

EXPARTE COMMUNICATION DISCLOSURE FORM
Filed by Commissioner Donne Brownsey

RECEIVED
APR 30 2019

1) Name or description of project

Briefing on the Ballona Wetlands by the California Department of Fish and Wildlife

2) Date and time of receipt of communication:

April 25, 2019 at 2:30PM by telephone. Briefing lasted until 4PM

3) Location of communication

By Telephone

4) Identity of person(s) initiating communication:

Richard Brody, Land Manager CDFW and Kevin Takei, Attorney, CDFW

5) Identity of

person(s) on whose behalf communication was made:

Brody, Takei, Ed Pert, Regional Chief, Southern Region CDFW and Rich Burg, Environmental Program Manager, CDFW

6) Identity of persons(s) receiving communication:

Donne Brownsey

7) Identity of all person(s) present during the communication:

Donne Brownsey, Richard Brody, Kevin Takei, Ed Pert and Rich Burg

Complete, comprehensive description of communication

content (attach complete set of any text or graphic material presented).

This briefing was to a CDFW briefing that will be presented at the May Commission meeting in Oxnard from May 8-10, 2019. It is my understanding that the CDFW briefing on the Ballona Ecological Reserve will be presented on May 8, 2019. The CDFW presented on the key issues that have been the subject on in depth public comment and presentation such as the drains or other issues. 4 main issues

were the focus of the presentation: the drains, the fresh water marsh, legacy issues and the EIR.

Drains: CDFW explained the complicated history of the drains that were the subject of potential development years ago and with a hard to track permit history. The drains are one of the legacy issues. Further CDFW explained that the drains do not serve any ecological purpose, they have been capped and redundantly engineered the sealing of the drains and the weep holes. They checked to ensure that there was no activity occurring as a result of the efforts. Further action is possible removal although CDFW concerned that removal would cause significant negative environmental impact on the functioning of the wetlands because of the mechanical work needed to remove the drains. Their preference is the leave the sealed drains in place to avoid significant environmental damage.

Fresh Water Marsh: CDFW explained that the Marsh is not part of the Ballona Wetlands but rather leased to another property owner by State Lands Commission. They do not manage or own the spillway from the Marsh runoff. The staff agree with the concerns raised by the NGO community regarding the run off and the efforts to manage the unconnected creek. CDFW indicated that it is not diverting any of the fresh water from the marsh. There are ongoing efforts to coordinate between the owners of the fresh water marsh and the Ballona Reserve. They mentioned that the groundwater being pumped is another legacy element as it is from an old Hughes Aircraft manufacturing plant. This is part of a mitigation program to clean up the groundwater and after toxins are removed, to run it through the wetlands.

Legacy issues: there is a substantial list of challenging legacy issues that are part and parcel of this property. Some of the issues enumerated in this category are: channeling of the creek, ball field issues where neighborhood associations were granted an easement on the land for playing fields, parking lots that are improper encroachments upon the land by restaurants and other businesses. Some of the lots are more established and others are pop up lots,

various easements, SCE has monitoring wells on the site and they need to be moved behind the SCE property line. There is a huge natural gas reserve storage under the wetlands. Beekeepers are keeping their hives on the wetlands without permits. Neighbors to the wetlands have encroached onto the land with landscaping to extend back yards. There may be other issues as well.

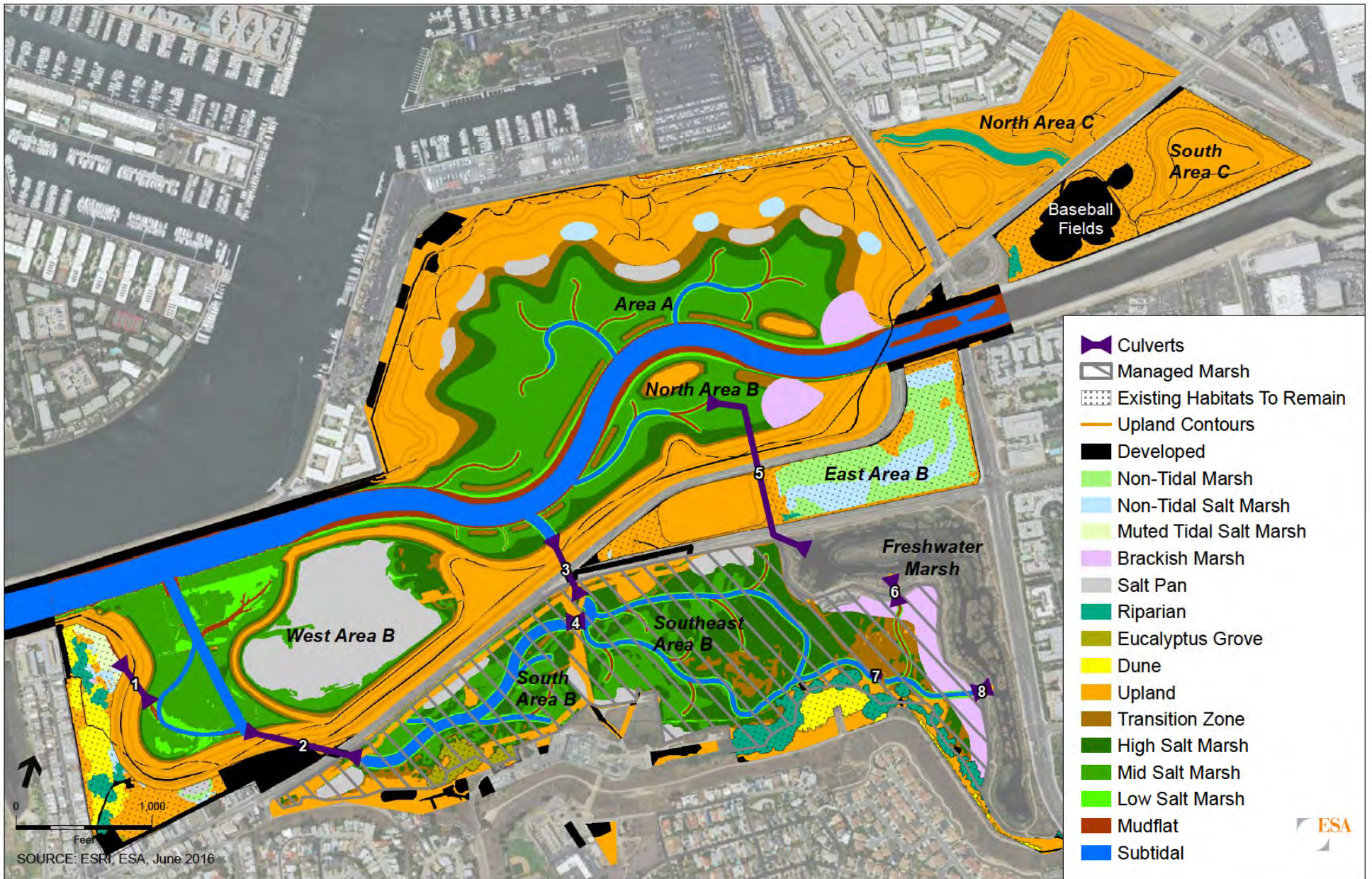
EIR: Staff briefly recounted the history of the complicated and lengthy EIR process and will be reviewing the history and timing of the process for the Commission at the May 8, 2019 hearing.

There was no discussion about any pending action before the Commission except for subject matter of the briefing in its various elements. It was a very informative discussion and helpful to understanding the myriad and complex environmental, legal and policy issues. Two maps were sent to me to aid in discussion of the areas and I will forward them to staff and ask that they be added to this ex parte filing.

Date: April 30, 2019

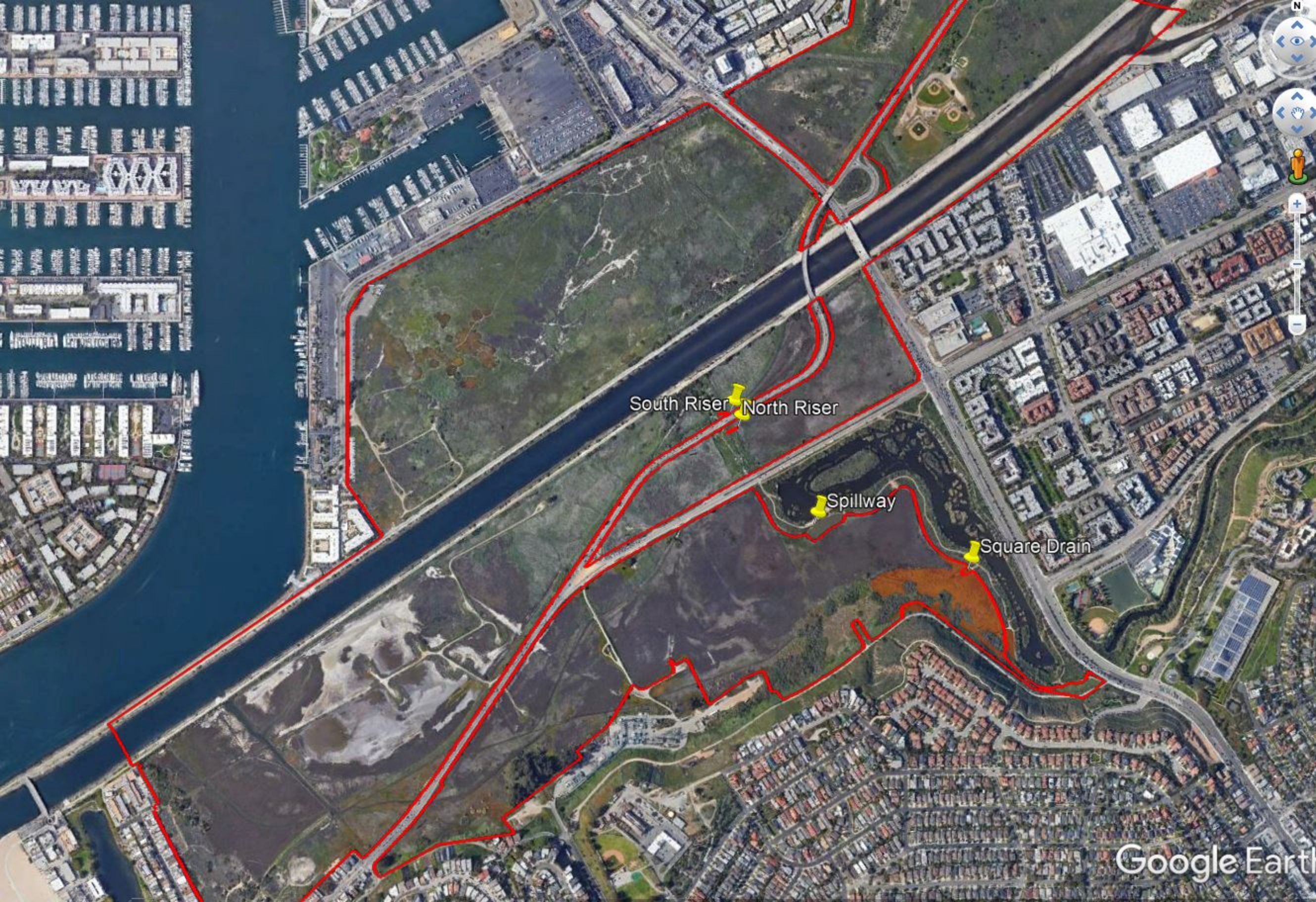
A handwritten signature in black ink that reads "Donne Brownsey". The signature is written in a cursive, flowing style.

Signature of Commissioner
Donne Brownsey



**Ballona Wetlands
Restoration Project**

Figure 2-1
Alternative 1, Phase 2: Proposed Habitats



South Riser North Riser

Spillway

Square Drain