February 20, 2025

Albert Davityan
Email: monte0199@yahoo.com

RE: Addendum to the Biological Resources Assessment for the McGroarty Development Project in Los Angeles, California

Dear Albert:

This addendum report includes an update to the impacts analysis and recommendations in Section 5.3 Jurisdictional Aquatic Resources of the January 2020 Biological Resources Assessment prepared for the McGroarty Development Project that is included in Attachment A. The Rincon report describes the potential for jurisdictional resources to occur on the project and proposes a Jurisdictional Delineation Report be prepared and a mitigation plan prepared for any potential impacts to aquatic resources. South Environmental prepared a Jurisdictional Delineation Report for the project with a final version dated February 2025 in Attachment B. This addendum to the existing biology report includes an updated analysis of the impacts and mitigation to Section 5.3 of the report based on the findings and recommendations from the 2025 Jurisdictional Delineation Report.

Project Impacts to Jurisdictional Features

The Jurisdictional Delineation for the project concludes that there are three drainages on the project site called Drainage #1, Drainage #2, and Drainage #3. As summarized in Table 1 below, the project has the potential to impact Drainage #2 and Drainage #3 for a total permanent impact of 0.09-acres (70 linear feet) to non-wetland waters of the state under the jurisdiction of the California Regional Water Quality Control Board (RWQCB) and streambeds under the jurisdiction of the California Department of Fish and Wildlife (CDFW).

Table 1. Summary of Permanent Impacts to Jurisdictional Features

Feature	Non-Wetland Waters of the State (RWQCB) (acres/linear feet of permanent impacts)	CDFW Streambed (acres/linear feet of permanent impacts)
Drainage #2	0.005/41	0.005/41
Drainage #3	0.004/35	0.004/35
Total	**0.009/76**	**0.009/76**

The potential permanent impacts from the project are minor at 0.009-acre (392-square feet) and would occur at the terminus of the drainages. Therefore, no downstream impacts would occur as there are no downstream resources. For these reasons, the project would have negligible impact to water quality or habitat for fish and wildlife. While the impacts would require permits from agencies to comply with the Porter-Cologne Water Quality Control Act and California Fish and Game Code Section 1600, it is unlikely that these impacts would be considered significant per the thresholds of CEQA due to the small size and lack of downstream effects. Nonetheless, South Environmental proposes permitting and compensatory mitigation to ensure the project complies with the applicable regulations and reduces any potential impacts to a level that is less than significant according to the thresholds of CEQA.

Permitting

The project will impact a total of 76 linear feet/0.009-acre of RWQCB and CDFW jurisdictional areas in Drainage #2 and Drainage #3. The impacts (i.e. permanently filling the drainages) will require permitting with both agencies:

- Due to impacts to streambed the project will require a Lake and Streambed Alteration Agreement with the CDFW per Section 1600 of the Fish and Game Code. The project should complete an online application with the CDFW for these impacts and should receive the permit prior to start of construction.

- The project is within Region 4, Los Angeles RWQCB and a Application for Waste Discharge Requirements is required for the project per the Porter Cologne Act.

Mitigation

To compensate for project impacts to jurisdictional features South Environmental recommends that habitat improvements be made upstream of the impacted areas that include planting of native oaks along a total of 76-linear feet of Drainages #2 and #3. Mitigation proposed for impacts to protected oaks and other native trees in the existing biology report will require numerous replacement plantings that must be shown on the project Landscaping Plan. South Environmental recommends a minimum of 5 of these replacement oak tree plantings be placed along Drainage #2 and #3 in areas near the disturbance that currently lack native tree cover. These plantings should be shown on the Landscaping Plan and should be cared for according to the requirements in any oak tree removal permit. The replacement oak plantings along the drainages would improve habitat conditions along the stream for native fish and wildlife and these improvements would reduce the potential impacts to jurisdictional resources to a less than significant level per the thresholds of CEQA.

Conclusion

There are three drainages (Drainage #1, Drainage #2, and Drainage #3) on the project site. Drainage #1 would not be impacted by the project. For Drainage #2, 41 Linear Feet/0.005-acre of RWQCB and CDFW jurisdiction would be impacted by the project. For Drainage #3, 35 Linear Feet/0.004-acre of RWQCB and CDFW jurisdiction would be impacted by the project. The total project impacts would include a total of 76 Linear Feet/0.009-acre of RWQCB and CDFW jurisdiction. Permits from RWQCB and CDFW would be required prior to start of construction of the project, and South Environmental recommends habitat improvements to Drainages #2 and #3 that include native oak tree plantings required per the existing oak tree permit be placed along the drainages and managed per the permit requirements.

If you have any questions regarding the information in this report, please contact Matthew South by email: msouth@southenvironmental.com or by mobile phone: 303.818-3632.

Sincerely,

Matthew R. South
Principal Biologist

List of Attachments

1. **Attachment A**. January 2020 Biological Resources Assessment for the McGroarty Development Project
2. **Attachment B**. February 2025 Jurisdictional Delineation for the McGroarty Development Project.

Attachment A:

January 2020 Biological Resources Assessment for the McGroarty Development Project

McGroarty Development Project

Biological Resources Assessment

prepared for

Albert Davityan
8160 McGroarty Street
Sunland, California 91040
Via email: monte0199@yahoo.com

prepared with the assistance of

Rincon Consultants, Inc.
250 East 1st Street, Suite 1400
Los Angeles, California 90012

January 2020

RINCON CONSULTANTS, INC.
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1 Introduction

This report documents the findings of a biological resources assessment (BRA) conducted by Rincon Consultants, Inc. (Rincon) for the McGroarty Development Project. The project site is an approximate 20-acre property on two parcels identified by Assessor's Parcel Number (APN) 2559-032-003 and APN 2561-006-005. The purpose of this report is to document the existing conditions at the project site and to evaluate the potential for impacts to special-status biological resources in accordance with the California Environmental Quality Act (CEQA), for the City of Los Angeles' Department of City Planning Environmental Staff Advisory Committee (ESAC) review process.

Special-status biological resources evaluated in this report include special-status natural communities, plants, and wildlife, jurisdictional waters, wildlife movement, and protected trees occurring or having the potential to occur within the project site. This report also incorporates the findings of the 2017 L. Newman Design Group, Inc. (LNDG) Tree Survey. In this report, the term "project site" refers to the two parcels (APN 2559-032-003 and APN 2561-006-005) within which the project would occur.

1.1 Project Location

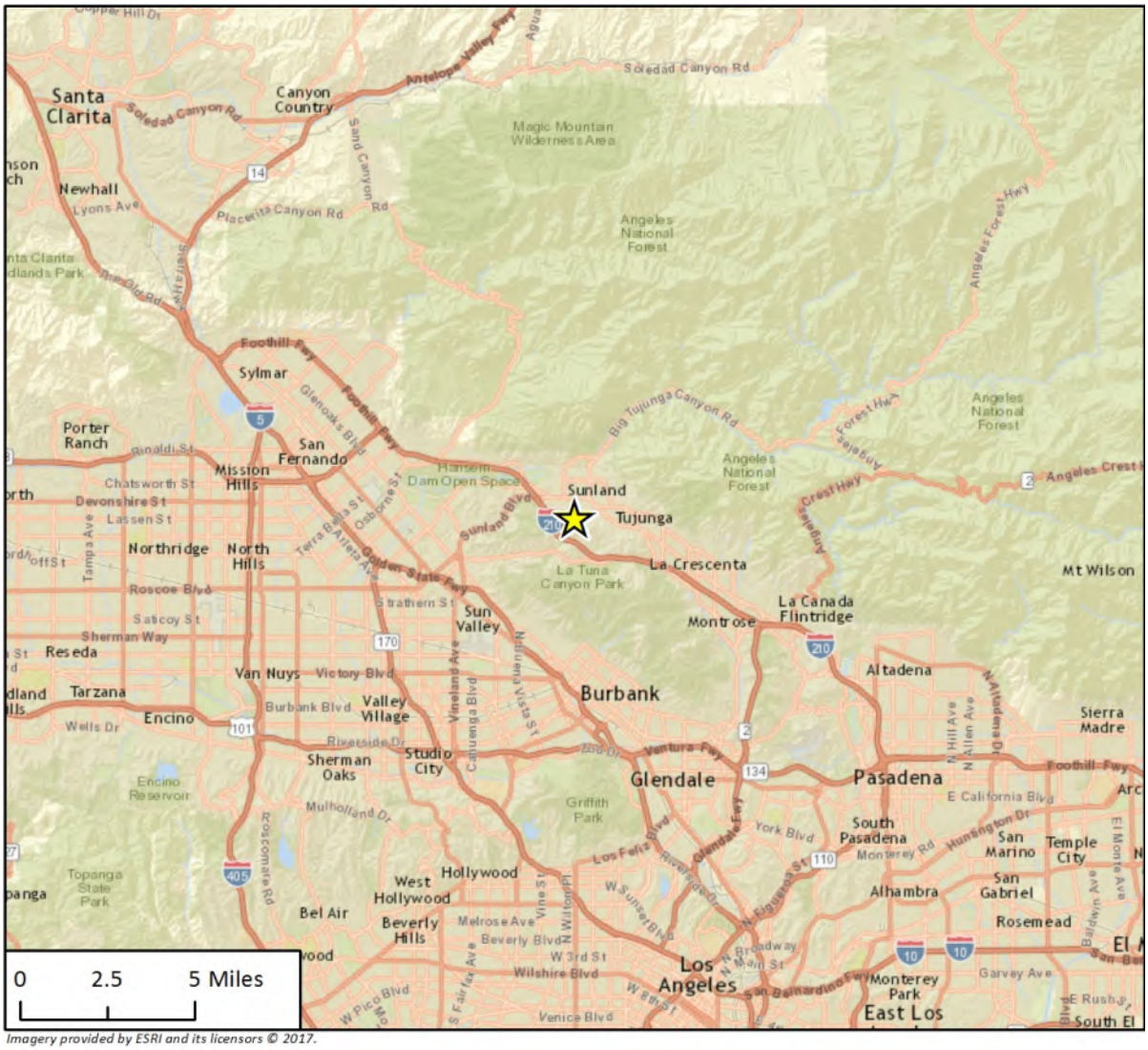
The project site is situated along the base of the northern side of the Verdugo Mountains, southeast of the intersection of McGroarty Street and McVine Avenue, in the community of Sunland-Tujunga, in the City of Los Angeles, California (Figure 1). The addresses associated with the project site are 8100 through 8160 McGroarty Street, and 10000 North McVine Trail. The center of the project site is located at 34°15'2.08"N and 118°18'36.93"W, and this area is depicted in the Sunland and Burbank U.S. Geological Survey (USGS) 7.5-minute topographic quadrangles (Figure 2). The site is in an unsectioned portion of Township 2 North, Range 14 West San Bernardino base and meridian. The project site is approximately five miles north of the City of Burbank and approximately 20 miles from the Pacific Ocean. Approximately 0.6 mile to the west and to the south of the project site is Interstate (I-) 210. Downtown Sunland is approximately 0.5 miles to the north and downtown Tujunga is approximately 1.2 miles to the east.

The northern parcel is currently used (and zoned) for residential estates, and is characterized by a mix of developed residences, disturbed open space, and natural lands. The parcel to the south is comprised of similar features but is largely undisturbed. Additionally, the southern parcel is part of the Verdugo Mountains Significant Ecological Area (SEA). Adjacent parcels to the north, west, and east of the property are also used and zoned for residences. The entire project site is in an area covered by the San Gabriel Verdugo Mountains (SGVM) Scenic Preservation Specific Plan. The SGVM Scenic Preservation Specific Plan is discussed in Section 4.6.

1.2 Proposed Project

The proposed project consists of building eleven homes on the approximately 20-acre property. The project site currently consists of three existing structures/living quarters that would remain on the property. Therefore, the fully developed site is described as a 14-lot single-family subdivision. The majority of the southern half of the project site would remain undeveloped, including much of the native vegetation in the southern portion of the project site.

Figure 1 Regional Location of Project Site



Imagery provided by ESRI and its licensors © 2017.

Project Location

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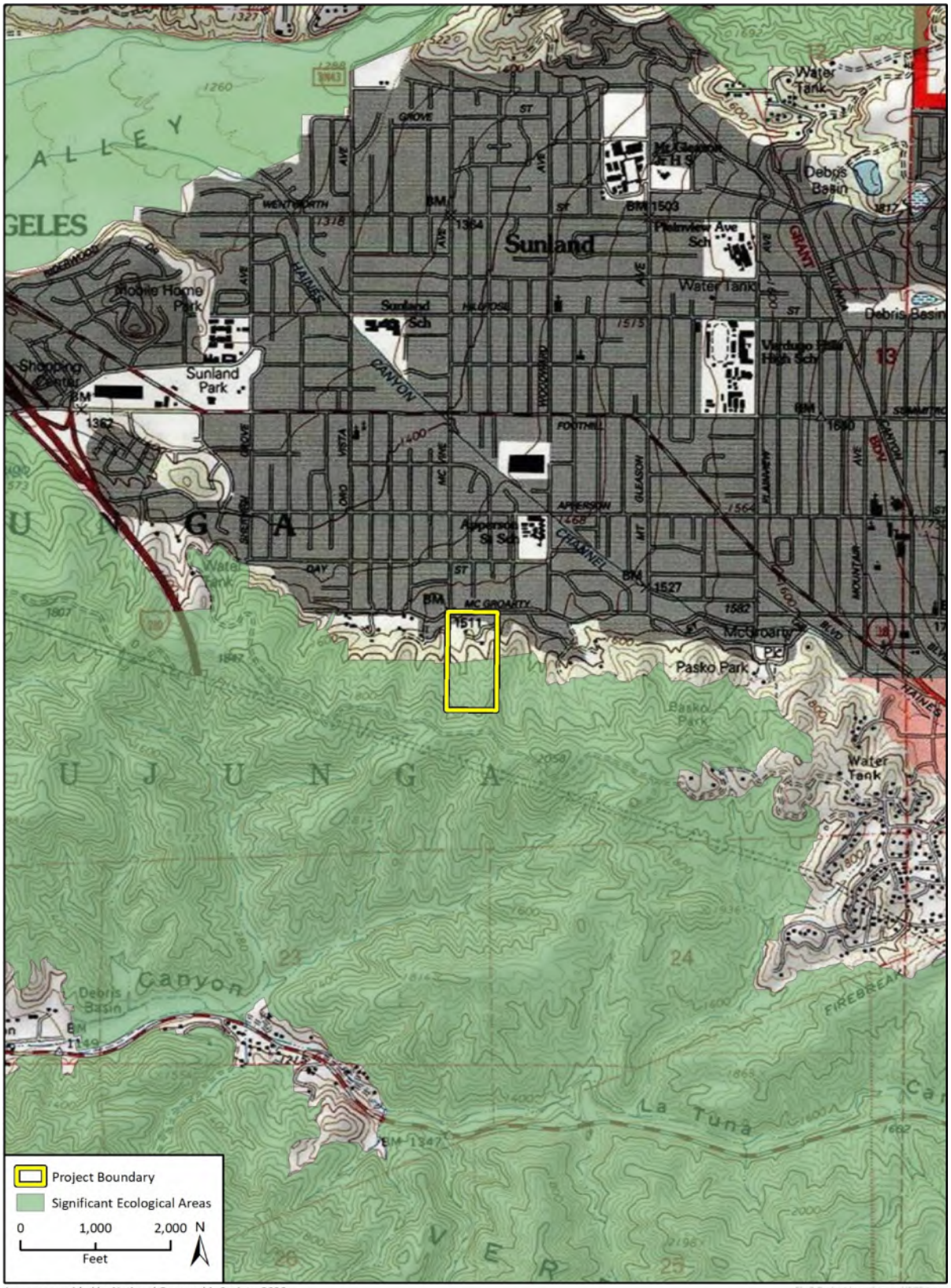
Fig 1 Regional Location

Figure 2 Project Location on USGS Topographic Map



Imagery provided by National Geographic Society, 2020.
Additional data provided by LA County Department of Regional Planning, 2019.

2 Methodology

Biological conditions on the project site were evaluated by confirming applicable biological regulations, policies, and standards; reviewing biological literature pertinent to the site and vicinity; and conducting a reconnaissance-level biological survey of the site. The methods employed are described in detail below. The findings and opinions conveyed in this report are based on this methodology.

2.1 Regulatory Overview

Regulated or sensitive resources studied and analyzed herein include special-status plant and wildlife species, nesting birds and raptors, sensitive plant communities, jurisdictional waters and wetlands, wildlife movement, and locally protected resources, such as protected trees.

Federal and State Environmental Statutes

For the purpose of this report, potential impacts to biological resources were analyzed based on the following statutes:

- **California Environmental Quality Act (CEQA).** Requires environmental review prior to approval of discretionary projects and requires significant impacts to be mitigated if feasible.
- **Federal Endangered Species Act (ESA) and California Endangered Species Act (CESA).** These laws prohibit the unauthorized take of federally and state-listed threatened and endangered species.
- **Federal Clean Water Act (CWA) and Porter-Cologne Water Quality Control Act.** These laws prohibit unauthorized discharges of pollutants, including fill material for construction, into jurisdictional waters of the United States and waters of the State.
- **California Fish and Game Code (CFGC) Sections 1600 et seq.** These sections of the CFGC set forth the Lake/ Streambed Alteration Agreement program, through which the California Department of Fish and Wildlife (CDFW) regulates activities that would divert, obstruct, or alter streambeds.
- **Migratory Bird Treaty Act (MBTA) and CFGC Section 3503.** These laws prohibit the destruction of birds, including their eggs, nests, and nestlings.

Guidelines for Determining CEQA Significance

Initial Study Checklist (State CEQA Appendix G)

The following threshold criteria, as defined by the CEQA Guidelines Appendix G Initial Study Checklist (AEP 2019), were used to evaluate potential environmental effects. Based on these criteria, the proposed project would have a significant effect on biological resources if it would:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special-status species in local or regional plans,

policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal areas, etc.) through direct removal, filling, hydrological interruption, or other means.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan.

City of Los Angeles CEQA Threshold Guide

The following threshold criteria, as defined by the City of Los Angeles' adopted L.A. CEQA Thresholds Guide (City of Los Angeles 2006a), provides environmental screening criteria and significance thresholds specific to biological resources. The Guide's significance thresholds, provided below, supplement the Initial Study Checklist criteria described above in determining whether potential project impacts may be considered significant under CEQA.

A project would normally have a significant impact on biological resources if it could result in:

a) The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;

b) The loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community;

c) Interference with wildlife movement/migration corridors that may diminish the chances for long-term survival of a sensitive species;

d) The alteration of an existing wetland habitat; or

e) Interference with habitat such that normal behaviors are disturbed (e.g., from the introduction of noise, light) to a degree that may diminish the chances for long-term survival of a sensitive species.

Local Regulations

The City of Los Angeles (the City) is the lead agency for this project under CEQA. The City of Los Angeles General Plan was originally adopted on December 11, 1996 and re-adopted on August 8, 2001. The City's General Plan provides the framework for the regulation of numerous elements such as growth and capacity, land use, housing, mobility, urban form and neighborhood design, open space and conservation, economic development, transportation, and infrastructure and public services. Chapter 6 of the Framework Element of the General Plan address preservation of natural resources, managed production of resources, outdoor recreation, and protection of life and property due to natural hazards. The Open Space Element of the General Plan covers the set-aside

of structure-free lands for scenic, recreational, natural resource or ecological preservation, and public health and safety purposes. The Conservation Element of the General Plan covers a variety of resource conservation components, including endangered species and habitats

As an extension of the City's General Plan, the project site is also subject to the SGVM Scenic Preservation Specific Plan (City of Los Angeles 2003). The goal of the SGVM Scenic Preservation Specific Plan is to preserve, protect, and enhance the unique natural and cultural resources of the Plan-covered area. Per that Plan, the proposed project would be required to show conformance with the Plan, and in particular Section 6 Prominent Ridgeline Protection, and Section 8. B. Oak Trees. The City of Los Angeles Municipal Code (L.A.M.C.) contains ordinances that apply to development, land use, resources, and other areas subject to local regulations. L.A.M.C. Chapter 4, Article 6, Section 46 establishes the City's protected tree regulations, and as amended by Ordinance No. 177,404 (Effective 4/23/2006), it broadens the definition of protected trees beyond just oak trees (*Quercus* spp.) (excluding scrub oak), to also include southern California black walnut (*Juglans californica* var. *californica*), western sycamore (*Platanus racemosa*), and California bay trees (*Umbellularia californica*). In January of 2017, an additional amendment to the Ordinance was proposed that would expand the list of trees protected to include blue elderberry (*Sambucus nigra*)[1] and toyon (*Heteromeles arbutifolia*) (City of Los Angeles 2017). As of the finalization of this report, this Ordinance had not yet been approved.

Additional information pertaining to Local (Los Angeles City, County, and SGVM specific plan) tree regulations is provided in Appendix A.

2.2 Database and Literature Review

Prior to the field survey, Rincon conducted a database and literature review to characterize the nature and extent of biological resources on and adjacent to the site. Specifically, the review included an evaluation of current and historical aerial photographs of the site (Google Earth 2019), a site-specific topographic map (*Sunland* and *Burbank, California* USGS 7.5-minute topographic quadrangles), City and County of Los Angeles GIS Data Portal, City and County Park and Recreation maps, County Significant Ecological Areas map, and other available background data and information.

The California Natural Diversity Data Base (CNDDB; California Department of Fish and Wildlife [CDFW] 2019a), United States Fish and Wildlife Service (USFWS) Threatened and Endangered Species Active Critical Habitat Environmental Conservation Online System (ECOS) (USFWS 2019a) and Information for Planning and Consulting Environmental Conservation System (USFWS 2019b) were reviewed to determine if any special-status wildlife, plant, or vegetation communities were previously recorded on site. The National Wetlands Inventory (NWI) (USFWS 2019c) was reviewed to determine if any wetland and/or non-wetland waters had been previously documented and mapped on or in the vicinity of the project site. Other resources included the California Native Plant Society (CNPS) Online Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2017), CDFW *Special Animals List* (CDFW 2019b), and CDFW *Special Vascular Plants, Bryophytes, and Lichens List* (CDFW 2019c). In addition, local regulatory statutes were reviewed, including the City of Los Angeles Tree Protection Regulations, including L.A.M.C. Articles 2 and 7 of Chapter I and Article

[1] The proposed ordinance uses the name Mexican elderberry (*Sambucus mexicana*); however, the preferred nomenclature for this species is blue elderberry (*Sambucus nigra*).

6 of Chapter IV and Section 96.303.5) and Ordinances (No. 177404) (City of Los Angeles 2006b and 2017), and the SGVM Scenic Preservation Specific Plan (City of Los Angeles 2003).

2.3 Field Reconnaissance Survey

Rincon biologist Jillian Moore conducted a field reconnaissance survey on April 6, 2017, between the hours of 0900 and 1100. The survey area included the project site and a 50-foot buffer. The purpose of the survey was to document existing biological conditions within and immediately adjacent to the project site, including plant and wildlife species, vegetation communities, jurisdictional waters and wetlands, and to determine the potential for presence of special-status species and/or habitats. The biologist conducted the survey on foot, and general site photos capturing the onsite conditions are available in Appendix B. Where portions of the project site were inaccessible (e.g., steep slopes), the biologist visually inspected those areas with binoculars (10 x 40). Weather conditions during the survey included an average temperature of 64 degrees Fahrenheit, winds up to three miles per hour, and mostly cloudy (greater than 80 percent cover) skies.

An additional reconnaissance survey was conducted on December 20, 2019 by Rincon biologist Lisa Zumwalde between the hours of 0830 and 1200 following updates to the project footprint. Weather conditions during the survey included an average temperature of 70 degrees Fahrenheit, winds up to three miles per hour, and partly cloudy (approximately 50 percent cover) skies.

Vegetation Classification

Vegetation communities observed on site were mapped on a site-specific aerial photograph. All accessible portions of the survey area were covered on foot. Inaccessible areas were mapped using binoculars and aerial photography interpretation. Vegetation classification was based on the classification systems provided in *Preliminary Descriptions of the Terrestrial Communities of California* (Holland 1986) and *A Manual of California Vegetation, Second Edition* (Sawyer et al. 2009). Modifications to the community classifications were made by Rincon as appropriate based on the field conditions.

Flora

All plant species observed in the survey area were noted, and plants that could not be identified in the field were collected and identified later using taxonomic keys. The reconnaissance survey included a directed search for special-status plants that would have been apparent at the time of the survey. Floral nomenclature for native and non-native plants follows Baldwin et al. (2012).

Fauna

Animal species observed directly or detected from calls, tracks, scat, nests, or other signs were documented. Zoological nomenclature for birds is in accordance with the American Ornithologists' Union Checklist (2019); for mammals, Wilson and Reeder (2005); and for amphibians and reptiles, Stebbins (2003). As the survey was performed during the day, identification of nocturnal animals was limited to sign if present on site.

Jurisdictional Aquatic Resources

The field survey also included a search for jurisdictional features (including wetlands) and streambeds. A search for jurisdictional aquatic features was accomplished by observing low areas of the topography, looking for wetland or aquatic diagnostic vegetation, and seeking out aquatic or flow-related physical features on the topography. This report contains pertinent information regarding presence or absence of jurisdictional waters and wetlands on the project site. While this BRA contains sufficient information for the purposes of CEQA review, it should be noted that further studies and documentation may be needed should the project require permitting for jurisdictional aquatic resources.

3 Environmental Setting

3.1 Topography and Soils

The project site is located along the base of the northern side of the Verdugo Mountains, a relatively small group of peaks east of the San Fernando Valley and west of the San Gabriel Mountains. The surface topography of the project site is variable and contains gentle to moderately sloped hills on the north side of the project site that become very steep approaching the southern side of the project site generally associated with Verdugo Mountains. Relatively flat areas exist within previously developed portions of the project site. The USGS *Sunland* and *Burbank, California* quadrangles indicates that elevations of the property range from approximately 1,510 feet Above Mean Sea Level (AMSL) at the northwestern corner of the project site (at McVine Ave and McGroarty St.) to 1,850 feet AMSL in the southeast corner of the project site.

Based on the most recent soil survey (USDA 2019), the project site contains one mapped soil type, Vista-Fallbrook-Cieneba complex, 30 to 75 percent slopes. The Vista-Fallbrook-Cieneba complex is a spatial mixture (difficult to isolate within the given area) of the similar Vista, Fallbrook, and Cieneba soil series, which consist of deep soils derived as colluvium and/or residuum weathered from diorite, and is typically found on hillslopes, shoulders, or summits. Vista-Fallbrook-Cieneba complex soils consist of sandy loam to sandy clay loam and typically have slopes of 15 to 75 percent and is not considered a hydric soil. Vista-Fallbrook-Cieneba complex soils are moderately well drained to well drained, have medium to high runoff, and moderate permeability. Soils within the Vista-Fallbrook-Cieneba complex are used for avocado and citrus orchards, tomatoes, truck crops, flowers, small grain pastures, and range and housing developments. Some areas containing these soils are used for wildlife habitat, recreational areas, and watersheds. Uncultivated areas containing this soil series may have a cover of chaparral, chamise (*Adenostoma fasciculatum*), annual grasses and forbs, and scattered oak trees (*Quercus* spp.) (USDA 2019).

3.2 Land Cover and Vegetation

Five vegetation communities or land cover types were identified within the project site, including mixed chaparral, non-native grasslands, bush poppy scrub, coast live oak woodland, and developed lands. The undeveloped property within the project site consists of mixed chaparral in the steeper southern reach, bush poppy scrub on the central ridges, patches of coast live oak woodlands in the western quadrats, and non-native grasslands in-between. For planning purposes two additional vegetation areas (coast live oak and ornamentals and mixed chaparral with coast live oak) are shown on Figure 3; however, these are areas of greater under/overstory overlapping and not formalized vegetation community types. Table 1 lists the five vegetation communities/land cover types and their approximate acreages.

The project site supports both native and non-native plant species within the five vegetation communities observed. Plant species observed within the survey area are noted below within the vegetation that they occurred.

Figure 3 Vegetation Communities and Landcover Types in the Project Site

Table 1 Vegetation Community/Land Cover Type

Vegetation Community/ Land Cover Type by Sawyer et al.	Common Name	Approximate Acreage Within Project (Development Footprint)	Percentage of Total (%)
Avena spp. Alliance	Non-Native Grasslands	3.41	17.08
Adenostoma fasciculatum Alliance	Mixed Chaparral	11.28	56.48
–	Developed Lands	2.62	13.12
Quercus agrifolia Alliance	Coast Live Oak Woodland	1.19	5.95
Dendromecon rigida Alliance	Bush Poppy Scrub	1.47	7.36
Total		**19.97**	**100.00**

Coast Live Oak Woodland (*Quercus agrifolia* Alliance)

Coast live oak woodland is a vegetation community defined as having one primary tree, coast live oak, as the dominant species of the community, while California sycamore or other riparian trees or tall shrubs may be sub-dominant. Stands of coast live oak woodland form a sparse to continuous tree layer (4-80 percent) at 5-115 feet tall. When present, the shrub layer is sparse to intermittent (0-60 percent) at less than two feet tall. The herbaceous layer, when present, is sparse to continuous (0-80 percent) at less than two feet tall. Total vegetation cover is 20-95 percent. Coast live oak woodlands are present in the coastal slopes of southern California and are typically found on north-facing slopes and shaded ravines in the south and more exposed sites in the north. This vegetation community occurs in the outer South Coast Ranges and on coastal slopes of Transverse and Peninsular ranges, usually below 4,000 feet (Holland 1986).

Areas identified as coast live oak woodland on the project site are scattered throughout its western portion. Approximately 1.19 acre of this vegetation community occurs on the project site. Plant species observed in this vegetation community include, but are not limited to, coast live oak, black sage (*Salvia mellifera*), wild cucumber (*Marah macrocarpus*), and in some places western sycamore.

Mixed Chaparral (*Adenostoma fasciculatum* Alliance)

Mixed chaparral is a vegetation community characterized by broad-leaved sclerophyll shrubs, 4-10 feet tall. Multiple species are co-dominant including chamise, California scrub oak (*Quercus dumosa*), and hoary-leaved ceanothus (*Ceanothus crassifolius*). Shrubs often occur in different height tiers, with low shrubs and tall shrubs depending on maturity and/or length of time since last burn. The herbaceous layer, when present, is sparse to intermittent and trees can occur as emergent.

A total of 11.28 acres of this vegetation community is located on north-facing slopes throughout the southern two-thirds of the property where it forms an intermittent to continuous shrub layer (approximately 30-70 percent). Plant species observed in this vegetation community include chamise, California scrub oak, mountain mahogany (*Cercocarpus betuloides*), toyon (*Heteromeles arbutifolia*), felt-leaf yerba-santa (*Eriodictyon crassifolium*), laurel sumac (*Malosma laurina*), hollyleaf cherry (*Prunus ilicifolia*), hoary-leaved ceanothus, black sage, wild cucumber, chaparral yucca (*Hesperoyucca whipplei*), California sagebrush (*Artemisia californica*), and blue elderberry (*Sambucus nigra*).

Non-Native Grassland (*Avena spp.* Alliance)

Non-native grassland is a vegetation community defined as having non-native wild oats (*Avena* spp.) and bromes (*Bromus* spp.) as the dominant or co-dominant species in the herbaceous layer. It is characterized by a dense to sparse cover of annual grasses with flowering culms 1-3 feet tall. Often associated with numerous species of showy-flowered, native annual forbs ("wildflowers"), especially in years of favorable rainfall, emergent trees and shrubs may be present at low cover. In some areas, depending on past disturbance and annual rainfall, annual forbs may be the dominant species; however, it is presumed that grasses will soon dominate.

A total of 3.41 acres of this vegetation community is located at the northern edge of the mixed chaparral at the project site's lower topographical reliefs; within understory of oaks; and where property has been previously disturbed (grubbing, edge of development). Plant species observed in this vegetation community include wild oats, soft chess brome (*Bromus hordeaceous*), cheat grass (*B. tectorum*), ripgut brome (*B. diandrus*), and red brome (*B. madritensis*). Common weedy forb species observed include non-native species such as filarees (*Erodium* spp.), bur clover (*Medicago polymorpha*), and short-podded mustard (*Hirschfeldia incana*). Ruderal weedy species include dwarf nettle (*Urtica urens*), Russian thistle (*Salsola tragus*), telegraph weed (*Heterotheca grandiflora*), horehound (*Marrubium vulgare*), and sow-thistle (*Sonchus oleraceus*).

Bush Poppy Scrub (*Dendromecon rigida* Shrubland Alliance)

Bush poppy scrub (*Dendromecon rigida*) is a vegetation community defined as having bush poppy dominant in the shrub canopy with other shrubs including chamise, desert ceanothus (*Ceanothus greggi*), golden yarrow (*Eriophyllum confertiflorum*), yellowstem bushmallow (*Malacothamnus densiflorus*), and Parish's bluecurls (*Trichostema parishii*). It is characterized by shrubs that are less than 10 feet tall with a sparse herbaceous layer and canopy that is open to intermittent. This community generally occurs on moderately to steeper slopes and ridges in open settings.

Known as a "fire follower", bush poppies require fire to stimulate the germination process; as a result, this community is among the first to appear after a fire. A total of 1.47 acres of this vegetation community is located on ridges at the center of the project site where evidence of recent fires is apparent by the presence of charred trees. Other plant species observed in this vegetation community include nonnative grass and weed species such as red brome and filarees.

Developed Lands

Developed lands include areas that have been constructed upon or otherwise physically altered to an extent that native vegetation is no longer supported. Developed lands are characterized by permanent or semi-permanent structures, pavement or hardscape, and landscaped areas that require irrigation. Areas that have been physically disturbed (by previous human activity) and are no longer recognizable as a native or naturalized vegetation association, but continue to retain a soil substrate, may also be considered developed lands.

A total of 2.62 acres of this land cover is spread across the project site. The developed areas on the property consist primarily of existing residences, paved access roads, driveways, and other hardscape, as well as highly disturbed unpaved areas surrounding the hardscape that contains sparse non-native ruderal upland vegetation as well as ornamental plants. Plant species observed in this vegetation community include coast live oak, olive (*Olea europaea*), Italian stone pine (*Pinus pinea*), Aleppo pine (*P. halepensis*), Canary Island pine (*P. canariensis*), redgum (*Eucalyptus camaldulensis*), deodar cedar (*Cedrus deodara*), oleander (*Nerium oleander*), beefwood

(*Stenocarpus* sp.), rusty leaf fig (*Ficus rubiginosa*), tree tobacco (*Nicotiana glauca*), Peruvian pepper (*Schinus molle*), and salt cedar (*Tamarix* sp.).

3.3 General Wildlife

The project site and surrounding areas provide habitat suitable for common wildlife species that occur in vegetation communities and landcover types as described above. Common avian species observed/detected on or adjacent to the project site include California towhee (*Melozone crissalis*), spotted towhee (*Piplio maculatus*), wrentit (*Chamaea fasciata*), Bewick's wren (*Thryomanes bewickii*), mourning dove (*Zenaida macroura*), California thrasher (*Toxostoma redivivum*), western scrub-jay (*Aphelocoma californica*), red-tailed hawk (*Buteo jamaicensis*), acorn woodpecker (*Melanerpes formicivorus*), house wren (*Troglodytes aedon*), lesser goldfinch (*Spinus psaltria*), European starling (*Sturnus vulgaris*), house sparrow (*Passer domesticus*), northern mockingbird (*Mimus polyglottos*), house finch (*Haemorhous mexicanus*), black phoebe (*Sayornis nigricans*), white-crowned sparrow (*Zonotrichia* l*eucophrys*), Anna's hummingbird (*Callypte anna*), American crow (*Corvus brachyrhynchos*), and peafowl (*Pavo cristatus*). Other general wildlife observed in the survey area include the western fence lizard (*Sceloporus occidentalis*), California ground squirrel (*Otospermophilus beecheyi*), Botta's pocket gopher (*Thomomys bottae*), and pocket mice (*Chaetodipus* sp.)

Additionally, common reptile and invertebrate species such as southern Pacific rattlesnake (*Crotalus oreganus helleri*), gopher snake (*Pituophis catenifer*), common side-blotched lizard (*Uta stansburyana*), western tiger swallow tail (*Papilio rutulus*), and orb weavers (Family Araneidae) are expected to occur. No fish or amphibian species were observed during the survey. Given that no permanent aquatic resources are present on site, fish species are not expected to occur.

4 Special-Status Biological Resources

This section discusses special-status biological resources observed within the project site during the field survey and evaluates the potential for the project site to support other special-status resources based on existing conditions. Local, State, and Federal agencies regulate special-status resources and require an assessment of their presence or potential presence to be conducted on-site prior to the approval of any proposed development on a property. Assessments for the potential occurrence of special-status species are based upon known ranges, habitat preferences for the species, species occurrence records from the CNDDB, species occurrence records from other sites in the vicinity of the development boundary, and previous reports from the general area. The potential for each special-status species to occur in the project site was evaluated according to the following criteria:

- **Not Expected.** Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
- **Low Potential.** Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
- **Moderate Potential.** Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
- **High Potential.** All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.
- **Present.** Species was observed on the site or has been recorded (e.g., CNDDB, other reports) on the site within the last five years.

For the purpose of this report, special-status species are those plants and animals listed, proposed for listing, or candidates for listing as Threatened or Endangered by the USFWS and National Marine Fisheries Service (NMFS) under the ESA; those listed or candidates for listing as Rare, Threatened, or Endangered by the CDFW under the CESA or Native Plant Protection Act; those recognized as Species of Special Concern (SSC) by the CDFW; and plants occurring on lists 1 and 2 of the CNPS California Rare Plant Rank (CRPR) system, per the following definitions:

- **List 1A** = Plants presumed extinct in California;
- **List 1B.1** = Rare or endangered in California and elsewhere; seriously endangered in California (over 80 percent of occurrences threatened/high degree and immediacy of threat);
- **List 1B.2** = Rare or endangered in California and elsewhere; fairly endangered in California (20-80 percent occurrences threatened);
- **List 1B.3** = Rare or endangered in California and elsewhere, not very endangered in California (<20 percent of occurrences threatened or no current threats known);
- **List 2** = Rare, threatened or endangered in California, but more common elsewhere.

In addition, special-status species are ranked globally (G) and subnationally (S) 1 through 3 based on NatureServe's (2010) methodologies:

- **G1 or S1** - Critically Imperiled Globally or State-wide
- **G2 or S2** - Imperiled Globally or State-wide
- **G3 or S3** - Vulnerable to extirpation or extinction Globally or State-wide

Plant communities are also considered special-status biological resources if they have limited distributions, have high value for sensitive wildlife, contain special-status species, or are particularly susceptible to disturbance. The CDFW ranks special-status communities as "threatened" or "very threatened" and keeps records of their occurrences in CNDDB.

Appendix C provides the species name, status, and habitat requirements for all special-status species with potential to occur in the project vicinity (five-mile radius), based on the database queries performed for the project. A determination of their potential to occur in the project site is also discussed.

4.1 Special-Status Plant and Wildlife Species

The CNDDB documents 11 special-status plant species within a five-mile radius of the project site (Appendix C). Special-status plant species typically have very specific habitat requirements which may include, but are not limited to vegetation communities, elevation levels, and topography. During the field assessment, no special-status plant species were observed or otherwise detected. While a focused examination during the blooming period for most species was not conducted, elements of suitable habitat for many mixed-chaparral and coast live oak woodland occupying species are present within the boundaries of the project site. Specifically, the project site has the potential to contain suitable habitat necessary to support a total of eight special-status plant species. Nevin's barberry (*Berberis nevinii*, federally endangered [FE], state endangered [SE], CRPR 1B.1), mesa horkelia (*Horkelia cuneata* var. *puberula*, CRPR 1B.1), white rabbit-tobacco (*Pseudognaphalium leucocephalum*, CRPR 2B.2), Greata's aster (*Symphyotrichum greatae*, CRPR 1B.3), Plummer's mariposa lily (*Calochortus plummerae*, CRPR 4.2), slender mariposa lily (*Calochortus clavatus* var. gracilus, CRPR 1B.2), Robinson's pepper grass (*Lepidium virginicum* var. *robinsonii*, CRPR 4.3), and Davidson's bush-mallow (*Malacothamnus davidsonii*, CRPR 1B.2) have a moderate potential to occur. None of those species have recent (<10 years) occurrence records within 1 mile of the project site.

The CNDDB documents 19 special-status wildlife species within a five-mile radius of the project site. During the field assessment, no special-status wildlife species were observed or otherwise detected within the project site. Special-status wildlife species typically have very specific habitat requirements which may include, but are not limited to, vegetation communities, elevation levels and topography, and availability of primary constituent elements (i.e., space for individual and population growth, breeding, foraging, and shelter).

Based on the existing site conditions, two special-status wildlife species have a low potential to occur on site: coast horned lizard (*Phrynosoma blainvillii,* SSC) and coastal California gnatcatcher (*Polioptila californica californica*, federally threatened[FT], SSC). There are no recent occurrence records of these species existing within 1 mile of the project site.

Nesting Birds

While common bird species are not considered special-status, under the provisions of the MBTA, it is unlawful "by any means or manner to pursue, hunt, take, capture (or) kill" any migratory birds except as permitted by regulations issued by the USFWS. The term "take" is defined by the USFWS regulation to mean to "pursue, hunt, shoot, wound, kill, trap, capture or collect" any migratory bird or any part, nest, or egg of any migratory bird covered by the conventions, or to attempt those activities. In addition, the CFGC extends protection to non-migratory birds identified as resident game birds (CFGC Section 3500) and any birds in the orders Falconiformes or Strigiformes (birds-of-prey) (CFGC Section 3503.5). Habitat is present within the project site that has the potential to support protected nesting birds.

4.2 Special-Status Vegetation or Habitat Communities

The CNDDB documents five special-status vegetation or habitat communities within a five-mile radius of the project site. Those communities are Riversidian alluvial fan sage scrub, southern coast live oak riparian forest, southern mixed riparian forest, southern sycamore alder riparian woodland, and southern California arroyo chub/Santa Ana sucker stream. As discussed above, coast live oak woodland does occur on the project site; however, southern coast live oak riparian forest does not. While some associations of coast live oak woodland are afforded protection per local ordinances (i.e., City of Los Angeles), no special-status vegetation communities, as defined by CDFW, occur on the project site.

4.3 Jurisdictional Aquatic Resources

Two potentially jurisdictional drainage features were observed at the project site. As previously mentioned, the NWI mapped two features running in a northerly direction from the ridgeline south of the project site (Figure 4). These features are characterized by the NWI as intermittent, temporarily flooded, riverine streambeds (NWI Code R4SBA) entering the project site at the southwestern edge and eventually connect in the center of the project site. The site survey showed these features to be a low point in the topography, a low-relief ravine that has the potential to convey precipitation runoff down from the southern higher elevations and terminates south of an existing residence at the project site. These drainage features exhibited a bed, bank, channel, and indications of an ordinary high-water mark.

An additional feature was observed during the December 2019 site visit. This intermittent drainage was not indicated during database review; however, the feature displayed a clear bed and bank during the field survey.

Figure 4 Potential Jurisdictional Waters

Imagery provided by Microsoft Bing and its licensors © 2019.
Additional data provided by U.S. Fish and Wildlife Service, 2017.

Fig X Potential Jurisdictional Waterways

4.4 Wildlife Movement

The nearest recognized wildlife linkage is north of Sunland in the San Gabriel Mountains. The project site is also not located within an *Essential Connectivity Area*, as determined by the California Essential Habitat Connectivity (CEHC) Project. Areas determined to be an *Essential Connectivity Area* are identified as large remaining blocks of intact habitat or natural landscape that need to be maintained, particularly as corridors for wildlife (Spencer et al., 2010). The southern portion of the project site is located in the Verdugo Mountains SEA (Figure 2) and discussed in detail below. The project site is located within and adjacent to multiple previously developed areas and roads. Further, the proposed project would involve development similar to structures already existing on site.

4.5 Resources Protected by Local Policies and Ordinances

Protected Trees

A protected tree is identified by the City of Los Angeles as any of the following Southern California native tree species which measures four inches or more in cumulative diameter, four- and one-half feet above the ground level at the base of the tree (City of Los Angeles 2006b). This definition currently includes the following species of trees:

- Oak tree including Valley Oak (*Q. lobata*) and California Live Oak (*Q. agrifolia*), or any other tree of the oak genus indigenous to California but excluding the Scrub Oak
- Southern California Black Walnut
- Western (=California) Sycamore
- California Bay

A total of 96 native, protected trees have been identified on the project site. Protected species at the project site include 93 coast live oaks and three western sycamores (LNDG 2017).

Significant Ecological Areas

Significant Ecological Areas (SEAs) are officially designated areas within Los Angeles County identified as having irreplaceable biological resources. These areas represent the wide-ranging biodiversity of the County and contain some of the County's most important biological resources. The intent of the SEA designation is to ensure the continued viability of the biota contained within the SEA. Each individual SEA was configured to support sustainable populations of its component species and includes undisturbed to lightly disturbed habitat along with linkages and corridors that promote species movement. The southern half of the project site is located in the Verdugo Mountains SEA.

The Verdugo Mountains SEA is located in the Verdugo Mountains and includes areas south of I-210, east of the I-5, and a portion of the mountains north of I-210. The County describes the Verdugo Mountains SEA as follows:

The Verdugo Mountains are a wilderness island in the middle of the urbanized metropolitan area of the County, surrounded by the cities of Los Angeles, Burbank and Glendale. This area is cherished by the local communities, much of which are designated agricultural with many equestrian properties.

The Verdugo Mountains have retained a rural atmosphere despite their proximity to urban Los Angeles. The Verdugo Mountains currently encompass wilderness area, which ranges through various chaparral, coastal sage chaparral scrub, southern willow scrub, coast live oak woodland and forest ecosystems, and many riparian areas with seasonal waterfalls. It is one of the few remaining natural regions in the Los Angeles area that supports abundant native wildlife and habitats, and also contains several rare and sensitive plant and animal species. The geographic location of the Verdugo Mountains makes them important for scientific study, genetic interchange between otherwise isolated populations, and recreation for urban residents.

All the County's SEAs satisfy at least one of the following six SEA criteria:

- Provide habitat for core populations of endangered or threatened species of plants and animals
- Contain biotic communities, vegetative associations, and habitat of plant or animal species that are either unique or are restricted in distribution on a regional basis
- Contain biotic communities, vegetative associations, and habitat of plant or animal species that are either unique or are restricted in distribution on a county-wide basis
- Contain habitat that at some point in the life cycle of a species or group of species, serves as concentrated breeding, feeding, resting, migrating grounds and is limited in availability either regionally or in the County
- Contain biotic resources that are of scientific interest because they represent an extreme in physical/geographical limitations, or represent unusual variation in a population or community
- Provide areas that would offer the preservation of relatively undisturbed examples of the original natural biotic communities in the County

4.6 Conservation Plans

As an extension of the City's General Plan, the project site is subject to the SGVM Scenic Preservation Specific Plan (Plan). The goal of the Plan is to preserve, protect, and enhance the unique natural (including biological) and cultural resources of the Plan area. The Plan accomplishes its natural/biological goals through four general areas of regulation:

- Prominent Ridgeline Protection: measures that protect from grading and/or development designated Prominent Ridgelines that are visible from the Right-of-Way (ROW) of any of the Scenic Highways listed in the Plan
- Scenic Highway Corridors Viewshed Protection: measures that establish standards for site design, landscaping (including parking lot landscaping), and signage to assure that the design of projects and related improvements within designated scenic highway corridors preserve, complement and/or enhance the views from these corridors
- Equinekeeping District Standards, Equestrian Trails, and Domestic Livestock measures
- Biological Resources: measures that protect oak trees and help protect unique native plant communities of the Specific Plan area.

Per the Plan, oak trees warrant special consideration because they contain biotic resources that are considered to be rare or unique; are critical to the maintenance of wildlife; represent relatively undisturbed areas of habitat types; or serve as important wildlife linkages.

According to the Plan, no California/Coast live oak or Valley oak trees above a certain size threshold (eight inches or more as measured four and one-half feet above the ground level at the base of the

tree) should be moved, removed, or cut down without approval from the City of Los Angeles Director of Planning or the Advisory Agency (e.g., Department of Urban Forestry) from lots of 20,000 square feet or larger unless one of the following findings can be made [Plan text is *italicized* below]:

- *It is necessary to remove the oak tree because its continued existence at its present location prevents the reasonable development of the subject property; or*
- *The oak tree shows a substantial decline from a condition of normal health and vigor, and restoration, through appropriate and economically reasonable preservation procedures and practices, is not advisable (as evidenced by an oak tree report); or*
- *Because of an existing and irreversible adverse condition of the oak tree, the tree is in danger of falling, notwithstanding the tree having been designated an Historical Monument or as part of an Historic Preservation Overlay Zone; or*
- *The presence of the oak tree interferes with utility services and roadways within or without the subject property and the only reasonable alternative to the interference is the removal of the tree; or*
- *It has no apparent aesthetic value that will contribute to the appearance and design of the surrounding properties or is not located with reference to other trees or monuments in such a way as to acquire a distinctive significance at that location.*
- *If an approval to remove an oak tree has been obtained from the Director or Advisory Agency, no further approval is required from the Board of Public Works.*

As previously discussed, protected trees have been identified on the project site and a tree report has been prepared (LNDG 2017) to document the presence, location, and health of the trees subject to protection or review by the Director of Planning or the Advisory Agency.

On-site protected trees are not in a Prominent Ridgeline Protection area, nor are they in an area that would disrupt views from scenic highway corridors. Additionally, the Equine District Standards do not apply because the project does not propose equine facilities or involve use thereof. The project site is not subject to any other Habitat Conservation Plans, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

5 Impact Analysis and Recommended Actions

The criteria used to evaluate potential project-related impacts to biological resources are presented in Section 2.1.2. This section discusses the possible adverse impacts to biological resources that may occur from implementation of the project and recommends appropriate avoidance, minimization, and mitigation measures that would reduce those impacts to less than significant levels. The proposed project site plan is depicted in Appendix D.

5.1 Special-Status Plants

As discussed in Section 4.1, no special-status plant species have been recorded in or adjacent to the project site in recent years. Eleven special-status plant species have CNDDB records within a five-mile radius of the project site; however, the closest occurrences are greater than one mile away. Given the disturbed or developed nature of the northern portion of the project site, the potential for special-status species to occur in this area is low. The mixed chaparral in the southern two-thirds of the project site is likely to contain more native species than other parts of the project site and thus the potential for endemic or special-status species to occur is moderate. Potentially-occurring special-status plant species include but are not limited to: Plummer's mariposa lily, slender mariposa lily, Greata's aster, Robinson's pepper grass, Davidson's bush-mallow, Nevin's barberry, white rabbit-tobacco, and slender-horned spineflower.

If present, these species have the potential to be directly impacted by construction activities that include but are not limited to: vegetation clearing (removal), grubbing, grading, build-out of structures, crushing from foot trampling or vehicle transit, flooding from runoff, cover by fugitive dust/dirt, contact with spills (e.g., petroleum/oils/lubricants [POLs]), or staging and laydown of construction equipment. Indirect impacts could potentially occur as a result of construction activities that include but are not limited to: shading, alteration of surface flow, and introduction of non-native or invasive species. Such impacts would be considered significant. Implementation of Mitigation Measure (MM) BIO-1 could reduce potential impacts to special-status plant species to a less-than-significant level.

Mitigation Measure

BIO-1

Prior to any vegetation clearing, grubbing, or other construction on site, seasonally timed special-status plant surveys should be conducted by a qualified botanist to document the location(s) and number(s) of sensitive plant species within the project site, if present. The surveys should be conducted in accordance with the current regional, state, and federal protocols and coincide with the appropriate blooming periods for each special-status plant species with potential to occur on the project site. Any special-status plant species observed on the project site should be mapped onto an aerial photograph of the project site at a scale no less than 1"=200'. A special-status plant

survey technical report should be submitted to the City (and to other pertinent resource agencies if required) that documents the survey results prior to the onset of construction activities.

If no special-status plant species are observed during the surveys, no further actions would be necessary. If seasonally timed plant surveys determine special-status plant species are present, then all special-status plants that can be avoided should be protected from harm during the construction phase of the proposed project. If special-status plant species cannot be avoided, a mitigation planshould be developed at the direction of the lead agency. The mitigation plan should specify the methodology and requirements for compensating for the loss of special-status plant species at a 1:1 ratio. No special-status species should be removed without obtaining the appropriate permits.

5.2 Special-Status Wildlife

As discussed in Section 4.1, no special-status wildlife has been recorded in or adjacent to the project site. Nineteen special-status wildlife species have CNDDB records within a five-mile radius of the project site. The closest occurrence, a southern grasshopper mouse (*Onychomys torridus*), includes a radius that approaches within a quarter-mile of the project site. The remaining occurrences are all greater than one mile from the project site. The mixed chaparral in the southern third of the project site contains denser vegetation, with more native plants, which provides greater opportunity to host more wildlife (especially those adapted to native vegetation types) than the less dense non-native areas on the northern portion of the project site. Special-status wildlife species with low potential to occur at the project site include coast horned lizard (SSC) and coastal California gnatcatcher (FT, SSC).

If present, these species have the potential to be directly impacted by construction activities that include but are not limited to: habitat (vegetation) clearing, grubbing, grading, build-out of structures, crushing from foot trampling or vehicle transit, flooding from runoff, disturbance from light/noise/motion, of contact with spills (e.g., POLs). Indirect impacts could potentially occur as a result of construction activities that include but are not limited to: loss or alteration of habitat, alteration of surface flow, and introduction of domesticated animals. Implementation of MM BIO-2 would reduce such potential impacts to special-status wildlife species to a less-than-significant level.

Mitigation Measure

BIO-2

Prior to start of project activities, a qualified biologist should conduct a Worker Environmental Awareness Program (WEAP) training to familiarize all personnel conducting project activities with the identification and life-history of special-status wildlife potentially present on the project site.

A pre-construction survey for special-status wildlife should be conducted in the construction area, plus a 50-foot buffer, not less than two weeks prior to the initiation of construction.

If special-status wildlife is found and these individuals are likely to be killed or injured by construction activities, a qualified biologist should be allowed sufficient time to capture and relocate the animals from the project site before construction activities begin. A qualified biologist(s) should relocate the individuals the shortest distance possible to a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including

size, coloration, any distinguishing features and photographs (preferably digital) to assist in determining whether translocated animals are returning to the project site.

If no special-status wildlife species are observed during the surveys, no further actions would be necessary. If surveys determine that special-status wildlife species are present, then all special-status wildlife species that can be avoided should be protected from harm during the construction phase of the proposed project. Although not expected, if preconstruction surveys determine the potential for "take" (injury, death, harassment, change of behavior, or loss of habitat) of California gnatcatcher, coordination with USFWS should occur to obtain incidental take authorization. Implementation of these recommended measures would avoid and/or minimize potential impacts to special-status wildlife.

Nesting Birds

The project site contains natural vegetation that provides suitable habitat for nesting birds. The proposed project could adversely affect raptors and nesting birds if construction occurs while they are present on or adjacent to the site through direct mortality or abandonment of nests. The loss of a nest due to construction activities would be a violation of CFGC Section 3503, 3503.5, 3513 and 3800, and the MBTA. Implementation of MM BIO-3 would assure such potential impacts to nesting birds are avoided or minimized.

Mitigation Measure

BIO-3

To avoid impacts to nesting birds, project-related activities should occur outside of the bird breeding season (February 1 to August 31) to the extent practicable. If construction must occur during the bird breeding season, then no more than one week prior to initiation of ground disturbance and/or vegetation removal, a nesting bird and raptor pre-construction survey should be conducted by a qualified biologist in the disturbance footprint plus a 300-foot buffer (500-foor for raptors), where feasible. If the proposed project is phased, a subsequent pre-construction nesting bird and raptor survey may be required prior to each phase of construction within the project site.

Pre-construction nesting bird and raptor surveys should be conducted during the time of day when birds are active and should be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors onsite and within the designated vicinity. A report of the nesting bird and raptor survey results, if applicable, should be submitted to the lead agency for review and approval prior to ground and/or vegetation disturbance activities.

If nests are found, their locations should be flagged. An appropriate avoidance buffer, depending upon the species and the proposed work activity, should be determined and demarcated by a qualified biologist with bright orange construction fencing or other suitable flagging. Active nests should be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance should occur within this buffer until the qualified biologist confirms that the breeding/nesting is complete, and all the young have fledged. If project activities must occur within the buffer, they should be conducted at the discretion of the qualified biologist.

If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.

5.3 Jurisdictional Aquatic Resources

The December 2019 reconnaissance survey confirmed the presence of potentially jurisdictional drainages on site (Figure 4). These include three features, two of which start outside of the boundaries of the southern project edge and traverse north until eventually connecting to form one feature that terminates near the center of the project site. These features do not make a connection to downstream waters, and as a result are not subject to United States Army Corps of Engineers (USACE) jurisdiction. However, preliminary field assessment indicated that such features may be subject to Los Angeles Regional Water Quality Control Board (LARWQCB) and CDFW jurisdictions based on the presence of ephemeral streambeds with defined beds and banks. Based on current project designs and presence of an intermittent drainage located in the development footprint, one feature may be significantly impacted due to project-related activities. As a result, the project would likely require consultation with CDFW and LARWQCB to determine if permits are necessary for the proposed project. A formal jurisdictional delineation is recommended to assess the extent of agency authority on all water features present at the project site.

An additional feature was observed in the western portion of the project site. This intermittent drainage was not indicated during database review; however, the feature displayed a clear bed and bank. No impacts to this drainage are expected to occur due to its location as it relates to the project footprint.

If avoidance of jurisdictional waters or wetlands is not feasible, impacts to jurisdictional areas would be significant but mitigable. Conducting a formal jurisdictional delineation, implementing avoidance and minimization measures and/or habitat compensation and developing a Compensatory Mitigation Plan, as required by MM BIO-2a through MM BIO-2d, would reduce potential direct and indirect impacts to these features to a less than significant level.

BIO-2a Jurisdictional Delineation

Prior to issuance of any grading or building permit, a formal jurisdictional delineation should be conducted to determine the jurisdictional status of the two drainages identified in the vicinity of the proposed project. The project proponent should submit a jurisdictional delineation report to the City.

BIO-2b Avoidance and minimization

Potential jurisdictional features described in the jurisdictional delineation to be performed should be avoided if feasible. Prior to issuance of any grading or building permit, the project proponent should submit to the City a report detailing how all identified drainages are avoided. A copy of this report should also be provided to the LARWQCB, CDFW, and/or USACE, as applicable. The following Best Management Practices (BMPs) should be implemented:

i. Any material/spoils generated from project activities should be located away from jurisdictional areas or special-status habitat and protected from storm water run-off using temporary perimeter sediment barrier such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.
ii. Materials should be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of bank.

iii. Any spillage of material would be stopped if it can be done safely. The contaminated area will be cleaned, and any contaminated materials properly disposed. For all spills, the project foreman or designated environmental representative would be notified.

BIO-2c Compensatory Mitigation

If it is determined that the drainages cannot be avoided, the project applicant should be subject to provision (i) as identified below.

i. If avoidance is not feasible, prior to ground disturbance activities that could impact these features, the project applicant should consult with the agencies (LARWQCB, CDFW, and/or USACE) anticipated to assert jurisdiction over the drainages, as evaluated in the jurisdictional delineation report to be developed per MM BIO-2a. Based on such consultation, if permits are required for the project, appropriate permits should be obtained prior to disturbance of jurisdictional resources. In addition, compensatory mitigation for impacts to jurisdictional features should be identified prior to disturbance of the features. A 1:1 mitigation ratio should be used, unless a higher ratio is required by LARWQCB, CDFW, and/or USACE. Mitigation may take the form of permittee-responsible onsite or offsite mitigation or purchasing credits from an approved mitigation bank. The applicant should comply with the compensatory mitigation required and proof of compliance, along with copies of permits obtained from LARWQCB, CDFW, and/or USACE, should be provided to the City.

BIO-2d Compensatory Mitigation Plan

A Compensatory Mitigation Plan should be prepared that outlines the compensatory mitigation in coordination with the LARWQCB, CDFW, and/or USACE. If onsite mitigation is proposed, the Compensatory Mitigation Plan should identify those portions of the site, such as relocated drainage routes, that contain suitable characteristics (e.g., hydrology) for restoration. Determination of mitigation adequacy should be based on comparison of the restored habitat with similar, undisturbed habitat in the site vicinity (such as upstream or downstream of the site). The Compensatory Mitigation Plan should include remedial measures in the event that performance criteria are not met.

If mitigation is implemented off-site, off-site land should be preserved through a deed restriction or conservation easement and the Compensatory Mitigation Plan should identify an approach for funding assurance for the long-term management of the conserved land.

5.4 Wildlife Movement

As noted in Section 4.4, the project area is not located within a Regional Wildlife Linkage, Essential Connectivity Area, or other formally recognized wildlife movement corridor. However, the City of Los Angeles' CEQA Thresholds Guide suggests potential significance if the project site is immediately adjacent to an undeveloped natural open space containing native vegetation that appears to serve as a buffer between existing development and habitat and is potentially part of a movement corridor or habitat linkage system.

Although the project is at the edge of a sizeable expanse of natural habitat within the Verdugo Mountains, and so wildlife movement may occur on-site as part of normal movements within that habitat area, the project site does not connect the Verdugo Mountains to any other habitat area,

nor is it a "buffer" between natural habitat and existing development because a portion of the project site is already developed. Moreover, the project plans to leave the vast majority of the land in the southern half of the project site undeveloped. As a result, proposed developments would be clustered adjacent to existing developments therefore the project is not expected to significantly fragment existing natural lands as it pertains to wildlife movement. The proposed project is not expected to conflict with the objectives of the SEA for species conservation, biotic diversity, or habitat linkages.

5.5 Resources Protected by Local Policies and Ordinances

Protected Trees

As previously mentioned, L.A.M.C. Chapter 4, Article 6, Section 46, establishes the City's protection of certain species of trees within the City of Los Angeles. Two of the species listed in Article 6, Section 46 (and amended by Ordinance No. 177,404) are present on the project site and therefore the proposed project has the potential to impact protected trees. A site-specific protected tree report was prepared in 2016 (LNDG 2016) that includes location of protected and potentially impacted trees, and an updated report was prepared in 2017 (LNDG 2017). The tree report documented a total of 93 protected trees in the project site (LNDG 2017). Species recorded include 90 coast live oak and three western sycamore. At the time of the report, it was proposed to remove six of the coast live oak trees and one of the western sycamore trees as part of the project activities. Six of those 49 coast live oak trees were determined to be either dead or dying (health grade of D or F, respectively) at the time of survey for the tree report (LDNG 2016).

To ensure compliance with L.A.M.C. code and ordinance, the following measures are recommended to avoid and minimize potential impacts to protected trees:

- If/as directed by the City of Los Angeles, the developer should enter in to a tree replacement program that would determine the mitigation, if any, for trees targeted for removal, and determine the method and duration of tree replacement. If trees are to be replaced, then they should be properly maintained for a period agreed upon. If replacement trees die during that period, they should be replaced by the project developer. The irrigation system (i.e., drip system or comparable) to water these newly planted replacement trees should be compatible with the watering requirement of the project's indigenous oak trees. The irrigation system maintenance program should water these replacement trees for at least the first 2-3 years to establish the trees. Once established, watering should be done only in the winter months during periods of severe drought.
- If/as directed by the City of Los Angeles, the developer should enter in to a tree preservation program that would identify trees to be preserved/incorporated into project design and establish measures to maximize preservation potential of trees set aside for that purpose. Tree preservation should involve elements that address tree protection, watering and fertilization, diseases and pests, grading, and other considerations. Extensive details regarding the tree preservation program are available in the LNDG 2016 tree report (pages 3-4).
- If/as directed by the City of Los Angeles, the developer should obtain relevant tree permit(s) and secure approval or project and tree affecting activities from the Director of Planning or Advisory Agency, per the terms set forth in L.A.M.C. Chapter IV, Article 6, Section 46.02. A

tree removal permit and accompanying tree report would be required prior to any action that impacts the trees on the site or initiation of grading. Per Section 46 the L.A.M.C. a fee is charged for issuance of any permit that authorizes impacts to oak trees. If required by the City, prior to a public hearing, the tree removal permit application and tree report may require formal review by the County of Los Angeles Fire Department (CLAFD). The CLAFD fee is based on the number of trees to be reviewed.

- Any tree removed from the site would require replacement at a 2:1 ratio, or as directed by the City of Los Angeles, with an equivalent tree defined as a 15-gallon or larger specimen, measuring one inch or more in diameter one foot above the base, and be not less than seven feet in height measured from the base.
- No protected tree should be removed from the project site without appropriate authorization from the City.

The developer is actively pursuing ways to further minimize the number of trees potentially affected by the proposed project, and therefore the number of potentially affected trees is likely to change. The developer would work closely with the City of Los Angeles Director of Planning and/or the appropriate Advisory Agency (e.g., Department of Urban Forestry) as directed, regarding the proposal to move, remove, or replace trees per the terms set forth in L.A.M.C. Chapter IV, Article 6, Section 46.02. Implementation of these recommended measures would avoid and/or minimize potential impacts to protected trees.

Significant Ecological Areas

The Verdugo Mountains SEA is a wilderness island in the center of the urbanized metropolitan area of Los Angeles County and is one of the few remaining natural regions in the Los Angeles area that supports abundant native wildlife and habitats. As a result, this BRA considers the impacts to the SEA as it relates to project activities.

As previously mentioned, a portion of the project site is located within the Verdugo Mountains SEA. Specific environmental studies must be performed to assess the potential for damage or destruction of a SEA prior to approval of any plans for development in an area identified with a SEA overlay. The intent of the SEA designation is to ensure the continued viability of the biota contained within the SEA. While there is a relative abundance of native vegetation present at the project site that may provide habitat to wildlife species, the proposed project would not cause significant impact to the overall populations of species that may occur in the SEA. The area proposed for development is a small portion of the undisturbed lands (<5 percent of total) found at the project site and located near already existing developments. Additionally, vegetation in the area is considered common and has not been recorded to support special-status species at the project site. Notwithstanding, and as a result of potentially state-jurisdictional drainages located on site, it is expected that mitigation would be required through restoration, enhancement, or compensation of the existing vegetation communities by implementation of a Section 1600 Streambed Alteration Agreement. Using strategic project planning, mitigation, and additional avoidance and minimization measures listed above, impacts to the SEA are expected to be less than significant and the proposed project is not expected to conflict with the objectives of the SEA for species conservation, biotic diversity, or habitat linkages.

5.6 Conservation Plans

As previously mentioned, the proposed project is located within the SGVM Scenic Preservation Specific Plan. The proposed project is not expected to affect or be affected by prominent ridgelines, scenic highway corridors, or equine/livestock resources; however, biological resources have the potential to be affected as described in the Specific Plan. The applicable resource constraints in the Plan mirror those in L.A.M.C. Chapter 4, Article 6, Section 46, and require the same provisions and approvals in order to secure approval to move, remove, or replace oak trees within the area covered by the Plan. Implementation of the recommended measures identified in Section 5.4 above would avoid and/or minimize potential impacts (to protected trees) per the SGVM Scenic Preservation Specific Plan.

6 Limitations, Assumptions, and Use Reliance

This Biological Resources Assessment has been performed in accordance with professionally accepted biological investigation practices conducted at this time and in this geographic area. The biological investigation is limited by the scope of work performed. Biological surveys for the presence or absence of certain taxa have been conducted as part of this assessment but were not performed during a particular blooming period, nesting period, or particular portion of the season when positive identification would be expected if present, and therefore, cannot be considered definitive. The biological surveys are limited also by the environmental conditions present at the time of the surveys. In addition, general biological (or protocol) surveys do not guarantee that the organisms are not present and would not be discovered in the future within the site. In particular, mobile wildlife species could occupy the site on a transient basis or re-establish populations in the future. Our field studies were based on current industry practices, which change over time and may not be applicable in the future.

No other guarantees or warranties, expressed or implied, are provided. The findings and opinions conveyed in this report are based on findings derived from site reconnaissance, jurisdictional areas, review of CNDDB RareFind, and specified historical and literature sources. Standard data sources relied upon during the completion of this report, such as the CNDDB, may vary with regard to accuracy and completeness. In particular, the CNDDB is compiled from research and observations reported to CDFW that may or may not have been the result of comprehensive or site-specific field surveys. Although Rincon believes the data sources are reasonably reliable, Rincon cannot and does not guarantee the authenticity or reliability of the data sources it has used. Additionally, pursuant to our contract, the data sources reviewed included only those that are practically reviewable without the need for extraordinary research and analysis.

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Appendix A

Local Tree Regulations

ORDINANCE NO. 177404

An ordinance amending various provisions of Articles 2 and 7 of Chapter I and Article 6 of Chapter IV and Section 96.303.5 of the Los Angeles Municipal Code to assure the protection of, and to further regulate the removal of, protected trees

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Subdivision 12 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended to read:

12. Protected Tree Relocation and Replacement. All existing protected trees and relocation and replacement trees specified by the Advisory Agency in accordance with Sections 17.02, 17.05, 17.06, 17.51 and 17.52 of this Code shall be indicated on a plot plan attached to the building permit issued pursuant to this Code. In addition, the trees shall be identified and described by map and documentation as required by the Advisory Agency. A Certificate of Occupancy may be issued by the Department of Building and Safety, provided the owner of the property or authorized person representing the owner of the property (licensed contractor) obtains from the Advisory Agency in consultation with the City's Chief Forester, prior to the final inspection for the construction, a written or electronic document certifying that all the conditions set forth by the Advisory Agency relative to protected trees have been met.

Sec. 2. Section 17.02 of the Los Angeles Municipal Code is amended by deleting the paragraph defining "Oak Tree" in Section 17.02 and adding the following paragraph to read:

Protected Tree - Any of the following Southern California native tree species, which measures four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree:

(a) Oak tree including Valley Oak (Quercus lobata) and California Live Oak (Quercus agrifolia), or any other tree of the oak genus indigenous to California but excluding the Scrub Oak (Quercus dumosa).

(b) Southern California Black Walnut (Juglans californica var. californica)

(c) Western Sycamore (Platanus racemosa)

(d) California Bay (Umbellularia californica)

This definition shall not include any tree grown or held for sale by a licensed nursery, or trees planted or grown as a part of a tree planting program.

Sec. 3. The term "Tree Expert" set forth in Section 17.02 of the Los Angeles Municipal Code is amended to read:

Tree Expert - A person with at least four years of experience in the business of transplanting, moving, caring for and maintaining trees and who is (a) a certified arborist with the International Society of Arboriculture and who holds a valid California license as an agricultural pest control advisor or (b) a landscape architect or (c) a registered consulting arborist with the American Society of Consulting Arborists.

Sec. 4. Subdivision 7 of Subsection H of Section 17.05 of the Los Angeles Municipal Code is amended to read:

7. Where the Advisory Agency finds the project is consistent with the dwelling unit density permitted by the General Plan, and that the public health, safety or welfare and good subdivision design will be promoted by the preservation of protected trees, the Advisory Agency may permit the required area of one or more of the lots in a subdivision in an "RA," "RE," "RS" or "R1" Zone to be reduced by an amount sufficient to provide for protected tree preservation in accordance with Section 17.05 R of this Code. Provided, however, that in no event shall the reduction exceed 50 percent of the required lot area; no "RA" or "RE" lot shall be reduced below 50 feet in width; no "RS" or "R1" lot shall be reduced below 40 feet in width; and no lot in a designated "K" Horsekeeping District shall be reduced below 17,500 square feet.

Sec. 5. Subsection R of Section 17.05 of the Los Angeles Municipal Code is amended to read:

R. Protected Tree Regulations. No protected tree may be relocated or removed except as provided in this article or Article 6 of Chapter IV of this Code. The term "removed" or "removal" shall include any act that will cause a protected tree to die, including but not limited to acts that inflict damage upon the root system or other parts of the tree by fire, application of toxic substances, operation of equipment or machinery, or by changing the natural grade of land by excavation or filling the drip line area around the trunk.

1. Required Determinations. Subject to historical preservation requirements set forth in Subdivision 3 of this subsection, when a protected tree exists within a proposed subdivision, the tree may be relocated or removed if the Advisory Agency, in consultation with the City's Chief Forester, determines the existence of either (a) or (b) below:

(a) There has been prior applicable government action in which:

(i) The removal of the tree had been approved by the Advisory Agency; or

(ii) The property upon which the protected tree is located has been the subject of a determination by the City Planning Commission, the City Council, a Zoning Administrator, or an Area Planning Commission, the appeal period established by this Code with respect to the determination has expired, the determination is still in effect, and pursuant to the

determination, the protected tree's removal would be permissible; or

(iii) A building permit has been issued for the property upon which the protected tree is located, the permit is still in effect, and the removal or relocation is not prohibited by the permit.

(b) The removal of the protected tree would not result in an undesirable, irreversible soil erosion through diversion or increased flow of surface waters that cannot be mitigated to the satisfaction of the City's Chief Forester, and the physical condition or location of the tree is such that:

(i) Its continued presence in its existing location prevents the reasonable development of the property; or

(ii) According to a report required pursuant to Section 17.06 C, acceptable to the Advisory Agency and prepared by a tree expert, there is a substantial decline from a condition of normal health and vigor of the tree, and its restoration through appropriate and economically reasonable preservation procedures and practices is not advisable; or

(iii) It is in danger of falling due to an existing and irreversible condition.

(iv) Its continued presence at its existing location interferes with proposed utility services or roadways within or without the subject property, and the only reasonable alternative to the interference is the removal of the tree; or

(v) It has no apparent aesthetic value, which will contribute to the appearance and design of the proposed subdivision; or it is not located with reference to other trees or monuments in such a way as to acquire a distinctive significance at the location.

2. Supplemental Authority. In the event the Advisory Agency, in consultation with the City's Chief Forester, determines pursuant to Subdivision 1(b) above, that a protected tree may be removed or relocated, the Advisory Agency may:

(a) Require relocation elsewhere on the same property where a protected tree has been approved for removal, and where the relocation is economically reasonable and favorable to the survival of the tree. Relocation to a site other than upon the same property may be permitted where there is no available or appropriate location on the property and the owner of the proposed off-site relocation site consents to the placement of a tree. In the event of relocation, the Advisory Agency may designate measures to be taken to mitigate adverse effects on the tree.

(b) Permit protected trees of a lesser size, or trees of a different species, to be planted as replacement trees for protected trees permitted by this Code to be removed or relocated, if replacement trees required pursuant to this Code are not available. In that event, the Advisory Agency may require a greater number of replacement trees.

3. Historical Monuments. The Advisory Agency, except as to Subdivision 1(b)(iii) above, shall require retention of a protected tree at its existing location, if the tree is officially designated as an Historical Monument or as part of an Historic Preservation Overlay Zone.

4. Requirements. In the event the Advisory Agency, in consultation with the City's Chief Forester, determines pursuant to Subdivision 1(b) above that a protected tree may be removed or relocated, the Advisory Agency shall require that:

(a) The protected tree be replaced within the property by at least two trees of a protected variety included within the definition set forth in Section 17.02 of this article, except where the protected tree is relocated pursuant to Subdivision 2(a) above. The size of each replacement tree shall be a 15-gallon, or larger, specimen, measuring one inch or more in diameter at a point one foot above the base, and not less than seven feet in height, measured from the base. The size and number of replacement trees shall approximate the value of the tree to be replaced.

(b) The subdivider record those covenants and agreements approved by the Advisory Agency necessary to assure compliance with conditions imposed by the Advisory Agency and to assure protected tree preservation.

(c) The subdivider provide protected tree maintenance information to purchasers of lots within the proposed subdivision.

(d) The subdivider post a bond or other assurance acceptable to the City Engineer to guarantee the survival of trees required to be replaced or permitted or required to be relocated, in a manner to assure the existence of continuously living trees at the approved replacement or relocation site for three years from the date that the trees are replaced or relocated. The City Engineer shall use the provisions of Section 17.08 G as its procedural guide in satisfaction of the bond requirements and processing. Any bond required shall be in a sum estimated by the City Engineer to be equal to the dollar value of the replacement tree or of the tree that is to be relocated. In determining value for these purposes, the City Engineer shall consult with the Advisory Agency, the City's Chief Forester, the evaluation of trees guidelines approved and adopted for professional plantsmen by the International Society of Arboriculture, the American Society of Consulting Arborists, the National Arborists Association and the American Association of Nurserymen, and other available, local information or guidelines.

5. Grading. The Advisory Agency is authorized to prohibit grading or other construction activity within the drip line of a protected tree.

Sec. 6. Subdivision 13 of Subsection B of Section 17.06 of the Los Angeles Municipal Code is amended to read:

13. The approximate location and general description of any large or historically significant trees and of any protected trees and an indication as to the proposed retention or destruction of the trees.

Sec. 7. Subsection C of Section 17.06 of the Los Angeles Municipal Code is amended to read:

C. Protected Tree Reports for Tentative Tract Maps. No application for a tentative tract map approval for a subdivision where a protected tree is located shall be considered complete unless it includes a report, in a form acceptable to the Advisory Agency and the City's Chief Forester, which pertains to preserving the tree and evaluates the subdivider's proposals for the preservation, removal, replacement or relocation of the tree. The report shall be prepared by a tree expert and shall include all protected trees identified pursuant to Section 17.06 B 13 of this Code.

In the event the subdivider proposes any grading, land movement, or other activity within the drip line of a protected tree referred to in the report, or proposes to relocate or remove any protected tree, the report shall also evaluate any mitigation measures proposed by the subdivider and their anticipated effectiveness in preserving the tree.

Sec. 8. Subsection D of Section 17.51 of the Los Angeles Municipal Code is amended to read:

D. Protected Tree Reports for Parcel Maps. No application for a preliminary parcel map approval for a parcel where a protected tree is located shall be considered complete unless it includes a report pertaining to preserving the tree. The report shall be prepared by a tree expert and shall evaluate the subdivider's proposals for protected tree preservation, removal, replacement and/or relocation. In the event the subdivider proposes any grading, land movement, or other activity within the drip line of any protected tree referred to in the report, or proposes to relocate or remove any tree, the report shall also evaluate any mitigation measures proposed by the subdivider and the anticipated effectiveness in preserving the tree.

Sec. 9. Subsection I of Section 17.52 of the Los Angeles Municipal Code is amended to read:

I. When a protected tree exists on a proposed parcel, the preservation of the tree at its existing location, its relocation for preservation purposes, or the removal of the tree shall be regulated in the same manner as that provided under subdivision

regulations set forth in this chapter.

Sec. 10. Article 6 of Chapter IV of the Los Angeles Municipal Code is amended by amending the title and Section 46.00 to read:

ARTICLE 6

PRESERVATION OF PROTECTED TREES

SEC. 46.00. PROTECTED TREE REGULATIONS.

No protected tree may be relocated or removed except as provided in Article 7 of Chapter 1 or this article. The term "removed" or "removal" shall include any act that will cause a protected tree to die, including but not limited to acts that inflict damage upon the root system or other part of the tree by fire, application of toxic substances, operation of equipment or machinery, or by changing the natural grade of land by excavation or filling the drip line area around the trunk.

Sec. 11. Section 46.01 of the Los Angeles Municipal Code is amended to read:

SEC. 46.01. DEFINITION.

"PROTECTED TREE" means any of the following Southern California native tree species which measures four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree:

(a) Oak tree including Valley Oak (Quercus lobata) and California Live Oak (Quercus agrifolia), or any other tree of the oak genus indigenous to California but excluding the Scrub Oak (Quercus dumosa).

(b) Southern California Black Walnut (Juglans californica var. californica)

(c) Western Sycamore (Platanus racemosa)

(d) California Bay (Umbellularia californica)

This definition shall not include any tree grown or held for sale by a licensed nursery, or trees planted or grown as a part of a tree planting program.

Sec. 12. Section 46.02 of the Los Angeles Municipal Code is amended to read:

SEC. 46.02. REQUIREMENTS FOR PUBLIC WORKS PERMITS TO RELOCATE OR REMOVE PROTECTED TREES.

No person shall relocate or remove any protected tree, as that term is defined in Section 46.01, where the protected tree is not regulated pursuant to Article 7 of Chapter I of this Code, without first having applied for and obtained a permit from the Board of

Public Works or its designated officer or employee, except as otherwise provided in this section.

An application for a permit shall indicate, in a manner acceptable to the Board of Public Works, by number on a plot plan, the location of each protected tree, and shall identify each protected tree proposed to be retained, relocated or removed. If any grading is proposed that may affect the protected tree, a copy of the grading permit plan in compliance with Division 70 of Article 1 of Chapter IX of this Code shall be submitted with the application.

(a) Exemptions. The Board of Public Works shall exempt from and not require issuance of a permit for the relocation or removal of a protected tree where the Board is satisfied that:

1. The proposed relocation or removal of the protected tree has been approved by the Advisory Agency pursuant to Article 7 of Chapter I of this Code; or

2. The land upon which the protected tree is located has been the subject of a determination by the City Planning Commission, the City Council, a Zoning Administrator or an Area Planning Commission, the appeal period established by this Code with respect to the determination has expired, the determination is still in effect, and pursuant to the determination the protected tree's removal would be permissible; or

3. A building permit has been issued for any property and is still in effect with respect to the property under consideration and its implementation would necessitate the removal or relocation.

(b) Board Authority. The Board of Public Works may grant a permit for the relocation or removal of a protected tree, unless otherwise provided in this section or unless the tree is officially designated as an Historical Monument or as part of an Historic Preservation Overlay Zone, if the Board determines that the removal of the protected tree will not result in an undesirable, irreversible soil erosion through diversion or increased flow of surface waters, which cannot be mitigated to the satisfaction of the City; and

1. It is necessary to remove the protected tree because its continued existence at the location prevents the reasonable development of the subject property; or

2. The protected tree shows a substantial decline from a condition of normal health and vigor, and restoration, through appropriate and economically reasonable preservation procedures and practices, is not advisable; or

3. Because of an existing and irreversible adverse condition of the

protected tree, the tree is in danger of falling, notwithstanding the tree having been designated an Historical Monument or as part of an Historic Preservation Overlay Zone.

(c) Additional Authority. The Board of Public Works or its authorized officer or employee may:

1. Require as a condition of a grant of permit for the relocation or removal of a protected tree, that the permittee replace the tree within the same property boundaries by at least two trees of a protected variety included within the definition set forth in Section 46.01 of this Code, in a manner acceptable to the Board. In size, each replacement tree shall be at least a 15-gallon, or larger, specimen, measuring one inch or more in diameter one foot above the base, and be not less than seven feet in height measured from the base. The size and number of replacement trees shall approximate the value of the tree to be replaced.

2. Permit protected trees of a lesser size or trees of a different species to be planted as replacement trees, if replacement trees of the size and species otherwise required pursuant to this Code are not available. In that event, a greater number of replacement trees may be required.

3. Permit a protected tree to be moved to another location on the property, provided that the environmental conditions of the new location are favorable to the survival of the tree and there is a reasonable probability that the tree will survive.

Sec. 13. Section 46.04 of the Los Angeles Municipal Code is amended to read:

SEC. 46.04. FEES.

A fee shall be charged for issuance of any permit pursuant to this article, which permits the removal of one or more protected trees. The fee shall be determined and adopted in the same manner as provided in Section 12.37 I 1 of the Los Angeles Municipal Code for establishing fees.

Sec. 14. A new Section 46.06 is added to the Los Angeles Municipal Code to read:

SEC. 46.06. WITHHOLDING OR REVOCATION OF BUILDING PERMITS FOR ILLEGAL REMOVAL OR RELOCATION OF PROTECTED TREES.

(a) The Bureau of Street Services, after notice and hearing pursuant to Subsections (b) and (c) of this section, shall have the authority to request the Superintendent of Building to withhold issuance of building permits, except for permits that are necessary to comply with a Department of Building and Safety order, for a period of time up to a maximum of ten years as requested by the Bureau and to revoke

any building permit issued for which construction has not commenced with respect to any property on which any protected tree has been removed or relocated in violation of Section 46.00 of this Code.

The request shall be made in writing by the Director of the Bureau of Street Services or his/her designee and shall specifically state the start date and end date of the period of time the Bureau, or the Board of Public Works on appeal, have deemed necessary pursuant to Subsection (c) of this section. The period shall commence on the date the Bureau first becomes aware of the removal of the tree. Provided, however, the authority of the Bureau to act shall not apply to a purchaser, or to his or her agent, who in good faith and for valuable consideration has acquired title to the property subsequent to the illegal removal or relocation of any protected trees and prior to the recordation of the notice of intent as provided for in Subsection (b) of this section.

(b) The Bureau shall notify the applicant or permittee in writing of its intent to act pursuant to this section. The notice shall state that the applicant or permittee may submit any evidence it deems relevant on this matter, the hearing to be held on a date specified in the notice. A copy of the notice shall also be mailed to the owner of the property, if different from the applicant or permittee, as shown on the last equalized assessment roll, and to any person holding a deed of trust, mortgage or other security interest in the property as revealed by a title search with respect to the property. A copy of the notice shall also be recorded by the Bureau with the County Recorder.

(c) The Bureau hearing shall be set on a date no earlier than 20 days after the date of the mailing of the notice provided for in Subsection (b) above. At the hearing, if the facts indicate, the Bureau shall make a finding that the applicant or permittee is not a purchaser in good faith and for valuable consideration who acquired title to the property subsequent to the illegal removal or relocation of the protected tree and prior to the recordation of the notice of intent as provided for in Subsection (b) above. In the event the Bureau finds that a protected tree was removed or relocated in violation of Section 46.00 of this Code, it shall specify to the Superintendent of Building the length of time the issuance of building permits shall be withheld and whether building permits for which construction has not commenced shall be revoked. In making its determination, the Bureau shall consider the following factors: the number of trees removed or relocated, the size and age of the trees removed or relocated, the knowledge and intent of the owners of the property with respect to the removal or relocation and prior violations of law with respect to removal or relocation of protected trees. The applicant or permittee shall be notified in writing of the Bureau's determination within 30 days of the hearing.

(d) The applicant or permittee may appeal to the Board of Public Works any determination by the Bureau to request the Superintendent of Building to revoke or withhold issuance of building permits, including the length of time imposed. The appeal must be filed with the Board of Public Works within 30 days of the date of mailing of the notice of determination as provided for in Subsection (c) above. Further, any action by the Department of Building and Safety resulting from any of the provisions of this section, including building permit revocation, shall not be appealable to the Board of

Building and Safety Commissioners.

(e) Any final determination of the Bureau or the Board of Public Works on appeal, to request the Superintendent of Building to withhold issuance of building permits or to revoke a building permit, shall be forwarded to the Superintendent within ten days of the Bureau or Board's determination and shall also be set forth in an affidavit, which shall be recorded by the Bureau with the County Recorder within ten days of the Bureau or Board's determination.

Sec. 15. Subsection 5. of Section 96.303 of the Los Angeles Municipal Code is amended to read:

5. The owner must also provide a declaration under penalty of perjury that he or she has inspected the property for the existence of protected trees and the number of protected trees, if any, located on the subject property. For the purposes of this section, the definition of "protected tree" set forth in Section 46.01 this Code shall apply. The declaration shall also authorize the Bureau of Street Services within the Department of Public Works to verify this information by entry upon the subject property. A fee may be collected for any inspection required to verify the declaration. The fee shall be determined and adopted in the same manner as provided in Section 12.37 I 1 of this Code for establishing fees.

Sec. 16. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of FEB 28 2006.

FRANK T. MARTINEZ, City Clerk

By _____
Deputy

Approved MAR 13 2006

_____
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By _____
KEITH W. PRITSKER
Deputy City Attorney

Date: Feb. 8, 2006

Pursuant to Charter Section 559, **I approve** this ordinance on behalf of the City Planning Commission and recommend it be adopted . . . . . .

FEB 8, 2006

see attached report.

_____
Mark Winogrond
Interim Director of Planning

File Nos. 03-1459 and 03-1459-S1

#116278

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. **177404** - **Amending various provisions of Articles 2 and 7 of Chapter 1 and Article 6 of Chapter IV and Section 96.303.5 of the Los Angeles Municipal Code to assure the protection of, and to further regulate the removal of, protected trees** - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **February 28, 2006**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **March 14, 2006**, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on **March 14, 2006** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **14th** day of **March 2006** at Los Angeles, California.

Maria C. Rico

Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: **April 23, 2006** **Council File No.** **03-1459 & S1**

Rev. (2/21/06)

ORDINANCE NO. _____

An Ordinance amending provisions of Chapter I Article 7 and Chapter IV Article 6 of the Los Angles Municipal Code (LAMC) to expand the definition of "Protected Tree" to include the Mexican Elderberry (Sambucus Mexicana) and Toyon (Heteromeles arbutifolia).

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. Section 17.02 of Article 7 or Chapter 1 of the Los Angeles Municipal Code is amended by adding language specifying two additional shrubs to the definition of Protected Trees and shall read as follows:

Protected Tree – Any of the following Southern California native tree or shrub species, which measure four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree or shrub:

(a) Oak tree including Valley Oak (*Quercus lobate*) and California Live Oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to California but excluding the Scrub Oak (*Quercus dumosa*).

(b) Southern California Black Walnut (*Juglans California var. californica*)

(c) Western Sycamore (*Platanus racemosa*)

(d) California Bay (*Umellularia californica*)

(e) Mexican Elderberry (*Sambucus Mexicana*)

(f) Toyon (*Heteromeles arbutifolia*)

The definition shall not include any tree grown or held for sale by a licensed nursery, or trees planted or grown as part of a tree planting program.

Section 2. Section 46.01 of Article 6 of Chapter IV of the Los Angeles Municipal Code is amended by adding two shrubs to the list of Protected Trees and to the amend the definition of Protected Tree to read:

Sec. 46.01. DEFINITION.

"PROTECTED TREE" means any of the following Southern California native tree or shrub species, which measure four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree or shrub:

(a) Oak tree including Valley Oak (*Quercus lobate*) and California Live Oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to California but excluding the Scrub Oak (*Quercus dumosa*).

(b) Southern California Black Walnut (*Juglans California var. californica*)

(c) Western Sycamore (*Platanus racemosa*)

(d) California Bay (*Umellularia californica*)

(e) Mexican Elderberry (*Sambucus Mexicana*)

(f) Toyon (*Heteromeles arbutifolia*)

SAN GABRIEL/VERDUGO MOUNTAINS
Scenic Preservation

Specific Plan

Ordinance No. 175,736
Adopted December 19, 2003; Effective February 8, 2004

Specific Plan Procedures
Amended pursuant to L.A.M.C. Section 11.5.7

TABLE OF CONTENTS

SAN GABRIEL/VERDUGO MOUNTAINS
SCENIC PRESERVATION SPECIFIC PLAN

An ordinance establishing a specific plan, to be known as the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan, for areas of the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon and Sun Valley-La Tuna Canyon Community Plans.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. **ESTABLISHMENT OF THE SPECIFIC PLAN.**

The City Council hereby establishes the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (the Plan) applicable to the area of the City of Los Angeles shown within the heavy solid lines on Map No. 1 of the Plan.

Section 2. **PURPOSE.**

The San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan is intended to preserve, protect, and enhance the unique natural and cultural resources of the Plan area. The Plan accomplishes these goals by establishing four general areas of regulation:

1. *Prominent Ridgeline Protection* measures protect from grading and/or development designated Prominent Ridgelines that are visible from the Right-of-Way (ROW) of any of the Scenic Highways listed in Section 4.

2. *Biological Resource Protection* measures protect oak trees and help protect unique native plant communities of the Specific Plan area.

3. *Scenic Highway Corridors Viewshed Protection* measures establish standards for site design, landscaping (including parking lot landscaping), and signage to assure that the design of projects and related improvements within designated scenic highway corridors preserve, complement and/or enhance the views from these corridors.

4. *Equinekeeping District Standards, Equestrian Trails, and Domestic Livestock* measures: define minimum standards for subdivisions located within existing and future "K" Equinekeeping Districts within the Plan area; provide for the designation and development of existing and future equestrian trails; re-establish the right of property owners to keep domestic livestock in conjunction with residential uses in the RE40 zone, and protect non-conforming equine uses in "K" Districts in order to preserve the historic use of the area for equestrian and domestic livestock.

Section 3. **SPECIFIC PLAN APPLICATION.**

A. The regulations of this Specific Plan are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the Los Angeles Municipal Code (L.A.M.C.) and any other relevant ordinance and do not convey any rights or privileges not otherwise contained therein, except as specifically provided for herein.

B. Wherever this Specific Plan contains provisions regarding grading, building height, landscaping, signage, biological resources, and/or density that are more restrictive, or equinekeeping and domestic livestock provisions that are less restrictive than provisions contained elsewhere in Chapter 1 of the L.A.M.C., this Specific Plan shall prevail and supersede the other applicable provisions of that Code.

C. It is the intent of this Specific Plan that provisions regarding grading and development contained in the Slope Density Ordinance (L.A.M.C. 17.05 C), the Hillside Ordinance (L.A.M.C. 12.21 A 17) and the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan including, but not limited to, Footnotes 4 and 7 shall apply to areas within the Specific Plan boundaries that are not within Prominent Ridgeline Protection Areas.

D. The provisions of this Specific Plan shall not apply to any Project where one or more of the following discretionary approvals initiated by application of the property owners or their representatives, and subject of a public hearing, was granted on or before July 25, 2002 and is still valid at the time an application for a building permit is filed: zone change, height district change, conditional use, variance, tract map, vesting tentative tract map, parcel map, or private street map. This exception shall include, but not be limited to, the following vested discretionary approvals:

CPC 96-0243 CU (Redtail Golf Course)
Vesting Tract Map 46493, CPC 88-0553 ZC (Dale Poe Development)
Vesting Tract Map 48754, CPC 91-0284 ZC (Duke Development/Hillview Estates)

Tract No. 47357 (Wheatland Ave.)
Tentative Tract No. 52642, CPC 98-0353 ZC
ZA 99-0786 (CUZ)(SPR) (9900 Foothill Blvd., All Nations Church)
ZA 1982-39 (CUZ) (6433, 6401 La Tuna Canyon Road, Verdugo Hills Golf Course)

E. Corrective grading as determined by the Department of Building and Safety shall be exempt from the provisions of this Specific Plan.

F. Maintenance of existing Governmental or Public Facilities, which traverse identified Prominent Ridgeline Protection Areas, shall be exempt from the provisions of this Specific Plan.

Section 4. **DEFINITIONS.**

Whenever the following terms are used in this Specific Plan, they shall be construed as defined in this section. Words and phrases not defined here shall be construed as defined in L.A.M.C. Sections 12.03, 91.6203 and 91.0401, if defined in those sections.

Governmental or Public Facilities. Capital improvements and/or buildings or structures primarily related to the operation of City, County, State or Federal governments, including, but not limited to, streets, police and fire stations, governmental operated parking lots, government offices, government equipment yards, sanitation facilities, public schools, parks and similar facilities in or through which general government operations are conducted. Private commercial or industrial activities pursuant to lease agreements on public lands shall not be considered Governmental or Public facilities.

Illuminated Canister Wall Signs. A sign with text, logos and/or symbols that is placed on the face of an enclosed cabinet attached to a building. The face may be translucent or opaque and is illuminated internally or externally.

Landform Grading. A series of hillside site contouring technologies and an approach to subdivision design used to make new developments compatible with the natural characteristics of the land.

Landform Grading Manual. A document adopted by the City Council in June 1983, which describes landform grading techniques and is used by the Advisory Agency in reviewing applications for subdivision approvals.

Non-Public Equestrian Trails. Unimproved trails over private property as shown on Map No. 4 of this Plan in which the public may possibly have a prescriptive easement.

Official Equestrian Trail. Existing trails that are established under legal easement and those that are designated for future dedication as shown on Map No. 3.

Project.

1. The construction, erection, addition to, or structural alteration of any building or structure within the Plan area;

2. Any grading which requires the issuance of a grading permit;

3. The construction, erection, addition to, or structural alteration of any building or sign on a lot located within a designated Scenic Highway Corridor; or

4. The subdivision of land requiring a tentative, vesting tentative, final, and/or parcel map on a lot located in whole or in part:

   (a) Within a Prominent Ridgeline Protection Area or a portion of that area,

   (b) Within an Equinekeeping District, or

   (c) Where the average natural slope is 15% or more.

Exceptions:

1. The term project shall not include interior remodeling or exterior remodeling unless the remodeling would result in an increase in:

   (a) Building height or floor area, or

   (b) Required parking spaces pursuant to L.A.M.C. Section 12.21.

2. The construction, erection, addition to, or structural alteration of a single family home on an existing Site that is: less than 20,000 square feet, not located, in whole or in part, within a Prominent Ridgeline Protection Area, and not located within an Equinekeeping District, shall only be required to comply with Sections 6 A 3 and 8 C of the Plan, if applicable.

Prominent Ridgeline. A mountain ridge as shown on Map No. 2, that has significant aesthetic quality as a scenic resource, defines a region or is unique and visually prominent as determined by the Director of Planning or the Advisory Agency. Prominent Ridgelines are identified by a line connecting the series of elevation points running through the center of the

long axis of the ridge, including endpoint elevations, which are provided to indicate the approximate terminus of the Prominent Ridgeline.

Prominent Ridgeline Protection Area. The area 60 vertical feet from any point along the long axis of the crest of a Prominent Ridgeline and designated on Map No. 2 as a shaded area. Final determination of the Prominent Ridgeline Protection Area is made by the Director of Planning or the Advisory Agency using a topographic survey provided by the applicant as part of any Project Permit Compliance Review or subdivision action.

Right-of-Way (ROW). The dedicated area along either side of roadways including equestrian trails and/or sidewalks, whether or not the roadway is fully improved to the applicable standard.

Sandwich Board. A small portable sign consisting of two sign faces, which connect at the top and extend outward at the bottom of the sign.

Scenic Highways. Highways within the City of Los Angeles, which merit special controls for protection and enhancement of scenic resources, as designated by the Transportation Element of the General Plan (Adopted September 8, 1999), the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan, and the Sun Valley-La Tuna Canyon Community Plan (land use elements of the City's General Plan, adopted March 23, 1999 and March 15, 2000, respectively), as shown on Map No. 1 of this Specific Plan as listed below:

(a) Big Tujunga Canyon Road (Oro Vista Avenue to City Limits);

(b) Foothill Boulevard (Wentworth Street to Osborne Street);

(c) Foothill (210) Freeway (Osborne Street to City Limits);

(d) La Tuna Canyon Road (Sunland Boulevard to City Limits);

(e) Sunland Boulevard (La Tuna Canyon Road to Foothill (210) Freeway);

(f) Wentworth Street (Foothill Boulevard to Sheldon Street).

Scenic Highway Corridor. The area extending 500 feet on either side of the centerline of the roadway of each of the Scenic Highways.

Site. Any lot or parcel of land, or contiguous combination of lots or parcels, under the same ownership located in whole or in part within the Specific Plan area.

Staging Area. An area adjacent to, or accessible from, a roadway or trail, which, may provide parking areas for cars and horse trailers, drinking water

facilities, picnic tables, and/or an access point to a trail system and as shown on Map No. 1.

Visible. Able to be seen from the ROW of any of the Scenic Highways as determined by the Director of Planning or the Advisory Agency.

Vista Point. An area in an existing or future ROW of a Scenic Highway as shown on Map No. 1, which has exceptional hillside area views and is set aside for public use.

Section 5. **PROJECT PERMIT COMPLIANCE.**

A. The Department of Building and Safety shall not issue a grading, building, or sign permit for a Project on a Site located in whole or in part within this Specific Plan area unless a Project Permit Compliance Review has first been obtained pursuant to this section and L.A.M.C. Section 11.5.7 C.

B. An application for Project Permit Compliance shall be accompanied by architectural plans including: site plans (with topography), elevations and site photos that show the proposed Project as viewed from the ROW of all the Scenic Highways from which the Project may be \/isible.

C. Final determination of the Prominent Ridgeline Protection Areas shall be made (on a case by case basis) by the Director of Planning as part of the Project Permit Compliance or by the Advisory Agency as part of any subdivision action, provided that any final determination shall be consistent with the applicable Prominent Ridgeline(s) shown on Map No. 2 as adopted by City Council.

Section 6. **PROMINENT RIDGELINE PROTECTION.**

A. Protection Measures.

Application of the following protection measures to a Project shall be determined by the Director of Planning or the Advisory Agency.

1. No Project may be constructed within any Prominent Ridgeline Protection Area or portion of the area except as permitted pursuant to Section 6 B.

2. No Project shall be constructed so that the highest point of the roof, structure, or parapet wall, is less than 25 vertical feet from the designated Prominent Ridgeline directly above the highest point of the building or structure.

3. Where Prominent Ridgeline Protection Areas are shown on only one side of a ridge line, buildings or structures built on the portion of the Site without Prominent Ridgeline Protection Areas shall not be allowed to break the silhouette of the applicable protected ridge.

4. No grading or berming shall occur that alters the elevation of the crest of the Prominent Ridgeline on the Site.

5. Graded slopes should be Landform Graded where practical in accordance with the provisions of the Department of City Planning's Landform Grading Manual. In order to create slopes that reflect as closely as possible the surrounding natural hills, graded hillsides should have a variety of slope ratios, should not exceed a ratio of 2:1, and should transition to the natural slope in a manner that produces a natural appearance.

6. No native vegetation shall be removed within any Prominent Ridgeline Protection Area, except for driveways, building footprints and any required equine pad or stable areas, or as necessary to meet fire safety and brush clearance regulations, to develop recreational trails, or for landscaping associated with residential lots.

7. No fire pits, picnic tables, or other similar structures associated with residential lots shall be located within any Prominent Ridgeline Protection Area unless they are screened so that they are not visible from the ROW of any of the Scenic Highways.

8. Where the provisions of Subsection A (1) above necessitate preserving a portion of the Site in an undeveloped state, the Advisory Agency in approving an application pursuant to L.A.M.C. Section 17.00, *et seq.* where the map contains a Prominent Ridgeline Protection Area, shall permit the portion of the total allowable number of dwelling units (per L.A.M.C. Section 17.05) that otherwise would be permitted within the Prominent Ridgeline Protection Area to be located on other portions of the Site with less than a 15% slope, unless such property does not have sufficient area below 15% slope. No increase in the maximum number of dwelling units beyond what is allowed by L.A.M.C. Section 17.05 shall be permitted, and where lot averaging is used, no lot having less than 20,000 square feet shall be created. The determination of density, adequate access, fire, and safety provisions shall be made by the Advisory Agency, in consultation with the Bureau of Engineering and Fire Department as part of the subdivision action.

B. Exceptions.

Notwithstanding the provisions of Subsection A above, a Project may encroach into the Prominent Ridgeline Protection Area where it can be demonstrated that:

1. Compliance with the provisions of Subsections A (1) and (2) above, would result in greater impact on existing natural terrain and landscape than would alternative building locations on the same Site, if the Director finds that:

(a) The lot was legally existing before the effective date of the Specific Plan, as evidenced by a recorded Tract or Parcel Map or by a Certificate of Compliance; and

(b) All or most of the Prominent Ridgeline remains undisturbed; and

(c) The Project incorporates design elements that consider the natural terrain, utilizes a minimum of grading, and protects streams and oak trees *(Quercus agrifolia, Q. lobata)* to the extent feasible; and

(d) The Project is placed or constructed to preclude silhouettes against the skyline above the Prominent Ridgeline on the Site.

2. The Prominent Ridgeline Protection Area or a portion of the Area is not visible from the ROW of any of the Scenic Highways, and the Project is placed or constructed to preclude silhouettes against the skyline above the Prominent Ridgeline on the Site.

3. Compliance with Subsections A (4) and (5) above would:

(a) Substantially restrict access to a substantial portion of a Site;

(b) Create a land-locked Site; or

(c) Result in a greater impact on the existing natural terrain and landscape than would alternative access ways, then a street or private street and related improvements may be allowed to cross a Prominent Ridgeline Protection Area in accordance with the applicable regulations in the L.A.M.C., if the following findings are made by the Advisory Agency:

i. That the proposed street or private street is located in a manner that protects the most valuable scenic resources on the Site. The "most valuable scenic resources" shall include, but not be limited to, significant natural drainage

areas located within the applicable Prominent Ridgeline Protection Area, or the highest and/or most visible ridgelines that comprise the applicable Prominent Ridgeline Protection Area on the Site, as seen from the ROW of any of the Scenic Highways.

ii. That the proposed street or private street is located in a manner that reduces grading, and/or uses balanced grading methods.

Section 7. **EQUINE DISTRICT PROTECTION.**

A. Equinekeeping District Standards.

The following requirements shall apply only to applications pursuant L.A.M.C. Section 17.00, *et seq.,* within existing and future "K" Equinekeeping Supplemental Use Districts located in the Specific Plan area. The developer/applicant shall provide and/or meet the following standards, to the satisfaction of the Advisory Agency:

1. Minimum Lot Area. Notwithstanding L.A.M.C. Section 17.05 H, the minimum required lot area for new subdivisions on Sites designated Minimum by the Sunland-Tujunga-Lakeview Terrace-Shadow Hills-East La Tuna Canyon and/or the Sun Valley-La Tuna Canyon Community Plan, shall be 40,000 square feet. On Sites designated Very Low I by the Sunland-Tujunga-Lakeview Terrace-Shadow Hills-East La Tuna Canyon or Very Low by the Sun Valley-La Tuna Canyon Community Plan, the minimum required lot area for new subdivisions shall be 20,000 square feet. However, under no circumstances shall a lot be created having less than 20,000 square feet.

2. Equine Pad and Stable Areas.

(a) Each lot within "K" Equinekeeping Supplemental Use Districts located in the Specific Plan area shall contain a level equine pad area on a minimum of 2,000 contiguous square feet with a minimum width of 24 feet and an equine stable area on a minimum 12 by 24 foot area.

(b) These required stable and pad areas shall be graded to permit quick and adequate drainage and shall exclude the areas for any required side yards. No permanent structures, including but not limited to, swimming pools and tennis courts, shall be constructed or located within any portion of the required equine stable or pad areas.

(c) A vehicular access path with a minimum width of 12 feet shall be located on the same side of the lot as the driveway. Adequate area shall be provided for parking equine trailers.

B. Non-conforming Equine Uses in the Equinekeeping Districts.

Notwithstanding the provisions of the L.A.M.C. Section 13.05 C(8) to the contrary, on lots within "K" Equinekeeping Districts within the Specific Plan area, where at least one licensed equine is stabled on or after July 25, 2002, a non-conforming equine use shall not be lost, even if, during a successive three year period, no equine is licensed by the Department of Animal Regulation to be stabled on the subject lot.

C. Equestrian Trail System: Easements, Improvements and Future Dedications.

1. Official Equestrian Trails. As part of any approval for a division of land pursuant L.A.M.C. Section 17.00, *et seq.,* for Projects over which an Official Equestrian Trail is either designated or existing, the Advisory Agency shall require formal dedication for a public easement for equestrian trail purposes if the following findings can be made:

(a) That the trail provides access not provided by other dedicated public equestrian trails in the vicinity; and

(b) That the trail connects to existing dedicated public equestrian trails; and

(c) That the trail will not prevent use of the parcel for residential purposes. The course of the trail may be altered to maximize land use as long as the altered course is safe and maintains trail continuity; and

(d) That the trail benefits the residents of the subdivision by providing a linkage from the subdivision to existing dedicated public equestrian trails.

2. Non-Public Equestrian Trails. As part of any discretionary approval for a division of land pursuant L.A.M.C. Section 17.00, *et seq.*, for a Project over which a Non-Public Equestrian Trail is shown on Map No. 4, the Advisory Agency may require dedication where a prescriptive right of access has been established. This will not prevent the subdivider from offering an easement to the satisfaction of the Advisory Agency. An applicant for a lot line adjustment may also voluntarily propose an easement to the satisfaction of the Advisory Agency.

3. **Equestrian Safe Crosswalks and Signals.** A crosswalk that allows a rider to activate the signal without dismounting shall be required as part of any future roadway improvement program at the following intersections: Sunland Boulevard and Wornum Avenue; Mt. Gleason and Big Tujunga Canyon Road; and Wentworth Street and Wheatland Avenue. The Advisory Agency, following consultation with appropriate City agencies, may add signals where it has been determined to be needed for the safe separation of vehicles and equestrians.

4. **Staging Areas.** Vista points and Staging Areas shown on privately owned properties are intended as a guide for the Advisory Agency.

   The City, as part of any future street improvement program within the public ROW, to the extent physically and financially feasible, shall improve the Staging Area consistent with this subdivision. The Staging Area should provide, wherever appropriate and feasible: parking for five or more cars (with at least one parking space identified for use by disabled persons), a parking area for equine trailers, and a bicycle rack for three or more bicycles. The area should contain drinking water, a watering trough, hitching posts, a designated picnic area with picnic tables, and a trash receptacle (smooth finish concrete, earth-tone color). The area shall be landscaped with native plant materials, irrigated by a drip system, have low level lighting, and have an interpretive sign permanently installed on a stone base, which illustrates and describes points of interest and any relevant archaeological, cultural, or ecological characteristics.

Section 8. GENERAL DEVELOPMENT STANDARDS.

The following regulations shall apply to all new projects within the Specific Plan area. Application of the following general development standards to a Project shall be determined by the Director of Planning or the Advisory Agency.

A. **Slope Density.** In acting on an application pursuant to L.A.M.C. Section 17.00, *et seq.,* for those Sites that are designated as Very Low I, Very Low II and Minimum density and are not located in whole or in part in a Prominent Ridgeline Protection Area, where the average natural slope of the Site is 15% or more, the Advisory Agency shall calculate the total allowable number of dwelling units pursuant to L.A.M.C. Section 17.05 C, *et seq.* Where feasible, the Advisory Agency shall require that the lots be situated on portions of the Site with less than a 15% slope unless the Site does not have sufficient area below the 15% slope portion of the Site.

B. Oak Trees. Notwithstanding L.A.M.C. Section 46.00 to the contrary, no oak tree *(Quercus agrifolia, Q. lobata)* of eight inches or more as measured four and one-half feet above the ground level at the base of the tree shall be removed, cut down or moved without the prior written approval of the Director or the Advisory Agency on lots 20,000 square feet or larger. The Director or the Advisory Agency may approve the removal, cutting down or moving of an oak tree if one of the following findings can be made:

1. It is necessary to remove the oak tree because its continued existence at its present location prevents the reasonable development of the subject property; or

2. The oak tree shows a substantial decline from a condition of normal health and vigor, and restoration, through appropriate and economically reasonable preservation procedures and practices, is not advisable (as evidenced by an oak tree report); or

3. Because of an existing and irreversible adverse condition of the oak tree, the tree is in danger of falling, notwithstanding the tree having been designated an Historical Monument or as part of an Historic Preservation Overlay Zone; or

4. The presence of the oak tree interferes with utility services and roadways within or without the subject property and the only reasonable alternative to the interference is the removal of the tree; or

5. It has no apparent aesthetic value that will contribute to the appearance and design of the surrounding properties, or is not located with reference to other trees or monuments in such a way as to acquire a distinctive significance at that location.

If an approval to remove an oak tree has been obtained from the Director or Advisory Agency, no further approval is required from the Board of Public Works.

C. Prohibited Plant Materials. The following plant materials shall be prohibited within the Plan area for all new Projects (as defined in Section 4):

Acacia	green wattle
Ailanthus altissima	tree of heaven
Arundinaria pygmaea	
Arundo donax	giant reed
Atriplex semibaccata	Australia saltbush
Avena spp.	wild oats
Brassica spp. (non-native)	mustard

Bromus rubens	red brome
Centranthus ruber	Jupiter's beard
Cypressus sempervirens	Italian cypress
Cortaderia jubata	pampas grass
Cortaderia sellowiana	pampas grass
Cytisus canariensis	Canary Island broom
Cytisus scoparius	Scotch broom
Cytisus spachianus (Genista racemosa)	broom
Erodium botrys	storksbill
Erodium cicutarium	storksbill
Erodium cygnorum	storksbill
Erodium malacoides	storksbill
Erodium moschatum	storksbill
Eucalytpus globulus	blue gum
Lolium perenne	perennial ryegrass
Malva parvifolia	cheeseweed
Pennisetum setaceum	fountain grass
Ricinus communis	castor bean
Robinia pseudoacacia	black locust
Schinus molle	California pepper
Schinus terebinthefolius	Brazilian pepper
Spartium junceum	Spanish broom
Tamarix sp.	salt cedar
Vulpia megalura	foxtail fescue
	palm

D. Domestic Livestock. Within the Specific Plan area, for property in the RE40 zone, notwithstanding the provisions of L.A.M.C. Section 12.07.01 A (3), the keeping of equines, bovines, goats or other domestic livestock (other than swine), poultry, fowl, rabbits, chinchillas, and other small animals, shall be allowed in conjunction with the residential use of the lot provided that the activities are not for commercial purposes.

Section 9. SCENIC HIGHWAY CORRIDORS VIEWSHED PROTECTION.

The following regulations shall apply to all new Projects located within a Scenic Highway Corridor. Where only a portion of a lot or parcel is located within a Scenic Highway Corridor, these regulations shall apply to that portion. Application of the following scenic corridor viewshed protection measures to a Project shall be determined by the Director of Planning or the Advisory Agency.

A. Building Height. The maximum height of any new building or structure, including additions, that is Visible from the ROW of a Scenic Highway shall be 30 feet as defined in L.A.M.C. Section 12.03. However, in no

circumstances, shall the building height exceed that allowed by the existing Height District.

B. Commercial and Industrial Development Standards.

1. **Exterior Lighting.** All exterior light fixtures shall be shielded to minimize the illumination of adjacent properties and to reduce glare. Floodlighting of buildings and parking lot areas is prohibited.

2. **Roofs and Roof-Mounted Structures.** All new roofs shall be surfaced with non-glare material. With the exception of solar energy devices, all roof-mounted structures and equipment shall be completely screened from view from the ROW of the adjacent Scenic Highway. Screening materials shall be of a finish quality and shall be compatible with the materials and color of the building; chain link fencing shall not be used for screening purposes.

3. **Underground Utilities.** Where feasible, all new utilities shall be placed underground.

4. **Fencing, Gate Materials, and Walls.** Where feasible, natural fencing and wall materials (e.g., wood, stone, brick) shall be used. Chain-link fencing that is brown or green in color shall be permitted and shall be landscaped with appropriate vines or other vegetation to screen the appearance of the fence. For safety and security purposes, the use of plant materials for screening shall be evaluated to insure any necessary visual access. The use of concertina wire and barbed wire is expressly prohibited.

5. **Landscaping.** For any new Project, landscaping shall be designed to minimize the visual impacts of the Project as seen from the ROW of any of the Scenic Highways. All landscape plans shall be prepared by a state licensed Landscape Architect or Architect and are subject to review and approval by the Director of Planning.

6. **Landscaped Setbacks.** On all sites used for commercial or industrial purposes there shall be a landscaped setback of not less than five feet along any common property line with a Scenic Highway. The required landscaped setback shall be planted with 15-gallon shade trees, 5-gallon shrubs, and ground coverings at a minimum ratio of one tree and four shrubs per 24 feet of linear street frontage. The entire setback area shall be irrigated with an automatic sprinkler system.

7. **Parking Lot Design.** The following standards shall apply to all new commercial and industrial Projects that include a surface parking lot located adjacent to a Scenic Highway.

(a) A 3½ foot high, decorative masonry wall shall be constructed at the rear of the required landscaped setback area.

(b) One 24-inch box shade trees shall be planted for each four surface parking lot spaces. Trees shall be distributed throughout the parking lot. All landscaped areas shall be irrigated with either an automatic sprinkler or drip irrigation system.

(c) Bicycle Racks. Projects that require 20 or more surface parking spaces shall incorporate a bicycle rack with a minimum capacity to hold five bicycles. The rack shall be located no farther than the distance from a main entrance of the building to the nearest off-street automobile parking space.

8. Pedestrian Access (Parking Areas). Projects that require 20 or more surface parking spaces shall incorporate dedicated pedestrian pathways to facilitate ease of pedestrian travel from parking areas to business entrances. These pathways shall be distinguished from vehicle parking areas by the use of decorative paving materials and landscaping.

C. Signs.

1. Permitted Signs.

(a) Monument Signs. Monument signs shall comply with the requirements of L.A.M.C. Section 91.6208 pertaining to height, area, location, shape, projection, and construction, except as set forth below.

i. No more than one monument sign shall be permitted for each street frontage of a Site.

ii. Monument signs shall be either externally lit, or have individual letters/logos that are internally illuminated. Individual letters/logos shall not cover more than 40 percent of each face of a monument sign.

iii. Notwithstanding L.A.M.C. Section 91.6208.3 to the contrary, no monument sign (including supporting base/foundation) may exceed six feet in height above sidewalk grade or edge of roadway grade nearest the sign.

iv. Monument sign materials shall be consistent and compatible with the existing/proposed structure.

v. Monument base materials. Where appropriate, the base of any new monument sign shall be rustic in nature (*e.g.*, river rock, textured natural colored concrete).

vi. A fully irrigated landscaped area equal to or greater in area than two times the area of one face of the sign and distributed equally around the base of the sign shall be provided.

(b) Wall Signs.

i. Area. The combined sign area of all wall signs facing a street shall not exceed the limits set forth in L.A.M.C. Section 91.6210.1.

ii. Number. No more than one wall sign shall be permitted for each tenant of a building frontage that maintains a permanent public entrance from that Scenic Highway.

iii. No wall sign shall project from the building face more than 12 inches.

(c) Projecting Signs. Projecting signs shall comply with the requirements of L.A.M.C. Section 91.6209 pertaining to height, area, location, shape, projection, and construction.

(d) Window Signs. Window signs shall comply with the requirements of L.A.M.C. Section 91.6214 pertaining to height, area, location, shape, projection, and construction.

(e) Temporary Signs. Temporary sings shall comply with the requirements of L.A.M.C. Section 91.6216 pertaining to height, area, location, shape, projection, and construction.

2. Prohibited Signs. The following signs shall be prohibited. Further, no signs shall be allowed in public rights-of-way including sidewalks and multi-use trails.

(a) Animated or rotating signs.

(b) Balloons, blimps, and inflatable signs.

(c) Commercial Flags, pennants, streamers or super graphics signs.

(d) Flashing or neon signs.

(e) Illuminated canister wall sign.

(f) Illuminated architectural canopy signs.

(g) Pole signs.

(h) Roof signs (includes signs painted on roof materials).

(I) Sandwich boards.

(j) Off-Site signs.

D. Improvements to City-Owned Public Rights-of-Way. As part of any future street improvement program, to the extent it is physically and financially feasible, two Vista Points shall be constructed as designated on Map No. 1 of this Specific Plan in the vicinity of La Tuna Canyon Road on the north side approximately ½ mile west of its under-crossing with the Foothill (210) Freeway and on Wheatland Avenue at the base of the off-ramp from the eastbound Foothill (210) Freeway.

Vista Points shall be improved consistent with this subsection. The Vista Points shall be landscaped with native plant materials irrigated by drip system and contain a trash receptacle (smooth finish concrete, earth-tone color) and an interpretive sign that is permanently installed on a stone base and illustrates and describes points of interest including any relevant archaeological, cultural, or ecological characteristics of the area.

Section 10. **SEVERABILITY.**

If any provision of this Specific Plan or the application of the provision to any person, property or circumstances, is held invalid, the remainder of this Specific Plan or the application of the provisions to other persons, property or circumstances shall not be affected.

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Updated May 2003

COUNTY OF LOS ANGELES OAK TREE ORDINANCE

22.56.2050 Established -- Purpose.

The oak tree permit is established (a) to recognize oak trees as significant historical, aesthetic and ecological resources, and as one of the most picturesque trees in Los Angeles County, lending beauty and charm to the natural and manmade landscape, enhancing the value of property, and the character of the communities in which they exist; and (b) to create favorable conditions for the preservation and propagation of this unique, threatened plant heritage, particularly those trees which may be classified as heritage oak trees, for the benefit of current and future residents of Los Angeles County. It is the intent of the oak tree permit to maintain and enhance the general health, safety and welfare by assisting in counteracting air pollution and in minimizing soil erosion and other related environmental damage. The oak tree permit is also intended to preserve and enhance property values by conserving and adding to the distinctive and unique aesthetic character of many areas of Los Angeles County in which oak trees are indigenous. The stated objective of the oak tree permit is to preserve and maintain healthy oak trees in the development process. (Ord. 88-0157 § 1, 1988: Ord. 82-0168 § 2 (part), 1982.)

22.56.2060 Damaging or removing oak trees prohibited -- Permit requirements.

A. Except as otherwise provided in Section 22.56.2070, a person shall not cut, destroy, remove, relocate, inflict damage or encroach into a protected zone of any tree of the oak genus which is (a) 25 inches or more in circumference (eight inches in diameter) as measured four and one-half feet above mean natural grade; in the case of an oak with more than one trunk, whose combined circumference of any two trunks is at least 38 inches (12 inches in diameter) as measured four and one half feet above mean natural grade, on any lot or parcel of land within the unincorporated area of Los Angeles County, or (b) any tree that has been provided as a replacement tree, pursuant to Section 22.56.2180, on any lot or parcel of land within the unincorporated area of Los Angeles County, unless an oak tree permit is first obtained as provided by this Part 16.

B. "Damage," as used in this Part 16, includes any act causing or tending to cause injury to the root system or other parts of a tree, including, but not limited to, burning, application of toxic substances, operation of equipment or machinery, or by paving, changing the natural grade, trenching or excavating within the protected zone of an oak tree.

C. "Protected zone," as used in this Part 16, shall mean that area within the dripline of an oak tree and extending therefrom to a point at least five feet outside the dripline, or 15 feet from the trunks of a tree, whichever distance is greater. (Ord. 88-0157 § 2, 1988: Ord. 82-0168 § 2 (part), 1982.)

22.56.2070 Exemptions from Part 16 applicability.

The provisions of this Part 16 shall not apply to:

A. Any permit, variance or tentative map for a subdivision, including a minor land division,

approved prior to the effective date of the ordinance codified in this Part 16 by the board of supervisors, regional planning commission or the planning director;

B. Cases of emergency caused by an oak tree being in a hazardous or dangerous condition, or being irretrievably damaged or destroyed through flood, fire, wind or lightning, as determined after visual inspection by a licensed forester with the department of forestry

and fire warden;

C. Emergency or routine maintenance by a public utility necessary to protect or maintain an electric power or communication line or other property of a public utility;

D. Tree maintenance, limited to medium pruning of branches not to exceed two inches in diameter in accordance with guidelines published by the National Arborists Association, (see Class II), intended to insure the continued health of a protected tree;

E. Trees planted, grown and/or held for sale by a licensed nursery;

F. Trees within existing road rights-of-way where pruning is necessary to obtain adequate line-of-sight distances and/or to keep street and sidewalk easements clear of obstructions, or to remove or relocate trees causing damage to roadway improvements or other public facilities and infrastructure within existing road rights-of-way, as required by the Director of Public Works. (Ord. 93-0018 § 1, 1993; Ord. 88-0157 § 3, 1988; Ord. 82-0168 § 2 (part), 1982.)

22.56.2080 Application -- Filing -- Repeated filings.

Any person desiring an oak tree permit, as provided for in this Title 22, may file an application with the director, except that no application shall be filed or accepted if final action has been taken within one year prior thereto by the hearing officer or director or the commission on an application requesting the same or substantially the same permit. (Ord. 85-0195 § 12 (part), 1985; Ord. 82-0168 § 2 (part), 1982.)

22.56.2090 Application -- Information and documents required.

An application for an oak tree permit shall include the following information and documents:

A. The name and address of the applicant and of all persons owning any or all of the property proposed to be used;

B. Evidence that the applicant:
   1. Is the owner of the premises involved, or
   2. Has written permission of the owner or owners to make such application;

C. Location of subject property (address or vicinity);

D. Legal description of the property involved;

E. 1. A site plan drawn to a scale satisfactory to, and in the number of copies prescribed by the director, indicating the location and dimension of all of the following existing and proposed features on the subject property:
      a. Lot lines,
      b. Streets, highways, access and other major public or private easements,
      c. Buildings and/or structures, delineating roof and other projections,
      d. Yards,
      e. Walls and fences,
      f. Parking and other paved areas,
      g. Proposed areas to be landscaped and/or irrigated,
      h. Proposed construction, excavation, grading and/or landfill. Where a change in grade is proposed, the change in grade within the protected zone of each plotted tree shall be specified,
      i. The location of all oak trees subject to this Part 16 proposed to be removed and/or relocated, or within 200 feet of proposed construction,

grading, landfill or other activity. Each tree shall be assigned an identification number on the plan, and a corresponding permanent identifying tag shall be affixed to the north side of each tree in the manner prescribed by Section 22.56.2180. These identifications shall be utilized in the oak tree report and for physical identification on the property where required. The protected zone shall be shown for each plotted tree,

j. Location and size of all proposed replacement trees,

k. Proposed and existing land uses,

l. Location of all surface drainage systems,

m. Other development features which the director deems necessary to process the application,

2. Where a concurrent application for a permit, variance, zone change, tentative map for a subdivision, including a minor land division or other approval, is filed providing the information required by this subsection E, the director may waive such site plan where he deems it unnecessary to process the application;

F. 1. An oak tree report, prepared by an individual with expertise acceptable to the director and county forester and fire warden, and certified to be true and correct, which is acceptable to the director and county forester and fire warden, of each tree shown on the site plan required by subsection E of this section, which shall contain the following information:

a. The name, address and telephone number during business hours of the preparer,

b. Evaluation of the physical structure of each tree as follows:

i. The circumference and diameter of the trunk, measured four and one-half feet above natural grade,

ii. The diameter of the tree's canopy, plus five feet, establishing the protected zone,

iii. Aesthetic assessment of the tree, considering factors such as but not limited to symmetry, broken branches, unbalanced crown, excessive horizontal branching,

iv. Recommendations to remedy structural problems where required,

c. Evaluation of the health of each tree as follows:

i. Evidence of disease, such as slime flux, heart rot, crown rot, armillaria root fungus, exfoliation, leaf scorch and exudations,

ii. Identification of insect pests, such as galls, twig girdler, borers, termites, pit scale and plant parasites,

iii. Evaluation of vigor, such as new tip growth, leaf color, abnormal bark, deadwood and thinning of crown,

iv. Health rating based on the archetype tree of the same species,

v. Recommendations to improve tree health, such as insect or disease control, pruning and fertilization,

d. Evaluation of the applicant's proposal as it impacts each tree shown on the site plan, including suggested mitigating and/ or future maintenance measures where required and the anticipated effectiveness thereof,

e. Identification of those trees shown on the site plan which may be classified as heritage oak trees. Heritage oak trees are either of the following: any oak tree measuring 36 inches or more in diameter,

measured four and one-half feet above the natural grade; any oak tree having significant historical or cultural importance to the community, notwithstanding that the tree diameter is less than 36 inches,

f. Identification of any oak tree officially identified by a county resource conservation district.

2. The requirement for an oak tree report may be waived by the director where a single tree is proposed for removal in conjunction with the use of a single-family residence listed as a permitted use in the zone, and/or such information is deemed unnecessary for processing the applications;

G. The applicant shall provide an oak tree information manual prepared by and available from the forester and fire warden to the purchasers and any homeowners' association. (Ord. 88-0157 § 4, 1988: Ord. 82-0168 § 2 (part), 1982.)

22.56.2100 Application -- Burden of proof.

A. In addition to the information required in the application by Section 22.56.2090, the application shall substantiate to the satisfaction of the director the following facts:

1. That the proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property; and

2. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and

3. That in addition to the above facts, at least one of the following findings apply:

a. That the removal or relocation of the oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:

i. Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or

ii. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or

b. That the oak tree(s) proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s), or

c. That the condition of the oak tree(s) proposed for removal with reference to seriously debilitating disease or danger or falling is such that it cannot be remedied through reasonable preservation procedures

and practices;

4. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure;

B. For purposes of interpreting this section, it shall be specified that while relocation is not prohibited by this Part 16, it is a voluntary alternative offering sufficient potential danger to the health of a tree as to require the same findings as removal. (Ord. 88-0157 § 5, 1988; Ord. 82-0168 § 2 (part), 1982.)

22.56.2110 Application -- Filing fee.

When an application for an oak tree permit is filed, it shall be accompanied by the filing fee as required in Section 22.60.100. (Ord. 82-0168 § 2 (part), 1982.)

22.56.2120 Application -- Denial for lack of information.

The director may deny without further action an application requesting an oak tree permit if such application does not contain the information required by this Part 16. The director may permit the applicant to amend the application. (Ord. 82-1068 § 2 (part), 1982.)

22.56.2130 Application -- Notice requirements.

Notification pertaining to an application for an oak tree permit shall be provided as follows:

A. Where an application for a permit, variance, zone change or tentative map for a subdivision, including a minor land division, is concurrently filed, notice that an oak tree permit will also be considered shall be included in required legal notices for such permit, variance, zone change or tentative subdivision map;

B. 1. Where no concurrent application is filed as provided in subsection A of this section and except as otherwise expressly provided in subsection C, the director not less than 20 days before the date of public hearing shall cause notice of such filing to be published once in a newspaper of general circulation in the county of Los Angeles available in the community in which such oak tree permit is proposed.

2. Such notices shall include the statement: "Notice of Oak Tree Permit Filing." Also included shall be information indicating the location of the subject property (address or vicinity), legal description of the property involved, the applicant's request, and the time and place of the proposed public hearing. The notice shall also provide the address and telephone number of the department of regional planning, and state that the department may be contacted for further information;

C. Notwithstanding the other provisions of this section, publishing shall not be required where removal or relocation of not more than one tree is proposed in conjunction with the use of a single-family residence listed as a permitted use in the zone. (Ord. 88-0157 § 6, 1988: Ord. 82-0168 § 2 (part), 1982.)

22.56.2140 Review of oak tree report by county forester and fire warden.

A. On receipt of an application for an oak tree permit, the director shall refer a copy of the applicant's oak tree report as required by Section 22.56.2090 to the county forester and fire warden. The county forester and fire warden shall review said report for the accuracy of statements contained therein, and shall make inspections on the project site. Such inspections shall determine the health of all such trees on the project site and such other factors as may be necessary and proper to complete his review, a copy of which shall be submitted in writing to the director and/or commission within 15 days after receipt from the director;

B. The county forester and fire warden may at his option also suggest conditions for use by the hearing officer or the director or commission pursuant to Section 22.56.2180.

C. When the county forester determines that replacement or relocation on the project site of oak trees proposed for removal is inappropriate, the forester may recommend that the applicant pay into the oak forests special fund the amount equivalent to the oak resource value of the trees described in the oak tree report. The oak resource value shall be calculated by the applicant and approved by the county forester according to the most current edition of the International Society of Arboriculture's "Guide to Establishing Values for Trees and Shrubs."

D. Funds collected shall be used for the following purposes:

1. Establishing and planting new trees on public lands;

2. Maintaining existing oak trees on public lands;

3. Purchasing prime oak woodlands;

4. Purchasing sensitive oak trees of cultural or historic significance.

E. Not more than seven percent of the funds collected may be used to study and identify appropriate programs for accomplishing the preceding four purposes. (Ord. 93-0017 § 1, 1993: Ord. 88-0157 § 7, 1988: Ord. 85-0195 § 12 (part), 1985; Ord. 82-0168 § 2 (part), 1982.)

22.56.2150 Application -- Commission consideration when concurrently filed.

When an application for a permit, variance, zone change or tentative map for a subdivision, including a minor land division, is concurrently filed with an application for an oak tree permit as provided by this Title 22, the hearing officer or the commission shall consider and approve such application for an oak tree permit concurrently with such other approvals. The hearing officer or the commission, in making their findings, shall consider each case individually as if separately filed. (Ord. 85-0195 § 10 (part), 1985; Ord. 82-0168 § 2 (part), 1982.)

22.56.2160 Application -- Public hearing required when.

Where no concurrent consideration is conducted by the hearing officer or the commission pursuant to Section 22.56.2150, the director shall conduct a public hearing subject to the notice requirements of subsection B of Section 22.56.2130; provided, however, that no hearing shall be required for a filing in conjunction with the use of a single-family residence when publishing is not required by said subsection

C of Section 22.56.2130. (Ord. 85-0195 § 10 (part), 1985; Ord. 82-0168 § 2 (part), 1982.)

22.56.2170 Application -- Grant or denial conditions.

The hearing officer or the director or commission shall approve an application for an oak tree permit where the information submitted by the applicant and/or brought to their attention during public hearing, including the report of the county forester and fire warden, substantiates that the burden of proof set forth in Section 22.56.2100 has been met. The hearing officer or the director or commission shall deny such application where the information submitted fails to substantiate such findings. (Ord. 85-0195 § 12 (part), 1985; Ord. 82-0168 § 2 (part), 1982.)

22.56.2180 Additional conditions imposed when.

The hearing officer or the director or commission, in approving an application for an oak tree permit, shall impose such conditions as are deemed necessary to insure that the permit will be in accord with the findings required by Section 22.56.2100. These conditions may involve, but are not limited to, the following:

A. The replacement of oak trees proposed for removal or relocation with trees of a suitable type, size, number, location and date of planting. In determining whether replacement should be required, the hearing officer or the director or commission shall consider but is not limited to the following factors:

1. The vegetative character of the surrounding area,

2. The number of oak trees subject to this Part 16 which are proposed to be removed in relation to the number of such trees currently existing on the subject property,

3. The anticipated effectiveness of the replacement of oak trees, as determined by the oak tree report submitted by the applicant and evaluated by the county forester and fire warden,

4. The development plans submitted by the applicant for the proposed construction or the proposed use of the subject property,

5. The relocation of trees approved for removal shall not be deemed a mitigating factor in determining the need for replacement trees,

6. a. Required replacement trees shall consist exclusively of indigenous oak trees and shall be in the ratio of at least two to one. Each replacement tree shall be at least a 15-gallon size specimen and measure at least one inch in diameter one foot above the base. The hearing officer, director or commission may, in lieu of this requirement, require the substitution of one larger container specimen for each oak tree to be replaced, where, in its opinion, the substitution is feasible and conditions warrant such greater substitution,

b. Replacement trees shall be properly cared for and maintained for a period of two years and replaced by the applicant or permittee if

mortality occurs within that period,

c. Where feasible replacement trees should consist exclusively of indigenous oak trees and certified as being grown from a seed source collected in Los Angeles or Ventura Counties,

d. Replacement trees shall be planted and maintained on the subject property and, if feasible, in the same general area where the trees were removed. The process of replacement of oak trees shall be supervised in the field by a person who, in the opinion of the county forester and fire warden, has expertise in the planting, care and maintenance of oak trees;

B. A plan for protecting oak trees on the subject property during and after development, such as, but not limited to, the following requirements:

1. The installation of chain link fencing not less than four feet in height around the protected zone of trees shown on the site plan. Said fencing shall be in place and inspected by the forester and fire warden prior to commencement of any activity on the subject property. Said fencing shall remain in place throughout the entire period of development and shall not be removed without written authorization from the director or the forester and fire warden,

2. Where grading or any other similar activity is specifically approved within the protected zone, the applicant shall provide an individual with special expertise acceptable to the director to supervise all excavation or grading proposed within the protected zones and to further supervise, monitor and certify to the county forester and fire warden the implementation of all conditions imposed in connection with the applicant's oak tree permit,

3. That any excavation or grading allowed within the protected zone or within 15 feet of the trunk of a tree, whichever distance is greater, be limited to hand tools or small hand-power equipment,

4. That trees on other portions of the subject property not included within the site plan also be protected with chain link fencing thus restricting storage, machinery storage or access during construction,

5. That the trees on the site plan be physically identified by number on a tag affixed to the north side of the tree in a manner preserving the health and viability of the tree. The tag shall be composed of a non-corrosive all-weather material and shall be permanently affixed to the tree. The tree shall be similarly designated on the site plan in a manner acceptable to the director,

6. That corrective measures for trees noted on the oak tree report as requiring remedial action be taken, including pest control, pruning, fertilizing and similar actions,

7. That, to the extent feasible as determined by the director, utility trenching shall avoid encroaching into the protected zone on its path to and from any structure,

8. At the start of grading operations and throughout the entire period of development, no person shall perform any work for which an oak tree permit is required unless a copy of the oak tree report, location map, fencing plans, and approved oak tree permit and conditions are in the possession of a responsible person and also available at the site. (Ord. 93-0018 § 2, 1993; Ord. 88-0157 § 8, 1988: Ord. 85-0195 § 12 (part), 1985; Ord. 82-0168 § 2 (part), 1982.)

22.56.2190 Notice of action -- Method of service.

A. The director shall serve notice of action upon:

1. The applicant, as required by law for the service of summons or by registered or certified mail, postage prepaid, return receipt requested; and

2. All protestants testifying at the public hearing who have provided a mailing address, by first class mail, postage prepaid.

B. Where the hearing officer or the commission has concurrently considered a permit, variance, zone change or tentative map for a subdivision, including a minor land division, notice shall be included in the notice of action required for such concurrent actions. (Ord. 85-0195 § 10 (part), 1985; Ord. 82-0168 § 2 (part), 1982.)

22.56.2200 Appeal -- From director's decision -- Procedures.

Any person dissatisfied with the action of the director may file an appeal of such action with the secretary of the commission within 15 calendar days after notice of such action is received by the applicant. Such appeal shall contain the following information:

A. The administrative file number (case number) identifying the matter which is being appealed; and

B. The street address of the premises included in the action of the director or, if no street address, the legal description of the premises; and

C. Whether the appeal is:

1. An appeal on the denial of such application,

2. An appeal on the approval of such application,

3. An appeal of a condition or conditions of an approval (specifying the particular condition or conditions);

D. No other information shall be included in the notice of appeal;

E. An appeal fee shall accompany the filing in an amount determined pursuant to subsection A of Section 22.60.230. (Ord. 96-0026 § 8, 1996: Ord. 82-0168 § 2 (part),

1982.)

22.56.2210 Appeal -- Action by commission -- Procedures.

A. Upon receiving a notice of appeal the commission shall take one of the following actions:

1. Affirm the action of the director, or

2. Refer the matter back to the director for further review with or without instructions, or

3. Set the matter for public hearing before itself. In such case, the commission's decision may cover all phases of the matter, including the addition, modification or deletion of any condition.

B. In rendering its decision, the commission shall not hear or consider any argument or evidence of any kind other than the record of the matter received from the director, unless it is itself conducting a public hearing on the matter.

C. Where the commission sets the matter for public hearing, it shall approve or deny the appeal based on the findings required by Section 22.56.2100. (Ord. 82-0168 § 2 (part), 1982.)

22.56.2220 Appeal -- Hearing procedures.

In all cases where the commission sets the matter for public hearing, it shall be held pursuant to the procedure provided for public hearings in Part 4 of Chapter 22.60. (Ord. 85-0195 § 46, 1985: Ord. 82-0168 § 2 (part), 1982.)

22.56.2230 Appeal -- Notice of commission action.

The commission shall serve notice of its action on an appeal filed pursuant to Section 22.56.2200 in the manner specified by Section 20.60.190. (Ord. 82-0168 § 2 (part), 1982.)

22.56.2240 Effective dates of decisions.

The decision of:

A. The director shall become final and effective 15 calendar days after receipt of notice of action by the applicant, provided no appeal has been filed with the commission pursuant to Section 22.56.2200;

B. The commission shall be final and effective on the date of decision. Where an oak tree permit is concurrently considered with a permit, variance, zone change or tentative map for a subdivision, including a minor land division, such permit shall be appealable only as a part of the concurrent action. (Ord. 82-0168 § 2 (part), 1982.)

22.56.2250 Expiration date for unused permits.

An approved oak tree permit which is not used within the time specified in the approval or, if no time is specified, within one year after the granting of such approval, becomes null and void and of no effect; except that, where an application requesting an extension is filed prior to such expiration date, the director may extend such time for a period of not to exceed one year. (Ord. 82-0168 § 2 (part), 1982.)

22.56.2260 Enforcement.

In interpreting the provisions of Section 22.04.090 as they apply to this Part 16, each individual tree cut, destroyed, removed, relocated or damaged in violation of these provisions shall be deemed a separate offense. (Ord. 82-0168 § 2(part), 1982.)

Appendix B

Site Photographs

Photograph 1. Non-native grasses in the foreground and mixed chaparral on the slope. View looking south and up at southern project boundary.

Photograph 2. Patchy transitional area from non-native grasses to mixed chaparral. View looking west.

Photograph 3. Residential structure on developed portion of project site. View looking northwest.

Photograph 4. Non-native grasses in the foreground with a gum tree and dead/dying oak behind it. View looking northeast.

Photograph 5. Non-native grasses in the foreground with a gum tree and developed area. View looking northwest.

Photograph 6. Transitional area from non-native grasses to mixed chaparral. View looking west.

Photograph 7. View of San Gabriel Mountains from chaparral in southwest corner of project site. View looking northeast.

Photograph 8. View of ridge above ravine south of project site. View looking south from the southwest corner of the project site.

Photograph 9. Oaks in between existing residences (pool visible). View to the northeast.

Photograph 10. Area of denser cover of oak and sycamore with a grassland understory. View to the north.

Photograph 11. Dead oak tree near southwest corner of project site. View to the east.

Photograph 12. Bush poppy community on central ridges. View to the east. Note: charred tree branches just visible on left-hand side of photo.

Photograph 13. Top-down view of western drainage feature. Note: visible bed and bank.

Photograph 14. Site where two drainages in the western project area connect. View to the north.

Photograph 15. Central drainage feature surrounded by mixed chaparral and non-native grasses. View to the north.

Photograph 16. Eastern drainage feature not listed in NWI database. View to the south.

Appendix C

Special-Status Species Known to Occur in the Vicinity of the Project

Special-Status Species Known to Occur in the Vicinity of the Project

Scientific Name Common Name	Status Fed/State ESA CRPR	Habitat Preference/Requirements	Potential for Occurrence/Basis for Determination
Plants			
Berberis nevinii Nevin's barberry	FE/SE 1B.1	Perennial evergreen shrub. Blooms Mar-Jun. Chaparral, cismontane woodland, coastal scrub, riparian scrub. On steep, N-facing slopes or in low grade sandy washes. 290-1575m (950-5165ft).	**Moderate Potential.** Suitable habitat present onsite.
Chorizanthe parryi var. *fernandina* San Fernando Valley spineflower	FC/SE 1B.1	Annual herb. Blooms Apr-Jul. Coastal scrub. Sandy soils. 3-1035m (10-3395ft).	**Not Expected.** No suitable habitat present onsite.
Dodecahema leptoceras Slender-horned spineflower	FE/SE 1B.1	Annual herb. Blooms Apr-Jun. Chaparral, cismontane woodland, coastal scrub (alluvial fan sage scrub). Flood deposited terraces and washes; associates include Encelia, Dalea, Lepidospartum, etc. 200-760m (655-2495ft).	**Not Expected.** No suitable habitat present onsite.
Horkelia cuneata var. *puberula* Mesa horkelia	–/– 1B.1	Perennial herb. Blooms Feb-Sept. Chaparral, cismontane woodland, coastal scrub. Sandy or gravelly sites. 70-810m (230-2655ft).	**Moderate Potential.** Suitable habitat present onsite.
Imperata brevifolia California satintail	–/– 2B.1	Perennial rhizomatous herb. Blooms September to May. Mesic habitats, chaparral, coastal scrub, Mojavean desert scrub, meadows and seeps (often alkali), and riparian scrub. 0 to 1215m (0 to 3986ft).	**Not Expected.** No suitable habitat present onsite.
Pseudognaphalium leucocephalum White rabbit-tobacco	–/– 2B.2	Perennial herb. Blooms Jul-Dec. Riparian woodland, cismontane woodland, coastal scrub, chaparral. Sandy, gravelly sites. 0-2100m (0-6890ft).	**Moderate Potential.** Suitable habitat present onsite.
Symphyotrichum greatae Greata's aster	–/– 1B.3	Perennial rhizomatous herb. Blooms Jun-Oct. Chaparral, cismontane woodland. Mesic canyons. 800-1500m (2625-4920ft).	**Moderate Potential.** Suitable habitat present onsite.
Malacothamnus davidsonii Davidson's bush-mallow	–/– 1B.2	Coastal scrub, riparian woodland, chaparral, cismontane woodland in sandy washes. 150-1525 m (490-5000 ft)	**Moderate Potential.** Suitable habitat present onsite.
Calochortus plummerae Plummer's mariposa lily	–/– 4.2	Coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest on sandy sites, usually of granitic or alluvial material. Can be common after fire. 60-2500 m (195-8200 ft)	**Moderate Potential.** Suitable habitat present on site.
Lepidium virginicum var. robinsonii Robinson's pepper-grass	–/– 4.3	Chaparral, coastal scrub in dry soils and shrubland. 4-1435 m (13-4710 ft)	**Moderate Potential.** Suitable habitat present onsite.
Calochortus clavatus var. Gracilis Slender mariposa lily	–/– 1B.2	Chaparral, coastal scrub, valley and foothill grassland in shaded foothill canyons often on grassy slopes within other habitats. 210-1815 m (690-5959 ft).	**Moderate Potential.** Suitable habitat present onsite.
Fish			
Catostomus santaanae Santa Ana sucker	FT/– SSC	Endemic to Los Angeles Basin south coastal streams. Habitat generalists, but prefer sand-rubble-boulder bottoms, cool, clear water, and algae.	**Not Expected.** No suitable habitat present onsite.

Scientific Name Common Name	Status Fed/State ESA CRPR	Habitat Preference/Requirements	Potential for Occurrence/Basis for Determination
Gila orcutti Arroyo chub	–/– SSC	Native to streams from Malibu Cr to San Luis Rey River basin. Introduced into streams in Santa Clara, Ventura, Santa Ynez, Mohave and San Diego river basins. Slow water stream sections with mud or sand bottoms. Feeds heavily on aquatic vegetation and associated invertebrates.	**Not Expected.** No suitable habitat present onsite.
Rhinichthys osculus ssp. 3 Santa Ana speckled dace	–/– SSC	Headwaters of the Santa Ana and San Gabriel rivers. May be extirpated from the Los Angeles River system. Requires permanent flowing streams with summer water temps of 17-20 C. Usually inhabits shallow cobble and gravel riffles.	**Not Expected.** No suitable habitat present onsite.
Amphibians			
Rana muscosa Southern mountain yellow-legged frog	FE/SE SSC, WL	Federal listing refers to populations in the San Gabriel, San Jacinto and San Bernardino Mountains (southern DPS). Northern DPS was proposed endangered, Apr 2013. Found at elevations of 1,370-3,650 m (4,500–12,000 ft). Always encountered within a few feet of water. Tadpoles may require 2 - 4 years to complete their aquatic development.	**Not Expected.** No suitable habitat present onsite.
Reptiles			
Anniella pulchra pulchra Silvery legless lizard	–/– SSC	Sandy or loose loamy soils under sparse vegetation. Soil moisture is essential. Prefer soils with a high moisture content.	**Not Expected.** No suitable habitat present onsite.
Anniella stebinsi Southern California legless lizard	–/– SSC	Generally south of the Transverse Range, extending to northwestern Baja California. Occurs in sandy or loose loamy soils under sparse vegetation. Disjunct populations in the Tehachapi and Piute Mountains in Kern County in a variety of habitats; generally in moist, loose soil; prefer soils with a high moisture content.	**Not Expected.** No suitable habitat present onsite.
Aspidoscelis tigris stejnegeri Coastal Whiptail	–/– SSC	Found in deserts and semiarid areas with sparse vegetation and open areas. Also found in woodland and riparian areas. Ground may be firm soil, sandy or rocky.	**Not Expected.** No suitable habitat present onsite.
Arizona elegans occidentalis California glossy snake	–/– SSC	Inhabits barren open sandy desert, desert scrub, rocky washes, grasslands.	**Not Expected.** No suitable habitat present onsite.
Emys marmorata Western pond turtle	–/– SSC	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Need basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.	**Not Expected.** No suitable habitat present onsite.
Phrynosoma blainvillii Coast horned lizard (Blainvilli's)	–/– SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	**Low Potential.** Marginal habitat present onsite based on community types, development and disturbance.
Thamnophis hammondii Two-striped garter snake	–/– SSC	Coastal California from vicinity of Salinas to northwest Baja California. From sea to about 7,000 ft elevation. Highly aquatic, found in or near permanent fresh water. Often along streams with rocky beds and riparian growth.	**Not Expected.** No suitable habitat present onsite.

Scientific Name Common Name	Status Fed/State ESA CRPR	Habitat Preference/Requirements	Potential for Occurrence/Basis for Determination
Birds			
Falco peregrinus anatum American Peregrine falcon	–/– FP	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape or a depression or ledge in an open site.	**Not Expected.** No suitable habitat present onsite.
Polioptila californica californica Coastal California gnatcatcher	FT/– SSC	Obligate, permanent resident of coastal sage scrub below 2500 ft. in Southern California. Low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	**Low Potential.** Coastal sage species are present at the project site but are not dominant. CNDDB documents the nearest occurrence in 2008 approx. 3.5 miles from the project site.
Vireo bellii pusillus Least Bell's vireo	FE/SE	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	**Not Expected.** No suitable habitat present onsite.
Mammals			
Corynorhinus townsendii Townsend's big-eared bat	–/– SSC	Throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	**Not Expected.** No suitable roost habitat present onsite.
Lasiurus cinereus Hoary bat	–/– SSC	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.	**Not Expected.** No water present onsite.
Lepus californicus bennettii San Diego black-tailed jackrabbit	–/– SSC	Intermediate canopy stages of shrub habitats and open shrub/herbaceous and tree/herbaceous edges. Coastal sage scrub habitats in Southern California.	**Not Expected.** No suitable habitat present onsite.
Nyctinomops macrotis Big free-tailed bat	–/– SSC	Low-lying arid areas in Southern California. Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.	**Not Expected.** No suitable roosting habitat present onsite.
Onychomys torridus ramona Southern grasshopper mouse	–/– SSC	Desert areas, especially scrub habitats with friable soils for digging. Prefers low to moderate shrub cover. Feeds almost exclusively on arthropods, especially scorpions and orthopteran insects.	**Not Expected.** No suitable habitat present onsite.

FT = Federally Threatened
FE = Federally Endangered
SE = State Endangered
SSC = CDFW Species of Special Concern
FP = CDFW Fully Protected
WL = CDFW Watch List

CRPR (CNPS California Rare Plant Rank)
1A=Presumed Extinct in California
1B=Rare, Threatened, or Endangered in California and elsewhere
2=Rare, Threatened, or Endangered in California, but more common elsewhere

CRPR Threat Code Extension
1=Seriously endangered in California (>80% of occurrences threatened/high degree and immediacy of threat)
2=Fairly endangered in California (20-80% occurrences threatened)
3=Not very endangered in California (<20% of occurrences threatened)

Regional Vicinity refers to within a 5-mile radius of site.

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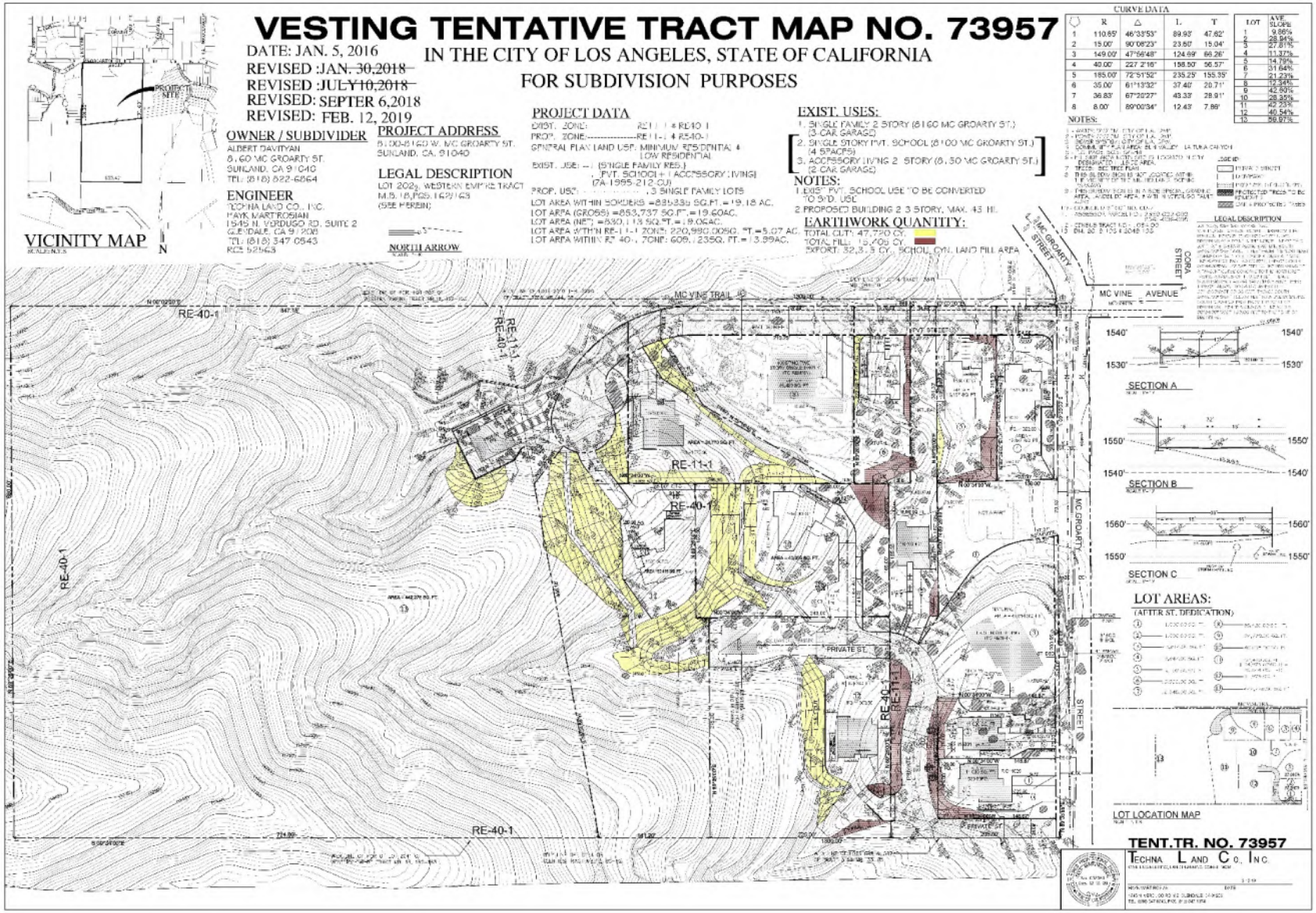
Appendix D

Proposed Development Tract Map


VESTING TENTATIVE TRACT MAP NO. 73957
IN THE CITY OF LOS ANGELES, STATE OF CALIFORNIA
FOR SUBDIVISION PURPOSES
DATE: JAN. 5, 2016
REVISED :JAN. 30,2018
REVISED :JULY 10,2018
REVISED: SEPTER 6,2018
REVISED: FEB. 12, 2019
OWNER / SUBDIVIDER
ALBERT DAVITYAN
8, 60 MC GROARTY ST.
SUNLAND, CA 91040
TEL: (818) 822-6864
PROJECT ADDRESS
8, 000-8160 W. MC GROARTY ST.
SUNLAND, CA. 91040
LEGAL DESCRIPTION
LOT 202, WESTERN EMPIRE TRACT
M.B. 18, PGS. 162/163
(SEE HEREIN)
ENGINEER
TECHNA LAND CO., INC.
HAYK MARTIROSIAN
1545 N. VERDUGO RD. SUITE 2
GLENDALE, CA 91208
TEL: (818) 347 0543
REG. 52563
VICINITY MAP
NORTH ARROW
PROJECT DATA
EXIST. ZONE: RE11-1 & RE40-1
PROP. ZONE: RE11-1 & RE40-1
GENERAL PLAN LAND USE: MINIMUM RESIDENTIAL & LOW RESIDENTIAL
EXIST. USE: 1. (SINGLE FAMILY RES.) , PVT. SCHOOL + 1 ACCESSORY (VING) (ZA-1995-212-CU)
PROP. USE: , 3 SINGLE FAMILY LOTS
LOT AREA WITHIN BOUNDERS =835,838 SQ.FT. = 19.18 AC.
LOT AREA (GROSS) =853,737 SQ.FT. = 19.60AC.
LOT AREA (NET) =830,113 SQ.FT. = 19.06AC.
LOT AREA WITHIN RE-11-1 ZONE: 220,990.00SQ. FT. =5.07 AC.
LOT AREA WITHIN RE 40-1 ZONE: 609,123SQ. FT. = 13.99AC.
EXIST. USES:
1. SINGLE FAMILY 2 STORY (8160 MC GROARTY ST.) (3 CAR GARAGE)
2. SINGLE STORY PVT. SCHOOL (8100 MC GROARTY ST.) (4 SPACES)
3. ACCESSORY LIVING 2 STORY (8, 30 MC GROARTY ST.) (2 CAR GARAGE)
NOTES:
1. EXIST. PVT. SCHOOL USE TO BE CONVERTED TO SFD. USE
2 PROPOSED BUILDING 2 3 STORY, MAX. 45 HI.
EARTHWORK QUANTITY:
TOTAL CUT: 47,720 CY.
TOTAL FILL: 15,409 CY.
EXPORT: 32,3 13 CY. SCHOOL CYN. LAND FILL AREA
CURVE DATA
NOTES:
LEGAL DESCRIPTION
MC VINE AVENUE
SECTION A
SECTION B
SECTION C
LOT AREAS:
(AFTER ST. DEDICATION)
LOT LOCATION MAP
TENT.TR. NO. 73957
TECHNA LAND CO., INC.
MC GROARTY STREET
CORA STREET
MC VINE TRAIL
PRIVATE ST.
RE-40-1
RE-11-1

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Attachment B:

February 2025 Jurisdictional Delineation for the McGroarty Development Project

July 23, 2024 (updated February 20, 2025)

Albert Davityan
Email: monte0199@yahoo.com

RE: Jurisdictional Delineation for McGroarty Development Project in Los Angeles, California

Dear Mr. Davitayan,

This letter includes results of a Jurisdictional Delineation for the McGroarty Development Project (project) in Los Angeles, California. The scope of this letter report includes a description of regulations, a description of methodology, results of the survey, and a delineation of the jurisdictional resources on the project site.

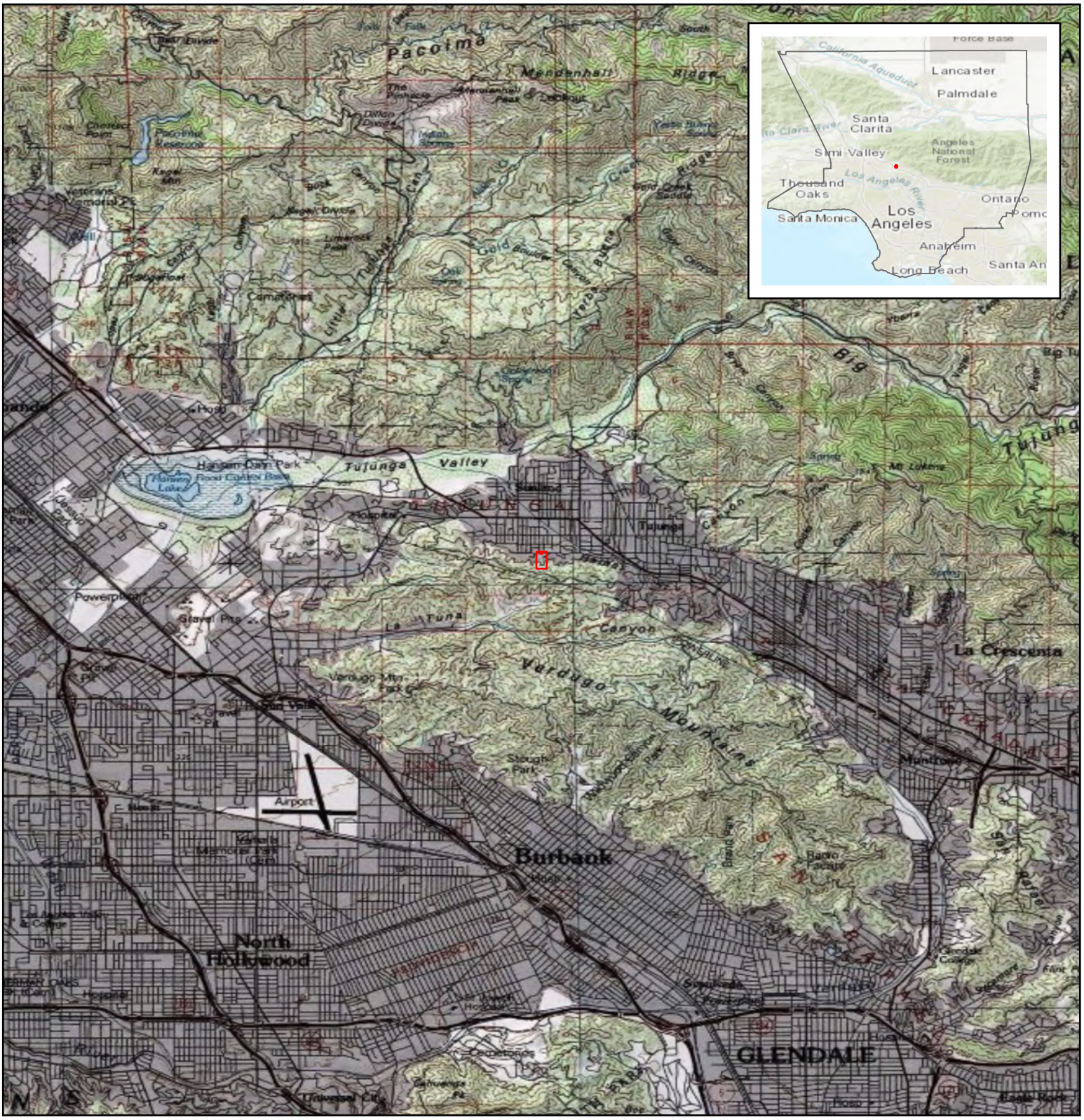
Project Description

Location

The project site includes 19.74-acres of land southeast of McVine Avenue and south of McGroarty Street at a position that is south of the intersection of McVine Avenue and McGroarty Street in Los Angeles, California (attached Figure 1 and Figure 2). The project site includes Assessor's Parcel Numbers [APNs] 2559-032-003 and 2561-006-005. The project site is on the Sunland and Burbank USGS 7.5-minute quads in Sections 23 and 24 of Township 02 North and Range 14 West. The areas surrounding the project site to the north, northeast, and northwest include residential developments. The areas to the east west, and south are undeveloped.

Proposed Development

As shown in Figure 3 and in the Tract Map No. 73957 in Attachment C, the project includes the construction of a residential subdivision. Tract Map No. 73957 proposes 11 single-family homes, 2 new private roads, and grading near the northern half of the project site near the existing developments.



Source: ESRI USA Topo Maps and World Topo Map 2024

JD for McGroarty Development Project

Figure 1. Regional Location

Project Site

Project Location is within Los Angeles, California, in Los Angeles County on the USGS Sunland and Burbank 7.5-minute quadrangle maps in Sections 23 and 24 of Township 02 North and Range 14 West

Center Coordinate (Decimal Degrees):
Latitude: 34.2506170N Longitude: -118.3103713W

0 5,000 10,000 Feet

Scale: 1:124,000

N

SOUTH ENVIRONMENTAL

Regulatory Setting

Federal Regulations

Clean Water Act Sections 404 and 401

Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged and fill material into waters of the United States (U.S.), including wetlands. Activities in waters of the U.S. or wetlands regulated under this program include fill as a result of projects such as development, water resource projects (such as dams and levees), infrastructure development and mining projects. Section 404 requires a permit before dredged or fill material may be discharged into waters of the U.S.

Section 401 of the CWA requires that any person applying for a federal permit or license which may result in a discharge of pollutants into waters of the United States (such as a Clean Water Act Permit under Section 404), must obtain a state water quality certification stating that the activity complies with all applicable water quality standards, limitations, and restrictions. No license or permit may be issued by a federal agency until certification required by section 401 has been Granted or waived.

California Regulations

Porter-Cologne Water Quality Control Act

The Porter-Cologne Act requires the adoption of water quality control plans (basin plans) that give direction to managing water pollution in California. The basin plans get adopted and administered by the Regional Water Quality Control Board (RWQCB). The plans incorporate the beneficial uses of the waters of the State and then provide objectives that should be met to maintain and protect these uses. Along with the Regional Water Boards, the State Water Resources Board can issue and enforce permits containing waste discharge requirements to maintain clean surface water and groundwater. Each basin plan identifies the specific beneficial uses of water in their region for the past, present, and future. These basin plans also all have objectives for which the plan clearly states steps that are being taken or will be taken to meet the objectives. These objectives are created for the purpose of keeping the water clean and safe to use beneficially. The Regional Board has the authority to give out permits for the purpose of waste disposal or waste assimilation.

Waters of the State (WSC) 401 Water Quality Certification

The RWQCB regulates activities pursuant to Section 401(a)(1) of the CWA. Section 401 of the CWA specifies that certification from the State is required for any applicant requesting a federal license or permit including a Section 404 permit. The RWQCB's delegated authority over Section 401 requires a Water Quality Certification consistent with the USACE of Engineers definition of waters of the US.

The State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State was adopted in April 2020 and put into effect statewide on May 28, 2020 (State Water Resources Control Board [SWRCB] 2020a). The Water Boards define wetlands as follows:

"An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation."

The Water Code defines Waters of the State of California (WSC) broadly to include "any surface water or groundwater, including saline waters, within the boundaries of the state." In the 2020 state wetland definition, the State did not define non-wetland WSC, rather they are relying on regional characterizations of jurisdiction was delegated to the Regional Boards.

The following wetlands are WSC based on the 2020 Procedures:

1. Natural wetlands;
2. Wetlands created by modification of a surface water of the state; and
3. Artificial wetlands that meet any of the following criteria:
    a. Approved by an agency as compensatory mitigation for impacts to other WSC, except where the approving agency explicitly identifies the mitigation as being of limited duration;
    b. Specifically identified in a water quality control plan as a wetland or other water of the state;
    c. Resulted from historic human activity, is not subject to ongoing operation and maintenance, and has become a relatively permanent part of the natural landscape; or
    d. Greater than or equal to one acre in size, unless the artificial wetland was constructed, and is currently used and maintained, primarily for one or more of the following purposes (i.e., the following artificial wetlands are not WSC unless they also satisfy the criteria set forth in 2, 3a, or 3b):
        i. Industrial or municipal wastewater treatment or disposal;

ii. Settling of sediment;
iii. Detention, retention, infiltration, or treatment of stormwater runoff and other pollutants or runoff subject to regulation under a municipal, construction, or industrial stormwater permitting program,
iv. Treatment of surface waters;
v. Agricultural crop irrigation or stock watering;
vi. Fire suppression;
vii. Industrial processing or cooling;
viii. Active surface mining – even if the site is managed for interim wetlands functions and values;
ix. Log storage;
x. Treatment, storage, or distribution of recycled water;
xi. Maximizing groundwater recharge (this does not include wetlands that have incidental groundwater recharge benefits); or
xii. Fields flooded for rice growing.

All artificial wetlands that are less than 1 acre in size and do not satisfy the criteria set forth in 2, 3.a, 3.b, or 3.c are not WSC.

State of California Fish and Game Code Section 1600

Fish and Game Code Section 1602 outlines the Lake and Streambed Alteration Agreement (LSAA) permitting process, and states:

- An entity shall not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake

Fish and Game Code Section 1602 requires any entity (defined as any person, State or local governmental agency, or public utility) to notify the CDFW before beginning any activity that will do one or more of the following:

- substantially divert or obstruct the natural flow of and river, stream, or lake, or
- substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or
- deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

A permit, known as a Lake or Streambed Alteration Agreement, from CDFW is required to conduct any of the activities described above.

Methodology

This jurisdictional delineation is based on information compiled through a field survey of the project site and study area and a review of appropriate reference materials and literature regarding the resources of the region. The jurisdictional delineation was conducted by South Environmental senior biologist James McNutt. The sources and literature referenced in this assessment are provided in the Bibliography below.

Literature Review

The assessment of the jurisdictional features began with a review of literature relating to the topography, soils, and hydrology that are known to occur on and in the vicinity of the project site, and include the following sources:

- United States Geologic Service (USGS) Sunland and Burbank 7.5" quad topographic maps,
- US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soils Database (USDA 2024)
- National Hydrography Dataset (USGS 2024a)
- National Wetlands Inventory (USFWS 2024)
- National Watershed Boundary Dataset (USGS 2024b)
- Historic aerial photographs (historicaerials.com),
- Federal Emergency Management Agency (FEMA) flood GIS database (FEMA 2024)

Jurisdictional Delineation

A delineation of waters of the U.S. and "waters of the state" was conducted on June 12, 2024, throughout the project site and included the area within the bed and banks of any jurisdictional features and any possible associated riparian areas. The limits of jurisdictional features were recorded in the field using ArcGIS Field Maps mobile application. A Geode GPS Receiver was used to ensure that the accuracy of the measurements was less than 12-inches of error.

Waters of the U.S.

Guidance documents released by the U.S. Army Corps of Engineers (USACE) following the US Supreme Court's 2023 Sackett Decision define waters of the U.S. as any of the following:

- Traditional Navigable Waters (TNWs),
- wetlands adjacent to TNWs,
- tributaries of TNWs (relatively permanent, standing or continuously flowing bodies of water)
- wetlands directly adjacent to tributaries of TNWs and with a continuous surface connection to TNWs or tributaries to TNWs.

Wetlands

The delineator used methods described in the USACE 1987 *Wetland Delineation Manual* and the *Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Arid West Region (Version 2.0)* (USACE 2008) to determine the presence or absence of wetlands. During the site survey the following three wetland indicators were evaluated:

1. Dominance of hydrophytic wetland vegetation,
2. Presence of hydric soils, and
3. Periods of surface flooding or ponding water (visible surface water or saturated soils).

The USACE Arid West 2016 *Regional Wetland Plant List* was used to determine the wetland indicator status of plants that were observed in the Review Area, and changes in vegetation, soils, or hydrologic features are used to identify boundaries of wetlands, when present. Completed *Wetland Determination Data Form – Arid West Region* worksheets were completed for the project and are included in Appendix B.

Non-Wetland Waters

Non-wetland waters of the US are waters that lack wetland vegetation or hydric soils and have a clearly defined Ordinary High-Water Mark (OHWM), which indicates periods of surface flow. The OHWM was delineated using the methods in two USACE guidance documents: *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (Lichvar and McColley 2008) and *Updated Datasheet for the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (USACE 2010). A completed Datasheet for Identification of the OHWM is found in Appendix B.

Waters of the State

Santa Ana Regional Water Quality Control Board

South Environmental assumes all waters of the US are also considered waters of the state and are under the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB). The limits of wetlands, or the OHWM for non-wetland waters delineated in the project site will also be considered the limits of waters of the state under the jurisdiction of the RWQCB.

California Department of Fish and Wildlife (CDFW)

Waters of the state that are under the jurisdiction of the California Department of Fish and Wildlife (CDFW) are delineated at the top of the bank of a stream and extend to riparian habitats or vegetation associated with watercourses. Riparian vegetation is that which depends on surface or groundwater associated with the stream to exist and other vegetation that is either more dense or vigorous than the surrounding communities will also be considered under the jurisdiction of the CDFW.

Results

Topography and Climate

The project site is located within both the northern foothills of the Verdugo Mountains and within (developed) lowland areas north of the Verdugo Mountain foothills. The lowland areas are within the northern part of the project site, and the foothill areas are within the central and southern parts of the project site. The topography for the project site is generally flat within the lowland areasin the northern project site and undulates between differential valleys and foothill peaks in the central and southern parts of the project site. The lowest elevation for the project site is approximately 1520 ft above mean sea level (amsl) near the northwest border. The highest elevation for the project site is approximately 1856 ft amsl near the southeast border of the project site. The climate in the region is generally hot and dry, with average summer high temperatures in the mid-90's and average winter lows in the mid-40s. Average yearly rainfall is approximately 15.75-inches, and the wettest months are December – March, and there is almost no precipitation between June-September.

Soils

As shown in Figure 4 the soils on the project site include **Vista-Fallbrook-Cieneba complex, 30 to 75 percent slopes** over the entire project site. This is a hillslope soil that is well drained.

Plant Communities

There is two plant communities and one land cover type on the project site. Each is shown in Figure 5 below and acres of each is summarized in Table 1 below.

Table 1. Summary of Plant Communities on the Project Site

Community or Cover Type	Acres on Project Site
Birch Leaf Mountain Mahogany Chaparral	13.72
Coast Live Oak Woodland and Forest	2.89
Developed / Ornamental Landscaped / Non-Native Grassland	2.80
Total	**19.41**

- **Birch Leaf Mountain Mahogany Chaparral** (*Cercocarpus montanus* Shrubland Alliance; CNPS 2024) occurs on 13.72 acres of the project site. The community is dominated by birch leaf mountain mahogany (*Cercocarpus betuloides)* and co-dominated by hollyleaf cherry (*Prunus ilicifolia*). Other vegetation observed in the community included coast live oak (*Quercus agrifolia*), laurel sumac (*Malosma laurina*), elderberry (*Sambucus nigra*), mulefat (*Baccharis salicifolia),* California sagebrush (*Artemisia californica*), black sage (*Salvia mellifera*), tree of heaven (*Ailanthus altissima*), tree tobacco (*Nicotiana glauca*), golden currant (*Ribes aureum*), white horehound (*Marrubium vulgare*), heartleaf nettle (*Urtica chamaedryoides*), Russian thistle (*Salsola tragus*), ladies' tobacco (*Pseudognaphalium californicum*), shortpod mustard (*Hirschfeldia incana*), Italian thistle (*Carduus pycnocephalus*), black nightshade (*Solanum nigrum*), golden yarrow (*Eriophyllum confertiflorum*), and prickly phlox (*Linanthus californicus*).

- **Coast Live Oak Woodland and Forest** (*Quercus agrifolia* Forest & Woodland Alliance; CNPS 2024) areas were found on 2.89 acres of the project site. The canopy for the community was dominated by coast live oak. The canopy for the community also included western sycamore (*Platanus racemosa*), deodar cedar (*Cedrus deodara*), Canary Island date palm (*Phoenix canariensis*), black locust (*Robinia pseudoacacia*), Mexican fan palm (Washingtonia robusta), and lemon-scented gum (*Eucalyptus citriodora*). Among others, shrubs in the community included oleander (*Nerium oleander*), castor bean (*Ricinus communis*), laurel sumac (*Malosma laurina*), *mulefat,* coast live oak*.* Among others, herbaceous plants in the community included mouse barley (*Hordeum murinum*), sacred datura (*Datura wrightii*), panic veldt grass (*Ehrharta erecta*), and shortpod mustard (*Hirschfeldia incana*).

- **Developed / Ornamental Landscaped / Non-Native Grassland** areas were found on 2.89 acres of the project site. These land covers are generally defined by driveways and residential areas. Among others, these areas contained and St. Augustine's grass (*Stenotaphrum secundatum*), Mexican fan palm, sacred datura, panic veldt grass, mouse barley and shortpod mustard.

Jurisdictional Features

The project site is located within the Los Angeles watershed (HUC8) and within the Lower Big Tujunga Creek sub-watershed (HUC12). As shown in Figure 6, three drainages (Drainage #1, Drainage #2, and Drainage #3) that are *not relatively permanent* follow the topography of the foothill valleys on the project site. Drainage #1, Drainage #2, and Drainage #3 flow from south to north are isolated and lack downstream surface connections to any other water features. Due to a bed and bank and signs of flow observed during the survey, the three drainages are likely WSC under the jurisdiction of the RWQCB and CDFW. They are likely not under the jurisdiction of USACE due to both being *not relatively permanent* and *having a lack of a connection to a TNW*.

The data for OHWM Form *P-01* was taken at the confluence of Drainage #1 and Drainage #2. Both Drainage #1 and Drainage #2 are single low-flow channels, and their OHWMs were evident due to a change in average sediment texture, a change in vegetation cover, and erosion and deposition of detrital. The data for Wetland Determination Form *Upland-1* was taken within the OHWM of Drainage #1. The sample point qualified for a wetland hydrology indicator, but it did not qualify for a hydric soil indicator or a hydrophytic vegetation indicator; therefore, the area for Drainage #1 and Drainage #2 was determined to be a non-wetland.

The data for OHWM Form *P-02* was taken within Drainage #3. Drainage #3 is a single low-flow channel, and its OHWM was evident due to a change in average sediment texture, a change in vegetation cover, and erosion and deposition of detrital. The data for Wetland Determination Form *Upland-2* was taken within the OHWM of Drainage #1. The sample point qualified for a wetland hydrology indicator, but it did qualify for a hydric soil indicator or a hydrophytic vegetation indicator; therefore, the area for Drainage #3 was determined to be a non-wetland.

Table 2 below summarizes the jurisdictional features within the project site.

Table 2. Summary of Jurisdictional Features on the Project Site

Feature	Linear Feet	Non-Wetland Waters of the State (RWQCB) acres	Streambed (CDFW) acres
Drainage #1	630	0.043	0.043
Drainage #2	807	0.059	0.059
Drainage #3	525	0.039	0.039
Total	1,962	0.141	0.041

The results of this jurisdictional delineation are based on the best professional judgement of the qualified delineator, using the most up-to-date regulations, written policy, and guidance from regulatory agencies. However, all conclusions regarding potential jurisdiction in this report should be considered preliminary and at the final discretion of the regulatory agencies.

Wetland Waters of the United States (USACE)

There are no wetland waters of the US on the project site.

Wetland Waters of the State (RWQCB)

There are no wetland waters of the state on the project site.

Non-Wetland Waters of the Unites States (USACE)

There were no non-wetland waters of the US on the project site. Drainage #1, Drainage #2, and Drainage #3 are not *relatively permanent*, and *do not have a connection to a TNW*.

Non-Wetland Waters of the State (RWQCB)

Drainage #1, Drainage #2, and Drainage #3 are likely non-wetland WSC.

CDFW Lake, Streambed, and Riparian

The project site likely has CDFW streambed jurisdiction that is equivalent to the likely non-wetland WSC (RWQCB) jurisdiction. Due to both a lack of (dependent) hydrophytic vegetation and a contiguous canopy, the CDFW jurisdiction does not extend into any riparian areas.

Impacts Analysis

Permanent Impacts: As shown in Figure 7 and summarized in Table 3, the total permanent impacts from proposed developments anticipated from the project include 0.09-acres (70 linear feet) of RWQCB and CDFW jurisdiction.

Table 3. Summary of Permanent Impacts to Jurisdictional Features

Feature	Non-Wetland Waters of the State (RWQCB) (acres/linear feet of permanent impacts)	CDFW Streambed (acres/linear feet of permanent impacts)
Drainage #2	0.005/41	0.005/41
Drainage #3	0.004/35	0.004/35
Total	**0.009/76**	**0.009/76**

Non-Wetland Waters of the State (RWQCB)

A total of 76 Linear Feet/0.009-acres of RWQCB jurisdiction would be permanently impacted by the project.

Non-Wetland Waters of the State (CDFW)

A total of 76 Linear Feet/0.009-acres of CDFW jurisdiction would be permanently impacted by the project.

Recommendations

Permitting

The project will impact a total of 76 linear feet/0.009-acre of RWQCB and CDFW jurisdictional areas in Drainage #2 and Drainage #3. The impacts (i.e. permanently filling the drainages) will require permitting with both agencies:

- Due to impacts to streambed the project will require a Lake and Streambed Alteration Agreement with the CDFW per Section 1600 of the Fish and Game Code. The project should complete an online application with the CDFW for these impacts and should receive the permit prior to start of construction.

- The project is within Region 4, Los Angeles RWQCB and a Application for Waste Discharge Requirements is required for the project per the Porter Cologne Act.

Mitigation

The potential permanent impacts from the project are minor at 0.009-acre (392-square feet) and would occur at the terminus of the drainages. Therefore, no downstream impacts would occur as there are no downstream resources. For these reasons, the project would have negligable impact to water quality or habitat for fish and wildlife. To compensate for these impacts South Environmental recommends that habitat improvements be made upstream of the impacted areas that include planting of native oaks along a total of 76-linear feet of Drainages #2 and #3. According to the biology report mitigation proposed for impacts to protected oaks and other native trees will require numerous replacement plantings that must be shown on the project Landscaping Plan. South Environmental recommends a minimum of 5 replacement oak tree plantings be placed along Drainage #2 and #3 in areas near the disturbance that currently lack native tree cover. These plantings should be shown on the Landscaping Plan and should be cared for according to the requirements in any oak tree removal permit. The replacement oak plantings along the drainages would improve habitat conditions along the stream for native fish and wildlife and these improvements would reduce the potential impacts to jurisdictional resources to a less than significant level per the thresholds of CEQA.

Conclusions

There are three drainages (Drainage #1, Drainage #2, and Drainage #3) on the project site. Drainage #1 would not be impacted by the project. For Drainage #2, 41 Linear Feet/0.005-acre of

RWQCB and CDFW jurisdiction would be impacted by the project. For Drainage #3, 35 Linear Feet/0.004-acre of RWQCB and CDFW jurisdiction would be impacted by the project. The total project impacts would include a total of 76 Linear Feet/0.009-acre of RWQCB and CDFW jurisdiction. Permits from RWQCB and CDFW would be required prior to start of construction of the project, and South Environmental recommends habitat improvements to Drainages #2 and #3 that include native oak tree plantings required per the existing oak tree permit be placed along the drainages and managed per the permit requirements.

This report presents South Environmental's best effort at determining the jurisdictional boundaries using the most up-to-date regulations, written policy, and guidance from regulatory agencies as well as best professional judgement and best available information at the time of the analysis. However, as with any jurisdictional delineation, the final determination of jurisdiction rests with the regulatory agencies' staff.

If you have any questions regarding the information in this report, please contact Matthew South by mobile phone: 303.818-3632 or by email: msouth@southenvironmental.com.

Sincerely,

Matthew R. South
Principal Biologist

List of Attachments

1. **Attachment A**. Photograph Exhibit
2. **Attachment B**. Arid West Ephemeral and Intermittent Streams OHWM Datasheets / Wetland Determination Forms
3. **Attachment C**. Tract Map No. 73957

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United State Fish and Wildlife Service (USFWS). 2024. National Wetlands Inventory Online Wetlands Mapper. Accessed online: https://www.fws.gov/wetlands/data/mapper.html

Attachment A

Photograph Exhibit

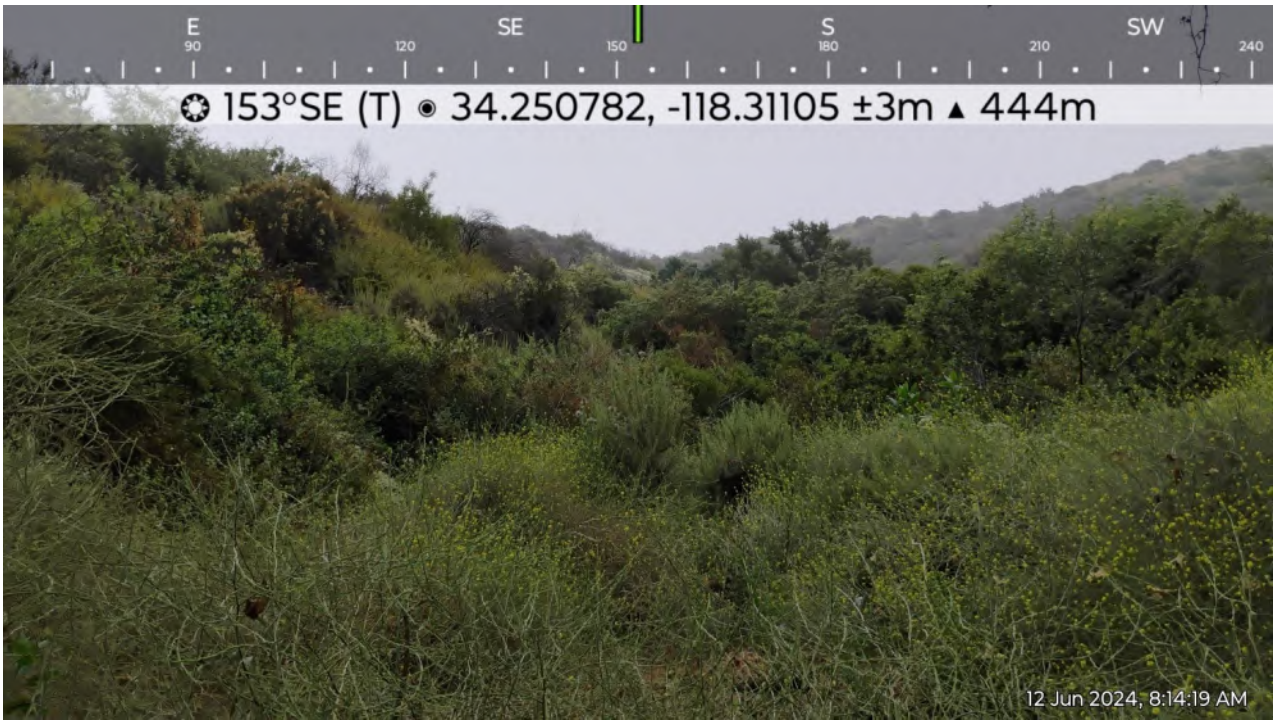


Photo 1. View of the water collection area and the erosional valley for Drainage #2, facing southeast/south.

Photo 2. View of the bed for Drainage #2, facing southwest.

Photo 3. View of the OHWM for Drainage #2, facing southwest.

Photo 4. View of the soil pit for Upland-1.

Photo 5. View of the OHWM for Drainage #2, facing south.

Photo 6. View from above the top-of-bank and OHWM for Drainage #2, facing northeast.

Photo 7. View from north of the water collection area for Drainage #2. There is no flow evidence beyond the light green grasses that are beyond the orange bucket, facing southeast.

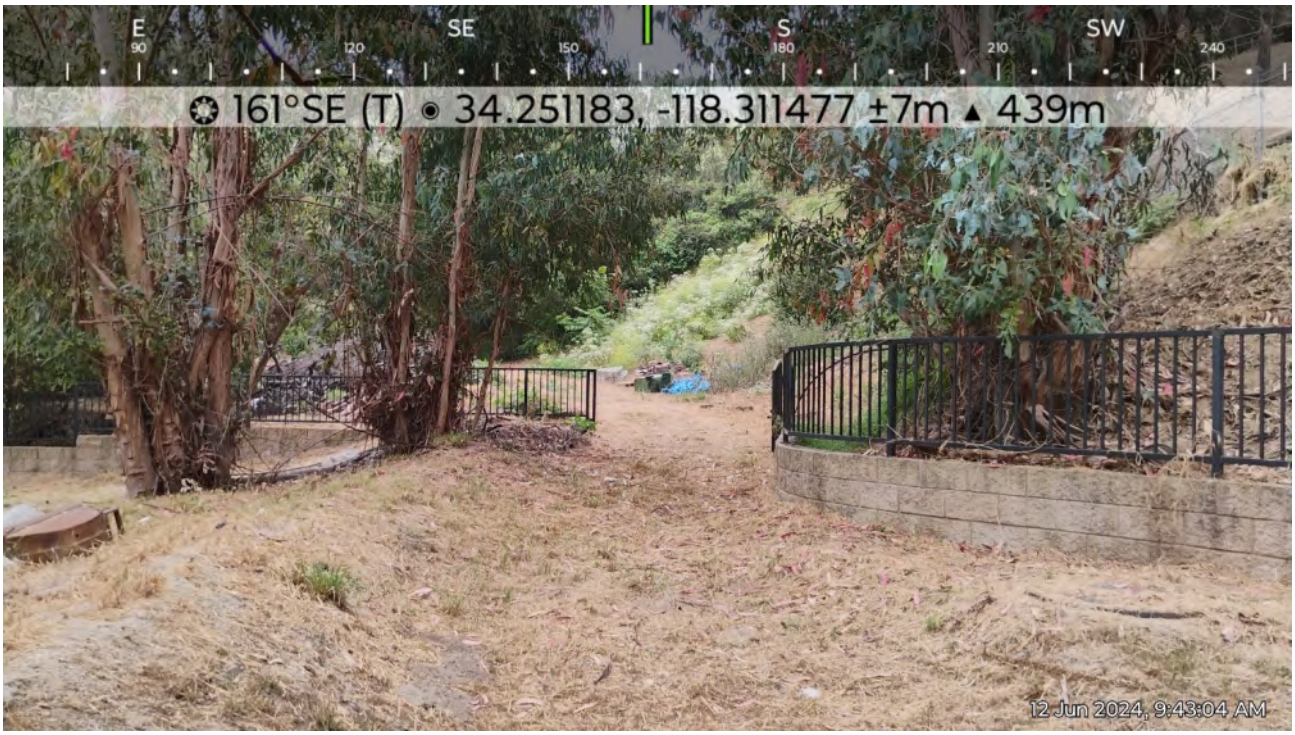


Photo 8. View from developed area northeast of Drainage #2. There is no flow evidence in this area, facing southeast/south.

Photo 9. View of bed and OHWM for Drainage #3, facing northwest.

Photo 10. View of water collection area for drainage #3, facing northwest.

Photo 11. View of the valley for Drainage #3. There is no flow evidence beyond the light green grassesthat are beyond the orange bucket and shovel, facing south.

Attachment B

Arid West Ephemeral and Intermittent Streams

OHWM Datasheets

Arid West Ephemeral and Intermittent Streams OHWM Datasheet

Project: McGroarty Development Project
Project Number:
Stream: unnamed Drainage #1 & #2
Investigator(s): James McNutt / South Environmental

Date: 06/12/2024 **Time:** 9:15 am
Town: Los Angeles **State:** CA
Photo begin file#: 1 **Photo end file#:** 7
P-01

Y [X] / N [ ] Do normal circumstances exist on the site?

Y [X] / N [ ] Is the site significantly disturbed?

Location Details:
OHWM Bounds of unnamed Drainage #1 & #2

Projection: WGS 1984 **Datum:** 1610
Coordinates: 34.2503117 N, -118.3109843 W

Potential anthropogenic influences on the channel system:

Trash or debris from developments in surrounding areas when the drainage is active.

Brief site description:

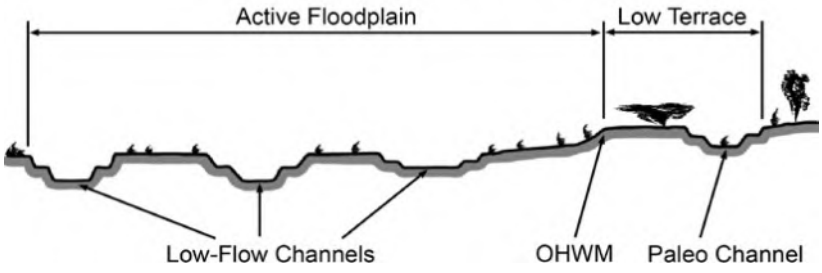
Drainage within Birch Leaf Mountain Mahogany Chaparral

Checklist of resources (if available):

- [X] Aerial photography
  Dates: 07/2024
- [X] Topographic maps
- [ ] Geologic maps
- [ ] Vegetation maps
- [X] Soils maps
- [ ] Rainfall/precipitation maps
- [ ] Existing delineation(s) for site
- [X] Global positioning system (GPS)
- [ ] Other studies

- [ ] Stream gage data
  Gage number:
  Period of record:
  - [ ] History of recent effective discharges
  - [ ] Results of flood frequency analysis
  - [ ] Most recent shift-adjusted rating
  - [ ] Gage heights for 2-, 5-, 10-, and 25-year events and the most recent event exceeding a 5-year event

Hydrogeomorphic Floodplain Units



Procedure for identifying and characterizing the floodplain units to assist in identifying the OHWM:

1. Walk the channel and floodplain within the study area to get an impression of the geomorphology and vegetation present at the site.
2. Select a representative cross section across the channel. Draw the cross section and label the floodplain units.
3. Determine a point on the cross section that is characteristic of one of the hydrogeomorphic floodplain units.
   a) Record the floodplain unit and GPS position.
   b) Describe the sediment texture (using the Wentworth class size) and the vegetation characteristics of the floodplain unit.
   c) Identify any indicators present at the location.
4. Repeat for other points in different hydrogeomorphic floodplain units across the cross section.
5. Identify the OHWM and record the indicators. Record the OHWM position via:
   - [X] Mapping on aerial photograph
   - [X] Digitized on computer
   - [X] GPS
   - [ ] Other:

Project ID: MDP **Cross section ID:** P-01 **Date:** 06/12/2024 **Time:** 9:15 am

Cross section drawing:

Depth: varies between 6 inches and 3 feet
OHWM/TOB Width: ~3.0 Feet

OHWM

GPS point: 34.2503117 N, -118.3109843 W

Indicators:

- [X] Change in average sediment texture
- [ ] Change in vegetation species
- [X] Change in vegetation cover
- [ ] Break in bank slope
- [ ] Other: _____
- [ ] Other: _____

Comments: The OHWM is evident due to erosion and deposition of detrital.

Floodplain unit:

- [X] Low-Flow Channel
- [ ] Active Floodplain
- [ ] Low Terrace

GPS point: 34.2503117 N, -118.3109843 W

Characteristics of the floodplain unit:

Average sediment texture: fg-mg

Total veg cover: 95 % Tree: 10 % Shrub: 70 % Herb: 15 %

Community successional stage:

- [ ] NA
- [X] Mid (herbaceous, shrubs, saplings)
- [ ] Early (herbaceous & seedlings)
- [ ] Late (herbaceous, shrubs, mature trees)

Indicators:

- [ ] Mudcracks
- [X] Ripples
- [X] Drift and/or debris
- [X] Presence of bed and bank
- [ ] Benches
- [ ] Soil development
- [X] Surface relief
- [ ] Other: _____
- [ ] Other: _____
- [ ] Other: _____

Comments: The active floodplain for both Drainage #1 and Drainage #2 are single low flow channels. The active floodplain defines the entire hydrogeomorphic unit. There is no low terrace or paleo channel.

Arid West Ephemeral and Intermittent Streams OHWM Datasheet

Project: McGroarty Development Project
Project Number:
Stream: unnamed Drainage #3
Investigator(s): James McNutt / South Environmental

Date: 06/12/2024 **Time:** 10:00 am
Town: Los Angeles **State:** CA
Photo begin file#: 8 **Photo end file#:** 11
P-02

Y [X] / N [ ] Do normal circumstances exist on the site?

Y [X] / N [ ] Is the site significantly disturbed?

Location Details:
OHWM Bounds of unnamed Drainage #3

Projection: WGS 1984 **Datum:** 1609
Coordinates: 34.2506542 N, -118.3099813 W

Potential anthropogenic influences on the channel system:

Trash or debris from developments in surrounding areas when the drainage is active.

Brief site description:

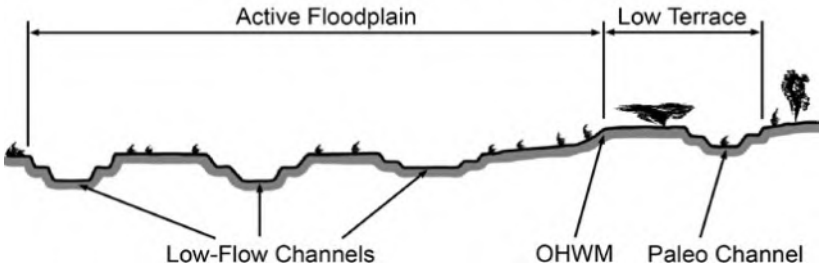
Drainage within Birch Leaf Mountain Mahogany Chaparral

Checklist of resources (if available):

- [X] Aerial photography
  Dates: 07/2024
- [X] Topographic maps
- [ ] Geologic maps
- [ ] Vegetation maps
- [X] Soils maps
- [ ] Rainfall/precipitation maps
- [ ] Existing delineation(s) for site
- [X] Global positioning system (GPS)
- [ ] Other studies

- [ ] Stream gage data
  Gage number:
  Period of record:
  - [ ] History of recent effective discharges
  - [ ] Results of flood frequency analysis
  - [ ] Most recent shift-adjusted rating
  - [ ] Gage heights for 2-, 5-, 10-, and 25-year events and the most recent event exceeding a 5-year event

Hydrogeomorphic Floodplain Units



Procedure for identifying and characterizing the floodplain units to assist in identifying the OHWM:

1. Walk the channel and floodplain within the study area to get an impression of the geomorphology and vegetation present at the site.
2. Select a representative cross section across the channel. Draw the cross section and label the floodplain units.
3. Determine a point on the cross section that is characteristic of one of the hydrogeomorphic floodplain units.
   a) Record the floodplain unit and GPS position.
   b) Describe the sediment texture (using the Wentworth class size) and the vegetation characteristics of the floodplain unit.
   c) Identify any indicators present at the location.
4. Repeat for other points in different hydrogeomorphic floodplain units across the cross section.
5. Identify the OHWM and record the indicators. Record the OHWM position via:
   - [X] Mapping on aerial photograph
   - [X] Digitized on computer
   - [X] GPS
   - [ ] Other:

Project ID: MDP **Cross section ID:** P-02 **Date:** 06/12/2024 **Time:** 10:00 am

Cross section drawing:

Depth: varies between 6 inches and 3 feet
OHWM/TOB Width: ~3.0 Feet

OHWM

GPS point: 34.2506542 N, -118.3099813 W

Indicators:

- [X] Change in average sediment texture
- [ ] Change in vegetation species
- [X] Change in vegetation cover
- [ ] Break in bank slope
- [ ] Other: _____
- [ ] Other: _____

Comments: The OHWM is evident due to erosion and deposition of detrital.

Floodplain unit:

- [X] Low-Flow Channel
- [ ] Active Floodplain
- [ ] Low Terrace

GPS point: 34.2506542 N, -118.3099813 W

Characteristics of the floodplain unit:

Average sediment texture: fg-mg

Total veg cover: 95 % Tree: 10 % Shrub: 70 % Herb: 15 %

Community successional stage:

- [ ] NA
- [ ] Early (herbaceous & seedlings)
- [X] Mid (herbaceous, shrubs, saplings)
- [ ] Late (herbaceous, shrubs, mature trees)

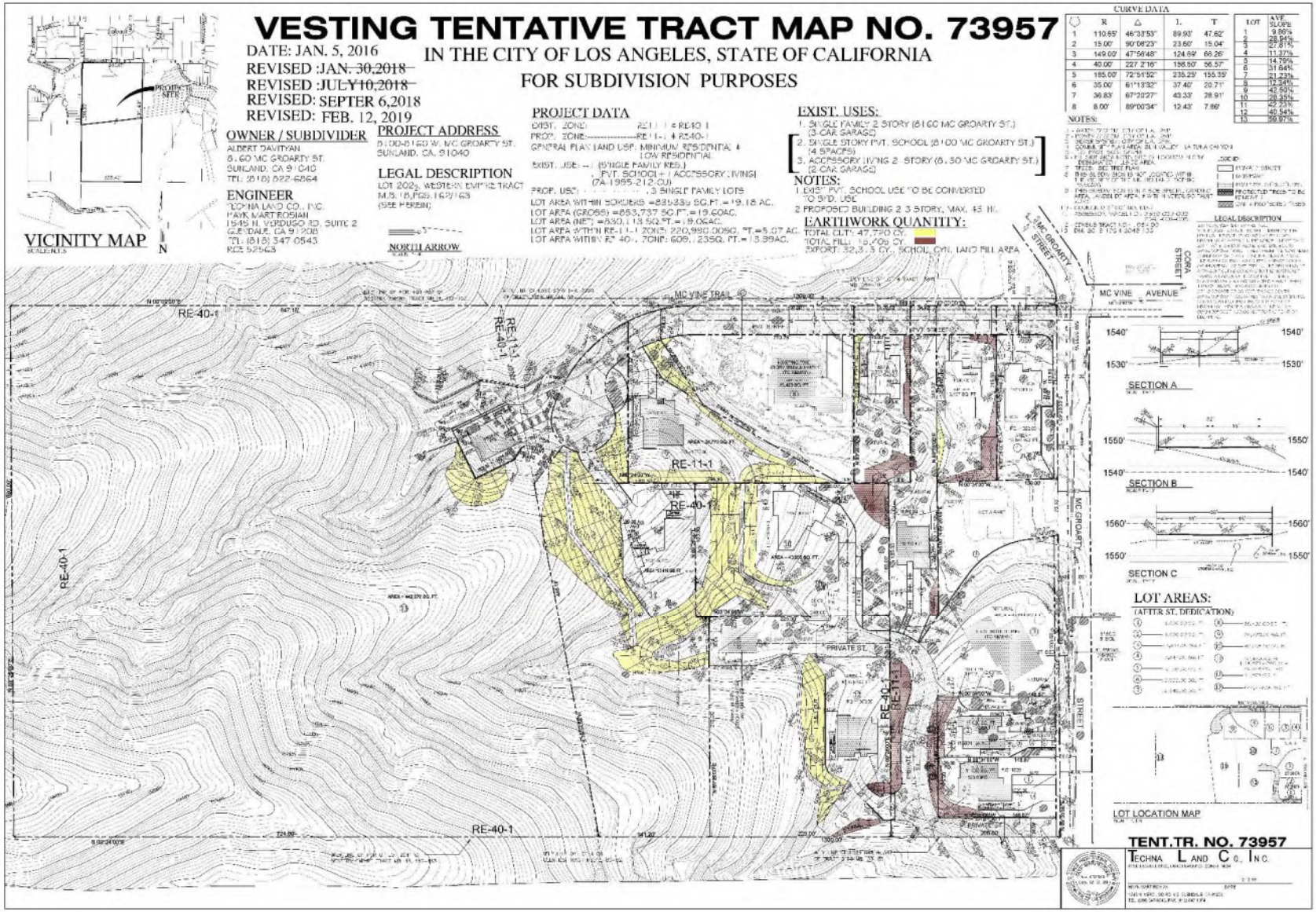
Indicators:

- [ ] Mudcracks
- [X] Ripples
- [X] Drift and/or debris
- [X] Presence of bed and bank
- [ ] Benches
- [ ] Soil development
- [X] Surface relief
- [ ] Other: _____
- [ ] Other: _____
- [ ] Other: _____

Comments: The active floodplain for both Drainage #3 is a single low flow channel. The active floodplain defines the entire hydrogeomorphic unit. There is no low terrace or paleo channel.

Attachment C

Site Plan


VESTING TENTATIVE TRACT MAP NO. 73957
DATE: JAN. 5, 2016
REVISED :JAN. 30,2018
REVISED :JULY 10,2018
REVISED: SEPTER 6,2018
REVISED: FEB. 12, 2019
IN THE CITY OF LOS ANGELES, STATE OF CALIFORNIA
FOR SUBDIVISION PURPOSES
VICINITY MAP
OWNER / SUBDIVIDER
ALBERT DAVITYAN
8,60 MC GROARTY ST.
SUNLAND, CA 91040
TEL: (818) 822-6864
ENGINEER
TECHNA LAND CO., INC.
HAYK MARTIROSIAN
1545 N. VERDUGO RD. SUITE 2
GLENDALE, CA 91208
TEL: (818) 347-0543
RCE 52563
PROJECT ADDRESS
8,000-8,160 W. MC GROARTY ST.
SUNLAND, CA. 91040
LEGAL DESCRIPTION
LOT 202, WESTERN EMPIRE TRACT
M.B. 18, PGS. 162/163
(SEE HEREIN)
NORTH ARROW
PROJECT DATA
EXIST. ZONE: RE11-1 & RE40-1
PROP. ZONE: RE11-1 & RE40-1
GENERAL PLAN LAND USE: MINIMUM RESIDENTIAL & LOW RESIDENTIAL
EXIST. USE: 1 (SINGLE FAMILY RES.) 1 PVT. SCHOOL + 1 ACCESSORY LIVING (ZA-1995-212-CUX)
PROP. USE: 3 SINGLE FAMILY LOTS
LOT AREA WITHIN BORDERS =835,836 SQ.FT. = 19.18 AC.
LOT AREA (GROSS) =853,737 SQ.FT. = 19.60AC.
LOT AREA (NET) =830,113 SQ.FT. = 19.06AC.
LOT AREA WITHIN RE-11-1 ZONE: 220,990.00SQ. FT.=5.07 AC.
LOT AREA WITHIN RE 40-1 ZONE: 609,123SQ. FT.= 13.99AC.
EXIST. USES:
1. SINGLE FAMILY 2 STORY (8160 MC GROARTY ST.) (3-CAR GARAGE)
2. SINGLE STORY PVT. SCHOOL (8100 MC GROARTY ST.) (4 SPACES)
3. ACCESSORY LIVING 2 STORY (8,30 MC GROARTY ST.) (2 CAR GARAGE)
NOTES:
1. EXIST. PVT. SCHOOL USE TO BE CONVERTED TO SFD. USE
2 PROPOSED BUILDING 2 3 STORY, MAX. 45 HI.
EARTHWORK QUANTITY:
TOTAL CUT: 47,720 CY.
TOTAL FILL: 15,705 CY.
EXPORT: 32,315 CY., SCHOOL GYM, LAND FILL AREA
CURVE DATA
NOTES:
LEGAL DESCRIPTION
MC VINE AVENUE
MC GROARTY STREET
CORA STREET
MC VINE TRAIL
PRIVATE ST.
RE-40-1
RE-11-1
SECTION A
SECTION B
SECTION C
LOT AREAS:
(AFTER ST. DEDICATION)
LOT LOCATION MAP
TENT.TR. NO. 73957
TECHNA LAND CO., INC.