



Friends of Griffith Park

<http://www.friendsofgriffithpark.org/>

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Excavating An Artificial 60 Foot Canyon in the Los Angeles Zoo & Destroying 16 Acres of Native Habitat - Without Public Input: Friends of Griffith Park Files Lawsuit to Stop Zoo Development Project Signed Off By City of Los Angeles In Spite of Intense Public Opposition

Los Angeles, CA, September 13, 2023 – Today, Friends of Griffith Park (FoGP), together with Griffith J. Griffith Charitable Trust (GJGT) filed a Petition for a Writ of Mandate in Los Angeles Superior Court challenging the City of Los Angeles’ decision to approve one of the largest proposed developments being considered in Griffith Park, the Los Angeles Zoo Vision Plan (Zoo Project), known as Alternative 1.5.

Over immense public opposition and in violation of the California Environmental Quality Act (CEQA), on August 2, 2023, the City of Los Angeles certified an environmental impact report (EIR) and approved a Statement of Overriding Considerations for the Los Angeles Zoo Vision Plan, which the City plans to implement in Griffith Park. While some of the Project provides for improved animal habitat, much of the Project is focused on increasing the use of the Los Angeles Zoo as an entertainment venue and event center.

The Zoo’s most prominent topographical feature is a long, open space habitat ridgeline, 165 ft. above the parking lot, visible from far away. As part of the California Planning Area, the Zoo proposes an 18,000 sq. ft. California Visitor Center right on top of this ridge, one of the few undisturbed Santa Monica Mountains ridgelines remaining in urban Los Angeles. But that’s not all. To the north of this proposed structure, the ridge will be split in two, creating a new, 60-ft. deep (wholly artificial) “Condor Canyon,” which would be excavated from the existing undisturbed ridgeline. During the Project’s approval hearings, the City claimed it would construct a tunnel instead of a canyon in “Condor Canyon,” if a tunnel was determined to be feasible. Yet the City’s final Project approval does not mention the word “tunnel” and, as the EIR contains no analysis of the potential environmental impacts of tunnel construction, the Project has not mitigated these impacts. Additionally, the Zoo recently said they will reduce the scale of the California Visitor Center, but the size reduction was not quantified.

The Project's plans for the California Planning Area call for the excavation and removal of 16 acres of native California habitat for the ironic purpose of constructing an exhibit to showcase California's wildlife. The California Planning Area currently hosts rare plant species, including Nevin's barberry, a Federal and State-listed endangered shrub, whose population in Griffith Park is critical. It is endemic to only a few counties of Southern California.

The EIR includes only small photo snippets of habitat within the California Planning Area. The Zoo insists this area is actually disturbed land and "not pristine," as if this is a greenlight to build. Yet, to any visitor, this ridgeline and its hillsides look as wild and natural as the rest of Griffith Park (of which the Zoo is but one part). In fact, as more than 15 years of continuous ecological research has shown, areas of Griffith Park, including some similar to the California Planning Area, are extremely biologically significant, particularly because they're within a major global metropolis. With 432 native or naturalized park plants (many occurring within Zoo property), it would be hard to find a part of Los Angeles with more biodiversity than Griffith Park.

Although the Project would excavate a new canyon, destroy the existing ridgeline, remove native vegetation, and introduce year-round, day and night human activities to the 16 acres of the California Planning Area, the EIR prepared for the Project concluded that implementation of the Zoo's Vision Plan would not adversely affect Griffith Park's biological resources, its recreational value, or public views treasured by Angelenos seeking respite from urban life in the country's second-largest city. Instead, and without evidence, the EIR concludes that the Project's potentially severe impacts to natural habitats will be avoided through mitigation measures that will be determined far in the future, and outside the view of the public, once the Project reaches a 30-percent level of design, which will be too late. The City has already certified the EIR and approved the Project, without the informed decision making required by CEQA.

The lawsuit argues that since the EIR fails to adequately disclose, analyze, and mitigate the Zoo Project's significant impacts, and the Statement of Overriding Considerations lacks substantial evidence, the City's approval violates CEQA, and the Project approvals for the Los Angeles Zoo Vision Plan must be rescinded.

CEQA requires the City to conduct an adequate environmental review prior to making any formal decision regarding projects subject to CEQA. CEQA further imposes upon the City a clear, present and mandatory duty to certify an EIR only if the EIR fully discloses to the public the significant environmental effects that may occur. CEQA was enacted to ensure informed environmental decision making and government accountability. An "EIR is intended to furnish both the road map and the environmental price tag for a project, so that the decision maker and the public both know, before the journey begins, just where the journey will lead, and how much they-and the environment-will have to give up in order to take that journey." (*Natural Resources Defense Council v. City of Los Angeles* (2002) 103 Cal.App.4th 268, 271.) The EIR for the Los Angeles Zoo Vision Plan lacks the necessary analysis. Further, CEQA requires adoption of all feasible mitigation measures that will reduce adverse environmental impacts. Many feasible mitigation measures were ignored in the EIR.

While it's true that the City requires the Zoo Project to prepare and implement a Biological Resources Mitigation and Monitoring Plan (BRMMP) to mitigate loss of native vegetation communities, habitat, and special-status species from each Project phase, mitigation efforts will not even begin to be discussed

until the Project reaches the 30 percent design level. This is classic deferred mitigation, and it violates CEQA. The Project's BRMMP will also be developed entirely out of public view. But "the development of mitigation measures, as envisioned by CEQA, is not meant to be a bilateral negotiation between a project proponent and the lead agency after project approval; but rather, an open process that also involves other interested agencies and the public." (*Communities for a Better Environment v. Richmond* (2010) 184 Cal.App.4th 70, 92-96.)

When mitigation is deferred, the public and decision makers are deprived of the opportunity to evaluate its effectiveness or desirability prior to project approval, which violates CEQA. The EIR approved by the City cannot provide substantial evidence supporting the efficacy of mitigation that has not yet been designed.

In addition, the EIR approved by the City has no teeth when it comes to efforts to mitigate impacts to native vegetation communities, habitat, and special-status species because the BRMMP does nothing more than commit the City to making a plan. Although the relevant section of the City's BRMMP begins with a promise that "onsite native vegetation communities and special-status plant species shall be protected and preserved in place, and design plans shall be amended to avoid disturbance or loss of these biological resources," this statement is qualified with language that renders it meaningless. The species shall only be protected and preserved in place "[t]o the maximum extent feasible." It is unlikely the City would find that any plant located in a spot planned for development could be "feasibly" preserved in place. If the Zoo should deem the retention of Nevin's berberry, or any rare species, "infeasible" based on undisclosed criteria, these species onsite will not be retained.

Clare Darden, Trustee for Griffith J. Griffith Charitable Trust, said, "A mere 35% of this expansion plan is allocated for animal-related improvements. What's wrong with this picture? Attempts to add human entertainment gimmicks and other misguided distractions totally negates its primary purpose as a top animal conservation/education center and from our standpoint degrades its integrity and significance. Planning to demolish additional acres of healthy natural woodland habitat for any built purpose is a travesty to the thousands of Angelenos who constantly visit, enjoy and appreciate every acre of the Colonel's gift to the City 127 years ago."

"We fully support the Zoo's mission of conservation, outreach and education, and look forward to supporting future plans for modernization and evolution; however, this cannot come with further loss of intact habitat and the further disruption of scarce native species that currently call it home. The Zoo Project approved by the City would leave the first significant scars on the Santa Monica Mountain Range in the 21st Century. Many lament the mistakes of the past, like flattening the top of Mt. Lee or using Toyon Canyon as a garbage dump. We must not repeat these mistakes," added Gerry Hans, President of Friends of Griffith Park.

More information and documentation, including a copy of the legal petition just filed, is available at:
<https://friendsofgriffithpark.org/la-zoo-expansion-take-2/>
<https://www.facebook.com/pages/Friends-of-Griffith-Park/336339263118492>

About Friends of Griffith Park

Friends of Griffith Park (FoGP) is a California non-profit 501(c) (3) dedicated to preserving and protecting Griffith Park's natural habitat, biodiversity, and historic features, for current and future

generations. FoGP is committed to ensuring that Griffith Park, a public park and Los Angeles' largest Historic-Cultural Monument, remain open, natural, and free to all citizens of Los Angeles.

About the Griffith J. Griffith Charitable Trust (Griffith Park Trust)

The Griffith J. Griffith Charitable Trust (Griffith Park Trust), has roots dating back a century. The trust makes consistent efforts to protect the basic premise underlying Colonel Griffith's gift of Griffith Park to the City, and supports ongoing activities in the park. Public access to the park is a part of its core mission. The Griffith Park Trust famously objected when the City attempted to institute a fee for driving automobiles into the park. Today, it is supporting a much more basic issue: the right of pedestrians to access one of the park's trailheads, which gives hikers access to the park's entire network of trails. The Griffith Park Trust has reversionary rights to Griffith Park if the City violates the terms of the original grant.