatering of the freshwater via pumping, draining and otherwise compromising these waters has not been addressed by the Draft GSP.

Proper process and data gathering needs to be accomplished.

4. Trash. Trash exists wherever humans travel. It is interesting that Ballona Wetlands has been singled out as having trash as a 303 impairment, while Santa Monica Canyon, Rustic Canyon, Sullivan Canyon and our Santa Monica Mountain trail and fire roads---all have trash, and homeless/transients living, passing through at any given moment and area, and trash is not mentioned from these areas in the Draft GSP. The Ecological Reserve has no water runoff into

Ballona Channel that would avail itself to carrying trash. The exit areas of Ballona’s drainage areas are confined to outlets that, as far as GC is aware, do not allow for trash to exit.

The Ballona Channel however, is heavily impacted with trash that becomes apparent during storm events that flush many storm drains areas from inland, into Ballona Channel and out to sea. Hence, not just toxins but also trash make their way down the Ballona Channel to the Santa Monica Bay. It is also due to this problem, that opening up Ballona Wetlands Ecological Reserve via the CDFW Plan to remove the current levees, dig out Ballona and reestablish new, larger levees on the perimeter of a new, tidal bay would expose most of the Ecological Reserve to this toxic/ trash reality of Ballona Channel waters and Santa Monica Bay trashed/ contaminated saltwater. The Draft GSP has no address of these issues and the FEIR does not address these problematical issues. There is a need to address these issues for the GDE, Ballona Wetlands Ecological Reserve.

*Table 2-6 SWRCB and Los Angeles RWQCB General Permits Applicable to the Plan Area (Draft pg. 17 of 230)*

*“Notes: There currently are no active individual SWRCB or RWQCB permits applicable to the Plan Area BMP –Best management practice” pg. 18 of 230 Chapter 2 Draft GSP.*

The Draft note above is extremely confusing. Playa Vista does have LARWQCB wastewater discharge under CAO No. 98-125 which includes NPDES permits for treated/cleansed groundwater to surface waters of Ballona Channel and the catch basin known as the Freshwater Marsh which is Public Trust property stewarded by the State Lands Commission and CDFW in its participation as a board member of the Ballona Conservancy (a Playa Vista private development group).

There are also NPDES permits for the building sites and other areas of Playa Vista that discharge pumped, clean groundwater to the LA Sanitary Sewer under industrial wastewater discharge permits.

The GSP appears to have excluded these dewatering permits, both of which do not adhere to Best Management Practices and instead waste clean and/or cleansed groundwater from the Playa Vista development project by sending the freshwater to either the sanitary sewer or out to sea. Playa Vista is now under additional ownership by Brookfield Residential.

Best Management Practices that would allow for all of this clean groundwater to be utilized by the GDE-Ballona Wetlands have not been addressed in this Draft GSP. The data gaps pertaining to this wasting of clean freshwater appear to include lack of input from multiple agencies and city/county entities that have allowed the pumping and diversion of clean groundwater away from the GDE without consideration of the GDE and/or each other.

Please note page 6, paragraph 2 pertaining to LARWQCB, NPDES permit denial to Playa Vista after Grassroots Coalition requested, on behalf of the GDE, Ballona Wetlands, for the NPDES permit to allow for discharge to Ballona Wetlands and NOT to allow the Playa Vista request for discharge of the clean groundwater to Sanitation.

***“City of Los Angeles General Plan Open Space Element Policy 1. Ecologically important areas are generally considered as open space and shall be so designated. The following shall apply: a. To the extent feasible, ecologically important areas***

*should be kept in a natural state. Policy 2. Flood endangered areas should be set aside for appropriate open space” Pg. 32 of 230 GSP Draft*

The General Plan above would appear to disallow the CDFW Plan and support restoration. While the Draft GSP includes this information, the Open Space Policy is not discussed in the Draft GSP in pertinent relationship to the GDE, Ballona Wetlands/ Ballona Wetlands Ecological Reserve.

The protection of the underlying freshwater aquifers of the Ballona region, classified by LARWQCB as Potential Drinking Water, should be evaluated for how to best protect this source of freshwater as Drinking Water as well as its role in sustaining Ballona Wetlands Ecological Reserve.

And, the **Open Space Element’s Goal 0S4: Recharge Groundwater Resources** (Draft pg. 33 of 230) would also appear to support the cessation of diversion of groundwater and ponding rainwater away from Ballona to instead allow for Ballona to act as a wetland, allowing the freshwater to recharge its underlying aquifers.

*The General Plan per OS 4.2 and OS 4.3*

This section of the General Plan also lend itself to protection from wasting Ballona’s freshwater from being thrown away into either the sanitary sewer or the ocean. However, the Draft GSP does not provide discussion of this in context with the GDE, Ballona Wetlands and Ballona Wetlands Ecological Reserve.

*“OS 4.2 Shallow Groundwater -Further enhance the City’s efforts to minimize shallow groundwater being discharged into the storm water system and encourage alternative means such as groundwater recharging when dewatering subterranean structures*

*.OS 4.3 Recycled Stormwater -Explore methods of retaining and using storm water that would otherwise go into storm drains as runoff. “*

Efforts to utilize parks for stormwater capture and recharge such as is being done by many cities (ie. Beverly Hills General Plan/ Open Space Element) which today for Ballona Wetlands, would encompass sealing the drainage channels that exit to the Ballona Channel but for during very large storm events where the Channel could still act as a backup plan for discharge to prevent any potential street flooding. Such closure has already been supported by scientists knowledgeable about Ballona.( UCLA URSUS Environmental Symposium 4/13/21 Dave Jacobs 23:16-37:46 youtube Presentation discussing negative impacts of full tidal saltwater intrusion and discussing the freshwater nature of Ballona Wetlands)

*“Table 2-11. Stakeholder Categories in the Plan Area” pg. 46 of 230 Draft GSP*

<i>Category of Interest</i>	<i>Examples of Stakeholder Groups</i>	<i>Engagement Purpose</i>
<i>Environment and Ecosystem</i>	<i>Ballona Creek Renaissance</i>	<i>Inform and involve to sustain</i>
	<i>Friends of Ballona Wetlands</i>	<i>vital ecosystems</i>
	<i>Heal the Bay</i>	

Grassroots Coalition, Sierra Club- Airport Marina Group, and Ballona Ecosystem Education Project are not included in the stakeholder groups cited above in the Draft GSP. We have attended at least 3 of the 6 public meetings. Despite our requests provided to the leadership of the Santa Monica GSA over the past year, for inclusion of the Department of Sanitation and LARWQCB to participate in public meetings, as both are key to protection of the freshwater resources of Ballona, we have not had the opportunity to speak directly with their

representatives at any public GSA meeting. We do appreciate the availability of Santa Monica's Lisette Gold who has made herself readily available. However, it is clear from the extensive data gaps in the Draft GSP pertaining to the Ballona Wetlands GDE, that such interface is needed between GSA members and stakeholders. Such interface, which the City of Santa Monica is authorized to request, would, no doubt, help bring GSA parties to the table, to discuss the harmful, wasteful diversion of groundwater away from Ballona Wetlands. Especially since certain GSA members are party to the dewatering permits to Playa Vista.

*"2.2.2 Surface Water and Drainage Features"* (GSP Draft p 48 of 230)

**Faults** pg. 57 of 230—The GSP contains no discussion of Lincoln Blvd. as an area of 'disrupted strata' and potential fault as discussed by the City of Los Angeles' oil and gas expert Exploration Technologies Inc, in the Chief Legislative Analyst's Report on Ballona Wetlands/ Playa Vista and ETI Regional Geochemical Assessment of BTEX and H2S Gas Occurrences. (prepared for LADBS)

*"The only known wells that produce groundwater from the Ballona aquifer are associated with **groundwater quality remediation and dewatering activities at the Playa Vista** development in the southern part of the Subbasin adjacent to the Ballona Escarpment (Playa Capital Company 2020). In the third quarter of 2020 these wells produced approximately 174-acrefeet of groundwater from the Ballona aquifer (Playa Capital Company 2020). Analysis of hydrographic for this GSP (Section 2.4.1.3) indicate that the Ballona aquifer is hydraulically connected to the underlying Silverado aquifer in the Playa Vista area. Pgs. 59-60 of 230 Chapter 2 Draft GSP."* Emphasis added.

The information above from the GSP Draft, appears to agree with the DWR/Playa Vista EIR mapping which also points out the hydraulic connections between the aquifers however, there is no additional mention of the area west of Playa Vista and inclusion of the Poland et al and House Document 389's comments per hydrologic connections that exist west of Lincoln Blvd. for these same aquifers/aquitards. This issue needs address in the Draft GSP.

The Draft GSP section above also only vaguely mentions, 'dewatering activities at the Playa Vista development ...' There is a need for full engagement and investigation and evaluation of the cumulative ongoing dewatering activities of Playa Vista and CDFW.

It is clear from Interra's (GSA's consultant firm performing water modeling) comment below that there are serious data gaps which need to be filled.

INTERRA

*"6.2 Data Gaps The LACPGM regional-scale model was built using a new sequence stratigraphy geologic model of the Los Angeles Coastal Plain, and incorporates all available pumping, injection and recharge datasets. Nevertheless, data gaps exist in certain areas of the LACPGM, including the Santa Monica Basin. Currently there are no multi-level monitoring wells between the Marina del Rey area and the inland areas of the Basin, where most pumping occurs. As a result there are no water level and water quality data to comprehensively evaluate the potential for groundwater flow from the Marina del Rey area. This represents a significant data gap in conceptualizing groundwater flow beneath the Marina del Rey area and the potential for salt water intrusion due to inland groundwater gradients. 7.0 REFERENCES"*

*2.2.2 continued- Draft discussion per Ballona Channel and Storm Drain System*



While much of the precipitation does flow into concrete lined creekways throughout the Plan area, no studies have been performed to gather information on leakage of these systems and/or the seamed concrete bottoms that are free to leach into the soils below just as the underlying gases that accumulate under the concrete sections, are free to escape upwards (Centinela Creek). This holds true for the length of the Ballona Channel with its numerous seamed areas. West of Centinela Blvd. the Ballona Channel is not lined but has a soft bottom with the Channel sides having not cement but a slurry through which cracks have not had consequential negative impacts (LA Flood Control study, Playa Vista area) but do allow for vegetation growth and permeability to an unstudied amount in the BWER area.

The storm drain system is old and likely does not provide 100% containment as cited in the Draft GSP.

The groundwater in the Playa Vista/ Ballona Wetlands area is at or near the surface. (PV EIR)

### ***2.4.7 Groundwater Dependent Ecosystems***

The NCCAG information provided by DWR is intended, as stated in the Draft GSP, as a 'starting point' only. **All of Ballona Wetlands/ Ballona Wetlands Ecological Reserve is a GDE within the context of the full parameters of a GSP within SGMA.** [Natural Communities Commonly Associated with Groundwater ...map.dfg.ca.gov/metadata/ds2788.html](https://www.nccag.ca.gov/natural-communities-commonly-associated-with-groundwater)

Additionally, the biodiversity that relies upon the many habitats of Ballona Wetlands Ecological Reserve are as interrelated as the surface water and groundwater. The interconnectedness is part of a GDE evaluation for ensuring best management practices are performed under SGMA to protect the ecosystems and the underlying freshwater aquifers.

It would appear that the preparer of this Draft GSP has focused upon drinking water needs of humans, as is common in many GSPs rather than delving into the needs of the largest and most critical remaining habitat area remaining along the Los Angeles coastline- Ballona Wetlands Ecological Reserve.

<https://www.flickr.com/photos/stonebird/> - Jonathan Coffin photography of Ballona Wetlands.

Interrelationships during drought and/or little rainfall are especially important to understand as the plants/wildlife are ever more dependent.

### ***2.4.7.3 Ballona Wetlands Ecological Reserve***

*Pg. 80 Draft Chapter 2*

*"In the vicinity of the BWER, a 40 feet thick clay layer separates the Bellflower aquifer from the underlying Ballona aquifer. (see Section 2.3.1 Geology/ Appendix E USACE 2017)*

The comment above appears to skew its citation's intent. Nevertheless, the DWR Map and studies done for the Playa Vista EIR demonstrate that the 'clay layer' discussed above varies in thickness and its existence is not uniformly distributed across Ballona. (Poland et al, HD 389, Exploration Technologies Inc.) This is ostensibly why the DWR Map and Playa Vista consultants determined the aquifers act as one. Additional studies across the Ballona Wetlands, via geotechnical borings, soundings and gas investigations and the development of the Playa Vista site itself, have revealed the groundwater as interfacing between the aquifers. (Exploration Technologies Inc; DWR Map; PV EIR geology, drilling logs SoCalGas)

Tables 2-19. NCCAG Vegetation Communities in BWER (pg. 80-81) are, in the Dudek Draft GSP, inexplicably lacking in native plant communities that reside in the Ballona Wetlands.

Grassroots Coalition acknowledges the Natural Communities Commonly Associated with Groundwater- Vegetation (NCCAG) that Dudek has utilized for its response to GDE engagement. However, what appears from the listing itself, as cited in the link below, is that **NCCAG is a starting point and contains numerous disclaimers pertaining to its pertinence and quality for any given GDE.** This disclaimer is not found in the Santa Monica Draft GSP for the average reader to understand the significance of the NCCAG only being a starting point as an aide to addressing a GDE study and not being a definitive regulation of study fulfilled in and of itself as it appears that Dudek has done and as cited by Ms. Weinberger in the August GSA Meeting. After Grassroots Coalition's request again for the GSA, Santa Monica leadership/ Dudek to ask for the LA Department of Sanitation and LARWQCB to come to the table and participate in providing the dewatering data and information for evaluation within the Draft GSP, Ms. Weinberger's reply at 1:31:21 (August 2021 GSA Meeting)

*..." I appreciate that and I think you know we have done the groundwater dependent ecosystem work under SGMA to the requirements of SGMA, but we're happy to go over that in more detail with you." August 2021 GSP Meeting transcript.*

Our take-away from this response is that our efforts at seeking assistance in the retrieval and evaluation of cumulative dewatering data and information has been dismissed as this issue was already completed in the Draft GSP by Dudek. And, while it was also expressed by Dudek's, Ms. Weinberger, that the Draft is a beginning process, the past year's lack of information gathering pertaining to Ballona Wetlands and its aquifers does not provide an indication that the data gaps will be pursued in a timely, meaningful, prudent fashion.

<https://map.dfg.ca.gov/metadata/ds2788.html>

**The Draft provides no meaningful explanation of its 40 acres of groundwater dependent vegetation conclusion.** The NCCAG is characterized by agencies as a starting point for investigation. And, the varying types of GDEs and their interconnectedness to seasonal surface water that promotes the dry season water table availability to vegetation is not discussed or reflected in the Draft's conclusory statements.

Various rare grassland areas in Area A and elsewhere in Ballona, along with extensive areas of rare species including but not limited to Lewis' Evening Primrose in Area A and Area C of BWER are excluded in the Draft GSP's discussion of GDE needs. The following link includes but is not complete of Ballona's vegetation:

1. [Ballona Native Plants Compendium](#)

[ballonaplants.blogspot.com](http://ballonaplants.blogspot.com)

Published by the Ballona Ecosystem Education Project PLANT LISTS AND MAPS: MASTER LIST OF Plants of the Ballona Wetlands, Baldwin Hills, El Segundo Dunes and smaller Open Spaces

For example, Area A, B, C have pickleweed growth that is critical as Belding's Savannah Sparrow habitat.

The seasonal rainwater ponding across Ballona is also dependent upon the underlying groundwater level for ponding to occur. If the normal water table level is not present, the seasonal rains can percolate downward more rapidly and ponding can be reduced and/or not timely occur to aid in seed dispersal, or allow for frog eggs and tadpoles to fulfill their cycle of life and so on. Removal of the surface ponding has occurred at Ballona due to Playa Vista's

and CDFW's illegal drains. These activities have harmed the hydrology of Ballona as cited by the California Coastal Commission. (CCC 2014 Letter to Playa Vista /CDFW) Negative impacts can occur when surface water percolation downward is removed or reduced which further reduces recharge to the freshwater aquifers. At Ballona, the time it takes for rainwater to pond has appeared to increase through the years as Playa Vista dewateres the upper water-table and aquifers. There has been no exploration or gathering of information to determine what is occurring overall and cumulatively between Playa Vista and CDFW's dewatering activities for the past 20 years.

Without data and information support, the private business used by CDFW, the Bay Foundation, has promoted claims of Ballona Channel as the sole source of freshwater to Ballona and that its channelization is the reason for Ballona drying out, thereby promoting CDFW's plan to dig out 3 million plus cubic yards of soil to convert Ballona into a full tidal, saltwater bay. This is a false premise being delivered to the public using public dollars.

The GSP Draft, without data support, also cites the lack of tidal flux into Ballona as its main reason for degradation. Such echoing of misinformation is contrary to legitimate SGMA and GDE study.

#### **What we do see as actual cause and effect-**

The sealing of the unpermitted drainage in Area B, in just a couple years has given rise to ponding and the widespread regrowth of pickleweed throughout this area. Belding's need wide areas of pickleweed growth to out compete other sparrows for nesting habitat. Grassroots Coalition's prevailing litigation and the California Coastal Commission's subsequent orders to seal the illegal drains, has resulted in the restoration of widespread pickleweed regrowth throughout this area. (Griswold PhD, photos, August 2021 GSP presentation).

*“” 2 –Plan Area and Basin Setting Groundwater Sustainability Plan for the Santa Monica Groundwater Subbasin 12169 July 2021 2-82a natural meander-shaped pattern, and removing historical dredge materials north of Ballona creek to create a floodplain (USACE 2017). These alterations are expected to establish 81 acres of new wetlands and 39 acres of new non-wetland waters of the U.S., as well as enhance 106 acres of native wetland and 58 acres of existing non-wetland waters of the U.S.” Draft GSP*

The CDFW Plan noted above is set forth in a FEIR, and is currently under CEQA litigation by five environmental organizations due to numerous deficiencies and inaccuracies. Ballona Wetlands has been closed to daily tidal flow for hundreds of years. Only during irregular, severe rainfall events did enough freshwater flow to break through the coastal dune system to the ocean. This is why Ballona is a rare coastal, predominantly seasonal freshwater wetland (Historical Ecology of Ballona Creek Watershed, Dark et al 2011) The CDFW Plan to convert Ballona into a full tidal saltwater bay is not restoration as defined by the California Coastal Commission's definition of restoration. The USFWS in their response to the Draft EIR, comments that CDFW's thinly disguised cover story of 'creating upland' with over 3 million cubic yards of soils dug out from Ballona is simply filling of wetlands which is not permitted under the California Coastal Act. (USFWS Ballona Draft EIR response)

And, while the Ballona Channel's creation has impacted the wetland, the flow of fresh groundwater has continued throughout Ballona as is easily evidenced in: the construction records of the buildout of Playa Vista; boring log records; vegetation existence, including trees that would not continue to exist in saltwater; and the continued existence of the near surface aquifers. Seasonal ponding continues across Ballona, but for the illegal drainage of the ponding

water, violating the Coastal Act by CDFW and Playa Vista. (GC v Playa Vista/CDFW; CCC 2014 letter to Playa Capital LLC/ CDFW) The illegal drainage of rainwater ponding in Area B has since been halted via litigation by Grassroots Coalition against both CDFW and Playa Vista. The California Coastal Commission then required the sealing of the unpermitted drains.)

### **FILL PLACEMENT FROM CONSTRUCTION OF MARINA DEL REY**

Another one of the inaccuracies to which CDFW and the FEIR do not provide data support, is the unsupported claim by CDFW that Area A of Ballona Wetlands has been filled with Marina del Rey dredged soils. The Draft GSP, without data support makes the same claim as it simply cites to the unsupported claim by CDFW in their FEIR. The FEIR's challenge via CEQA litigation includes this unsupported claim by CDFW.

**Data demonstrating the Marina del Rey dredged soils were used to create miles of extended/enhanced beaches to the north and south of the Ballona Channel as well as for the creation of the marina's landscape infrastructure is readily available within the congressional document known as House Document 389. The Draft GSP fails to include or discuss this data and information which needs to be included. Instead, the Draft GSP simply echoes unsubstantiated claims without checking for their accuracy via readily available data.**

The USACE reference as a 2017 reference appears to be a general statement simply echoing CDFW but having no actual data support. USACE permits are being sought by CDFW hence USACE has been engaged in reviewing materials provided by CDFW ie. the Flood Control study which has been twice rejected by the Corps as inaccurate and cost taxpayers \$4 million. No new Flood Control study has been produced via CDFW. However, another \$2 million has been approved by the State Coastal Conservancy for CDFW to have another attempt. The State Coastal Conservancy has since been sued by Grassroots Coalition and Ballona Ecosystem Education Project (BEEP) for their approval of the FEIR. The California Coastal Commission is facing another legal challenge should it disburse the approved funds to CDFW.

**The land to the north of the Ballona Channel is known as Area A. Area A historical documentation also demonstrates that the central and largest area of Area A is undisturbed habitat (Huffman, USEPA '86 map; Playa Vista EIR Archaeology Map)** This area is also noted via various drillings to have freshwater available to the root systems of vegetation as the water table is noted as at or near surface (Playa Vista EIR).

Area A, during a normal rainy season has ponding across much of the site which can remain for months (Huffman 1986) GC has experienced first- hand the ponding and has long documented the various areas inundated which also gives rise to prolific use of the area for feeding great blue herons and other predators as small mammals relocate from the inundation and become more vulnerable to predation out in the open. Area A also has rare salt pannes that act as reservoirs for copapods to emerge with winter rainwater ponding and attract Pacific Flyway migratory birds as well as Ballona homesteader birds that feed upon the copapods. The copapods are a **'forage species' as are discussed in the 2011 AB 1299, Forage Species Conservation and Management Bill**. Area B supports large salt pannes. Salt pannes have become critically rare along southern California and need to be considered as part of the GDE evaluation. (@ 15:30 Graph, Margo Griswold Phd presentation link below)

1. [4.20.21 Dr Margot Griswold Presents Ballona Wetlands FEIR ...](#)

[www.youtube.com/watch?v=avpCqRoEbdc](http://www.youtube.com/watch?v=avpCqRoEbdc)

This video on 4.20.21 Dr Margot Griswold Presentation on Ballona Wetlands Final Environmental Impact Report - Inconsistencies and Overlooked Opportunities: C...

Area A is a critical portion of the GDE that provides habitat to multiple endangered species including the Belding Savannah Sparrow and multiple listed species such as the White-tailed Kite, dependent upon the wide areas of grasslands and pickleweed. The water table in Area A, out of the rainy season is deep enough to allow moles, voles and rabbit dens within the very near surface and their use of root systems as nourishment. During the rainy season the ponding gives literal rise to soil burrowing creatures to surface which in turn brings in foraging herons, hawks and other predators. (Griswold Phd LINK to presentation Ballona FEIR- Inconsistencies.)

The proposed new levees are also planned to be around the entire perimeter of the proposed industrial scale dig out that will remove over 3 million cubic yards of wetland, salt pan, upland soils in order to create the new full tidal bay. The levees per USACE regulations will not be **allowed to have small burrowing wildlife existing in/on the levees as the levees will be regulated by Vector Control to exterminate such wildlife. Vegetation, ie. grasses having very small root systems are allowed with the need for keeping such vegetation mowed in order to visibly inspect the levees for rodent abatement.**

The LARWQCB, has undertaken numerous soils and groundwater investigations on Parcels A, B, C, D formerly owned and operated by the Howard Hughes Company and included the MacDonnell Douglas industrial complex of both aircraft industries located in Area D. All of the parcels comprised the Playa Vista development site. **A,B,C are now Public Trust property areas of Ballona Wetlands that have been given No Further Action (NFA) designations to signify the property as clean and in need of no further actions of remediation. The Ballona Channel is not part of the Ballona Wetlands Ecological Reserve but is owned and operated by the federal government via USACE and by the County Flood Control District of Los Angeles. The Ballona Channel is an impaired waterway in need of remediation and TMDL discussions are directed to the Channel water, not the clean groundwater that is in the Ballona Ecological Reserve.**

**Should the CDFW Plan for digging out Ballona occur, with the removal and perimeter replacement of the levees, the toxic Channel water flows would enter into and comingle with the NFA AREAS of Ballona Wetlands Ecological Reserve. Not only would the clean groundwater of Ballona, inclusive of its freshwater aquifers, be exposed to toxic Ballona Channel water flows but these currently clean areas would be exposed to contamination by saltwater intrusion and the Santa Monica Bay's own toxic effluent.**

*"There is no direct link between the shallow surface water in the Bellflower aquitard at BWER and the Silverado aquifer in the vicinity of the primary production wellfields. Therefore, groundwater production from existing wells will not impact groundwater elevations or the identified GDEs within the BWER".* Draft GSP

The production wells of the City of Santa Monica are important to not impede or lower the water table to the GDE, Ballona Wetlands. Monitoring for such potential effects is important.

However, GC's concern has been the 20 years of dewatering effects due to illegal drains on Area B of the wetlands that are now temporarily capped and the dewatering effects of 20 years plus of pumping and dewatering the groundwater under Playa Vista from both the Clean Up and Abatement Order as well as dewatering for the gas mitigation systems under Playa Vista

buildings. Playa Vista also captures its rainfall into building systems for what is called, “nuisance dewatering”. The normal watershed flow from east to west has been systematically pumped and removed from reaching Ballona Wetlands which historically underlies Playa Vista and is the Public Trust lands and freshwater stewarded by the State Lands Commission and the Ballona Ecological Reserve which extends to the west of Playa Vista to the dunes on the west end in Playa del Rey. The dewatering has been ignored as permits have been given for this dewatering simply due to requests by Playa Vista for sending the clean freshwater to Sanitation.

EPA has also ignored such dewatering while citing only to the acknowledgement that the freshwater is clean thereby allowing for its throw away into the sanitary sewer system under industrial wastewater permits. EPA and LARWQCB have not considered the environmental impacts of VOLUME needs of Ballona Wetlands and have predominantly only considered Water Quality. This lack of attention to the biological, hydrological needs of the GDE are now front and center and need to be prudently addressed to protect the Ballona Wetlands. Interagency discussions need to occur to offset past damage to Ballona’s hydrology via wasteful pumping and discharge of this clean freshwater to the sanitary sewer system of Los Angeles. Interagency discussions necessitate inclusion of ie. EPA Erica Strauss, whose email comments of agreement that clean fresh, Playa Vista groundwater is ok for discharge into the sanitary sewer system have laid the groundwork for waste of Ballona’s precious freshwater resources.

The DWR Map from the studies also performed by Playa Vista consultants and mapping done by Exploration Technologies Inc; reveal the non-uniform nature of the underlying clay and other soils which provide for the multiple underlying aquifers to act as one unit.

The maintenance of the freshwater table for sustainability of the GDE is paramount for this unique coastal wetland.

*“2.4.7.4 Ballona Freshwater Marsh Adjacent to the northeastern boundary of Area B, the California State Lands Commission owns 26 acres of freshwater marsh that was constructed between 2001 and 2003 as a mitigation site for the Playa Vista development (USEPA 2012). Groundwater that is pumped from the Ballona aquifer and Bellflower aquitard in Playa Vista is treated to remove VOCs and other contaminants of concern at the site and discharged to Centinela Creek. This treated discharge is a primary component of flow in the freshwater marsh. Because the freshwater marsh is a managed ecosystem that would not exist without the surface water flows in Centinela Creek, no natural communities commonly associated with groundwater were identified in the NCCAG database within the boundaries of the freshwater marsh.”* Draft GSP

Grassroots Coalition has been unaware of groundwater being pumped into Centinela Creek. The comment regarding nonexistence of the FWM without the surface water flows of Centinela Creek, makes no sense and needs explanation. Centinela Creek does not exist as it did historically, any longer at the surface. Perhaps, the GSA is referencing the Riparian Corridor? However, such reference would be inaccurate as well since the Riparian Corridor does receive seasonal runoff from the adjacent bluff area and a portion of that bluff area does have spring water flow year- round, the bulk of the freshwater into the Riparian Corridor year- round comes from the pumped and cleansed water of the CAO 95-125. If disposal occurs into the concreted Centinela Creek portion of the local flood control system, then that would be an additional NPDES permitted throw away of clean freshwater that would ordinarily nurture the GDE needs.

The Freshwater Marsh System and its Riparian Corridor has a designed overflow that allows for freshwater to flow into the Ballona Wetlands Ecological Reserve. This is what Grassroots Coalition and USFWS (USFWS- EIR comments) wish to see utilized instead of allowing Playa Vista to control the overflow’s direction out to sea via the Main Drain and/or send to Sanitation.

The Draft GSP response appears to misunderstand the basic functions within this area and numerous other dewatering activities as it renders conclusory statements without data support.

This Draft GSP is critical to gathering all the dewatering data and disposal information in order to stop such waste of freshwater that is critical to sustaining the GDE. Furthermore, as discussed in GC's response in Chapter One, sending freshwater into the Riparian Corridor to ultimately outlet into the ocean via the Main Drain of the Freshwater Marsh System, is also unacceptable for maintaining the nurturing freshwater that needs to remain on Ballona and allowed to percolate down into the underlying aquifers for recharge.