

**SUPPLEMENTAL
REPORT TO THE HEARING OFFICER**

DATE ISSUED: January 23, 2025
HEARING DATE: February 4, 2025 AGENDA ITEM: 4
PROJECT NUMBER: PRJ2023-003960-(1)
PERMIT NUMBER(S): Oak Tree Permit RPPL2024001753
SUPERVISORIAL DISTRICT: 1
PROJECT LOCATION: 2907 Rio Lempa Drive Hacienda Heights, CA 91745
OWNER: Ping Wei and Yong Chen
APPLICANT: Ping Wei and Yong Chen
CASE PLANNER: Carl Nadela, AICP, Principal Regional Planner
cnadela@planning.lacounty.gov

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

LA County Planning staff ("Staff") recommends **APPROVAL** of Project Number PRJ2023-003960-(1), Oak Tree Permit ("OTP") Number RPPL2024001753.

Staff recommends the following motion:

CEQA:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENT(S):

I, THE HEARING OFFICER, APPROVE OAK TREE PERMIT NUMBER RPPL2024001753 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement(s) Requested

OTP for the retroactive and proposed encroachment into the protected zone of two oak trees, including one heritage oak tree, in conjunction with a proposed retaining wall at an existing Single-Family Residence (“SFR”) in the R-A-15,000 (Residential Agricultural – 15,000 Square Feet Minimum Required Lot Area) Zone pursuant to County Code Section 22.174.030 (Oak Tree Permit Applicability).

B. Project

The Project is an OTP for the retroactive and proposed encroachment into the protected zone of two oak trees identified as Oak Trees Number 1 and 3 in the associated Oak Tree Plan. The encroachment occurred when grading activities were conducted as part of the construction of a retaining wall in the southern portion of the property. Oak Tree Number 3 is a Heritage Tree, as defined by County Code, whose roots have been damaged by the grading activities. The construction of the retaining wall has been temporarily stopped pending the approval of this OTP. Further encroachment will occur as the construction of the retaining wall is finished. The retaining wall will be reviewed separately through a ministerial Site Plan Review (“SPR”), which will be filed after the approval of the subject OTP.

C. Project Updates

The Project was first scheduled for the September 3, 2024 Hearing Officer meeting and was subsequently continued to November 5, 2024, December 3, 2024 and January 7, 2025 to address various issues with the application documents and to allow Staff and the Hearing Officer time to review the documents. On January 7, 2025, the Hearing Officer indicated her intent to approve the OTP but requested revisions to the draft Findings and Conditions before taking action on the Project. The Hearing Officer then continued the item to February 4, 2025 to allow Staff time to make the requested revisions.

The revised Findings and Conditions with the revisions requested by the Hearing Officer are attached for review and consideration. Staff recommends approval of the Oak Tree Permit based on these revised Findings and Conditions.

Report
Reviewed By: 
Maria Masis, AICP, Supervising Regional Planner

Report
Approved By: 
Susan Tae, AICP, Assistant Administrator

Attachment: Revised Findings and Conditions

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER

PROJECT NO. PRJ2023-003960-(1)
OAK TREE PERMIT NO. RPPL2024001753

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Hearing Officer conducted a duly noticed public hearing in the matter of Oak Tree Permit (“OTP”) No. **RPPL2024001753** on September 3, 2024, November 5, 2024, December 3, 2024, January 7, 2025 and February 4, 2025.
2. **HEARING PROCEEDINGS.** The Project was first scheduled for the September 3, 2024 Hearing Officer meeting and was subsequently continued to November 5, 2024, December 3, 2024 and January 7, 2025 to address various issues with the application documents and to allow Staff and the Hearing Officer time to review the documents. On January 7, 2025, the Hearing Officer indicated her intent to approve the OTP but requested revisions to the draft Findings and Conditions before taking action on the Project. The Hearing Officer then continued the item to February 4, 2025 to allow Staff time to make the requested revisions. *Reserved for February 4, 2025 Public Hearing proceedings.*
3. **ENTITLEMENT(S) REQUESTED.** The permittees, Ping Wei and Yong Chen (“permittee”), requests the OTP to authorize retroactive and proposed encroachment into the protected zone of three oak trees, including one heritage oak, in conjunction with a proposed retaining wall at an existing single-family residence (“SFR”) (“Project”) on a property located at 2907 Rio Lempa Drive, in the unincorporated community of Hacienda Heights (“Project Site”) in the R-A-15,000 (Residential Agricultural – 15,000 Square Feet Minimum Required Lot Area) zone.
4. **LAND USE DESIGNATION.** The Project Site is located within the H2 (Residential 2 – 0 to 2 dwelling units per acre) land use category of the Hacienda Heights Community Plan (“Community Plan”) Land Use Policy Map, a component of the General Plan. On May 21, 2024, the Community Plan was rescinded with the adoption of the East San Gabriel Valley Area Plan (“Area Plan”). However, as the subject OTP application was deemed complete prior to the adoption of the Area Plan, it is still being reviewed and analyzed under the Community Plan.
5. **ZONING.** The Project Site is located in the East San Gabriel Valley Planning Area, as well as the Hacienda Heights Zoned District, and is currently zoned R-A-15,000. Pursuant to County Code Section 22.174.030 (Oak Tree Permits Applicability), an OTP is required for the encroachment into the protected zone of three oak trees at the Project Site.

6. SURROUNDING LAND USES AND ZONING

LOCATION	COMMUNITY PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	H2	R-A-15,000	SFRs
EAST	H2	R-A-15,000	SFRs
SOUTH	H2	R-A-15,000	SFRs
WEST	H2	R-A-15,000	SFRs

7. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 0.76 acres in size and consists of one legal lot. The Project Site is mostly triangular in shape with gentle-sloping topography and is developed with an SFR and accessory structures. There are four oak trees at or near the immediate vicinity of the Project Site. Past development activities at the Project Site have resulted in an encroachment into the protected zone of three of the oak trees, identified as Oak Trees Number 1, 2 and 3 in the associated Oak Tree Plan. The encroachment occurred when grading activities were conducted as part of the construction of a retaining wall in the southern portion of the property. Oak Tree Number 3 is a Heritage Tree, as defined by County Code, whose roots have been damaged by the grading activities. All development work was stopped at the Project Site pending the approval of this OTP.

An Emergency Oak Tree Permit (“EOTP”) was issued on November 12, 2024 by the County Fire Department, Forestry Division to allow for the backfilling of the soil removed from the protected zone of Oak Tree Number 3. About a foot of backfilled soil was added to the affected area pursuant to this EOTP. No other work was conducted.

As indicated in the Los Angeles County Oak Woodlands Conservation Management Plan dated May 2011 and as determined by LA County Planning staff biologists, the Project Site is located within a moderately to severely degraded Oak Woodland.

B. Site Access

The Project Site is accessible via Rio Lempa Drive, a 60-foot-wide public street, to the east. Primary access to the Project Site will be via an ingress/egress driveway on Rio Lempa Drive.

C. Site Plan

The Site Plan (Oak Tree Map) depicts the Project Site with an existing one-story SFR in the northeast portion of the property. A proposed ADU is indicated to the north of the existing SFR. A proposed three-to-six-foot-high retaining wall is also indicated on the southern portion of the Project Site that protects a cut on the slope of that side of the property. A total of four oak trees are identified onsite. The protected zone of three of these oak trees (Oak Trees Number 1, 2 and 3) has been and will be encroached upon by the unauthorized grading for the proposed retaining wall and restoration of the slope under Oak Trees Number 2 and 3.

8. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, LA County Planning staff determined that the Project qualified for a Class 1, Existing Facilities and Class 4, Minor Alterations to Land, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County.

The Project involves the past and proposed encroachment into the protected zone of three oak trees in conjunction with a proposed retaining wall at an existing SFR. The three oak trees are identified as Oak Trees Number 1, 2 and 3 in the associated Oak Tree Plan. The past encroachment occurred when grading activities were conducted as part of the construction of a retaining wall in the southern portion of the property. Oak Tree Number 3 is a Heritage Tree, as defined by County Code, whose roots have been damaged by the grading activities. The construction of the retaining wall has been temporarily stopped pending the approval of this OTP. Further encroachment will occur as the slope under Oak Trees Number 2 and 3 is restored.

As indicated in the Los Angeles County Oak Woodlands Conservation Management Plan dated May 2011 and as determined by LA County Planning staff biologists, the Project Site is located within a moderately to severely degraded Oak Woodland. No removal of an oak tree is proposed as part of the Project. The past and proposed unpermitted encroachments into the protected zones of three of the oak trees at the site have the potential to adversely affect the trees. Protective measures are proposed to mitigate the impacts to the subject trees and would result in no adverse significant impact to the woodland. Conditions of the OTP would require replacement of these protected trees in the event that they die from their encroachments. Such replacement would also result in no adverse significant impact to the woodland. The protective measures that will be undertaken as part of the Project will remedy any existing damage to the subject oak trees and will protect all the existing oak trees from any further adverse effects due to the proposed construction at the site. Thus, no significant adverse effects on the Oak Woodland at the Project Site are expected from this project.

No exceptions to the categorical exemption apply to the Project per Section 15300.2 of the California Code of Regulations. The Project Site is not located within or in close proximity to a historical resource, a hazardous waste site, or a scenic highway. No

significant effect due to “unusual circumstances” and no cumulative impacts are anticipated. Therefore, LA County Planning Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA.

9. PUBLIC COMMENTS.

No correspondence was received from the public regarding the Project.

10. AGENCY RECOMMENDATIONS.

The County Fire Department, Forestry Division, in a letter dated June 20, 2024, indicates that the Oak Tree Report prepared by Richard W. Veyna, dated November 21, 2024, and submitted by the applicant is accurate and complete as to the location, size, condition and species of the oak trees on the site and recommends several conditions of approval, which have been incorporated into this OTP.

11. LEGAL NOTIFICATION.

Pursuant to Section 22.222.120 (Public Hearing Procedure) of the County Code, the community was properly notified of the public hearing by mail and newspaper (San Gabriel Valley Tribune). Additionally, the Project was noticed and case materials were available on LA County Planning’s website. On July 24, 2024, a total of 15 Notices of Public Hearing were mailed to those on the courtesy mailing list for the Hacienda Heights Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

12. LAND USE POLICY.

The Hearing Officer finds that the Project is consistent with the goals and policies of the Community Plan because the H2 land use designation is intended for single-family residential development at a maximum density of zero to two dwelling units per acre. While the Project is for the retroactive and proposed encroachment into the protected zone of three oak trees, including one heritage oak, at the Project Site, the existing SFR, and the proposed ADU, at the 0.38-acre lot, is consistent with this designation.

13. GOALS AND POLICIES.

The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan and Community Plan.

The following policies of the General Plan are applicable to the proposed Project:

- Policy LU 5.1: Encourage a mix of residential land use designations and development regulations that accommodate various densities, building types and styles.

- Policy LU 10.12: Discourage gated entry subdivisions (“gated communities”) to improve neighborhood access and circulation, improve emergency access, and encourage social cohesion.

While the Project is for the past and proposed encroachment into the protected zone of three oak trees in conjunction with a proposed retaining wall and slope restoration at an existing SFR, the existing SFR and proposed ADU helps provide a variety of residential units with different design types in the area. The Project Site is not within a gated community and supports the General Plan’s policy of encouraging open access to residential communities.

The following policies of the Community Plan are applicable to the proposed Project:

- *Policy LU 1.1: Protect the character of existing single-family neighborhoods.*
- *Policy A 4.2: Promote the installation of shade trees, non-invasive landscaping or other natural-elements, including, but not limited to decorative rock, along public rights-of-way and medians.*

The Project Site is located in a low-density residential neighborhood. The existing SFR and proposed ADU at the 0.38-acre Project Site are consistent with this neighborhood character. The existing four oak trees at the Project Site, two of which are located near the public right-of-way, will be preserved, consistent with the policies of the Community Plan.

ZONING CODE CONSISTENCY FINDINGS

- 14. PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the R-A-15,000 zoning classification as an SFR and accessory structures are permitted in such zone pursuant to County Code Section 22.18.030 (Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5).
- 15. REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.18.040.C (Required Yards for Residential Zones). While the proposed Project is the past and proposed encroachment into the protected zone of three oak trees in conjunction with a proposed retaining wall and slope restoration at an existing SFR, the existing SFR and the proposed ADU, will have front, rear and two side yards of approximately 20 feet, 100 feet, and 46 feet and five feet, respectively, in compliance with the required front, rear and side yards of 20 feet, 15 feet, and five feet, respectively as per the provisions of Title 22 (Planning and Zoning) of the County Code. Compliance with required yards will ultimately be confirmed through approval of a ministerial Site Plan Review (“SPR”).
- 16. HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.18.040.D (Maximum Height for Residential Zones). While the proposed Project is the past and proposed encroachment into the protected zone of three oak trees in conjunction with a proposed retaining wall and slope restoration at an existing SFR, the associated SFR has a maximum height of

approximately 23 feet, in compliance with the maximum height of 35 feet. Compliance with required height for the ADU will ultimately be confirmed through approval of a ministerial SPR.

17. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces). While the proposed Project is the past and proposed encroachment into the protected zone of three oak trees in conjunction with a proposed retaining wall and slope restoration at an existing SFR, the associated SFR and the proposed new development at the Project Site will provide a total of two covered parking spaces in an existing attached garage, in compliance with the required two covered parking spaces for a SFR. Compliance with required parking spaces will ultimately be confirmed through approval of a ministerial SPR.

OAK TREE PERMIT FINDINGS

18. **The Hearing Officer finds that the proposed construction or proposed use will be accomplished without endangering the health of the remaining oak trees subject to [Title 22](#) regulations, if any, on the subject property.** As per the Oak Tree Report prepared by Richard W. Veyna, Consulting Arborist, dated November 21, 2024, with the implementation of corrective and mitigation measures, the proposed ADU and retaining wall at the Project Site can be developed while preserving and protecting the oak trees on the property to the greatest extent feasible. These protective measures, as well as other measures incorporated as Conditions of Approval of this OTP, include, among others, the replacement of removed soil around the subject Oak Trees, proper irrigation, the application of a Mycorrhizal treatment, and close monitoring of the health of the trees.
19. **The Hearing Officer finds that encroachment into the protected zone of the oak trees proposed that will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.** Most of the Project Site has a flat topography, while the sloped areas will be protected by a retaining wall that will be reviewed and approved by County Department of Public Works Building and Safety Division. The graded area under Oak Tree Number 3 will be restored and backfilled with new soil material. The backfilled will be compacted under the direction of a certified arborist and will be allowed to settle and form its natural slope. Any temporary erosion of the new backfilled soil will be prevented with the use of sandbags, as may be necessary. With these protections, the encroachment into the protected zone of the oak trees will not result in any unmitigated soil erosion at the Project Site.
20. **The Hearing Officer finds that the encroachment into the protected zone of the oak trees proposed is necessary as continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized.** The past encroachment into the protected zone of Oak Tree Number 1, as indicated on the Oak Tree Plan, was unavoidable since the construction of a retaining wall within that area was necessary

to protect the steep slope on the southern side of the property. The past encroachment into the protected zone of Oak Tree Number 3 was avoidable as the proposed retaining wall did not have to extend within the protected zone of Oak Tree Number 3 and the affected area did not have to be graded for the subject property to be used in a reasonable and efficient extent. Further encroachments into Oak Tree Number 3, as well as Oak Tree Number 2, is unavoidable in order for the permittee to restore the original soil under Oak Tree Number 3, as required by this OTP. The protective measures that will be undertaken as part of the Project will remedy any existing damage to the subject oak trees and will protect all the existing oak trees from any further adverse effects due to the proposed construction at the Project Site.

- 21. The Hearing Officer finds that the encroachment into the protected zone of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the Oak Tree Permit procedure.** The encroachment into the protected zone of Oak Tree Number 1, as indicated on the Oak Tree Plan, was unavoidable in order for the permittee to make reasonable use of the privately-owned lot since this tree was located near a slope that needed to be protected with a retaining wall. The past encroachment into the protected zone of Oak Tree Number 3 was avoidable as the proposed retaining wall did not have to extend within the protected zone of Oak Tree Number 3 and the affected area did not have to be graded for the subject property to be used in a reasonable and efficient extent. Further encroachments into Oak Tree Number 3, as well as Oak Tree Number 2, is unavoidable in order for the permittee to restore the original soil under Oak Tree Number 3, as required by this OTP. The protective measures that will be undertaken as part of the Project will remedy any existing damage to the subject oak trees and will protect all the existing oak trees from any further adverse effects due to the proposed construction at the Project Site. Thus, the proposed encroachments are consistent with the provisions of the County Code.

ENVIRONMENTAL FINDINGS

- 22.** The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines sections 15301 (Class 1, Existing Facilities categorical exemption) and 15304 (Class 4, Minor Alterations to Land categorical exemption). The Project involves the past and proposed encroachment into the protected zone of three oak trees in conjunction with a proposed retaining wall and slope restoration at an existing SFR. The three oak trees are identified as Oak Trees Number 1, 2 and 3 in the associated Oak Tree Plan. The past encroachment occurred when grading activities were conducted as part of the construction of a retaining wall in the southern portion of the property. Oak Tree Number 3 is a Heritage Tree, as defined by County Code, whose roots have been damaged by the grading activities. The construction of the retaining wall has been temporarily stopped pending the approval of this OTP. Further encroachment will occur as the slope under Oak Trees Number 2 and 3 is restored. As indicated in the Los Angeles County Oak Woodlands Conservation Management Plan dated May 2011 and as determined by LA County Planning staff biologists, the Project Site is located within a moderately to severely degraded Oak Woodland. No removal of an oak tree is proposed as part of the Project. The past and proposed unpermitted encroachments into the protected zones of three

of the oak trees at the site have the potential to adversely affect the trees. Protective measures are proposed to mitigate the impacts to the subject trees and would result in no adverse significant impact to the woodland. Conditions of the OTP would require replacement of these protected trees in the event that they die from their encroachments. Such replacement would also result in no adverse significant impact to the woodland. The protective measures that will be undertaken as part of the Project will remedy any existing damage to the subject oak trees and will protect all the existing oak trees from any further adverse effects due to the proposed construction at the site. Thus, no significant adverse effects on the Oak Woodland at the Project Site are expected from this Project. No exceptions to the categorical exemption apply to the Project per Section 15300.2 of the California Code of Regulations. The Project Site is not located within or in close proximity to a historical resource, a hazardous waste site, or a scenic highway. No significant effect due to "unusual circumstances" and no cumulative impacts are anticipated. Thus, there are no exceptions to the proposed exemptions and the exemptions still apply to the Project.

ADMINISTRATIVE FINDINGS

23. LOCATION OF DOCUMENTS. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Puente Whittier Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The Project will be accomplished without endangering the health of the remaining trees subject to Chapter 22.174 (Oak Tree Permits) of the County Code on the subject property;
- B. The encroachment into the protected zone of the oak trees will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated;
- C. The encroachment into the protected zone of Oak Tree Number 1 was necessary as, without an encroachment, the existence at present locations frustrates the planned development and proposed use of the subject property to such an extent that, without an encroachment, the placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized. The proposed encroachments into Oak Trees Number 2 and 3 are unavoidable in order for the permittee to restore the original soil under Oak Tree Number 3.; and
- D. The Project will not be contrary to or be in substantial conflict with the intent and purpose of the OTP procedure.

THEREFORE, THE HEARING OFFICER:

1. Finds that that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines sections 15301 (Class 1, Existing Facilities) and 15304 (Class 4, Minor Alterations to Land categorical exemption) and there are no exceptions to the exemptions; and
2. Approves **OAK TREE PERMIT NO. RPPL2024001753**, subject to the attached conditions.

ACTION DATE: February 4, 2025

MM:CN

1/13/2025

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT CONDITIONS OF APPROVAL
PROJECT NO. PRJ2023-003960-(1)
OAK TREE PERMIT NO. RPPL2024001753

PROJECT DESCRIPTION

The project is the past and proposed encroachment into the protected zone of three oak trees in conjunction with a proposed retaining wall and slope restoration at an existing single-family residence subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term “permittee” shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning (“LA County Planning”) their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 3, 4, and 7 shall be effective pursuant to Section 22.222.230 of the County Code.
3. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with LA County Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in LA County Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

5. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
6. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. No provision of any easement or any other encumbrance on the property shall exempt the permittee and/or property owner from compliance with these conditions and applicable regulations. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The Permittee shall deposit with the County the sum **\$2,205.00**, which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of this grant. The fund provides for **five (5)** inspections. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be **\$441.00** per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the

public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.238 of the County Code.

10. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
11. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
12. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of LA County Planning ("Director").

PERMIT-SPECIFIC CONDITIONS – OAK TREE PERMIT

13. The permittee shall comply with all conditions and requirements contained in the County Forester and Fire Warden ("County Forester"), Forestry Division letter dated November 13, 2024 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division and specified by these Conditions.
14. The County Forester's recommendations number 11, 14 and 17 are revised as follows:
 - a. Each mitigation tree shall be at least one gallon in size.
 - b. The maintenance period shall be seven years.
 - c. The monitoring period shall be seven years.
15. The permittee shall plant one healthy acorn of the same species of oak (*Quercus sp.*) as any tree that may die as a result of the encroachments for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.
16. All replacement trees that may be necessary shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus sp.*) as a removed tree. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.
17. If site constraints dictate that replacement trees must be planted on disturbed soil or not in the vicinity of the same species of oak (*Quercus sp.*) as the removed tree, planting shall incorporate a mycorrhizal product, either as amendment or in the first two irrigations or watering of planted trees (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.

18. The permittee shall provide a licensed arborist to supervise all excavation, grading and development proposed within the protected zones and to further supervise, monitor and certify to the County Forester the implementation of all conditions imposed in connection with this Oak Tree Permit.
19. 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.
20. 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.
21. A landscaping / restoration plan shall be submitted for approval by LA County Planning within 60 days of Final Approval of the OTP. The plan shall indicate the type and placement of all vegetation to be planted or removed from the portion of the property marked as "landscape" in the Site Plans ("Exhibit A"). The landscaping shall be compatible with oak trees and be subject to review and approval by LA County Planning.
22. Within 60 days of the approval of the OTP, corrective measures shall be taken for trees noted on the Oak Tree Report dated November 21, 2024, as requiring remedial action, including the following:
 - a. Replace the soil removed from the root zone of on the north side of the trees within the affected area indicated in the Oak Tree Plan (Exhibit "A").
 - b. Soil replacement shall be done by hand.
 - c. Prior to backfilling, two-inch-wide holes shall be bored to a depth of 12 inches, three feet on center, within the affected area indicated in the Oak Tree Plan (Exhibit "A").
 - d. Replacement soil shall be native soil mixed with 25% oak mulch.
 - e. The backfill mix shall not be compacted beyond 15%.
 - f. The placement of sandbags along the northern perimeter of the backfilled area may be required to prevent the erosion of the backfilled soil. The sandbags shall be placed within three business days of instruction by LA County Planning Staff or the County Forester and according to their directions.
 - g. Any roots encountered in the process of creating the footing of the retaining wall shall be protected with a plastic barrier to prevent harmful chemicals from entering the vascular system of the tree.
 - h. Prior to the backfilling of the affected area, all exposed roots shall be cut under the supervision of a certified arborist.

- i. The trees shall be irrigated as need for a period of two to five years between March and October of each year. The water content of the backfill shall be monitored monthly by a certified arborist.
- j. The affected area shall contain a drainage system created from a three-inch perforated pipe to drain any excess moisture away from the root system. The installation of the drainage and irrigation system shall be done by a licensed landscape contractor.
- k. Mycorrhizal treatment shall be applied in the affected area.

23. The Oak Trees depicted on the associated Oak Tree Plan (Exhibit "A") shall 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 noncorrosive all-weather material and shall be permanently affixed to the tree. The tree shall be similarly designated on the Exhibit "A".

Attachments:

Oak Tree Report dated November 21, 2024
County Forester Letter dated November 13, 2024
Oak Trees: Care and Maintenance Guide



Richard W. Veyna
ASSOCIATES
Horticultural Consultants

ATTACHMENT 2

Protected Tree Report

2907 Rio Lempa, Hacienda Heights, Ca

For

PING WEI

November 21, 2024



Certified Arborist #WE-12195A
15188 Carretera Drive, Whittier, CA 90605 richardveyna@gmail.com
562/322-8039 rwveyna.com





Richard W. Veyna
ASSOCIATES
Horticultural Consultants

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Richard W. Veyna
ASSOCIATES
Horticultural Consultants

November 21, 2024
Ping Wei
2907 Rio Lempa Dr.
Hacienda Heights, CA 91745

Ping,

We inspected the property at the above address on 10/15/24 for the presence of trees protected by the County of Los Angeles and the State of California. We found five specimens fitting that description, four Coast Live Oaks (*Quercus agrifolia*) and one California Native Sycamore (*Platanus racemosa*). We observed that there had been extensive grading activity on the property. Only one of the specimens was disturbed in this process. Per your request, we established the boundaries of the Tree Protection Zones of each of the trees, (the dripline plus five feet added to the outside perimeter).

These are our recommendations,

Tree #1, Coast Live Oak, (*Quercus agrifolia*). This tree is located just within the property on the west side. The tree measures approximately thirty-two feet high, twenty feet wide with a twelve-inch dbh. This tree is in good condition. We saw no signs of insect invasion or disease. The tree could use some thinning out to remove deadwood. It has no noticeable “cross branching.” We recommend the ground cover surrounding this tree be cleared three feet away from the trunk to minimize competition for water in the summer months. Any oak leaf litter that falls should be left in place to maintain moisture in the root zone. Previous excavation has already encroached on the root zone this tree. We do not encourage any further encroachment. Should footing be dug for a proposed wall, the guidelines established below, (*) should be heeded so as not to cause damage to this tree’s root system. The Tree Protection Zone (TPZ) is listed below.

Tree #2, Coast Live Oak, (*Quercus agrifolia*). This tree is located WITHIN the eastern fence line. Apparently, an acorn must have germinated some years ago and literally grew through the existing chain link fence on the property line. The tree measures approximately thirty-seven feet high, twenty-two feet wide, with a twelve-inch dbh. This tree is in good health, with little signs of insect invasion or disease. The tree has a pronounced lean to the north. Although the tree is well rooted, we recommend it be monitored over the next few years to ensure it does not succumb to invasion by insects due to the fact the top bar of the fence is embedded in the trunk and could negatively affect the flow of nutrients and water within the tree. The plans do not appear to be encroaching on the TPZ which is listed below.

Tree #3, Coast Live Oak, (*Quercus agrifolia*). This tree is very prominent in the area as it measures approximately sixty feet high, seventy-five to eighty feet wide, with a forty-four-inch dbh. This tree would be classified as a “Heritage Tree.” This tree is in good condition. We saw no apparent signs of insect damage or disease. It could benefit from pruning to remove deadwood. The form on this tree is free of any noticeable



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“cross branching.” Of major concern to us is the root system on the north side of the tree. Grading has been done in preparation for construction of a retaining wall on the south side of the property.

Encroachment has occurred and a portion of the root system was removed in the process. A radical slope cut was made approximately six feet from the trunk of this tree on the north side. The south side of the root system remains intact and undisturbed. Approximately thirty percent of the root system was either removed or compacted on the north side of this tree.

Quercus agrifolia which grow in a steep hillside generally have anchoring roots on the uphill side and most of their feeder roots on the downhill side. At present, this tree has defoliated so some degree due to the loss of part of its root system and the fact that it is beginning to molt. We are concerned that this tree may continue to suffer a loss of foliage if the summer temperatures rise to the level they have in the recent past. Should the tree not be able to draw up enough water due to the loss of a portion of its feeder roots, it may go into stress and will likely defoliate. Should this occur, the dehydration of the tree will be accelerated, and the tree could slowly succumb to insects and disease. Should the tree fail, the residence at 2907 Rio Lempa Drive would likely be one of its potential targets. To prevent this, we suggest remedial measures be taken as soon as possible. These measures include but are not limited to replacing the soil removed from the root zone on the north side of the tree. This area of the root zone needs to be repaired. We have requested that the lost soil be replaced one foot at a time. The first foot has been replaced with clean native (clay) soil from the opposite end of the project. The balance will need to be replaced with a mixture of topsoil and compost, which will need to be imported from an outside source. Soil cannot be imported from other projects without testing for fertility and chemical composition. The actual TPZ is listed below.

The area encroached upon constitutes approximately thirty percent of the root zone. For reference we will refer to it as the “affected area.” In the affected area the soil was compacted with heavy equipment possibly crushing the roots below it. Measures will need to be taken to reduce the compaction so as not to “lock up” the soil preventing the free flow of water and nutrients. The backfill mix should not be compacted beyond 85%. This will need to be done with a manually operated compactor or “jumping jack” as no heavy equipment should enter the TPZ. Sandbags should be placed on the north side of the dripline to sufficient height to prevent erosion. Any footing for walls dug around this tree or any others should be dug OUTSIDE OF THE TPZ. (*) If any roots are encountered in the process of creating footing, they need to be protected with a plastic barrier when concrete is poured to prevent harmful chemicals from entering the vascular system of the subject “Heritage” Oak or any other Oaks in this survey. We cut any exposed roots we saw on this tree.

We suggest the tree be irrigated as needed for a period of two to five years between March and October of each year. The water content within the backfill should be monitored monthly, by a CERTIFIED ARBORIST. The affected area should contain a drainage system created from a three-inch perforated pipe to drain any excess moisture away from the root system. The installation of the drainage system should be done by a licensed landscape contractor.

The aim of the drainage and irrigation system is to establish NEW roots in the area where soil was removed in the affected area. At present no drainage system has been established.



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Once the soil has been replaced beneath this tree, we recommend a Mycorrhizal treatment be applied in the affected area prior to March of 2025, to encourage the establishment of new roots. After the tree has put out a new root system in the affected area. Irrigation may be halted if the tree has managed to grow on its own without additional irrigation, and monitoring can be reduced to twice per year. The tree should be “weaned” off of manual irrigation after a period of FIVE YEARS. To ensure total recovery it may need to be monitored annually in the late spring to early summer of each year for as long as twenty years. If during that period it shows signs of problems with disease or insects, it can be treated if necessary.

During the monitoring period, quarterly reports can be submitted to the agency responsible for the protection of this tree. That cost of these reports, any necessary inoculation and/or fertilization are not covered by this agreement.

Tree #4 Coast Live Oak (*Quercus agrifolia*) This tree is located above tree #3 and under its canopy. It is good condition. There appears to be free of pest and disease. The tree measures 20’ high, 15 wide, with a 5.5” dbh. Since this tree has a dbh less than 8”, it is not protected and may be considered as a replacement tree if needed.

Tree #5 Coast Live Oak, (*Quercus agrifolia*). This is a stump approximately two feet high. Undisturbed it will grow into a large bush. It appears to be in poor condition. There is no head on this tree, however we measured the base to be fourteen inches in diameter. This would lead us to believe the DBH would be approximately 11” to 12”. The stump lies within the TPZ of tree #1. This tree most likely would have declined and the upper portion may have broken due to natural causes.

Tree #S-1 California Native Sycamore, (*Platanus racemosa*). This tree is not part of an Oak Tree Report but is considered a California native and is protected in some jurisdictions. This tree measures approximately fifty-five feet high, thirty-two feet wide, with a nineteen-inch dbh. It appears to be in good health with no apparent insect damage. Any signs of disease cannot be accurately determined while the tree is dormant. The tree has been “topped” previously. The off shoots resulting from this practice should be selectively pruned to prevent “lion’s tails.” The TPZ is listed below.

There are two Sweetgum Trees (*Liquidambar styraciflua*), between the Native Sycamore and the sidewalk. If excavation is planned in that area the root systems of these trees will be greatly affected and they will become unstable. We recommend the destruction of these trees PRIOR to any excavation in that area. Removal of these trees may facilitate the location of footings further away from the root system of tree #S-1.

THE FOREGOING SUGGESTIONS ARE MEANT TO BE A PLAN TO PROMOTE THE RECOVERY OF THESE TREES AND BY NO MEANS CONSTITUTE ANY WARRANTY OR GUARANTEE OF SUCCESS.

OUR RECOMMENDATIONS ARE NOT MEANT TO SUPERCEED THE DECISIONS OF ANY PUBLIC AGENCY, SUCH AS THE COUNTY OF LOS ANGELES AS TO HOW THE SUBJECT TREE SHOULD BE CARED FOR.



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Here are the specifications of the six trees,

Tree #1 Coast Live Oak (*Quercus agrifolia*) 32' high by 20' wide with a 12" dbh. The TPZ on this tree is 15' from the trunk or 30' across and is symmetrical

Tree #2 Coast Live Oak (*Quercus agrifolia*) 37' high by 22' wide with a 12" dbh. The TPZ on this tree is 16' from the trunk or 32' across and is symmetrical.

Tree #3 Coast Live Oak (*Quercus agrifolia*) 60' high by 75' wide with a 44" dbh. The TPZ on this tree is 85' across. It is asymmetrical, the TPZ extends 45' to the east, 40' to the west, 45' to the north and 40' to the south from the trunk.

Tree #4 Coast Live Oak (*Quercus agrifolia*) 20' high by 15' wide with a 5.5" dbh. The TPZ on this tree is 15' across. It is asymmetrical. This tree is not protected, as its dbh is less than 8". It may serve as a replacement tree. There is no TPZ for this tree as it lies beneath the canopy of tree #3.

Tree #5 Coast Live Oak (*Quercus agrifolia*) This tree had been cut at 2' above the ground. The diameter at that point was 14". We calculate the dbh to have been 11" to 12". There is no TPZ as it lies beneath the canopy of tree #1. We believe that this tree was reduced to its current dimension as a result of natural causes.

Tree #S1 California Native Sycamore (*Platanus racemosa*) 55' high by 32' wide, with a 19' dbh. The TPZ on this tree is 22' from the trunk or 42' across and is symmetrical.

Arborist's disclaimer - Arborists are tree specialists who use their experience, knowledge, training, and education to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk near trees. Clients may choose to accept or disregard the recommendations of the Arborist or seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that can fall in ways we can not anticipate or predict. Conditions are often hidden within the tree and/or below the ground level. Arborists cannot guarantee that a tree will be healthy or safe under all conditions, or for a specific period of time. Likewise, remedial treatments, like medicine, cannot guarantee the future health or structural integrity of a tree.

Treatment, pruning and removal of trees may involve conditions beyond the scope of the Arborist's services, (such as property boundaries and ownership, site lines, neighbor disputes, landlord tenant matters, etc.) Arborists cannot take such issues into account unless complete information has been provided to them. The person hiring the Arborist accepts all liability for authorizing the recommended treatment or remedial measures once it has been explained and acknowledges that successful results cannot be guaranteed. Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate risk from trees is to eliminate them in the landscape.



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Horticultural Consultants

No warranty is made, expressed or implied, that problems or deficiencies of the tree or the property will not occur in the future, from any cause. The Consultant shall not be liable for damages or injuries caused by tree defects and assume no responsibility for the correction of defects or tree related problems.

Richard W. Veyna, Certified Arborist



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TABLE

Tree #1 Coast Live Oak (<i>Quercus agrifolia</i>)	32' X 20' X 12" dbh
Tree #2 Coast Live Oak (<i>Quercus agrifolia</i>)	37' X 27' X 12" dbh
Tree #3 Coast Live Oak (<i>Quercus agrifolia</i>)	60' X 75' X 44" dbh
Tree #4 Coast Live Oak (<i>Quercus agrifolia</i>)	20' X 15' X 5.5" dbh
Tree #5 Coast Live Oak (<i>Quercus agrifolia</i>)	2' X 5' X 11" dbh
Tree #S1 California Native Sycamore (<i>Platanus racemosa</i>)	55' X 32' X 19" dbh

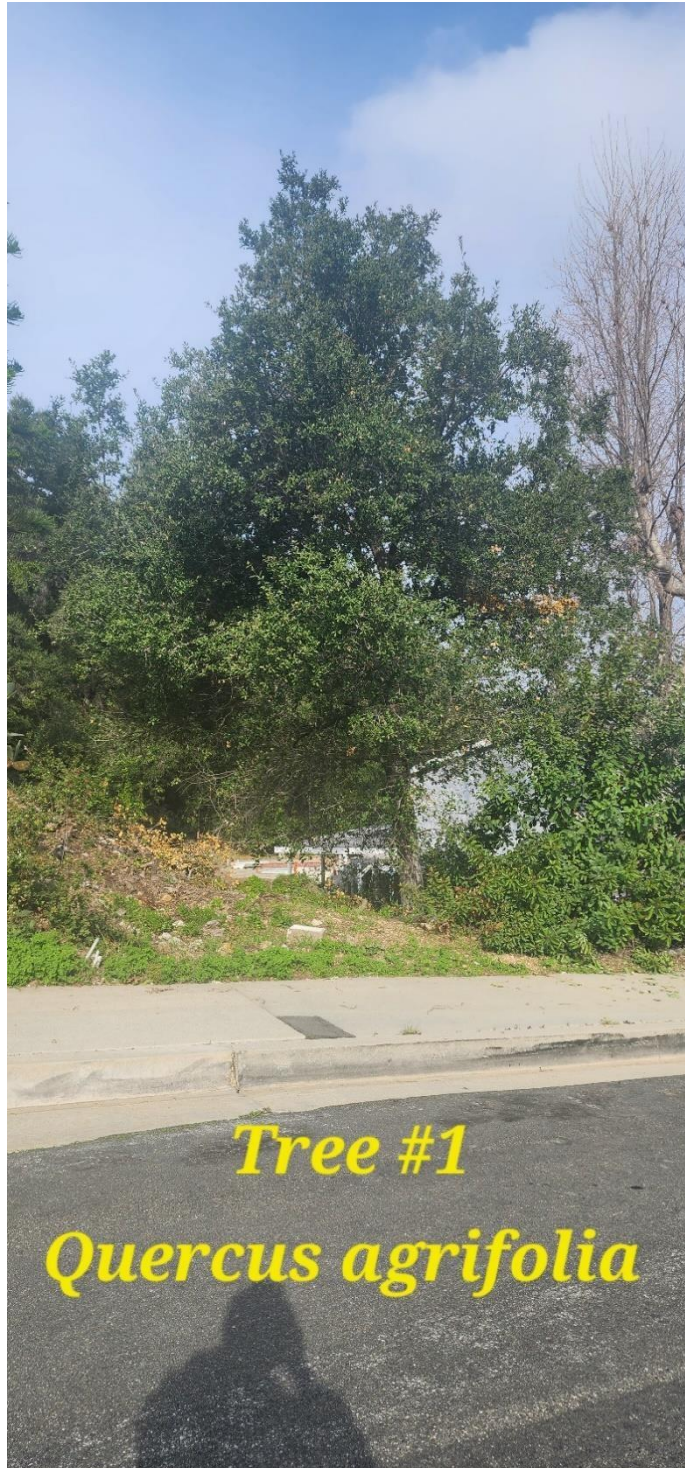


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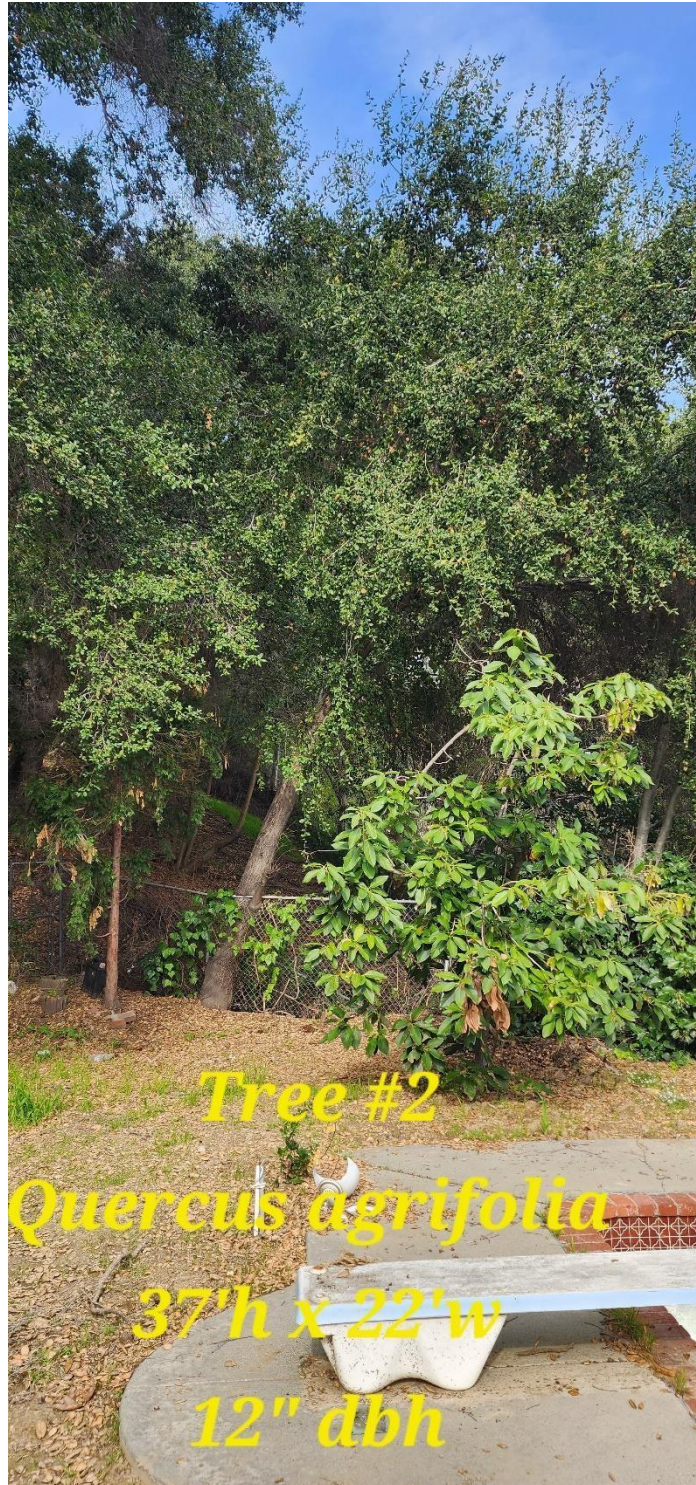


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AREA OF SOIL REMOVAL FROM DRIPLINE OF TREE #3. NOTE THAT TPZ ON THE WESTERLY SIDE IS DEFINED BY THE FENCELINE.



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Root cleanly cut
Tree #3

R.W. Veyna Assoc.



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Tree #4
Quercus agrifolia

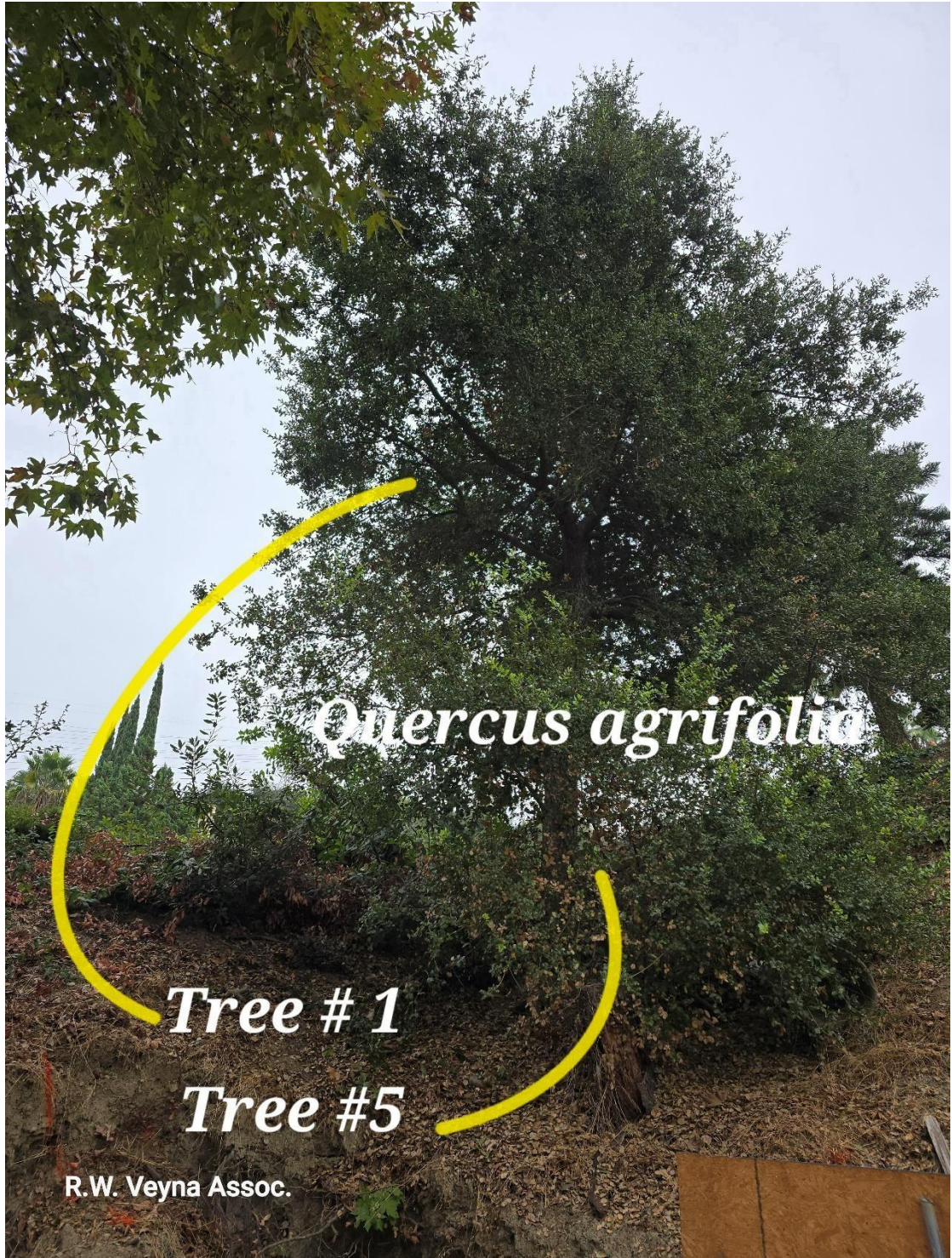


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Tree # S1
Platanus racemosa

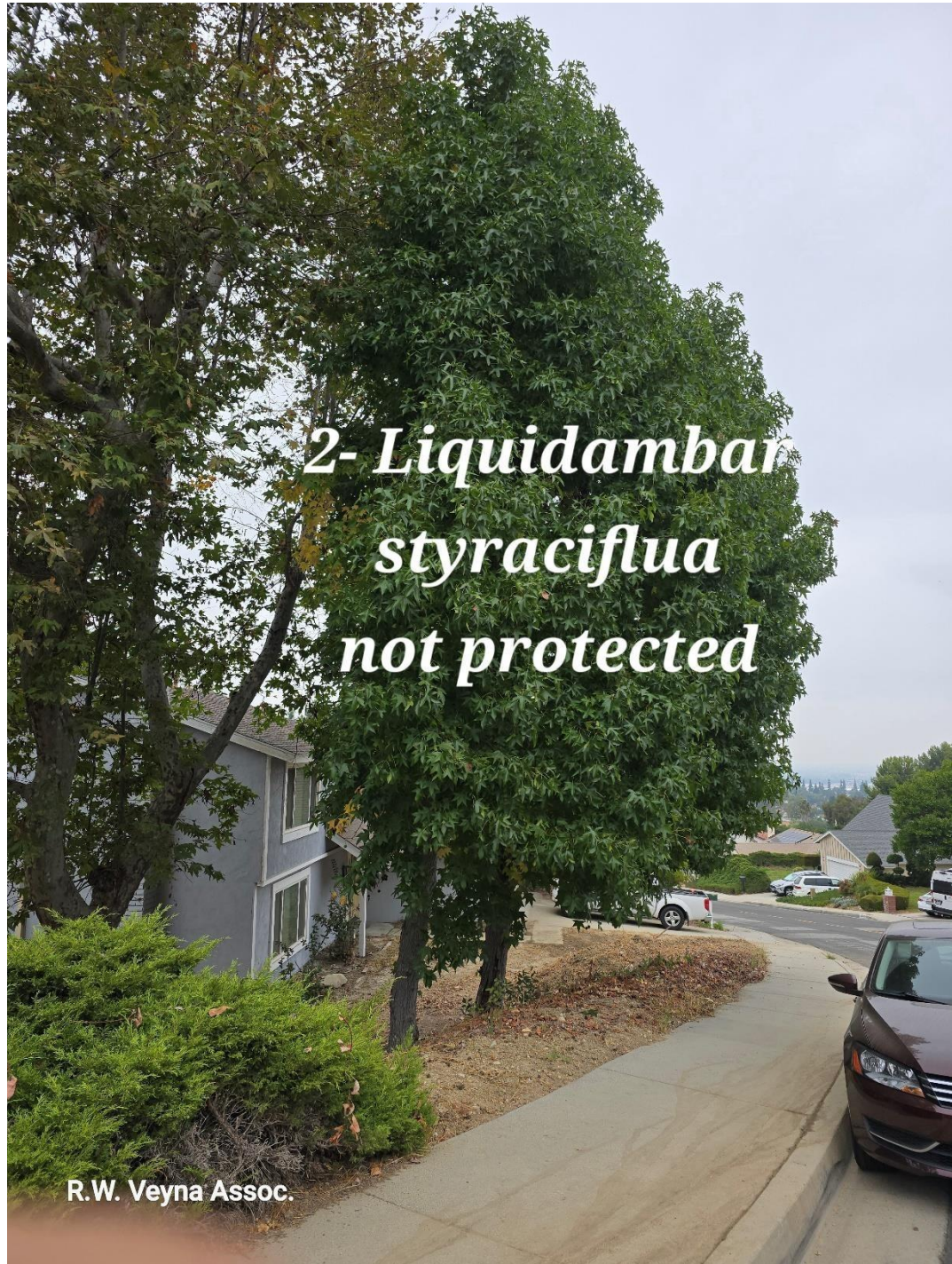


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COUNTY OF LOS ANGELES FIRE DEPARTMENT

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FORESTER & FIRE WARDEN

November 13, 2024

Carl Nadela, Planner
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Carl Nadela:

Revised OAK TREE PERMIT NUMBER RPPL2024001753 2907 RIO LEMPA DRIVE, HACIENDA HEIGHTS

We have reviewed the "Request for Oak Tree Permit #RPPL2024001753." The project is located at 2907 Rio Lempa Drive in the unincorporated area of Hacienda Heights. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Richard W. Veyna, the consulting arborist, dated October 17, 2024.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. The permittee shall, prior to commencement of the use authorized by this grant, pay the fees invoiced through EPIC-LA to the County of Los Angeles Fire Department. Such fees shall be used to compensate the County Forester per inspection and to cover expenses

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CARSON	EL MONTE	INGLEWOOD	LAWNDALE	PICO RIVERA	SIGNAL HILL
ARTESIA	CERRITOS	GARDENA	IRWINDALE	LOMITA	POMONA	SOUTH EL MONTE
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BELL GARDENS	CUDAHY	HERMOSA BEACH	LA PUENTE	NORWALK	ROSEMEAD	WALNUT
BELLFLOWER	DIAMOND BAR	HIDDEN HILLS	LAKEWOOD	PALMDALE	SAN DIMAS	WEST HOLLYWOOD
BRADBURY	DUARTE	HUNTINGTON PARK	LANCASTER	PALOS VERDES ESTATES	SANTA CLARITA	WESTLAKE VILLAGE
CALABASAS		INDUSTRY		PARAMOUNT		WHITTIER

incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. These fees provide for one (1) initial inspection prior to the commencement of construction and two (2) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department's Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester, any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chainlink fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE ENCROACHMENT:

7. This grant allows encroachment within the protected zone of three (3) trees of the Oak genus identified as Tree Numbers 1, 2 and 3(Heritage) on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved and treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above or ten to one (10:1) for heritage trees that dies as a result of the approved encroachments. In addition, any tree that reaches ordinance size during the construction and monitoring period shall be included in this permit and subject to these conditions of approval.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia, grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted on site or within the same community if approved by the County Forester. If mitigation trees are deemed impossible by the County Forester, only then a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester, indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

To schedule a County Forester inspection, please contact the Environmental Review Unit at (818) 890-5719.

If you have any additional questions, please contact this office at (818) 890-5719.

Very truly yours,



KIEN TAN, DEPUTY FORESTER, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

KT:jl

Enclosure