

**SUPPLEMENTAL
REPORT TO THE HEARING OFFICER**

DATE ISSUED: February 6, 2025

HEARING DATE: February 12, 2025 AGENDA ITEM: 7

PROJECT NUMBER: 96-044-(5)

PERMIT NUMBER(S): Conditional Use Permit ("CUP") Modification No. RPPL2019002028

SUPERVISORIAL DISTRICT: 5

PROJECT LOCATION: North of the Antelope Valley Freeway (SR-14) and Soledad Canyon Road, between Shadow Pines Boulevard and Agua Dulce Canyon

OWNER/APPLICANT: Spring Canyon Recovery Acquisition LLC


INCLUSIONARY HOUSING ORDINANCE ("IHO"): The Project is not subject to the IHO.

CASE PLANNER: Marie Pavlovic, Senior Planner
mpavlovic@planning.lacounty.gov

SUPPLEMENTAL MATERIAL

This supplemental memo provides the applicant's responses to Mountains Recreation Conservation Authority (MRCA) and SCOPE comments (Exhibit A).

Report
Reviewed By: 
Joshua Huntington, AICP, Supervising Regional Planner

Report
Approved By: 
Susan Tae, AICP, Assistant Deputy Director

LIST OF ATTACHED EXHIBIT

Exhibit A	Applicant's response to MRCA and SCOPE comments.
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February 3, 2025

Marie Pavlovic, Senior Planner Subdivisions
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Raintree Investment Company on behalf of Spring Canyon Recovery Acquisition, LLC, provides the following responses to the Mountains Recreation and Conservation Agency appeal of the Hearing Officer's October 22, 2024, approval of Conditional Use Permit Modification RPPL2019002028. Conditional Use Permit Modification No. RPPL2019002028 was submitted as required by the Board of Supervisors approval of the fourth Amendment of Vesting Tentative Tract Map 48086. In approving the amendment map, the Board found that it was *appropriate to require the filing of a modification or elimination of conditions, pursuant to County Code Section 22.236 to ensure that the related CUP No. 96-044 is consistent with the conditions of approval for the Amendment*. Condition No. 20 required submittal of the Conditional Use Permit Modification application prior to final map recordation.

The MCRA cites four conditions in their appeal; the MCRA comments are in italicized text below. Our responses are in bold.

COA 15

COA 15 indicates the Project will grade 7,237,000 cubic yards of earth with no analysis of lead contamination to air or water quality despite Project materials that state: "... shooting, hunting, and off-road vehicle activity ... occurs on the site on an almost daily basis" (D-EIR, 4.6-15). The lack of lead analysis leaves the County open to liability should Project grading mobilize lead shot known to exist in Tapie and Spring Canyons.

The Draft Environmental Impact Report (DEIR) was prepared in 2000. Shooting, possible hunting, and heavy off-road vehicle use was noted in the DEIR due to unrestricted access to the property at that time. While it is possible some of these activities may continue to occur sporadically, the statement that such activities occur on an almost daily basis is most definitely no longer the case. Access to the site is no longer unrestricted as it is fenced, posted, and video monitored. Analyzing lead shot over the project site at the time of completion of the DEIR would have been speculative. Mitigation measures for air quality impacts are included in the MMRP and compliance with SCAQMD provisions is required. There is an approved grading plan and water quality plan for the project and provisions for safe handling of on-site soil, including any contamination, were included in preparation of these plans.

COA 15 requires the Project “shall be graded, developed, and maintained in substantial compliance with the approved Fourth Amended Vesting Tentative Tract Map No. 48086-(5) and Exhibit “A” (dated August 14, 2018).” This referenced Exhibit “A” claims to provide a Wildlife Undercrossing of future Yellowstone Lane in the southwest extent of the Project leading to the SR-14 Spring Creek culvert which eventually drains to the Santa Clara River Significant Ecological Area; however, “Development of the site as planned would eliminate the available [wildlife] linkage via the [SR-14] culvert. The on-site [Yellowstone Lane] culvert mouth would be surrounded by development and would not be used by any but the most tolerant wildlife species, such as raccoon and opossum. The loss of the scrub oaks and holly-leaved cherry in lower Tapie Canyon will be significant for local wildlife” (D-EIR, 4.6-23). Thus, what appears on paper as a Wildlife Undercrossing of Yellowstone Lane is actually a linkage to/from nowhere for regional wildlife except for the most urban-adapted species.

There is no direct mention of the wildlife undercrossing in Condition No. 15, nor is there any “claim” made by the Exhibit “A”; the Exhibit “A” depicts the project design proposed by the Fourth Amended Vesting Tentative Tract Map No. 48086-(5) which requested adjustment in timing of certain required conditions of approval and mitigation measures relating to sequencing and clarification for grading and road and infrastructure improvements, parks and trails improvements, and landscaping installation. The DEIR (D-EIR, 4.6-23) describes the original project with mitigation measures reflecting that design. However, the Mitigation Monitoring and Reporting Program (MMRP) prepared for the project (dated July 2003) and adopted by the Board of Supervisors on July 28, 2004, states that “the mitigation measures contained herein have been revised, where necessary, from those in the text of the Draft Environmental Impact Report in response to further project review and comments received during public circulation and the public hearing process.” Improvement of the design of the wildlife corridor and undercrossing was added in response to public hearing comments and approved minor amendments to the vesting tentative tract map. The Fourth Amended Vesting Tentative Tract Map 48086 and the associated Exhibit “A” reflects the wildlife corridor revisions. The location of the wildlife corridor is also depicted on the landscape plan (REA201100276) approved July 1, 2020, As required by the adopted MMRP, a mitigation plan (Open Space and Wildlife Corridor Management Plan for Spring Canyon VTTM 48086, dated March 24, 2014, revised May 5, 2018) was reviewed by County staff prior to issuance of the final grading permit. This mitigation plan provides details on design, revegetation with native species and other specific requirements. In addition, Condition No. 45 requires mapping and replanting of holly-leaf cherry.

COA 15 similarly attempts to require a wildlife linkage at the off-site SR-14 “underpass at Stonecrest Road [that] is presently a significant choke-point and its importance will be magnified with the elimination of the [SR-14] culvert [linkage]. While the reconstruction (i.e., road widening to existing pillars, addition of a raised 5’ sidewalk, and a separate 8’-wide, raised equestrian/wildlife trail) of site access at Stonecrest Road has been designed in attempt to reduce the significance of the project’s overall impact on the regional wildlife movement corridor, wildlife movement may be significantly inhibited” (D-EIR 4.6-23). Again, what appears to be an on-paper wildlife linkage is an 8-foot-wide multi-use trail under the SR-14 Freeway with no visual, light, or noise shielding that will connect wildlife to Soledad Canyon Road that, if improved per plan, “... will provide for sight distance along Soledad Canyon Road for a 60 MPH design speed” (D-EIR

4.9-30). The Stonecrest Road wildlife linkage improvement must, at minimum, be amended to include wildlife exclusion fencing, with appropriate jump-outs, along both the north and south SR-14 rights-of-way, in order to prevent wildlife directed to the Stonecrest Road undercross from straying onto the SR-14 Freeway and allowing animals to escape the SR-14 exclusion fencing should they become trapped on the Freeway side.

Condition No. 15 does not state a requirement for a wildlife linkage, though it does note development shall be in compliance with the Fourth Amended Vesting Tentative Tract Map No 48086-(5) and the associated Exhibit “A” dated August 14, 2018. In addition, the MMRP describes the design requirements of the wildlife corridor, including the Stonecrest Road underpass, and they are incorporated in the mitigation plan (Open Space and Wildlife Corridor Management Plan) reviewed by Department of Regional Planning staff. The trail to/from the underpass is continued to Spring Canyon with native vegetation planted on either side. Lighting of the wildlife trail of the underpass will be minimal, and in compliance with County standards, with shielding as necessary.

Given the CDFW’s inclusion of the Southern California Evolutionary Significant Unit of mountain lion as a candidate species for protection by the California Endangered Species Act (CESA), the Project will substantially affect a rare, threatened, or endangered species (or the habitat of such species), interfere with the movement of a migratory wildlife species, and substantially diminish habitat for wildlife. The increase of Soledad Canyon Road to 60 MPH will result in additional wildlife-vehicle collisions should wildlife attempt to use the Stonecrest Road wildlife linkage. Soledad Canyon Road speeds should be reduced to 35 MPH—with photo enforcement—if this is truly intended to be a wildlife corridor to/from the Santa Clara River.

Soledad Canyon Road is a two-lane road (one lane in each direction) with a posted speed limit of 50 mph, reduced to 30-40 mph in areas with significant curves. At the Stonecrest Road entrance shielded street lighting will be provided, though Soledad Canyon Road is otherwise unlighted. It is not certain that additional wildlife-vehicle collisions will occur, nor that a reduction in posted speed limit to 35 mph would prevent them. Photo enforcement of posted speed limits is not under the purview of the project developer.

COA 17

COA 17 attempts to improve COA 15’s requirement for an 8-foot-wide multi-modal trail for wildlife linkage “with indigenous/native landscaping to guide wildlife on the riding-hiking-wildlife trail to the east and south across Soledad Canyon Road and out of the intersection” (Report to Hearing Officer dated October 8, 2024, pg. 7 of 15). However, as shown on Exhibit “A” (August 14, 2018) there is no opportunity to install vegetation in the Stonecrest Road undercross of SR-14 that would retain north- and south-bound Stonecrest Road traffic lane widths of at least 14 feet—vegetation encroachment into the multi-modal trail or at least one traffic lane would be required.

Condition No. 17 was expanded from the language in the original project approval (August 3, 2004) to incorporate language required by the Board of Supervisors approval of Fourth Amended Vesting Tentative Tract Map No. 48086-(5) on June 25, 2019, which required landscaping with indigenous/native plants to provide for wildlife passage underneath Yellowstone Lane and east of the intersection of Stonecrest Road at Yellowstone Lane. This condition expands on Condition No. 45 that requires all landscaping will be locally indigenous species.

COA 17 updates the Project to include Oak Tree Permit No. 201300020 that included a re-survey of the property for oak trees in February 2013. Because this re-survey only included field data sheets for then Ordinance-sized trees, Oak Tree Permit No. 201300020 is outdated, insufficient, and must be supplemented with a current survey of all onsite oak trees to ensure none of approximate 2,650 oak trees that were deemed not subject to the Los Angeles County Oak Tree Ordinance from the 2013 re-survey have grown to become Ordinance-sized and protected trees.

The staff report prepared for Oak Tree Permit 201300020 describes that request as removal of four oak trees of six on-site trees of ordinance size scattered throughout the 555-acre project site. These four trees had not been of ordinance size at the time of approval of Oak Tree Permit 96-044, approved by the Board of Supervisors on August 3, 2004. The oak tree report prepared for OTP201200020 surveyed 2,653 trees with all determined to be hybrid scrub oaks. The report noted that the smaller trees were generally in good health with the larger trees exhibiting various types of damage, that there was little new growth, and that wind and weather damage had caused some defoliation. The report also noted all the on-site trees were surveyed and inventoried, though 2,095 of the trees were found to be less than 54 inches so measurements (DBH) were not necessary. It is unlikely that additional trees have grown to ordinance size and a resurvey of the entire site is not needed. However, it should be possible to review the field evaluations completed for trees that may have been nearing ordinance size in 2013.

COA 17 amends the condition that the Permittee transfer the Open Space lots to a public agency, or non-profit conservation organization where a "... final executed agreement shall include a reasonable endowment for maintenance as agreed upon by the public agency, or non-profit agency, or non-profit conservation organization and permittee, and must be to the satisfaction of the Director" (Report to Hearing Officer dated October 8, 2024, pg. 6 of 15) that is insufficiently vague to deliver adequate public recreation and habitat and fire safety benefit for this stage of Project approvals.

As noted, Condition No. 17 requires agreement on a reasonable endowment for maintenance of open space lots by an appropriate agency. The condition is required to be completed prior to issuance of a certificate of occupancy so there is sufficient time to continue to work to finalize compliance with this condition.

COA 36

COA 36 adds solar panel and electrical upgrade components to the prior condition that was previously limited to water-saving devices and technology. Because this Project is located in a State-recognized Very High Fire Hazard Severity Zone, COA 36 must also impose structure hardening requirements including, but not limited to: closed eaves, metal roll-down shutters on all first floor windows for structures that abut open space lots, and sufficient HVAC systems for all occupied structures to allow residents and school attendees to shelter-in-place.

It is anticipated that the Los Angeles County Fire Department will shortly provide guidance on enhanced construction standards for structure hardening such as use of Class A fire resistant roofing, tempered glass, boxed eaves, etc. The construction plans for the on-site structures will follow all requirements and any additional recommendations will be considered.

COA 40

COA 40 appears to eliminate the prior requirement that the Permittee construct a restroom facility as part of the Active Park improvements. While this restroom facility may be re-required as part of a future agreement with the Department of Parks and Recreation, the removal of the restroom facility from COA 40 indicates the County may not require the Active Park to provide reasonable restroom facilities for Active Park users. Failure to provide an adequate restroom facility at the Active Park will result in park users improvising restrooms and increasing adverse impacts to native habitat areas. Without the condition that the Permittee construct the restroom, restroom construction costs will likely shift to the Department of Parks and Recreation that is already overburdened with developing park facilities for under-served communities and ongoing maintenance costs at existing developed parks.

Condition No. 40 of the original project approval (August 3, 2004) did not reference a restroom facility. Revised Condition No. 40 does not state a restroom facility would be eliminated. It states only that an "Active Park" will be provided. Conceptual plans, depicting restroom facilities, have been reviewed by County staff. Plans for construction of the Active Pack will include restrooms. This condition also requires construction of the park by the project developer; the park will not be constructed by Los Angeles County.

Thank you for allowing us the opportunity to provide responses. We look forward to the Regional Planning Commission's February 12, 2025, meeting.

Sincerely,



Patrick Parker (Feb 3, 2025 16:00 PST)

Patrick Parker

President

Raintree Investment Corporation



MOUNTAINS RECREATION & CONSERVATION AUTHORITY
King Gillette Ranch
26800 Mulholland Highway
Calabasas, California 91302
Phone (310) 589-3230

October 17, 2024

Hearing Officer
Los Angeles Regional Planning Department
320 West Temple Street
Los Angeles, California 90012

Attention: Marie Pavlovic

Comments on the Proposed Spring Canyon Subdivision Project (Project No. 96044-(5), Vesting Tentative Tract Map No. 48086, and Environmental Assessment No. RPPL2018004166) in Unincorporated Los Angeles County

Dear Hearing Officer:

The Mountains Recreation and Conservation Authority (MRCA) expresses its concern with the proposed request to modify 12 conditions of approval of Conditional Use Permit (CUP) No. 96-044 to align with the new and adjusted conditions approved under the Fourth Amendment to Vesting Tentative Tract Map (VTTM) No. 48086 approved by the Board of Supervisors on June 25, 2019.

What is the explanation for why VTTM No. 48086 has not automatically expired?

In the attached County letter dated August 22, 2018, the County's Hearing Officer approved a sixth, and final, applicant "... request for a time extension in which to record a final map for the above-referenced vesting tentative tract map" (emphasis added) and extended the VTTM's expiration date to August 3, 2019.

According to the County's Title 21 (Subdivision Ordinance), Section 21.38.050 (Expiration): "An approved or conditionally approved vesting tentative map for a tract or for a minor land division shall be effective for the periods of time as provided for in Sections 21.40.180 and 21.48.120, respectively, of this Title 21." Since this Project relates to a tentative map, Section 21.40.180 applies, of which Subsection 21.40.180.B states, in part: "The hearing officer may grant one or more extensions to the terms of approval of a tentative map." Thus, the County's Hearing Officer set August 3, 2019, as the deadline to record all phases of VTTM No. 48086 or else the tentative map shall lapse, expire, and be of no force and effect.

Despite a decade and a half since the Project's initial VTTM No. 48086 was approved by the Board of Supervisors on August 3, 2004, and after the County Hearing Officer's written notice on August 22, 2018, of a final deadline, **the applicant failed to record all phases of VTTM No. 48086 by August 3, 2019.** By the plain language interpretation of the County's Title 21 (Subdivision Ordinance) and Hearing Officer's sixth time extension

deadline, the Project entitlements have lapsed and expired.

The County's Low Impact Development (LID) standards did not go into effect until a decade after certification of the Final Environmental Impact Report (F-EIR). LID stormwater collection infrastructure requires significant amounts of space in areas at lower elevation within a tract map where drainage accumulates. The 2019 F-EIR Addendum is deficient for not spatially analyzing the potential impacts of the project meeting current County LID standards. This deficiency is particularly acute because the narrowest, most spatially sensitive ecological areas in the proposed project are the wildlife corridor approaches and crossing infrastructure where the Spring Canyon drainage approaches State Route 14 (SR-14) Freeway and the Stonecrest Road undercrossing of SR-14.

The MRCA does not believe that LID standards can be met by the project without eliminating some housing lots and the potential minor realignment of street sections. No LID improvements of any nature or scale should be allowed in any of the open space areas identified to be included in conservation easements by County approvals to date. LID implementation issues must be solved within the approved development impact footprint—not in natural areas with natural substrate.

With the proposed CUP modifications and unknown LID requirements all coupled together with the passage of 20 years and the listing of the local mountain lion population, the project's Mitigation and Monitoring Program (MMP) must be updated and approved by an elected body. The current MMP cannot possibly provide adequate adherence to the mitigation needs required in 2024 and beyond. Habitat mitigation that seemed plausible in 2004 is no longer feasible with the low soil moisture conditions and yearly temperature increases now seen in 2024. Thus, habitat mitigation in 2024 must be more intensively monitored to achieve the success levels required in the certified F-EIR and MMP.

The original 2004 Board of Supervisor's approval of the project required the establishment of a Landscape Maintenance District or a Community Facilities District to fund the maintenance of the open space lots. At that Board hearing, the County Parks Director testified that County Parks desired to accept the open space lots with a permanent, privately generated funding source. Our staff has had on and off contact with the Chief Administrator's Office to confirm this requirement and seeks to bring it back to light. The public agency that accepts the hundreds of acres of open space should not be permanently saddled with un-funded maintenance of mitigation for a private project. The elimination of this condition added by the Board of Supervisors is a great loss to the public and the ecosystem.

The MRCA testified about this omission at the public hearing to approve a Community Facilities District (CFD) for the proposed project's sewer and/or water lift infrastructure.

This omission was ignited at that hearing when it should have been addressed in concert with the approved infrastructure CFD. Until the County abides by this open space maintenance funding condition added at the 2004 Board hearing, it will be cheating both itself and the greater public of a permanently funded maintenance amenity that clearly was part of the public approval that day.

In April 2020, the California Fish and Game Commission designated the central coast and Southern California's Evolutionary Significant Unit of mountain lion as a candidate species for listed protection by the California Endangered Species Act (CESA). As a result, mountain lions are considered a CESA-protected species, and impacts to habitat that support mountain lions should be minimized to the greatest extent feasible and fully mitigated where impacts cannot be avoided.

The proposed subdivision of Spring Canyon—which provides regionally important mountain lion habitat connectivity between separated units of the Angeles National Forest—into low-density, single-family residences, a fire station, a sheriff substation, a public school, 12 debris basins, and numerous manufactured slopes with v-ditches is incompatible with the City's proposed greenbelt surrounding its incorporated limits. The Project adds vehicle-oriented sprawl to the unincorporated County that will increase Vehicle Miles Travelled, Wildlife-Vehicle Collisions, and other edge effects such as, but not limited to, light pollution, greenhouse gas emissions, and trash that supports nuisance wildlife. The Project's proposed dedication of open space generally comprised of slopes too steep to build on is insufficient mitigation considering the adverse impacts this Project will have on mountain lion genetic flow between coastal and inland populations. The F-EIR and all Addenda are deficient for not analyzing the importance of the Stonecrest Road / SR-14 Freeway undercrossing to mountain lion movement.

In August 2022, the California High-Speed Rail Authority (HSRA) released the Draft Project Environmental Impact Report / Environmental Impact Statement for the Palmdale to Burbank Project Section of the California High-Speed Rail. The HSRA has since affirmed the SR14A Build Alternative as the Preferred Alternative route between Palmdale and Burbank. The SR14A Build Alternative proposes to tunnel beneath the San Gabriel Mountains for most of the distance between stations; however, the route daylights in Bee Canyon which is opposite the SR-14 Freeway from Spring Canyon. The proposed rail line runs at grade in Bee Canyon for over one mile parallel to the SR-14 Freeway. The SR-14 Freeway is a well-recognized barrier to habitat connectivity and wildlife movement. The combined, cumulative effects of developing Spring Canyon with several hundred homes designed to accommodate multiple vehicles per residence and the development of Bee Canyon with high-speed rail will effectively eliminate habitat connectivity and wildlife permeability in the most western extent of the *San Gabriel-Castaic Connection*.

Thus, MRCA urges the County to coordinate with the Project applicant, HSRA, California Department of Fish and Wildlife, Caltrans, Santa Clarita Watershed Recreation and

County of Los Angeles

Spring Canyon Development Project (Project No. 96044-(5), VTTM No. 48086, and EA No. RPPL2018004166)

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Conservation Authority, Santa Monica Mountains Conservancy, and MRCA staff to devise sufficient mitigation measures that preserve Spring Canyon and improve habitat connectivity and wildlife permeability in this regionally critical *San Gabriel-Castaic Connection* wildlife corridor.

If you have any questions or concerns, please contact me at paul.edelman@mrca.ca.gov, 310-589-3230 ext. 128, or the above letterhead address. Thank you for your time and consideration.

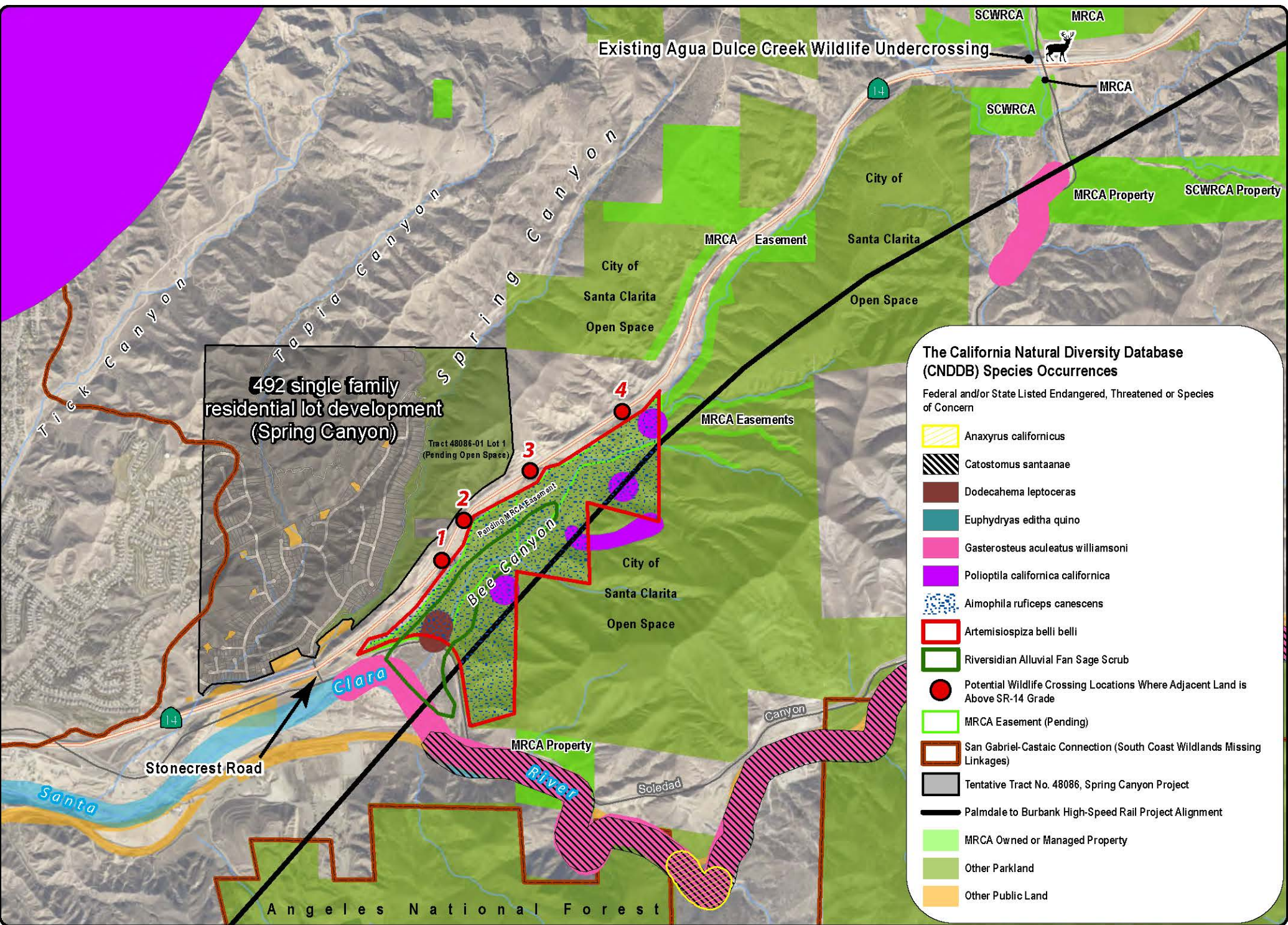
Sincerely,



Paul Edelman

Chief of Natural Resources and Planning

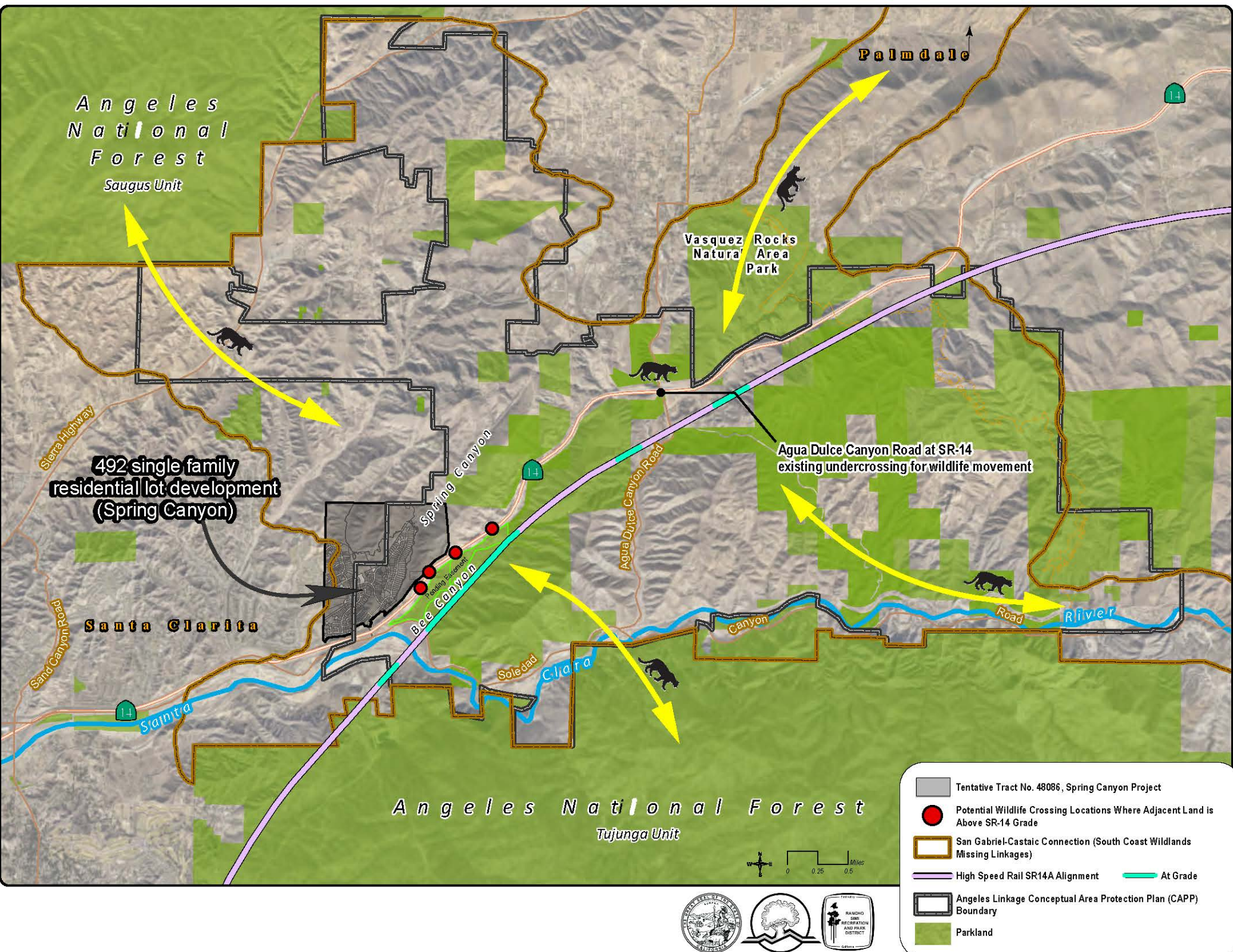
Attachments: Spring Canyon Project 96044-(5) – Project CNDDB Map
Spring Canyon Project 96044-(5) – Vicinity & Wildlife Corridor Map
Spring Canyon Project 96044-(5) – LACo DRP Extension Approval
(2018-08-22)



The California Natural Diversity Database (CNDDB) Species Occurrences

Federal and/or State Listed Endangered, Threatened or Species of Concern

- Anaxyrus californicus*
- Catostomus santaanae*
- Dodecahema leptoceras*
- Euphydryas editha quino*
- Gasterosteus aculeatus williamsoni*
- Poliophtila californica californica*
- Aimophila ruficeps canescens*
- Artemisiospiza belli belli*
- Riversidian Alluvial Fan Sage Scrub*
- Potential Wildlife Crossing Locations Where Adjacent Land is Above SR-14 Grade
- MRCA Easement (Pending)
- San Gabriel-Castaic Connection (South Coast Wildlands Missing Linkages)
- Tentative Tract No. 48086, Spring Canyon Project
- Palmdale to Burbank High-Speed Rail Project Alignment
- MRCA Owned or Managed Property
- Other Parkland
- Other Public Land



Angeles
National
Forest

Saugus Unit

Palmdale

Vasquez
Natural
Rocks
Area
Park

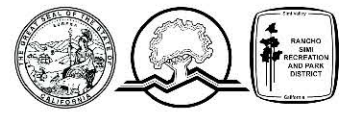
492 single family
residential lot development
(Spring Canyon)

Santa Clarita

Angeles National Forest
Tujunga Unit

Agua Dulce Canyon Road at SR-14
existing undercrossing for wildlife movement

- Tentative Tract No. 48086, Spring Canyon Project
- Potential Wildlife Crossing Locations Where Adjacent Land is Above SR-14 Grade
- San Gabriel-Castaic Connection (South Coast Wildlands Missing Linkages)
- High Speed Rail SR14A Alignment
- At Grade
- Angeles Linkage Conceptual Area Protection Plan (CAPP) Boundary
- Parkland





Marie Pavlovic, Senior Planner Subdivisions
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Reference: Spring Canyon – TR 48086 – Response to Comments

On October 22, 2024, the Hearing Officer approved RPPL2019002028, a modification to the conditions of approval of Conditional Use Permit 96-044-(5). The Hearing Officer's approval has been appealed to the Regional Planning Commission (RPC) by the Mountains Recreation & Conservation Authority (MRCA) and is scheduled for the RPC's February 12, 2025, meeting. A response to the MRCA's letter appealing the project has been provided.

In addition to the MRCA appeal letter, prior to the October 22, 2024, Hearing Officer meeting, letters dated August 5, 2024, August 25, 2024, and October 21, 2024, were received from the Santa Clarita Organization for Planning and the Environment (SCOPE) and from MRCA, letter dated October 17, 2024.

Responses to issues raised in these letters were provided by Regional Planning via email to SCOPE and were addressed in the staff report and presentation at the October 22, 2024, Hearing Officer meeting. Expanded information below is intended to provide further detail and clarity. As some issues were noted by both SCOPE and MRCA, for simplicity bold text below summarizes the concern raised. Text in italics is taken directly from the submitted letters.

Action on Project within last 5 years

SCOPE's letters state that *no recent information regarding action taken by the Department in the last 5 years is available online and requested any time extensions, Subdivision committee meeting reports, a list of changes and modifications to be made to the exiting conditions, any new changes, permits or other approvals, interoffice memos and updated CEQA documentation.* Regional Planning staff provided responses to SCOPE's concerns related to availability of reports and other documents and the questions concerning the specifics of the Conditional Use Permit Modification request and noted that approvals may have been issued by other Departments.

A number of improvement plans and applications have been processed and approved or are currently under review to implement the project's conditions of approval. The

plans and applications submitted to the County's EPIC-LA portal are accessible via the public records search feature at:

https://epicla.lacounty.gov/energov_prod/SelfService/#/search

Expiration of Tentative Tract Map

As described by Regional Planning staff four final maps recorded for the project.

TRACT NO. 48086-01 with 1 open space lot of 114.99 acres recorded on July 12, 2017. The majority of the project open space was shown on this map, ensuring compliance with overall open space requirements, rather than in combination with future final maps.

TRACT NO. 48086-02 with 249 single-family residential, 3 public facility, 2 open space, 3 private park, 9 debris basin, 1 flood control and 1 water tank (total 266) lots recorded on August 7, 2019.

TRACT NO. 48086-03 with 128 single-family residential 1 school and 2 flood control (total 131) lots recorded on August 7, 2019.

TRACT NO. 48086 with 115 single-family residential and 1 flood control (total 116) lots recorded on August 7, 2019

Both SCOPE and MRCA state the tentative map expired, therefore, project entitlements should have lapsed. This contention appears tied to a description of the Hearing Officer's approval of the sixth extension of Vesting Tentative Tract Map 48086 on August 21, 2018, which granted a one-year time extension from August 3, 2018, to August 3, 2019, noting that *no further extension of time will be granted pursuant to the provisions of Title 21*. Three final maps recorded on August 7, 2019, four days after the August 3, 2019, expiration date noted in the Hearing Officer's approval.

A final map may record after the expiration date of the tentative map provided the final map is considered to have been timely filed. As described on the Department of Public Works website <https://pw.lacounty.gov/ldd/lddservices/finalmaps/finalMapsCounty.shtml> A timely filing is when the applicant submits all documents, plans, and improvement bonds, etc. required to record a final map before the tentative map expires. Even if the tentative map expires while the County is processing the submittals (for final approval only), the final map is considered to be a timely filing and the County is still able to deliver it to be recorded. The Department of Public Works letter to the Board of Supervisors, dated August 6, 2019, requested approval for recordation of Tract Nos. 48086, 48086-02, and Tract 48086-03.

The EIR prepared for the project in 2004 is insufficient

SCOPE asserts that *the certified EIR is insufficient to address changed circumstances regarding climate change, especially in the area of wildfire*, and also claims *the fourth amendment map should have been processed as a "revised map"*. MRCA raises similar concerns about the 2019 Addendum, noting *habitat connectivity*, particularly for

mountain lion, a candidate species for listed protection, habitat mitigation needs, and LID compliance. Changed circumstances do not require re-opening of a project approval, additional environmental review, or imposition of new conditions or mitigations. Additional environmental analysis of an approved project where an EIR has been previously certified is not required unless project modifications create a substantial change.

The scope of Conditional Use Permit Modification No. RPPL2019002028 is only to comply with the conditions of approval required by the Board of Supervisors approval of the fourth amendment of Vesting Tentative Tract Map 48086. An amendment map is only permitted for minor changes to an approved tentative map to implement approved conditions of approval. Substantial changes which would require a Subsequent EIR could not be reviewed as an amendment map. The fourth amendment map was determined by staff to comply with the Department of Regional Planning's Amendment Map procedures. The amendment map criteria are formalized in Subdivision and Zoning Ordinance Interpretation No.2016-2, dated January 28, 2016. https://planning.lacounty.gov/wp-content/uploads/2023/02/ip_2016-02_sub-zon-ord.pdf

For the fourth amendment map, an Addendum to the certified EIR was prepared, pursuant to CEQA guidelines Section 15164 as *no substantial changes were proposed requiring major revisions due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects and that no new migration measures or alternatives which are considerably different from those analyzed in the previous EIR, and that would substantially reduce potentially significant effects on the environment have been found.*

Implementation of conditions related to the holly leaf cherry woodland, implementation of required benefits and mitigations, and inability to comply with LID standards

SCOPE states objections to the 2019 approval noting the *holly leaf cherry woodland and requesting success of the holly-leaf cherry forest be ensured by soil testing and a baseline survey.*

Condition No. 49 of the Board of Supervisors June 25, 2019, approval of the fourth amendment of Vesting Tentative Tract Map No. 48086 states that Holly-leaf cherry trees impacted by the Project shall be replaced and preserved in open space areas to the satisfaction of the Director and soil testing and land banking for the holly-leaf cherry trees shall be accomplished prior to issuance of building permits. This language has been incorporated into Condition No. 45 of Conditional Use Permit Modification No. 2019002028.

SCOPE also opposes *the delay in the implementation of required benefits and mitigations*, though these are not specifically described. This statement may be related to the recordation of multiple final maps, and information on the final maps is provided above. The comment may also be related to public testimony provided at the October 22, 2024, public hearing where concerns were raised about the Shadow Pines sewer lift station. Agreements and funding are in place for upgrades to the existing lift station and the design is currently under review by County staff. There are no proposed changes to

conditions that eliminate conditioned benefits or mitigations. *The MRCA does not believe that LID standards can be met by the project.* While compliance with Stormwater Quality Control Measures was required when Vesting Tentative Tract Map 48086 was approved in 2004, Low Impact Development standards were not adopted until after project approval. In recommending approval of the fourth amendment map, the project was reviewed by the County's Subdivision Committee where Department of Public Works staff provided comments related to grading, stormwater, traffic, etc. These comments noted that the amendment map must comply with the Revised Drainage Concept/Hydrology Study/Standard Urban Stormwater Mitigation Plan (SUSMP) which was conceptually approved on 11/18/2010. As required by the conditions of approval, a water quality plan was approved prior to recordation of final maps.

Establishment of a Landscape Maintenance District (LMD) or Community Facilities District (CFD)

The MRCA expresses concern that *the public agency that accepts the hundreds of acres of open space should not be permanently saddled with unfunded maintenance of mitigation for a private project* and notes *the elimination of this condition added by the Board of Supervisors is a great loss to the public and the ecosystem.*

It is unclear what condition related to *unfunded maintenance of mitigation for a private project* the MRCA is referencing. To comply with the Board of Supervisors June 25, 2019, approval of the fourth amendment of Vesting Tentative Tract Map 48086, Conditional Use Permit No. RPPL2019002028 modifies Condition No. 17 that requires that *the* "Permittee shall transfer ownership of undeveloped, natural area depicted as open space to a public agency or non-profit conservation organization for perpetual maintenance and that a reasonable endowment for maintenance as agreed upon and to the satisfaction of the Director" be provided. The language requires a funding source for maintenance.

The letter also describes formation of a landscape maintenance district, though it is not clear exactly what is being described or requested. However, a Joint Community Facilities Agreement for CFD No. 2021-17 was approved by the Board of Supervisors on July 12, 2022, and Landscaping Maintenance Districts Annexation of the project site into Landscaping and Lighting Act District 4 was approved on November 27, 2018. The Board's approvals of these actions are attached.

Attachments

SCOPE letter to Hearing Officer, dated August 5, 2024

SCOPE letter to Hearing Officer, dated August 25, 2024

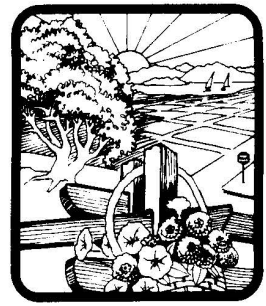
SCOPE letter to Hearing Officer, dated October 21, 2024

MRCA letter to Hearing Officer, dated October 17, 2024

Board of Supervisors Community Facilities District letter, dated July 12, 2022

DPW Landscaping Maintenance Districts letter, adopted November 27, 2018

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POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



10-21-24

Honorable Hearing Officer, Diane Temple
Mare Pavlovic, Planner,
Amy Bodek, Executive Director,
Los Angeles Dept. of Regional Planning Dept.
300 W. Temple St.
Los Angeles, CA 90012

Re: Agenda Item 3 October 22nd Hearing Officer Hearing related to Spring Canyon
Development, Tract # 48086, Project Number 96-044, in Canyon Country

Submitted Via email to: abodeck@planning.lacounty.gov, dtemple@planning.lancounty.gov,
jhuntington@planning.lacounty.gov, mpavlovic@planning.lacounty.gov

Honorable Ms. Temple:

SCOPE is a 35-year-old planning and conservation organization founded to focus on issues in the Santa Clarita Valley included but not limited to the Santa Clara River, water supply and wildlife corridors which are at issue in this project. We first worked on this proposal in early 2000 and were involved with the last amendment approval made on June 25th, 2019 the materials from which are inexplicably omitted from the hearing materials.

The Los Angeles Regional Planning Department is considered changes to the above-named tract at a noticed public hearing on August 27th that was continued to Oct. 22nd. We submitted a comment at that time which we include again here. (attached) That comment letter is not listed under the section describing comments. We asked at that time that issues brought up in that correspondence be addressed in a timely manner before the next hearing.

Though the posting for this hearing refers to archival information regarding this project on the old website, neither required tract extensions or any other information after June 25th, 2019, the date of the amendment approval for this project, were listed or posted. No recent information regarding actions taken by the department in the last 5 years was available on line.

We therefore made a public records request and through that process found that in fact this vtt map should have expired. (see attached hearing officer decision). It does not comply with Title 21 (Subdivision Ordinance), Section 21.38.050 (regarding Expiration) ¹

¹ "An approved or conditionally approved vesting tentative map for a tract or for a minor land division shall be effective for the periods of time as provided for in Sections 21.40.180 and 21.48.120, respectively, of this Title 21." Since this Project relates to a tentative map, Section 21.40.180 applies, of which Subsection 21.40.180.B states, in part: "The hearing officer may grant one or more extensions to the terms of approval of a tentative map."

Further, we note that this project was first approved with a certified EIR in 2004. We therefore assert that the project tract map has expired under state law. A new application must be made rather than once again trying to revise conditions.² There is good reason for this. Many circumstances have changed including GHG reporting requirements, prohibitions and requirements for building in this Very High Severity Fire Hazard Zone, the current endangered species listing for the Southern California Mountain Lion (this project would make a much needed wildlife corridor virtually unusable) and the Crotch's Bumble Bee which may be present, but for which no surveys were done.

Significant New Information

The endangered species listings constitute a significant change to this project which is in designated mountain lion territory. This is the next discretionary hearing.

We were very involved in the 4th amendment June 25th, 2019 approval, having negotiated with the developer and the 5th district Supervisor's office to reach conditions that would address some of our issues. So, we are not sure what is being approved at this hearing. Indeed, conditions and mitigation to implement the conditions approved in that amendment were approved by the Board of Supervisors on June 25th 2019, so we don't really understand the purpose of this hearing. Why are you having to re-state all the previous amendment approvals? Is there a dispute over what was previously approved?

Is there a new Addendum? If so, please clarify this and post and provide the addendum to us and the public. Is this a change based on the 2019 addendum? If so, we believe that addendum is inadequate to approve any additional changes for the reasons stated above.

In addition to this major problem, we assert that the 2004 EIR is insufficient to address changed circumstances regarding climate change, especially in the area of wildfire. The project is fully located in a Very High Fire Severity Zone, and recent major fires have completely burned through this area and destroyed houses in the adjacent tract. These issues were not addressed in the addendum. Further, changes to the climate, in the form of rising temperatures and its effect on water supply and fire need to be addressed.

² **California Code, Government Code - GOV § 66452.6** Current as of January 01, 2023 | Updated by [FindLaw Staff](#) (a)(1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 24 months. However, if the subdivider is required to expend two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way that abut the boundary of the property to be subdivided and that are reasonably related to the development of that property, each filing of a final map authorized by [Section 66456.1](#) shall extend the expiration of the approved or conditionally approved tentative map by 48 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with [Section 65864](#)) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

Further, illegal extensions of this project would seem to not be consistent with the County's 2012 General Plan update requiring a greenbelt around the City of Santa Clarita and the recent approval of the County's Climate Action Plan.

Objections to the 2019 approval that were not addressed at that time

Environment

This project will allow destruction of the County's most significant holly leaf cherry woodland. It was our understanding during the approval of the previous EIR, that this woodland would be preserved. We request that the success of the holly-leaf cherry forest be ensured by soil testing, a baseline survey and a land bank be established as mitigation for the loss of this rare woodland.

The project also encompasses the last viable wildlife crossing under Hwy 14. The project will virtually eliminate the usefulness of this corridor. The City of Santa Clarita has now purchased Bee Canyon for open space on the south side of the freeway, making this corridor even more important. With the increased public support and scientific scrutiny of the importance of maintaining wildlife corridors, it is imperative that this issue be re-visited.

The fourth amendment project review should have been conducted as a "revised map" rather than an amended map in order to ensure that new information would be included and could be addressed with appropriate mitigation measures. While it seems that this is in fact the purpose of this hearing and the revised conditions are now being added to the map, why wasn't the process conducted in the prescribed manner the first time? Where are the remainder unlisted conditions?

We continue oppose any delay in the implementation of required benefits and mitigations for this project. If the proponent cannot afford to comply with the duly advertised and publicly reviewed requirements of this tract map then it shouldn't be built without the public having the opportunity to object. Condition # 33, fourth amendment, which states that the developer is granted permission to record multiple maps BUT requires that "each final map to record **shall** (emphasis added) comply on its own, or in combination with previously recorded maps with the open space requirements of the General Plan, the Zoning Ordinance and the Conditional Use permit..." It does NOT say that conditions can be delayed because the developer prefers to record all the final maps at once.

Sewer Upgrades not completed or funded.

In a 2012 sewer agreement included in the hearing packet the following statement is made:

"The Shadow Pines Sewer Lift Station (SPSLS) is currently owned and operated by the Newhall County Water District (NCWD). NCWD has been in discussions with the City of Santa Clarita and the County to transition ownership of the lift station and force main to the City, and operation of the facility to the County. Per review by the County, the lift station does not meet the County's current design standards. The City and the County have requested that the Lift station be upgraded to the current County design standards, prior to the lift station being transferred. The County provided a comment letter to NCWD identifying the elements of the lift station that do not meet current County design criteria. NCWD and the developer are currently reviewing the feasibility of implementing these improvements as a part of the Spring Canyon project. Upgrades to SPSIS will be required in order to accommodate the development. The extent of the upgrades will ultimately be determined by the owner of the lift station."

This sewer section is now owned by Santa Clarita Water Agency. The lift station is not built, nor has it been funded.

Changes to conditions

While we concur with the added conditions where they conform to the June 25th 2019 Conditions of Approval, we do not believe that the mitigation for tree loss is complete. We ask, and indeed believe that it MUST conform to that approval in all details listed in items 48 through 51.

Concluding Comments

We concur with and include here by reference all concerns raised in the Oct. 17th MRCA letter submitted on this project.

In our Public Records request, we asked for, but have not yet received:

1. All inter office memos and emails or any correspondence or other documentation regarding this project since the June 25th, 2019 approval date (none provided yet)

We asked that these documents be provided well in advance of the Oct. 22nd hearing so that we could make timely and relevant comments. Many items were provided, but the above has not yet been provided. We ask that this hearing be continued until all items requested in our PRA are provided.

Thank you in advance for your time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynne Plambeck".

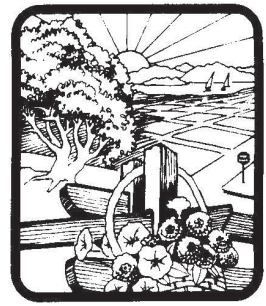
Lynne Plambeck
President

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8-25-24

Honorable Hearing Officer, Steven Jareb
Mare Pavlovic, Planner,
Amy Bodek, Executive Director,
Los Angeles Dept. of Regional Planning Dept.
300 W. Temple St.
Los Angeles, CA 90012

Re: Agenda Item 5 Aug 27th Hearing Officer Hearing related to Spring Canyon Development,
Tract # 48086, Project Number 96-044, in Canyon Country

Submitted Via email to: abodeck@planning.lacounty.gov, sjareb@planning.lancounty.gov,
jhuntington@planning.lacounty.gov, mpavlovic@planning.lacounty.gov

Honorable Mr. Jareb:

The Los Angeles Regional Planning Department is considering changes to the above-named tract at a noticed public hearing on August 27th that is proposed for continuation to Oct. 22nd. We submit this comment in an abundance of caution, and request that the extension be granted. In the meantime, we ask that issues brought up in this correspondence be addressed in a timely manner before the next hearing.

Though the posting for this hearing refers to archival information regarding this project on the old website, neither required tract extensions or any other information after June 25th, 2019, the date of the amendment approval for this project, is listed or posted. No recent information regarding actions taken by the department in the last 5 years is available on line. We were told by a planning department staff person that the Department is no longer posting department actions to the website so that actions can be reviewed by the public and that a public information request would have to be made. We have made that request, but much of the information has not yet been provided.

We were very involved in the 4th amendment June 25th, 2019 approval, having negotiated with the developer and the 5th district Supervisor's office to reach conditions that would address some of our issues. So, we are not sure what is being approved at this hearing. Indeed, conditions and mitigation to implement the conditions approved in that amendment were approved by the Board of Supervisors on June 25th 2019, so we don't really understand the purpose of this hearing.

Is there a new Addendum? If so, please clarify this and post and provide the addendum to us and the public. Is this a change based on the 2019 addendum? If so, we believe that addendum is inadequate to approve any additional changes.

Your agenda notice also is unclear as to how the previously approved 2019 conditions are to be changed. Please provide that information so that the public can make timely comments on this project.

We note that this project was first approved with a certified EIR in 2004. We therefore assert that the project tract map has expired and no further extensions can be approved.¹

In addition to this major problem, we assert that the 2004 EIR is insufficient to address changed circumstances regarding climate change, especially in the area of wildfire. The project is fully located in a Very High Fire Severity Zone, and recent major fires have completely burned through this area and destroyed houses in the adjacent tract. These issues were not addressed in the addendum. Further, changes to the climate, in the form of rising temperatures and its effect on water supply and fire need to be addressed.

Further illegal extensions of this project would seem to not be consistent with the County's 2012 General Plan update requiring a greenbelt around the City of Santa Clarita and the recent approval of the County's Climate Action Plan.

Objections to the 2019 approval that were not addressed at that time:

Environment

This project will allow destruction of the County's most significant holly leaf cherry woodland. It was our understanding during the approval of the previous EIR, that this woodland would be preserved. We request that the success of the holly-leaf cherry forest be ensured by soil testing, a baseline survey and a land bank be established as mitigation for the loss of this rare woodland.

The project also encompasses the last viable wildlife crossing under Hwy 14. The project will virtually eliminate the usefulness of this corridor. The City of Santa Clarita has now purchased Bee Canyon for open space on the south side of the freeway, making this corridor even more important. With the increased public support and scientific scrutiny of the importance of maintaining wildlife corridors, it is imperative that this issue be re-visited.

¹ **California Code, Government Code - GOV § 66452.6** Current as of January 01, 2023 | Updated by [FindLaw Staff](#) (a)(1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 24 months. However, if the subdivider is required to expend two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way that abut the boundary of the property to be subdivided and that are reasonably related to the development of that property, each filing of a final map authorized by [Section 66456.1](#) shall extend the expiration of the approved or conditionally approved tentative map by 48 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with [Section 65864](#)) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

The fourth amendment project review should have been conducted as a “revised map” rather than an amended map in order to ensure that new information would be included and could be addressed with appropriate mitigation measures.

We continue oppose any delay in the implementation of required benefits and mitigations for this project. If the proponent cannot afford to comply with the duly advertised and publicly reviewed requirements of this tract map then it shouldn't be built without the public having the opportunity to object. Condition # 33, fourth amendment, which states that the developer is granted permission to record multiple maps BUT requires that “each final map to record shall (emphasis added) comply on its own, or in combination with previously recorded maps with the open space requirements of the General Plan, the Zoning Ordinance and the Conditional Use permit...” It does NOT say that conditions can be delayed because the developer prefers to record all the final maps at once.

We appreciate that the hearing officer is asked to delay this hearing until Oct. 22nd, but we ask that these issues be addressed in the meantime.

In Our Public Records request, we asked for, but have not yet received:

1. Any time extensions granted for this project. (only an extension to August 2019 was provided)
2. All records including Subdivision committee meeting reports, minutes and review sheets for all meetings since the June 25th 2019 approval. (It was stated that none occurred)
3. A List of changes and/or modifications proposed to be made to the existing conditions of approval with tracked changes from previous conditions of approval. (Not provided)
4. Any new changes, permits or other approvals, administrative or otherwise, that have been granted to the project since the June 25th 2019 approval. (none provided)
5. All inter office memos and emails or any correspondence or other documentation regarding this project since the June 25th, 2019 approval date (none provided yet)
6. Any updated CEQA documentation (none provided)

We ask that these documents be provided well in advance of the Oct. 22nd hearing so that we can make timely and relevant comments.

Thank you in advance for your time.

Sincerely,



Lynne Plambeck
President

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8-5-24

Public Information Officer
Amy Bodek, Executive Director
Los Angeles Dept. of Regional Planning Dept.
300 W. Temple St.
Los Angeles, CA 90012

Re: California Public Records Act Request regarding information related to Spring Canyon Development, Tract # 48086, Project Number 96-044, in Canyon Country

Submitted Via email to: pra@planning.lacounty.gov, abodeck@planning.lacounty.gov, jhuntington@planning.lacounty.gov, mpavlovic@planning.lacounty.gov

To whom it may concern:

The Los Angeles Regional Planning Department is considering changes to the above-named tract at a noticed public hearing on August 27th, but no recent information regarding actions taken by the department in the last 5 years is available on line. We therefore request that we be provided with the following information related to this tract approval as follows:

1. Any time extensions granted for this project.
2. All records including Subdivision committee meeting reports, minutes and review sheets for all meetings since the June 25th 2019 approval.
3. A List of changes and/or modifications proposed to be made to the existing conditions of approval with tracked changes from previous conditions of approval.
4. Any new changes, permits or other approvals, administrative or otherwise, that have been granted to the project since the June 25th 2019 approval.
5. All inter office memos and emails or any correspondence or other documentation regarding this project since the June 25th, 2019 approval date
6. Any updated CEQA documentation

We request that these reports be made available to us and the general public by posting them to your website in the section related to this tract map.

If no documents exist that are responsive to this request, please provide us with written confirmation of that fact.

The California Public Records Act states that no charge may be made other than for actually copying of the documents requested. Please notify us if a charge will be made for providing these documents and the approximate amount of the charge

We would prefer to accept your response in digital form. OR, if these documents are located somewhere on you website, please direct us to that location (we spent several hours searching and could not find any of the requested documents.)

The California Public Records Act requires that these records be provided within 10 days.

Thank-you in advance your compliance with California Law and for your time and attention to this matter. Your help is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynne Plambeck".

Lynne Plambeck
President
661 255-6899