

Hills for Everyone

Friends of the Wildlife Corridor

Newsletter No. 3 March 2001

What the heck is going on in Tonner Canyon?



It is the best of times and the worst of times. With the purchase of Coal Canyon the Corridor was assured of the connection between the Cleveland National Forest and Chino Hills State Park the number one priority in the whole Corridor. But, at almost the same time, the sale of Tonner Canyon to the City of Industry Urban Redevelopment Agency by the Boy Scouts threatened the connection of the Corridor west of the 57 Freeway.

The recent events with the Boy Scouts and the City of Industry over the sale of Tonner Canyon have many people confused and troubled. In this newsletter we will focus on the sale and the controversy over the City of Industry Urban Redevelopment Agency's purchase of a portion of the Firestone Boy Scouts Reservation and the subsequent lawsuit by environmental groups to reverse the sale.

For the last five years a number of environmental groups have tried unsuccessfully to purchase all or a portion of the camp. WCCA, Wildlands Conservancy, and the State have tried separately and in various combinations to reach a deal with the Scouts. Each time it appeared a deal had been reached, elements on the Scout Board or the City of Diamond Bar were able frustrate the negotiations. In a last ditch effort, in November 2000, WCCA together with a private donor - offered \$18 million for approximately 2/3 of the property. This all cash deal, with no contingencies, was to close within 30 days.

In the meanwhile, the City of Industry Urban Redevelopment Agency with the help and intervention of John Semcken III, Vice President of Majestic Realty (a Boy Scout Board member), had apparently reached an agreement with the negotiating committee of the Scouts for the same land at \$16.5 million. (See Laurence Darmiento's article page 4.)

Questions were immediately raised about the sale

Why would the Scouts accept an offer that was \$1.5 million less than WCCA had offered?

Was it legal for the City of Industry's Redevelopment Agency to buy land outside the City and redevelopment project area?

How could Industry buy the property, supposedly for a reservoir without doing an Environmental Impact Report (E.I.R.)?

Does the idea of a reservoir, which experts in the water business said was unnecessary and could not be built, make any sense? Industry has said at different times that the

reservoir is for water storage and that it is for power generation. Since the types of reservoirs are basically incompatible with each other which one are they really studying?

If the reservoir is not feasible, what would Industry do with the land?

In response to the sale, the Sierra Club, WCCA, the Center for Biodiversity and a

6

The Miracle of Tonner Canyon

By Geary Hund, Senior Ecologist

Forty, even thirty years ago the importance of Tonner Canyon had not come in to as sharp of focus as it has today. The collective "Hills" were just there, a backdrop to a burgeoning area of growth, somewhat insulated by their topography, fences and no trespassing signs. They were a place familiar to only a handful of oil field workers, cowhands, scouts, and young adventurers. Like much of the open space around the communities of southern California, they certainly did not seem threatened or in short supply. Much has changed since then. People now occupy many of the fields of our youth, the easily developable land.

People naturally settle areas that have the

exceptional concentrations of endemic species are undergoing exceptional loss of habitat. The Southwest Ecoregion, our area, is the most diverse and threatened area in the Province, and low elevation areas like the Puente-Chino Hills are the most diverse and threatened parts in the Ecoregion. In other words, the "Hills" are a sweet spot of diversity on the planet, one of the most important places for preservation.

Certain natural areas create a sense of awe in the viewer, becoming indelibly etched in their memory, places like the Grand Canyon. Sometimes this experience happens in a closer setting too, as it happened to me in Tonner Canyon. When I encountered its dense oak and walnut woodland forests, crisscrossed with trails containing an abundance of deer sign, when I saw the verdant riparian areas and sage scrub clearings, its rich and primal character overwhelmed me. I

be doomed decades before it disappears entirely, as it takes some time for the effects of fragmentation to be fully expressed. To offset the effects of fragmentation, conservation biologists recommend the establishment of a system of large interconnected reserves that encompass the areas of greatest species richness and diversity, including endemics (species found only in a small localized area). They recommend that the connections, the corridors, serve the species most yulnerable to isolation.

Based on these principles, Tonner Canyon is one of the most important connectors and core areas in the entire Puente-Chino Hills system. The fate of much of the biodiversity in the Hills may ultimately rest on its fate. If its habitats were lost, or further degraded, large core areas such as Chino Hills State Park would be weakened and preserved open space in the Whittier Area would most certainly see the loss of both large and rare species within years or decades.

As a community, we are blessed with the challenge and the opportunity to take right action in the Puente-Chino Hills and, specifically in Tonner Canyon. The highest and best use of this land is clear, its preservation. Preservation for our fellow creatures, for our children, and for us. Let's work together to protect and maintain the miracle of Tonner Canyon.



How would a Reservoir affect residents?

By Nancy Wells

Residents need to be aware of a phenomenon known as reservoir induced seismicity.

What is reservoir-induced seismicity? A: The triggering of earthquakes by the physical processes that accompany impoundment of large reservoirs.

Common features of reservoirs that have induced seismicity:

- 1. Depth greater than 263 feet
- 2. Proximity to strike-slip earthquake faults
- 3. Permanent water storage behind the dam vs. a flood control only dam
- 4. Volume of water impounded
- 5. Rapid water level changes
- 6. Alluvial soil in proximity to the dam and

best conditions for life and thus the greatest species richness and diversity. Most of our parks are "on the rocks" as David Brower put it, high, rugged mountain peaks, great scenic wonders but low in biodiversity. Low elevation areas, the areas of greatest diversity, are rarely preserved.

The California Floristic Province has been identified as one of the 25 hot spots of biological diversity on the earth – areas where

knew immediately, without further scientific analysis, that this was a critically important "core habitat area" of the Hills.

Scientists have long known that there is a direct relationship between the size of an area and the number of species it can support. Habitat fragments, cut off from other wild areas lose species, sometimes many species. Rare species, and large, wide-ranging species are especially vulnerable. A species can

reservoir

A reservoir created by a permanent water storage dam is considered deep at 263 feet and very deep at 492 feet or more (world class size). The proposed dam would be over 400 feet high.

Some reservoirs produce earthquakes immediately upon filling due to elastic stress changes. Other reservoirs produce earthquakes after a delay as a result of pore fluid diffusion. Finally, some reservoirs produce earthquakes after several years, but only when the water level is changed, a result of fluid diffusion accompanied by elastic stress changes.

Most examples of induced seismicity occur in regions where there is strike-slip faulting.

The Tres Hermanos Dam and Reservoir would be less than one mile from the Whittier Fault and approximately ten miles from the San Jose Fault, both of which are strikeslip faults.

An increased rate of activity is usually found within 18-27 miles of impounded reservoirs.

Induced earthquakes appear to be triggered by very small stress changes. Scientists now believe that the 1971, Sylmar quake (magnitude 6.4) was caused due to the rapid lowering of a local reservoir.

The probability of a reservoir-induced earthquake is greater where there is permanent water storage, because of the longer period of time the region is exposed to load and pore pressure changes.

The likelihood of a reservoir-induced earthquake at the greatest probable magnitude (based on a USGS study of the Auburn Dam in Northern California) is 30% during the lifetime of the dam.

Does every large reservoir cause earthquakes? A:No.

However, considering the proposed water depth, the proximity to two strike-slip fault lines. plus the Chino Hills (right-reverse) Fault, the permanent water storage, the expected water level fluctuations anticipated during peak water usage, and the volume of water to be impounded, there is certainly reason to proceed cautiously with this proposal

- particularly considering the proximity of the dam to highly populated areas and areas prone to liquefaction.

Tonner Road

By: Claire Schlottoerbeck

All of the cities surrounding the Chino Hills region suffer from traffic congestion: Brea, Chino Hills, and Diamond Bar. Of course, these frustrations are the same ones faced by other highly urbanized areas all over Los Angeles. Somehow our traffic woes feel more intense to those of us who have endured the change from a semi_rural to a more urbanized setting. Most of the traffic problems here relate to the landscape itself, both the physical and the political. There are 8 jurisdictions involved (four counties and at least four cities).

The solution to traffic problems are approached differently by different jurisdictions. Brea has come to believe that new roads only generate more traffic thus they have taken roads out of the Circulation Element of their General Plans. They believe that for the short term traffic may be relieved but for the long term it will only encourage and, in effect, subsidize new development leading to more traffic at a great financial, social and environmental cost.

On the other hand, the City of Chino Hills wants a new road and their General Plan calls for it along the stream of Tonner Canyon - the great unknown canyon to their west. This road would parallel the Pomona Freeway on the south, connecting Eucalyptus to the 57 freeway - bypassing Diamond Bar but feeding traffic into Chino Hills.

The City Council of Diamond Bar has the strangest position of all. Not surprisingly they support a Tonner Canyon route because it would siphon traffic off of their city streets, streets which are congested mostly because of the badly functioning junction of the 57 and the 60. What

has been surprising in Diamond Bar's support of a Tonner Canyon route is that when recently confronted with the opportunity to remove truck traffic from the Pomona Freeway, they have chosen to oppose that alternative. In effect, they support keeping truck traffic on the Pomona Freeway in Diamond Bar rather than supporting an alternative which removes the trucks and frees up the lanes for cars. Perhaps they fear it will com-

pete with money they want for a Tonner Canvon Road.

Another curious aspect to Diamond Bar's support for a road in Tonner Canyon is that such a route is in direct opposition to their own General Plan which specifically forbids a road through the Significant Ecological Area portion of the Tonner Canyon. This language was a hard fought victory for the community. The community's desire notwithstanding, the current council funded a recent study of possible Tonner Canyon alignments, both of which bisect this sensitive area.

Perhaps the most curious aspect, however, is that they not only support a road through Tonner but they also support the City of Industry's planned reservoir. As shown in numerous newspaper articles, the reservoir site, close to the Orange County line, precludes a road. So unless the road is a bridge across the canyon (and therefore exorbitantly expensive), Diamond Bar doesn't seem to know what it wants. Maybe the exhaust fumes are getting to them.

Want to Help?

We are looking for people who would like to contribute to making this organization a success. We need:

Articles on the Hills and the Corridor Leaders for Nature Hikes Volunteers for Revegetation efforts Volunteers to build trails

Historical articles about the area and its peoples

Helpers for managing subscriptions Clerical help to manage our database and much more.

To volunteer contact the editor, Dr. Judi Henderson, at our P.O. Box or call 562-695-4234.

Check out our web page for latest developments an frequently asked questions.

www.hillsforeveryone.org



TONNER CANYON RESERVOIR IS FULL OF HOLES

By: Jeff Yann

In trying to justify their purchase of the Firestone Scout Reservation, the City of Industry has thrown out a variety of reasons, ranging from a large surface reservoir to some sort of hydroelectric project. A closer review shows that these claims, like the reservoir itself, have a lot of holes.

Industry, claiming that "water is gold," reportedly plans to construct a 275,000 acrefoot reservoir in Tonner Canyon. For those not versed in numbers, this may sound like a reasonable idea, until one contemplates the full magnitude of this proposal. Metropolitan Water District just put Diamond Valley Lake into service, the monster reservoir that was supposed to be the ultimate in water storage, providing six months of water for all of southern California in the event of damage to the California Aqueduct in a major earthquake. Diamond Valley Lake, built at a cost of \$2.1 billion, stores 825,000 acre-feet. Industry's proposal is one-third of this socalled ultimate volume. It would flood 2,200 acres, nearly 40 % of the entire Tonner Canyon drainage, and over 60 % of the drainage area within the Firestone Reservation. In an era where the State is moving away from surface storage, because of high evaporation rates, Industry's reservoir is clearly out of step. It would evaporate 9,000 acre-feet of water annually—enough water for a small city.

Industry's proposal would require construction of a 400-foot high dam in unstable geology immediately, north of the Whittier Fault and two miles upstream of the City of Brea. A failure of this dam would sweep much of Orange County into the Pacific and litter the beaches from here to Tijuana. It is inconceivable that any agency would permit such a life-threatening facility above so many homes. Even more significant is the fact that the northeast ridge of Tonner Canyon has been built out by the City of Diamond Bar, with several tracts extending down into the canyon. A 275,000 acre-foot reservoir would flood at least 50 homes in Diamond Bar, leaving portions of some lots under as much as 200 feet of water. Strange indeed the attack by the Diamond Bar City Council on the Wildlife Corridor Conservation Authority for its role in trying to stop the Industry project, when, in fact, many Diamond Bar residents would suffer the most immediate losses. Not only would these homes be flooded, but many others would be threatened by saturation of the slopes beneath their homes. Does the Diamond Bar Council know something that Industry isn't telling the rest of us?

Ever grasping to find some plausible excuse for purchasing this property, Industry has also stated their plan to build a hydroelectric plant at the site. Since it is difficult to make money on a hydroelectric plant that one has to pump the water to, it is likely that the city officials have seized upon the hysteria of the electricity crisis to propose a pumped storage scheme. This would require two reservoirs with water being drained from the upper reservoir through a power plant when electric rates are high, and pumped back from the lower reservoir when rates are low. Since each reservoir must, of necessity, be much smaller, and since only one can be full, Industry's cache of "gold" would be drastically reduced, likely less than 50,000 acre-feet. Even for utilities with base-load power plants that can't be easily turned off at night, such that pumping energy is almost free, pumped storage plants have seen limited use in California. Calculations show that the wild swings in energy prices that have plagued California through much of 2000 are not adequate to make Industry's power plant pay for itself. Its losses would be even greater now that some measure of stability has been achieved through long term electricity contracts. There is little likelihood that the electricity pricing situation will remain this volatile for the ten years or so it would take Industry to build its project.

Then again, maybe we should just take Industry at its word and assume its real intent is to simply preserve this marvelous ecological resource for all to enjoy. Hats off to their generosity for using city money to buy this preserve, that otherwise would have been bought using taxpayer dollars. A salute, too, to the L. A. Scout Council for sacrificing \$1.5 million in accepting Industry'soffer of \$16.5 million while WCCA was offering \$18 million.

www.hillsforeveryone.org

LAND—Feud Erupts Over Huge Land Deal for Reservoir

by LAURENCE DARMIENTO L.A. Business Journal Issue Date: 12/4/00

The city of Industry's acquisition two weeks ago of a 2,500-acre Boy Scouts campground in the San Gabriel Valley has unleashed a wave of fury from environmentalists, as well as open skepticism from water industry officials.

The city insists that it has acquired the massive parcel to build a reservoir, which it says it needs to meet its future water needs.

Environmentalists and water officials, meanwhile, say building a reservoir on that site would not be feasible. Some environmentalists go so far as to say that the proposed reservoir is merely a ruse the city used to justify buying the land, and that its true intention is to resell the property to Majestic Realty Co. for development. "My own judgment is that ultimately the reservoir will become infeasible, and Industry will sell the land to a major developer and that developer is Ed Roski," said Jeff Yann, who sits on a conservation authority advisory committee and is a local Sierra Club leader. Ed Roski Jr.'s Majestic Realty has developed 14 million square feet of commercial property in Industry, meaning the interests of the city of Industry are closely aligned with those of Majestic. Officials with Industry and Majestic said the environmentalists' conspiracy theory is absolutely false, and that it stems from frustration over failing in their attempts to buy the property themselves. "(The environmentalists) were not successful in obtaining (the property), so for whatever reason they are skeptical (about the reservoir)," said City Manager Phil Irialte. "This is going to take years. I fully know that. It's not going to happen quickly."

Nonetheless, the Sierra Club plans to file a lawsuit seeking to reverse the sale, contending that changes in state redevelopment law prohibited Industry from buying the property outside its borders, said Eldon Hughes, a Sierra Club spokesman and former chairman of its Los Angeles chapter.

The environmental group also maintains that the city violated state environmental laws by not conducting a detailed environmental impact report prior to buying the property. Industry maintains its city attorney reviewed and approved the sale. The city's redevelopment agency bought the land from the Boy Scouts of America for \$16.5 million, beating out a regional conservation agency in a bidding war. Environmentalists note that Majestic Vice President John Semcken is a member of the Boy Scout Council's board of directors.

The Scouts turned down an \$18 million offer for the land last month from the Wildlife Corridor Conservation Authority, a joint-powers authority formed in 1994 to buy land and preserve wildlife in the Puente and Chino Hills. "The Scouts are getting a much poorer deal. The obvious question is why," said conservationist Yann. Boy Scouts officials said the WCCA's offer just wasn't as solid as the one from the city of Industry. "WCCA said they had \$10 million from the county and \$8 million from a private anonymous donor and we could not verify (the donor)," said Dave Tomblin, vice chairman of the Boy Scouts L.A. Area Council's board of directors and chairman of the negotiating committee. "We needed to bring it to closure."

The property was donated to the Boy Scouts half a century ago, but since then the cost of keeping it up has been too much. "We needed to make the best use of our assets," Tomblin said. "We can't afford to staff 3,300 acres. The Industry transaction gave us everything we wanted." The 2,500 acres that Industry bought is part of what was the 3,300-acre Firestone Scout Reservation. The deal will allow the Scouts to build and maintain new campgrounds on the remaining 800 acres

they still own, while allowing them to continue to use Industry's portion until any reservoir is developed. The Scouts also would have boating and other recreational rights on any reservoir.

Tomblin said. Semcken, meanwhile, used the word "ludicrous" to describe Yann's theory that Industry's true intention is to sell the land to Majestic. "That is ludicrous. We do not do residential development. The environmentalists just want this to be open, unused property," he said. Semcken did acknowledge, however, that he acted as a go-between for the Scouts and Industry, because of Majestic's close relationship with the city. Specifically, he helped Industry draft its "term sheet" after the initial deal had been struck, and then reviewed the purchase and sale agreement after it had been drafted. However, he stressed that he recused himself from any board votes on the matter. "We do business in the city, and we (Majestic) try to help the city when we can," he said. "It happens to be a case where somebody on our company (me) was on the board of the Scouts and tried to help. (But) we are directors of the Scouts, and in all these cases that was my No. 1 fiduciary responsibility."

Both Iriarte and Tomblin said Yann's speculation has no basis, contending that the way the deal is structured the land must remain open space if it is not developed into a reservoir. State law also would require Industry to offer it to other public

agencies first if the city ever tried to sell it, Iriarte said. Tomblin added the Scouts didn't accept the conservation authority offer because it came too late, and the Scouts had failed twice before in their attempts to sell the land to conservationists, including the authority. "This was our third transaction in five years," he said.

But conservationists aren't the only ones looking askance at the city of Industry's acquisition. Local water officials are openly skeptical about the city's plans to build a dam on the former Scout property for a fresh water reservoir that would stretch into an adjoining 2,600-acre ranch that Industry bought in 1975. Rick Hansen, general manager of the Three Valley Municipal Water District, a water wholesaler that serves the area and is a member of the Metropolitan Water District, said the costs would just be too high. He noted that the MWD paid about \$2 billion to complete its larger Diamond Valley Lake dam and reservoir in Hemet, and even if the Industry reservoir were a quarter of that size, it would cost up to \$1 billion.

www.hillsforeveryone.org

SAVE THE WILDLIFE CORRIDOR!

| I care about what happens to the wildlife in the hills near my home. Plea name to the mailing list of Hills for Everyone - Friends of the Wildlife ((Please print clearly) | 3 |
|---|---|
| Name: | Hills for Everyone is a 503 (c(3)) |
| Address: | corporation under California Law.Charitable donations, beyond your |
| City, State, Zip | subscription, are tax deductible. |
| Phone: | If you would like to do even more to help please consider a donation. |
| e-mail: | I want to help. Enclosed is my donation. |
| Newsletter subscription \$5.00 per year | \$25 \$50 \$75 Other |
| Please make checks payable to Hills for Everyone | |
| P.O. Box 9835 Brea, CA 92822-1835 | |

number of individuals have sued the Redevelopment Agency. The groups are claiming that the use of redevelopment funds to purchase land outside of the City and the redevelopment project area is counter to redevelopment law. Also, it is claimed that the City of Industry did not follow the California Environmental Quality Act (CEQA) in the acquisition. Industry filed a Notice of Exemption under CEQA, claiming that they were not going to change the use of the land and that it would be kept as open space. At the same time, the Mayor and City Manager are widely quoted as maintaining the purchase was to build a reservoir and possibly a power

"I don't understand it, unless you've got firm customers and you've got huge growth planned. Another possibility is if you are going to become a huge water baron and store water," he said. "But it would take eons to recoup your expenses." Carol Williams, executive officer of the Main San Gabriel Basin Watermaster, which manages pumping out of the San Gabriel Valley's 167square-mile aquifer, said that Industry could simply use its legal rights to import water, store it in the basin and pump it when

Steering Committee

The following are serving as a steering committee for Hills for Everyone until elections can be held.

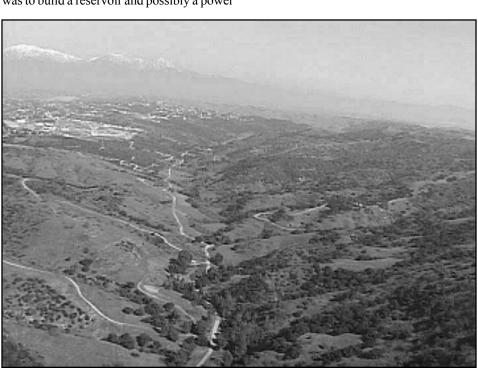
Bob Henderson, Steve Feld, Claire Schlotterbeck, Stephen Blagden, Judi Henderson, Mary Hanson, Helen McKenna-Rahder, Mike Cole, Roland vom Dorp, Ray Williams, Evelyn Stafford, Alan Beoge, Jean Beaton, David Fretz, Chuck Hanson, Glenn Parker, Jeff Yann, and Charles Claver

Coal Canyon Saved

The saving of Cole Canyon is a historic event. Unfortunately the danger to Tonner Canyon has knocked it off this newsletter. We hope to have full coverage of this vital acquisition in another newsletter in the near future.

By saving this critical linkage, the Cleveland National Forest is now guaranteed to stay connected to Chino Hills State Park. Animals will continue to be able to move back and forth, maintaining healthy gene pools.

Many, many people were engaged in the difficult and prolonged negotiations for Coal Canyon. The celebration held in Coal Canyon on ____ was a most impressive event which brought together and honored the principle players. We will give you all the details in an up coming newsletter.



generation facility.

A court hearing is on the merits should be held in May or June.

www.hillsforeveryone.org

SAVE THE WILDLIFE CORRIDOR!

SAVE THE WILDLIFE CORRIDOR!

SAVE THE WILDLIFE CORRIDOR!



Hills for Everyone

Friends of the Wildlife Corridor

Save the Wildlife Corridor