

# Hills For Everyone

## Friends of the Puente-Chino Hills Wildlife Corridor

**SPECIAL  
REPORT**



Newsletter No. 21

Summer 2008

## Cheer Up - Bad Housing Projects CAN Be Stopped

Citizen involvement turns the tide. There are numerous examples in the Puente-Chino Hills alone where the action of local citizens has modified or stopped bad projects. And it happens all over the state.

The role of developers is to discourage people from becoming involved and empowered. Why? Developers are afraid of the power ordinary people can actually exert. "It's a done deal!" "You can't fight city hall!" "They're all a bunch of crooks!" These mantras are used by developers to discourage people. But all sorts of tools are available to modify or defeat bad projects: initiatives, referendums, lawsuits, the California Environmental Quality Act (CEQA), and pure political pressure.

### Whittier (1)

In the late 1980s, Chevron tried to build 1,400 houses and Unocal tried to build 200 houses on their old oil fields. Whittier citizens rose up to oppose these developments. By the mid-1990s, the oil companies ultimately made the decision to sell their land for preservation.

Another uprising occurred when the Rose Hills Foundation (the Los Angeles Archdiocese) proposed projects in Turnbull Canyon. In early 2000, when the Foundation finally put pen to paper, it proposed a cemetery there. After a loud public outcry, the Foundation decided the bad press and long battle were not worth the effort and sold the land for preservation in 2002.



*Chino Hills State Park*

Melanie Schlotterbeck

### La Habra Heights (2)

When the City Council attempted to process a project without much public scrutiny in the early 1990s, citizens of La Habra Heights stood up and saved Powder Canyon. Once residents pointed out economic conflicts of interest, two council members recused themselves from voting. When the project did not muster the necessary three votes from the three remaining eligible council members, the project was sent to a vote of the residents. They voted it down 67% - 33% and this land too was eventually purchased and protected as public open space.



Dr. Bill Kowalik

*Powder Canyon*



*Turnbull Canyon Acquisition*

Habitat Authority

### Chino Hills (3)

Tired of watching the City Council approve projects exceeding the number of houses allowed in its General Plan, residents in Carbon Canyon sponsored an initiative in Chino Hills in 1999. It passed 70% - 30%. The initiative froze the zoning to the level that was allowed in the General Plan. Now, if a developer wants to add units that exceed the General Plan allotment, the project must go to a vote of the people. Interestingly, contributions by developers to city council campaigns plummeted after the initiative passed.

Citizens in Chino Hills recognized that one of the reasons we all suffer from gridlock is that many city councils approve housing densities (the number of houses per acre) that exceed General Plan levels in return for added features like a neighborhood park here or funding for a road there. Yet General Plan levels are important. They tell planners how big to size the roads, the sewers, the water lines, etc. so when cities allow projects that exceed the density that was planned for, the result is that we all end up "overbuilt."

## Yorba Linda (4)

In 2006, Yorba Linda residents passed an initiative by 51% that requires voter approval for a major amendment to the General Plan and Zoning Code. This effort was likely spawned after the Council approved the Shapell project, which allowed a housing density three-fold over what the General Plan allowed.



## Brea (5)

Residents here ran a different initiative in 2000 and it proved that you can win even when you lose. The measure would have required a vote of the people if an Environmental Impact Report (EIR) found a project to have a significant unmitigatable negative impact. Developers ran a campaign that urged a “No” vote to “Save the Hills.” Residents who supported hillside preservation ran a campaign that urged a “Yes” vote to “Save the Hills.” Though the measure failed (by only 350 votes), it appeared that whether you voted yes or no, you wanted to protect the hills.

Brea listened and undertook a revision of the General Plan that increased protection of ridgelines, steep and unstable slopes, and natural lands with important resources. Eventually the City even repealed the overly ambitious outdated Carbon Canyon Specific Plan, which originally called for 2,200 units in this rural area. Brea also helped form the Hillside Open Space Education Coalition ([HOSEC.com](http://HOSEC.com)) with five other communities in an effort to save the backdrop of Brea owned by Shell-ExxonMobil.

*When people begin to accept that success is possible, it becomes virtually inevitable.*

Despite the economic downturn, bad projects still abound but can also still be stopped.

## Diamond Bar's Bad Project - Shell-Aera (6)

The Shell-ExxonMobil project, aka Aera Energy, remains Diamond Bar's bad project. Five years ago Shell-Aera submitted a nearly identical development proposal to Los Angeles and Orange Counties to build 3,600 units in the undeveloped hills along the 57 freeway between Diamond Bar and Brea. (We call this area the “Missing Middle” of the Puente-Chino Hills Wildlife Corridor since thousands of acres of land have been saved on either side.)

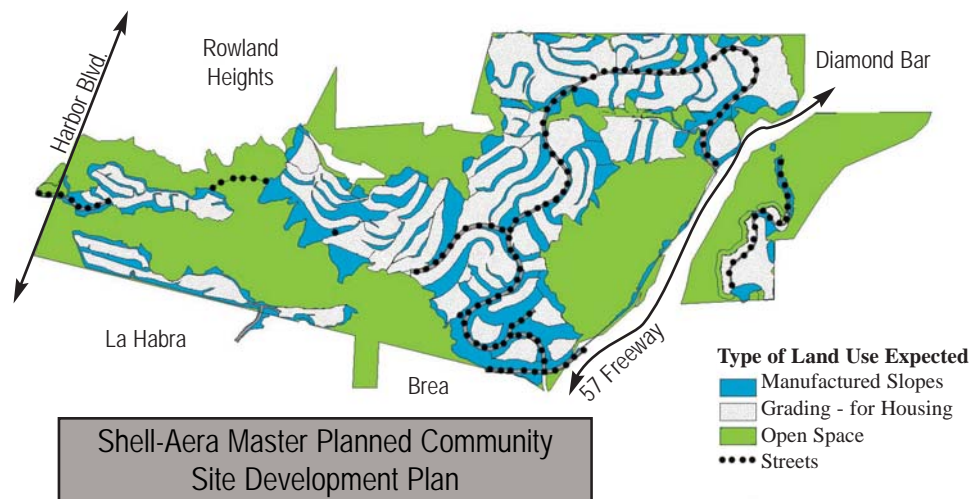
Shell-Aera owns 2,700 acres of unincorporated land in southeastern Los Angeles County and 300 acres in unincorporated Orange County in Brea's Sphere of Influence. Shell-Aera's proposal threatens not only to sever the Wildlife Corridor and destroy important walnut and oak woodlands, but it would also add 50,000 vehicle trips a day to our already congested roads and freeways.

After Los Angeles County found that the Shell-Aera project did not comply with its environmental rules, Shell-Aera sought to annex most of its land into Diamond Bar. With ambitions to enlarge its city, Diamond Bar rushed into a marriage with Shell-Aera in December 2006 in the form of a pre-annexation and pre-development agreement. An EIR was promised by fall of 2007. Yet, 19 months later, we are still awaiting a real look at the project. All we have ever been able to see are cartoon-like bubble diagrams.

Perhaps one reason the project has slowed is that California Attorney General Jerry Brown sent a letter to Diamond Bar insisting that the project comply with Assembly Bill 32 - California's effort to reduce greenhouse gases that contribute to global warming. The letter can be seen at:

[http://ag.ca.gov/globalwarming/pdf/comment\\_aera\\_master\\_planned\\_community.pdf](http://ag.ca.gov/globalwarming/pdf/comment_aera_master_planned_community.pdf)

So we still wait, and residents continue to inform fellow citizens of this massive project that, despite the early support from the Diamond Bar City Council, can still be stopped.





## Brea's Bad Project - Canyon Crest (7)

Not to be outdone by Diamond Bar, Brea is now confronted with its own bad project called Canyon Crest. So far the City's nose is clean when it comes to hillside development (ever since the illuminating initiative in 2000). The project that is currently being bulldozed along the 57 freeway and Lambert Road was actually approved by the County of Orange, not Brea, since it was in unincorporated territory and not within the city limits.

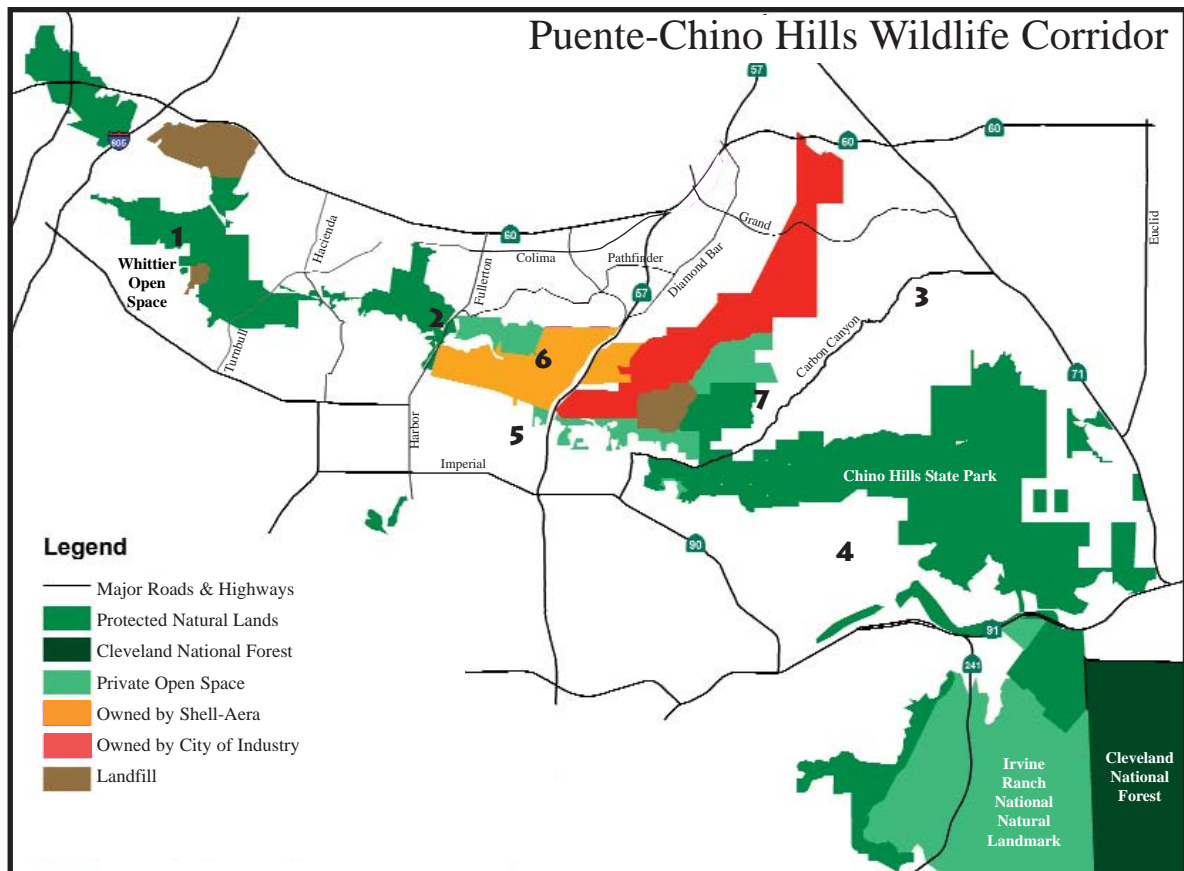
The Canyon Crest project will be the first test of Brea's resolve. This 165-unit project on 367 acres is proposed to be built immediately adjacent to Chino Hills State Park and what remains of the land owned by the Scouts on the Firestone Scout Reservation.

In approving the Final EIR in June, on a 3-2 vote, the Brea Planning Commission issued three Statements of Overriding Consideration - on air quality, traffic, and biology. This means these three Planning Commissioners believe the benefits of this project (providing housing in Brea for multi-millionaires) outweigh the significant, unavoidable, unmitigatable negative impacts of (1) air pollution, (2) traffic congestion, and (3) destruction of 1,899 oak and walnut trees. Issuing three Statements of Overriding Consideration is unprecedented in Brea development history.



The decision has been appealed so the outcome now squarely rests with the City Council. If the Council approves the project it will virtually be proclaiming "we were just kidding when we established strict criteria for developing hillsides." The City of Diamond Bar can justifiably criticize Brea for the hypocrisy of "do as we say, not as we do." After all, Brea has expressed strong concerns about Diamond Bar's potential approval of the 3,600 unit Shell-Aera project. It too would bring negative impacts like air pollution, traffic congestion, and destruction of natural resources.

Both cities are well within their rights to turn down these projects, if they judge that the negative impacts outweigh the benefits.



# Brea's Canyon Crest

## You Can't Sit Under the Shade of a One Gallon Oak Tree

This housing project would:

- Remove 1,899 oak and walnut trees on the 367-acre hilltop property,
- Require the stabilization of four known landslide areas,
- Move six million cubic yards of dirt, gate the community due to the steep 10% grade roads (considered sub-standard in Brea), and
- Plant landscaping that uses five times the amount of water a normal Brea household uses - all for 165 ridgeline mansions.

### Gridlocked Road

The gated aspect of this project also cuts off existing public access to Chino Hills State Park. The additional estimated 1,650 vehicle trips a day that will be added to Carbon Canyon Road will also spill into Brea. The fact that this road is already gridlocked at peak hours makes this especially dangerous since it is the only way in and out of this fire-prone and traffic-collision-prone canyon.

### All Brea Taxpayers Will Help Foot The Bill

Once completed, these additional 165 houses will trigger the need for another water storage tank for emergency

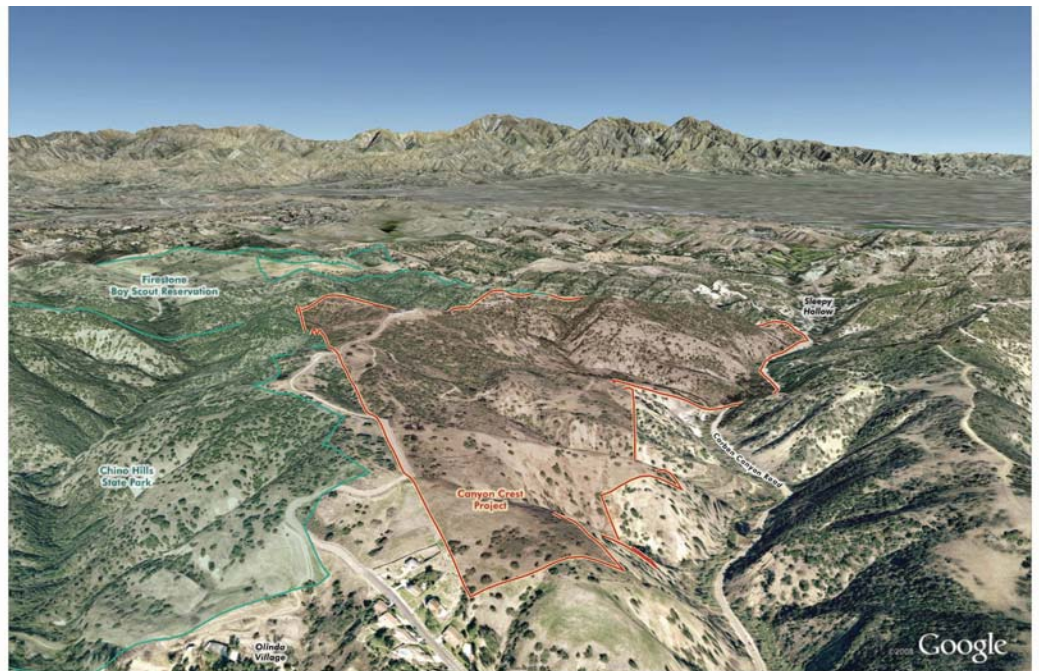
use by existing residences in the Canyon. Even after Canyon Crest pays its water impact fees, more money will be needed for the completion of a new water reservoir. ALL Brea residents will contribute to the building of this water reservoir. The estimated cost of this water storage tank is \$1 per gallon for the three million gallon tank. This \$3 million price tag only includes construction costs and not the cost of acquiring the land (likely through eminent domain) or the cost of project approval (e.g. writing an EIR).

### Does Not Comply With Brea's Rules

Because the project application was completed in August 2000, the City must apply the former versions of the Brea General Plan, the Carbon Canyon Specific Plan (recently revoked) and the Hillside Management Ordinance. Remarkably, the project does not comply even with the old rules.

Get more information at:

[www.StopCanyonCrest.org](http://www.StopCanyonCrest.org)



## Orange County's Measure M Funding Update

In November 2006, with the aid of 33 environmental and community groups, Orange County voters renewed Measure M, the transportation sales tax. Included in this Measure is \$243.5 million in funding for the acquisition, restoration and maintenance of habitat impacted by freeway widenings. This is one source of funds that could partner with other funding sources to help purchase the Shell-Aera land if the Diamond Bar City Council turns the project down.

Melanie Schlotterbeck, technical consultant to Hills For Everyone, was appointed to the Environmental Oversight Committee and elected its Vice-Chair. She serves not only on the Master Agreement Work Group, but also on the Habitat Impacts Work Group. In the coming months more information will be available about what types of habitats are impacted and a prioritization of available properties. Stay tuned for more information.



# Wine Tasting Fundraiser - A Success!

Our recent wine tasting fundraiser was a tremendous success. Over 120 guests and volunteers enjoyed a wonderful June evening at the lovely home of Fred and Kelly Reed. Between the live music that filled the air, the warm weather and the food that was carefully paired with the various wines, it was a night to remember. Residents from all over the hills also seemed to enjoy having the chance to mingle with like-minded

“neighbors.” Former Assemblywoman and Brea resident Lynn Daucher applauded our efforts and urged guests to continue to support our efforts to preserve the hills.

Our many thanks go out to all the attendees, auction donors, wine donors, wine pourers, cooks, businesses, the planning committee and, of course, Fred and Kelly.



Tricia Darling & Kelly Reed



Lynn Daucher



Wine Tasting Attendees

Photos by Robin Gorder

## Trail Maps Available

Trail maps of the western Puente Hills are now available online at [www.HabitatAuthority.org](http://www.HabitatAuthority.org). The Authority recently named and mapped all of the trails in collaboration with the National Park Service’s (NPS) Rivers, Trails and Conservation Assistance program. Soon these maps will be posted at each trailhead. The Habitat Authority is working over the next few months with NPS to design, order and install on-site trail markers for Preserve visitors.



## Lawsuit Challenges MWD Road in State Park

Defenders of Wildlife, the Planning & Conservation League, and Friends of Harbors, Beaches, and Parks joined Hills For Everyone in challenging the legality of Metropolitan Water District (MWD) building a road through the State Park to its hilltop facility. A Habitat Conservation Plan (HCP) was developed for this specific area in 1996. It was supposed to apply an added layer of protection. Under this HCP, MWD was allowed two uses (1) routine maintenance of ongoing activities and (2) construction activities at the west end of the plant. A new road is not an ongoing activity and this proposed road enters at the east end. The renowned law firm Shute Mihaly & Weinberger is representing the groups in this litigation.



Melanie Schlotterbeck

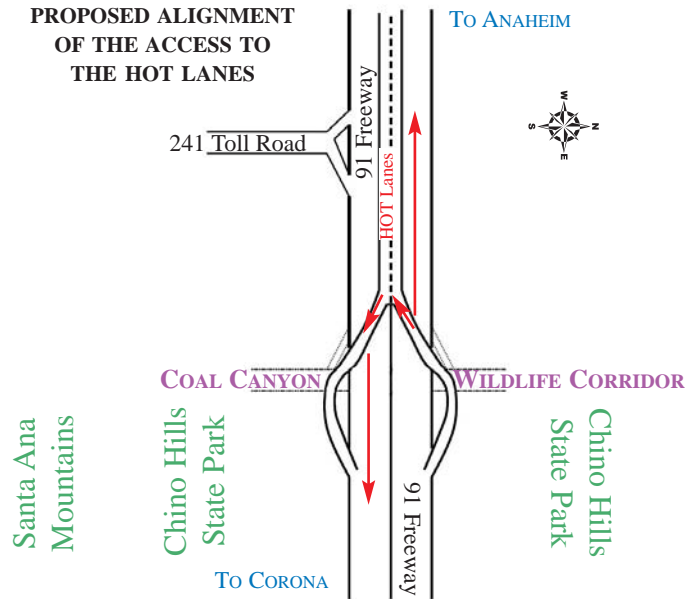
# Coal Canyon Threatened Again

Orange and Riverside County Transportation Commissions have proposed numerous improvements to address congestion on the Riverside Freeway (SR 91). Various agencies are taking the lead on those projects. Anticipated changes include:

- Improving the 71/91 interchange;
- Widening the 91 with one east bound lane;
- Improving the 241/91 interchange; and
- Building High Occupancy Toll (HOT) elevated lanes down the median of the 91 freeway.

The drawing/rendition that was presented at a recent stakeholder meeting showed that the massive access and exit infrastructure for these HOT lanes looked like big curved arms. The plans sited them right over Coal Canyon Wildlife Corridor. Planners said they have already contacted the Department of Parks and Recreation to work out mitigation. Given State Parks' recent approval of a road into the State Park in exchange for funding, those discussions concern us. The biological health of our entire hillside system

PROPOSED ALIGNMENT  
OF THE ACCESS TO  
THE HOT LANES



depends on maintaining a functioning connection to the Santa Ana Mountains. It is already tenuous. We have begun to ring the alarm bell over the jeopardy this HOT lane access project represents to our hills.

## Free Presentations

Free Powerpoint presentations are available to interested groups on the threats and possibilities for the Puente-Chino Hills Wildlife Corridor.

Email: [info@HillsForEveryone.org](mailto:info@HillsForEveryone.org)



## HILLS FOR EVERYONE BOARD OF DIRECTORS

President: Glenn Parker  
 Secretary-Treasurer: Bev Perry  
 Members at Large: Dr. Jack Bath  
 Bruce Douglas  
 Michael Hughes  
 Dr. Carol McKenzie

Exec. Director: Claire Schlotterbeck  
 Editor: Melanie Schlotterbeck

## Email Updates

If you have not heard from us lately via email please be sure we have your correct email address by emailing us at:

[info@HillsForEveryone.org](mailto:info@HillsForEveryone.org).

## Newsletter Recipients - Tell Us "No Thanks"

If you do not wish to be on this newsletter list, help us cut down on waste and email us at [info@HillsForEveryone.org](mailto:info@HillsForEveryone.org) or leave your address at (714) 687-1555. If this is the first time you have received this newsletter it is likely because you signed a petition opposing the Shell-Aera or Canyon Crest projects or live in a neighborhood impacted by them.



**Hills For Everyone**  
 P.O. Box 9835  
 Brea, CA 92822-1835

Non-profit Org.  
 U.S. Postage  
 Paid  
 W.M.S.

**Want Diamond Bar to approve 3,600 more houses adding 50,000 more cars as they bulldoze our hills? Neither do we.**