

REPORT TO THE HEARING OFFICER

DATE ISSUED: June 11, 2026

HEARING DATE: June 23, 2026 AGENDA ITEM:6

PROJECT NUMBER: 2019-001416-(5)

PERMIT NUMBER(S): Minor Modification or Elimination of Conditional Use
Permit Conditions (“CUP Modification”)
RPPL2026001631

SUPERVISORIAL DISTRICT: 5

PROJECT LOCATION: 16612 Sierra Highway, Canyon Country

OWNER: James C. Ball

APPLICANT: James C. Ball

CASE PLANNER: Richard Claghorn, Principal Regional Planner
rclaghorn@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 2019-001416-(5), CUP Modification Number RPPL2026001631, based on the Findings (Exhibit C – Findings) contained within this report and subject to the CUP Modification Addendum (Exhibit D – CUP Modification Addendum).

Staff recommends the following motion:

ENTITLEMENT(S):

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT MODIFICATION NUMBER RPPL2026001631 TO ELIMINATE CONDITION NUMBER 35 OF CONDITIONAL USE PERMIT NUMBER RPPL2019002661 SUBJECT TO THE ATTACHED FINDINGS.

PROJECT DESCRIPTION

A. Modification Requested

The Minor Modification to Conditional Use Permit (“CUP”) will eliminate a previously approved condition of previously approved CUP No. RPPL2019002661 (“original CUP”). The Minor Modification to the CUP will eliminate Condition Number 35 (“Condition”), which requires the applicant retain a professional archaeological monitor (“Native American Monitor”) with expertise in Native American tribal cultural resources to be present to observe all grading of the building pads on the Project Site, any trenching or excavation outside of the building pad areas, and any archaeological work conducted during Project implementation.

The County of Los Angeles (“County”) Board of Supervisors (“Board”) approved the original CUP on September 26, 2023, for the construction of six single-family residences on six existing contiguous legal lots, including related grading and development within a Hillside Management Area (“HMA”) and to authorize a water storage and distribution system, Ball Mountain Water Company, which will serve the six subject parcels and two other adjoining parcels, in the A-2-2 (Heavy Agricultural - Two Acre Minimum Required Lot Area) Zone (“Project”) pursuant to Sections 22.16.030.C (Land Use Regulations for Agricultural Zones) and 22.104.030 (HMA CUP Required) of the Los Angeles County (“County”) Code.

The Project Site is located in the vicinity of 16612 Sierra Highway in the unincorporated community of Canyon Country. The Project Site is located on the west side of Sierra Highway and on the east side of Sand Canyon Road in the Sand Canyon Zoned District in the Santa Clarita Valley Planning Area. The Project Site is accessible from Sierra Highway.

B. Background

CUP No. RPPL2019002661 was approved on September 26, 2023, for the construction of six single-family residences on six existing contiguous legal lots, including related grading and development, within an HMA and to authorize a water storage and distribution system, Ball Mountain Water Company, which will serve the six subject parcels and two other adjoining parcels (Exhibit G - Original Findings & Conditions of Approval for CUP RPPL2019002661). Applicant filed a writ of mandate challenging several conditions in Case No. 23STCP00854. On October 16, 2025, the County Superior Court (“Court”) ordered LA County Planning to set aside the Condition for reconsideration including the additional evidence of the applicant’s geological and cultural assessment reports (Exhibit H – Court Ruling). After additional informal consultation with the Fernandeano Tataviam Band of Mission Indians (“FTBMI”), Staff determined that the Condition is not necessary for the Project in compliance with the Court order.

C. Proposal

The purpose of the requested condition modification is to comply with the directions of the Court. To achieve this, the following Condition will be eliminated:

“The Permittee shall retain a professional archaeological monitor (“Native American Monitor”) with expertise in Native American tribal cultural resources. The Native American

Monitor shall be procured by the FTBMI or shall be selected by the Permittee and approved by the FTBMI and Regional Planning. The Native American Monitor shall be present to observe all grading of the building pads on the Project site, any trenching or excavation outside of the building pad areas, and any archaeological work conducted during Project implementation. If tribal cultural resources are encountered, the Native American Monitor, in conjunction with the on-site archaeologist, will have the authority to request ground disturbing activities cease within 60 feet of discovery to assess and document potential finds in real time.”

With the requested modification, this condition will be eliminated.

ANALYSIS

Condition No. 35 of the original CUP, which required a Native American Monitor to be present to observe all grading of the building pads on the Project site, and any trenching or excavation, was included at the request of the FTBMI during the consultation process pursuant to Assembly Bill Number 52 (“AB52”). At the time of the original CUP, FTBMI had requested geological and cultural assessment reports, but the applicant did not provide these reports to the County. On October 16, 2025, the Court ordered LA County Planning to set aside the Condition for reconsideration “with additional evidence of the applicant’s geological and cultural reports. The Court further instructed the applicant to submit the required documentation/evidence to the County within thirty days of the order,” and the County “to complete its review and issue a decision within sixty days after receipt of the applicant’s supporting documentation.” (Exhibit H – Court Ruling) The applicant submitted geological and cultural assessment reports to Staff on November 3, 2025. After further informal consultation with the FTBMI with the additional information and Staff analysis of the consultation and reports, Staff determined that the Condition is not necessary for the Project. Therefore, Staff determined that Condition No. 35 of the CUP may be eliminated.

BURDEN OF PROOF

All facts identified by Section 22.236.050 (Findings and Decision) of the County Code are required to be substantiated. Staff is of the opinion that the burden of proof for the elimination of the Condition. The Burden of Proof findings are detailed in Exhibit C – Draft Findings.

ENVIRONMENTAL ANALYSIS

A Negative Declaration was prepared for this Project by Staff pursuant to the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (“CEQA”) reporting requirements. The County completed an Initial Study for the above-mentioned project. The Board adopted a Negative Declaration (“ND”) on September 26, 2023 based on the Initial Study that was completed in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. An environmental determination (Exhibit F – Environmental Determination) was issued for the project. The Negative Declaration, which includes the Initial Study, is attached as Exhibit H. The Project remains the same as reviewed under the adopted ND. The only change to the Project is the elimination of one CUP condition (No. 35), which was found to be unnecessary,

as the result of further Staff review and analysis in compliance with the Court's ruling. This change does not affect the previous determination that the Project qualifies for an ND. Pursuant to Section 15164 of the CEQA Guidelines, no addendum to the ND is necessary and none of the conditions described in Section 15162 of the CEQA Guidelines have occurred. Therefore, the adopted ND for the Project remains sufficient.

A. Public Comments

Staff has not received any public comments at the time of report preparation.

Staff received a letter from the applicant, which is included in Exhibit I – Correspondence. In the letter, the applicant, in addition to requesting the elimination of Condition No. 35, also requested the reconsideration of Conditions No. 44 through 49, which pertain to biological requirements that must be satisfied prior to the development of the proposed single-family residence on APN 3231-010-019, the driveway leading to it and related grading or development, and of the proposed solar panel array on the northern part of APN 3231-010-020. The applicant has stated that these conditions are not warranted. However, the Court adjudicated the very issue in the second cause of action of the applicant's writ petition and denied the second cause of action (Exhibit H – Court Ruling). On January 12, 2026, the Court clarified that the second cause of action was dismissed with prejudice (Exhibit J – January 12, 2026 Minute Order). Therefore, Staff recommends that no changes are warranted for Conditions No. 44 through 49 as part of this application and that only Condition No. 35 be eliminated, consistent with the Court ruling and minute order.

Report

Reviewed By:



Samuel Dea, Supervising Regional Planner

Report

Approved By:



Susan Tae, Assistant Administrator

LIST OF ATTACHED EXHIBITS

EXHIBIT A	CUP RPPL2019002661 Exhibit "A" Site Plan
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Draft Findings
EXHIBIT D	CUP Modification Addendum
EXHIBIT E	Environmental Determination
EXHIBIT F	Original Findings & Conditions of Approval for CUP RPPL2019002661

EXHIBIT G	Initial Study/Negative Declaration
EXHIBIT H	Court Ruling
EXHIBIT I	Correspondence
EXHIBIT J	January 12, 2026, Court Minute Order

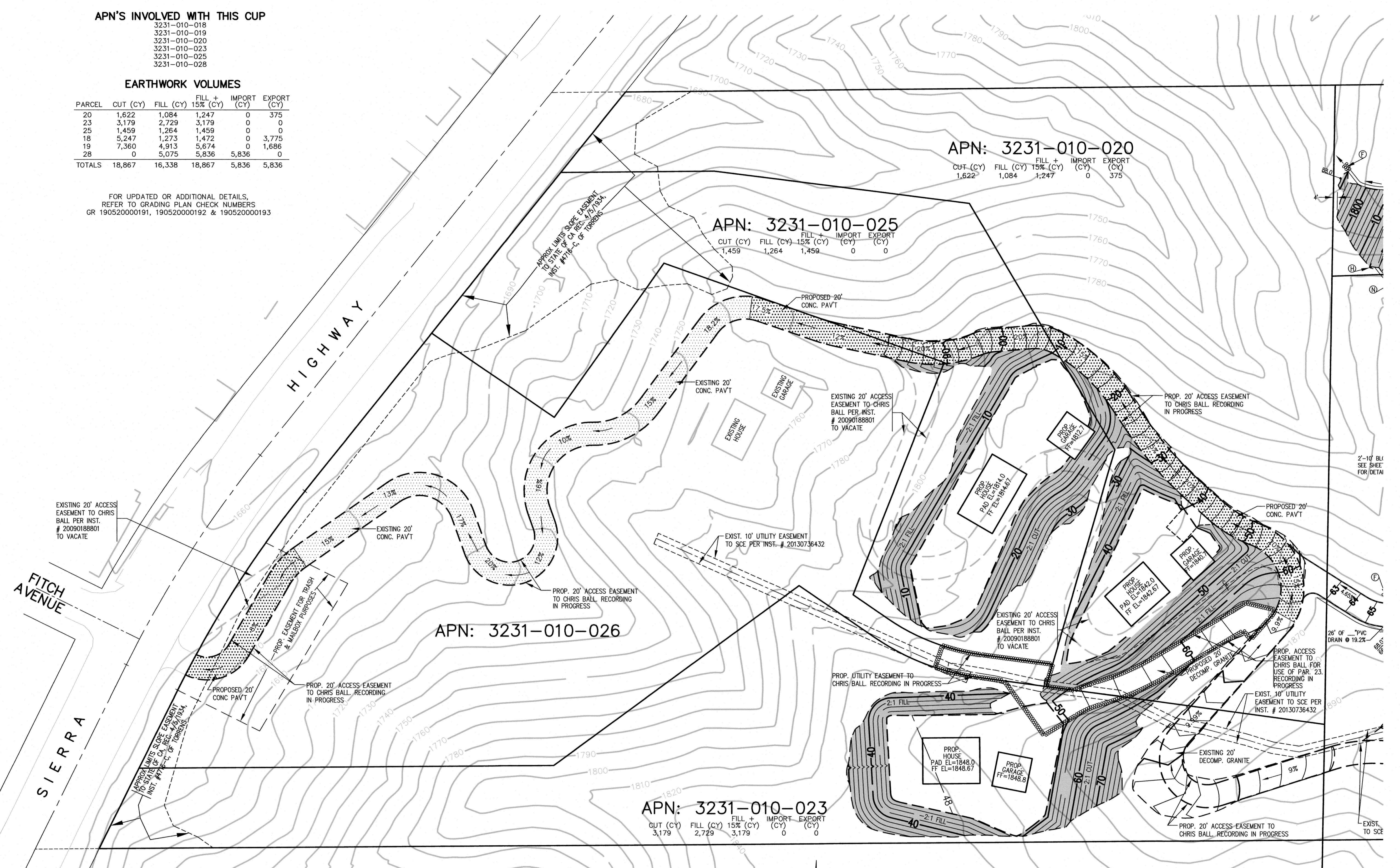
APN'S INVOLVED WITH THIS CUP

- 3231-010-018
- 3231-010-019
- 3231-010-020
- 3231-010-023
- 3231-010-025
- 3231-010-028

EARTHWORK VOLUMES

PARCEL	CUT (CY)	FILL (CY)	FILL + 15% (CY)	IMPORT (CY)	EXPORT (CY)
20	1,622	1,084	1,247	0	375
23	3,179	2,729	3,179	0	0
25	1,459	1,264	1,459	0	0
18	5,247	1,273	1,472	0	3,775
19	7,360	4,913	5,674	0	1,686
28	0	5,075	5,836	5,836	0
TOTALS	18,867	16,338	18,867	5,836	5,836

FOR UPDATED OR ADDITIONAL DETAILS,
REFER TO GRADING PLAN CHECK NUMBERS
GR 190520000191, 190520000192 & 190520000193



APN: 3231-010-020

CUT (CY)	FILL (CY)	FILL + 15% (CY)	IMPORT (CY)	EXPORT (CY)
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APN: 3231-010-025

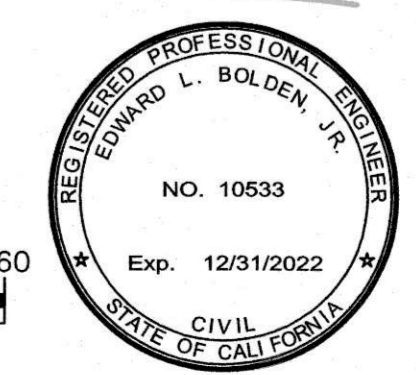
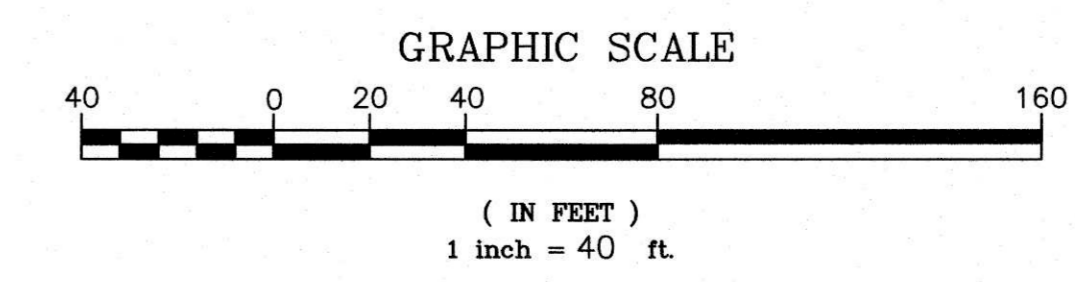
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1,459	1,264	1,459	0	0

APN: 3231-010-026

APN: 3231-010-023

CUT (CY)	FILL (CY)	FILL + 15% (CY)	IMPORT (CY)	EXPORT (CY)
3,179	2,729	3,179	0	0

BM VL 5229 ELEV = 1699.151
DPW BM TAG 1' W/O C B @
NE COR SIERRA HWY & SAND
CYN RD 80' E & 18' W/O
C/L INT
NEWHALL QUAD (2018)



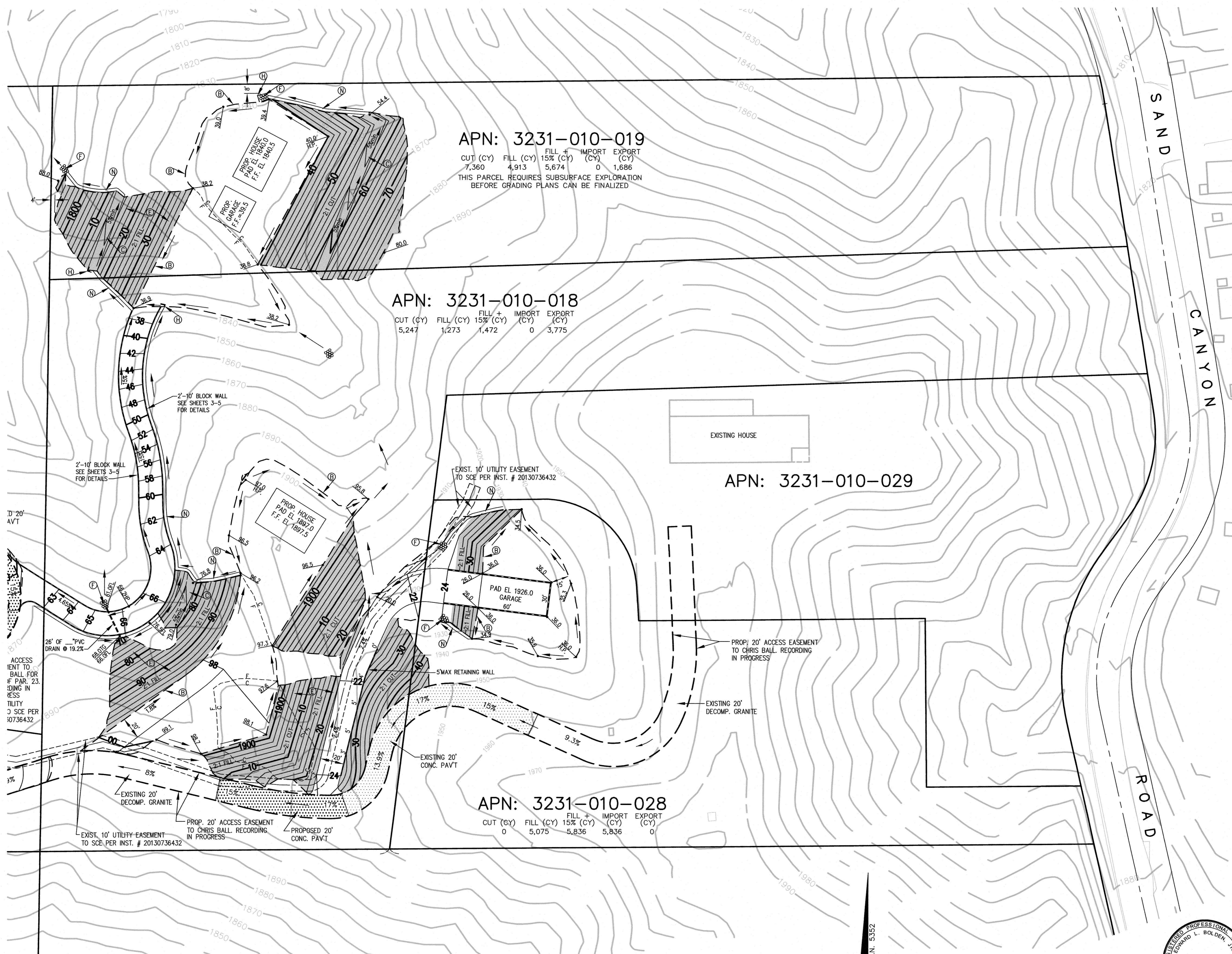
ANDEL ENGINEERING COMPANY
P.O. BOX 220428, NEWHALL, CA 91321 (661) 259-1920
<http://www.AndelEngineering.com>

C.U.P. PHASE I

CLIENT: CHRIS BALL
16612 SIERRA HIGHWAY
CANYON COUNTRY, CA 91351 (661) 621-9490

DRAWN BY: M.F.E.
DATE: 11/26/18, 6/15/21
SCALE: 1" = 40'

E.L. BOLDEN JR. R.C.E. 10533
SHEET 1 OF 2 SHEETS



APN: 3231-010-019

CUT (CY)	FILL (CY)	15% (CY)	FILL + IMPORT (CY)	EXPORT (CY)
7,360	4,913	5,674	0	1,686

THIS PARCEL REQUIRES SUBSURFACE EXPLORATION BEFORE GRADING PLANS CAN BE FINALIZED

APN: 3231-010-018

CUT (CY)	FILL (CY)	15% (CY)	FILL + IMPORT (CY)	EXPORT (CY)
5,247	1,273	1,472	0	3,775

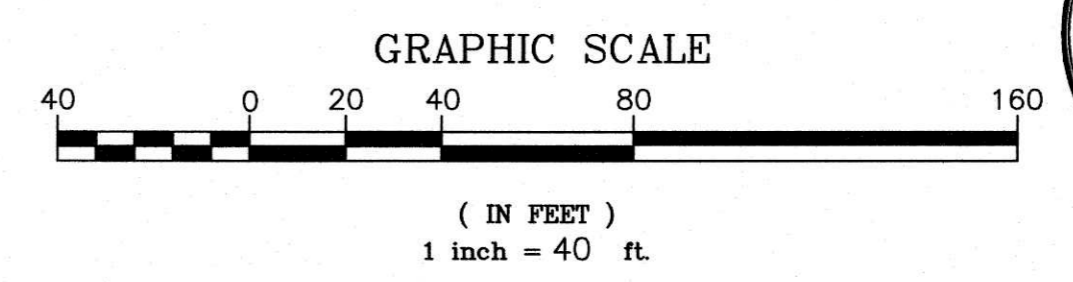
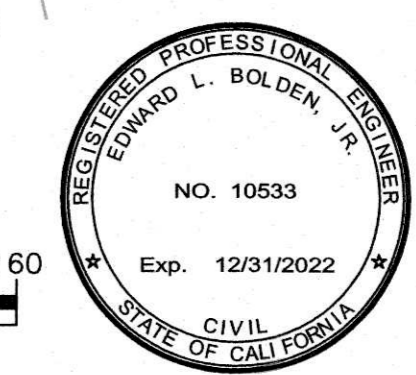
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APN: 3231-010-028

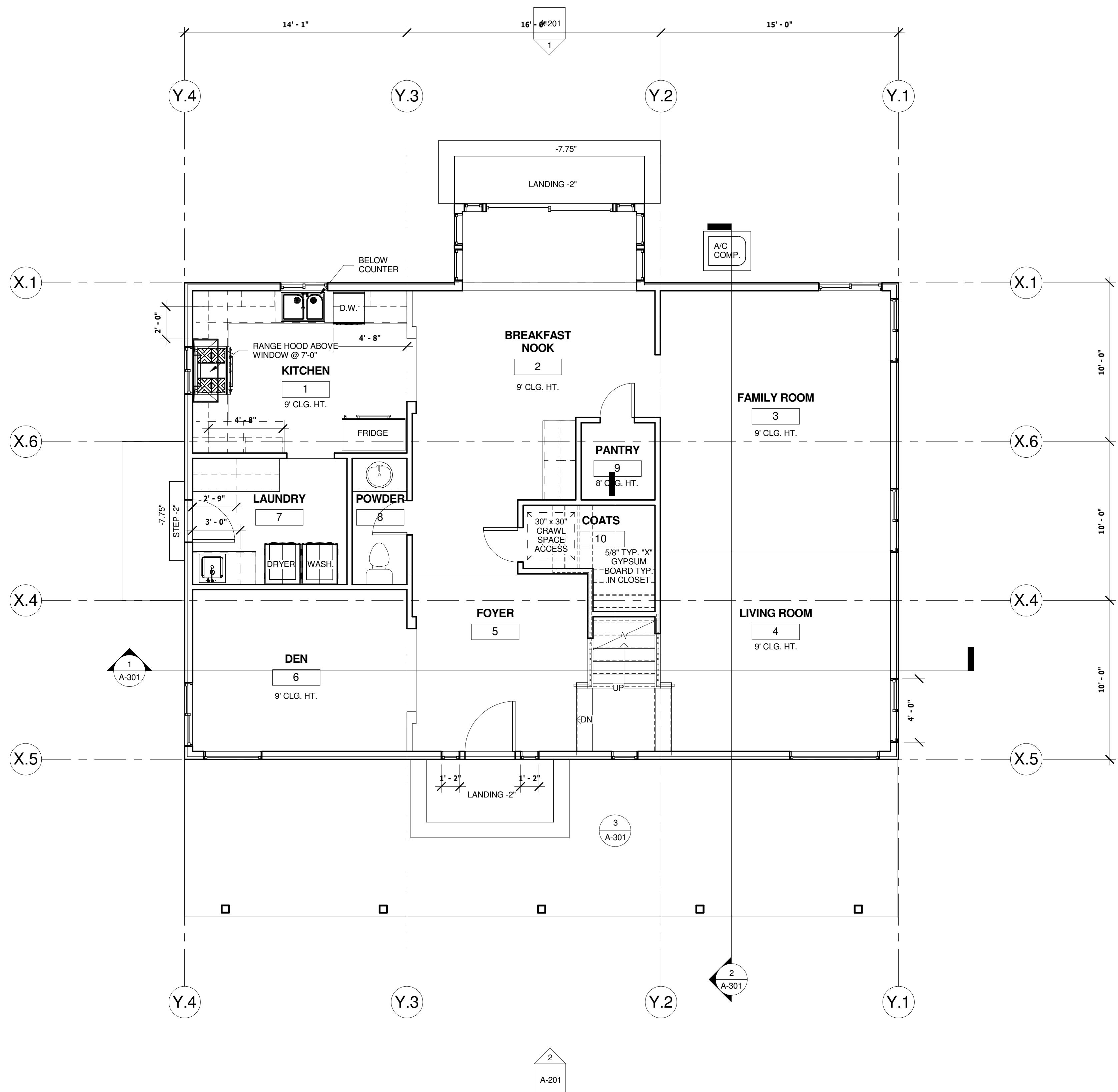
CUT (CY)	FILL (CY)	15% (CY)	FILL + IMPORT (CY)	EXPORT (CY)
0	5,075	5,836	5,836	0

SAND CANYON

ROAD



ANDEL ENGINEERING COMPANY P.O. BOX 220428, NEWHALL, CA 91321 (661) 259-1920 http://www.AndelEngineering.com	
C.U.P. PHASE II	
CLIENT: CHRIS BALL 16612 SIERRA HIGHWAY CANYON COUNTRY, CA 91351 (661) 621-9490	
DRAWN BY: M.F.E. DATE: 11/26/18, 6/15/21 SCALE: 1" = 40' J.N. 5352	E.L. BOLDEN JR. R.C.E. 10533 J.N. 5352 SHEET 2 OF 2 SHEETS



1 First Floor F.F.
1/4" = 1'-0"

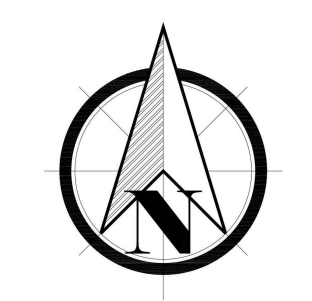
REVISIONS	No.	Description	Date

SHIFT OVATION
ARCHITECTURAL SERVICES
24454 ARCADIA ST.
NEW HALL, CA 91321
P: 661 803 3652 F: 661 799 7820

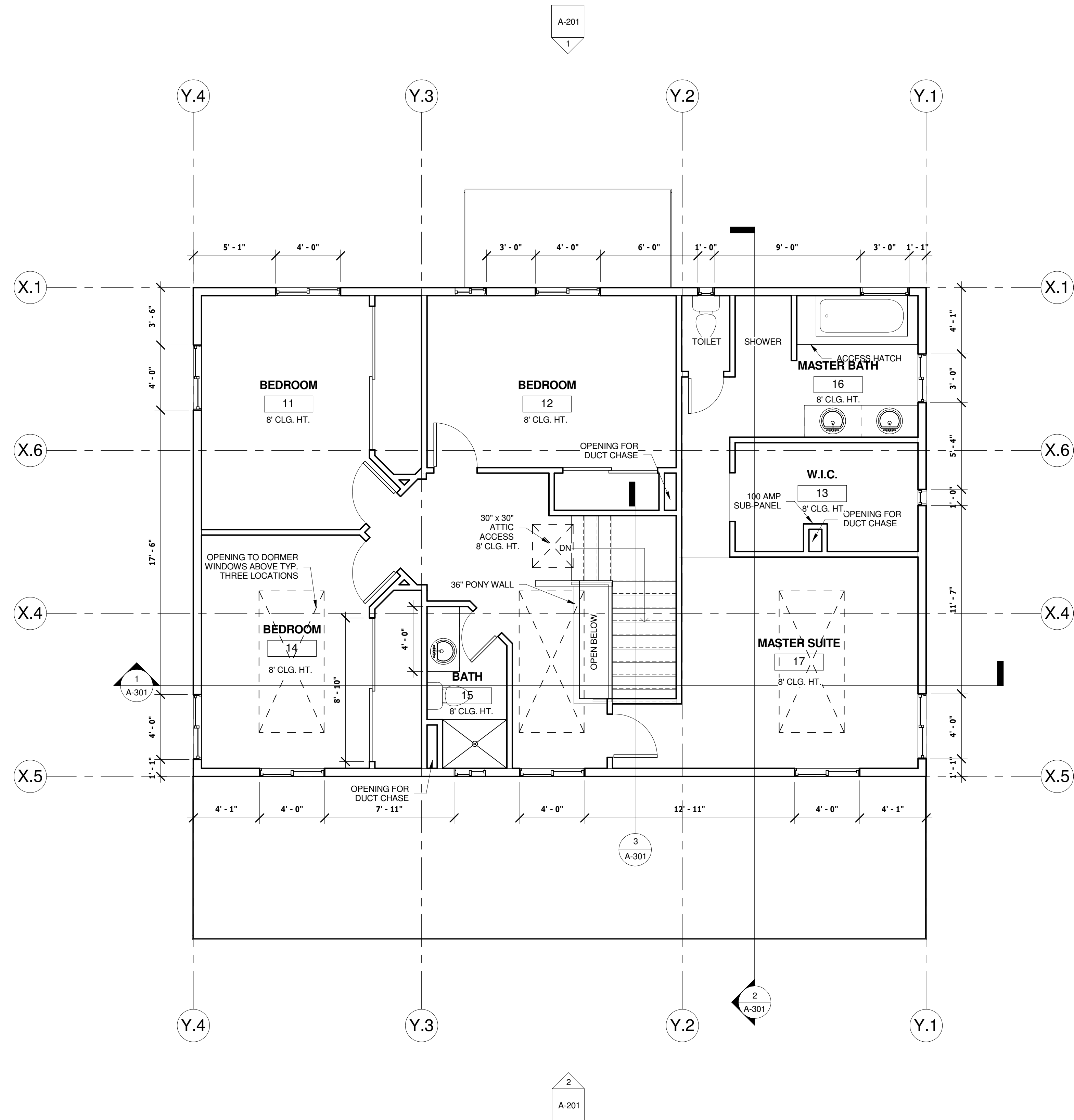
BALL_11314
*PLAN CHECK SET

BALL RESIDENCE
16666 SIERRA HWY.,
CANYON COUNTRY, CA 91387

FIRST FLOOR PLAN
WITH ROOM LABELS



Project #	11314
Date	JUNE 21, 2014
Drawn by	PS
Checked by	DD
Scale	1/4" = 1'-0"



1 Second Floor F.F.
1/4" = 1'-0"

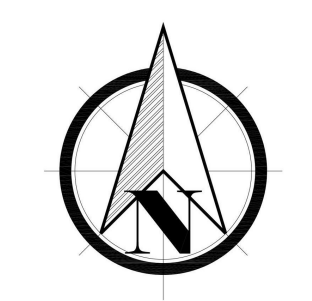
REVISIONS	No.	Description	Date

SHIFT OVATION
ARCHITECTURAL SERVICES
24454 ARCADIA ST.
NEW HALL, CA 91321
P: 661 803 3652 F: 661 799 7820

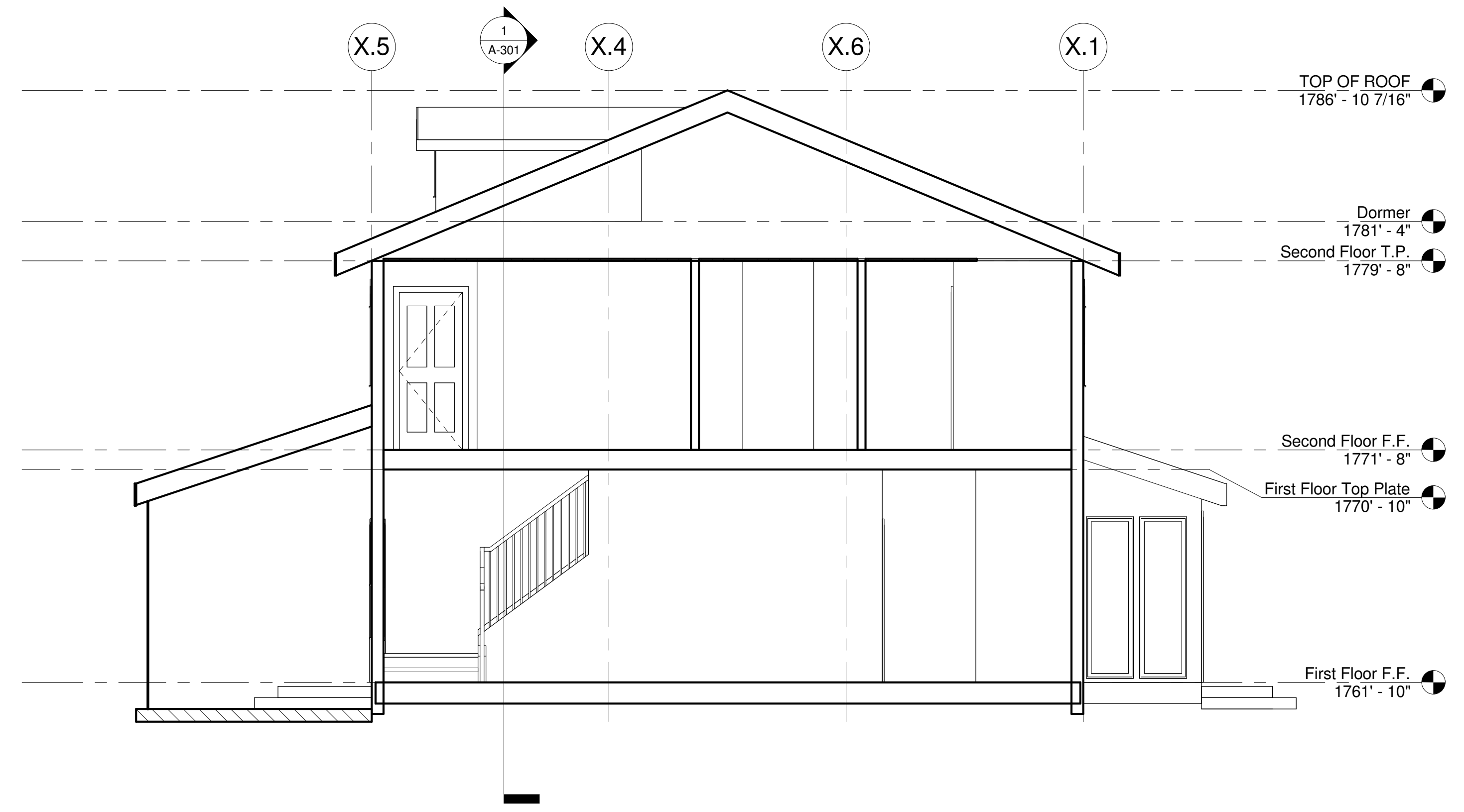
BALL_11314
*PLAN CHECK SET

BALL RESIDENCE
16666 SIERRA HWY.,
CANYON COUNTRY, CA 91387

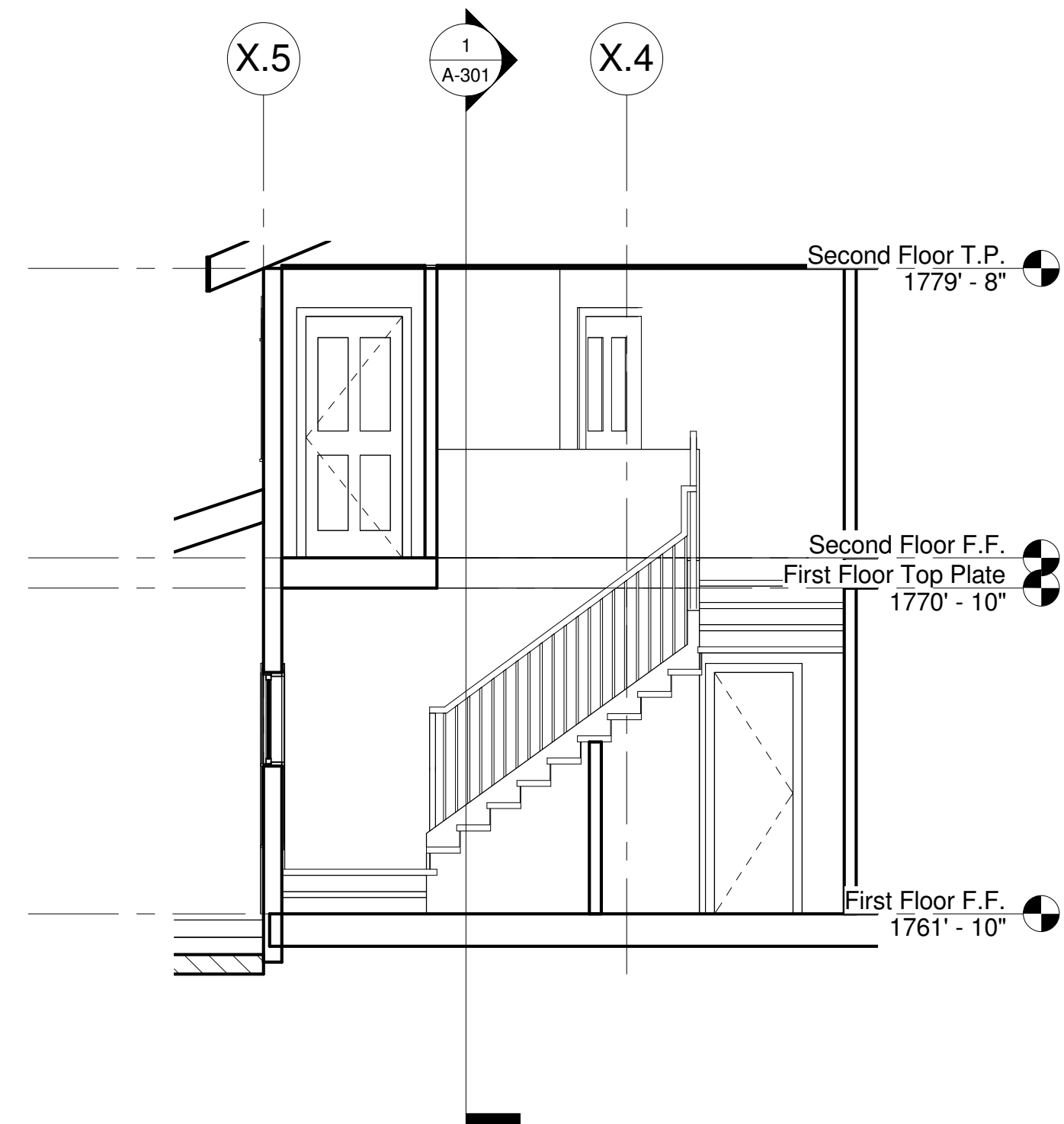
SECOND FLOOR PLAN
WITH ROOM LABELS



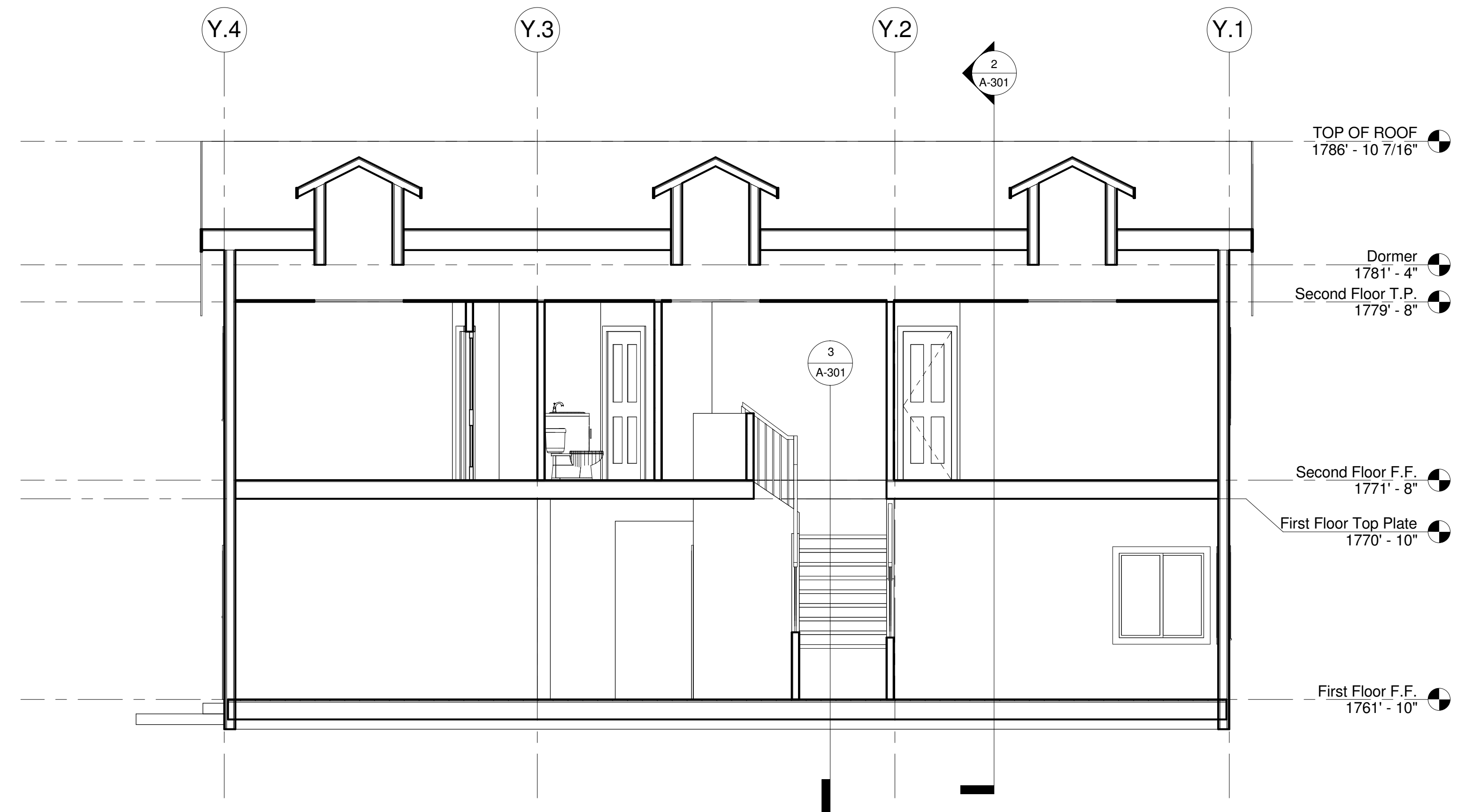
Project #	11314
Date	JUNE 21, 2014
Drawn by	PS
Checked by	DD
Scale	1/4" = 1'-0"



2 Building Section B
1/4" = 1'-0"

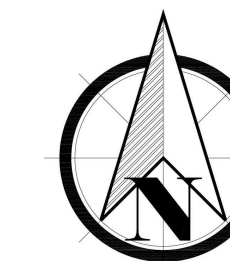


3 Stair Detail
1/4" = 1'-0"



1 Building Section A
1/4" = 1'-0"

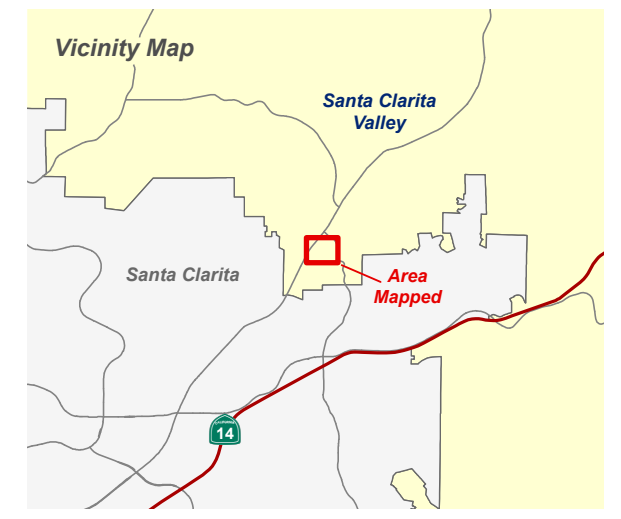
REVISIONS	No.	Description	Date





Los Angeles County
Project No. 2019-001416
Open Space Analysis
 Unincorporated Santa Clarita Valley:
 AINs 3231010018, 3231010019, 3231010020,
 3231010023, 3231010025, & 3231010028

- Fuel Modification Area A
- Fuel Modification Area B
- Improved Open Space Overlay
- Total Calculated Open Space
- Building Pad - House
- Building Pad - House with Attached Garage
- Building Pad - Detached Garage
- Building Pad - Other
- Access Driveway
- Graded slope
- Road Embankment
- Utility Easement - SCE
- Utility Easement - Other
- Conceptual Solar Array (7,273 Sq Ft each)
- Water Line - 2"
- Water Line - 4"
- Water Storage / Treatment Facility
- Main Access Easement
- Assessor Parcel



LOS ANGELES COUNTY
 Dept. of Regional Planning
 320 W. Temple St., 13th Floor
 Los Angeles, CA 90012

Feet

0 500 1,000

Prepared by DRP GIS Section / January 2022



PROJECT NUMBER **HEARING DATE**

2019-001416-(5)

June 23, 2026

REQUESTED ENTITLEMENT(S)

Minor Modification or Elimination of Conditional Use Permit Conditions ("Minor Modification to CUP") No. RPPL2026001631

PROJECT SUMMARY

OWNER / APPLICANT

James C. Ball / James C. Ball

MAP/EXHIBIT DATE

June 15, 2021

PROJECT OVERVIEW

A minor modification to Conditional Use Permit No. RPPL2019002661 to eliminate Condition No. 35, which requires archaeological monitoring, associated with the construction of six single-family residences on six existing contiguous legal lots, including related grading and development within a Hillside Management Area and to authorize a water storage and distribution system, Ball Mountain Water Company, in the A-2-2 (Heavy Agricultural - Two Acre Minimum Required Lot Area) Zone in the Santa Clarita Valley Planning Area. This project is subject to a Negative Declaration pursuant to CEQA reporting requirements.

Elimination of this condition is in compliance with a Court order.

LOCATION

16612 Sierra Highway, Canyon Country

ACCESS

Sierra Highway

ASSESSORS PARCEL NUMBER(S)

3231-010-018, -019, -020, -023, -025, and -028

SITE AREA

19.91 Acres

GENERAL PLAN / LOCAL PLAN

Santa Clarita Valley Area Plan ("Area Plan")

ZONED DISTRICT

Sand Canyon

PLANNING AREA

Santa Clarita Valley

LAND USE DESIGNATION

RL5 (Rural Land 5 – One Dwelling Unit per 5 Acres)

ZONE

A-2-2

PROPOSED UNITS

6

MAX DENSITY/UNITS

6

APPLICABLE STANDARDS DISTRICT(S)

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Negative Declaration

KEY ISSUES

- Consistency with the General Plan and Area Plan
- Satisfaction of the following portions of Title 22 of the Los Angeles County Code:
 - Section 22.236.010 (Minor Modification and Elimination of Conditional Use Permit Conditions)

CASE PLANNER:

Richard Claghorn

PHONE NUMBER:

(213) 893 - 7015

E-MAIL ADDRESS:

rclaghorn@planning.lacounty.gov

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. 2019-01416
MINOR MODIFICATION OR ELIMINATION OF CONDITIONAL USE PERMIT
CONDITIONS NO. RPPL2026001631

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Hearing Officer conducted a duly noticed public hearing in the matter of Minor Modification of Conditional Use Permit Conditions (“CUP Modification”) No. **RPPL2026001631**, to modify a condition of Conditional Use Permit (“CUP”) No. RPPL2019002661 on June 23, 2026.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **MODIFICATION REQUESTED.** The Permittee is Applicant, James C. Ball (“Permittee”). The request is to modify a condition of approval related to tribal cultural resource monitoring, to previously approved CUP No. RPPL2019002661 in compliance with a Court order. The County Board of Supervisors approved this CUP on September 26, 2023, for the the construction of six single-family residences on six existing contiguous legal lots, including related grading and development within a Hillside Management Area (“HMA”) and to authorize a water storage and distribution system, Ball Mountain Water Company, which will serve the six subject parcels and two other adjoining parcels, in the A-2-2 (Heavy Agricultural - Two Acre Minimum Required Lot Area) Zone (“Project”). The requested modification will eliminate Condition No. 35, which currently reads:

“The Permittee shall retain a professional archaeological monitor (“Native American Monitor”) with expertise in Native American tribal cultural resources. The Native American Monitor shall be procured by the Fernandño Tataviam Band of Mission Indians (“FTBMI”) or shall be selected by the Permittee and approved by the FTBMI and Regional Planning. The Native American Monitor shall be present to observe all grading of the building pads on the Project site, any trenching or excavation outside of the building pad areas, and any archaeological work conducted during Project implementation. If tribal cultural resources are encountered, the Native American Monitor, in conjunction with the on-site archaeologist, will have the authority to request ground disturbing activities cease within 60 feet of discovery to assess and document potential finds in real time.”

With the requested modification, this condition will be eliminated.

4. **LOCATION.** The Project is located on six vacant parcels in the vicinity of 16612 Sierra Highway in the unincorporated community of Canyon Country (Assessor’s Parcel Numbers (“APNs”) 3231-010-018, 3231-010-019, 3231-010-020, 3231-010-023,

3231-010-025, and 3231-010-028)(“Project Site”) within the Sand Canyon Zoned District and Santa Clarita Valley Planning Area. The two contiguous lots with existing single-family residences served by Ball Mountain Water Company are APNs 3231-010-026 (16612 Sierra Highway) and 3231-010-029 (16666 Sierra Highway). The Project Site is located on the west side of Sierra Highway and on the east side of Sand Canyon Road in the Sand Canyon Zoned District. The Project Site is accessible from Sierra Highway.

5. **RELATED ENTITLEMENT.** CUP No. RPPL2019002661, approved September 26, 2023, authorized construction of six single-family residences on six existing contiguous legal lots, including related grading and development, within a HMA, and authorized a water storage and distribution system, Ball Mountain Water Company, which will serve the six subject parcels and two other adjoining parcels, in the A-2-2 Zone.
6. **LAND USE DESIGNATION.** The Project Site is located within the RL5 (Rural Land 5 – One Dwelling Unit per 5 Acres) land use category of the Santa Clarita Valley Area Plan (“Area Plan”) Land Use Policy Map, a component of the General Plan.
7. **ZONING.** The Project Site is located in the Sand Canyon Zoned District and is currently zoned A-2-2. Pursuant to County Code Sections 22.16.030 (Land Use Regulations for Agricultural Zones) and 22.104.030 (HMA – Permit Required) single-family residences on multiple contiguous parcels in an HMA and the associated water distribution system are allowed uses in this zone with a CUP.
8. **CEQA DETERMINATION.**
A Negative Declaration was prepared for this Project by County Department of Regional Planning (“LA County Planning”) staff (“Staff”) pursuant to the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (“CEQA”) reporting requirements. The County completed an Initial Study for the above-mentioned project. The Board adopted a Negative Declaration (“ND”) on September 26, 2023 based on the Initial Study that was completed in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. The Project remains the same as reviewed under the adopted ND. The only change to the Project is the elimination of one CUP condition (No. 35), which was found to be unnecessary, as subsequent further review by Staff consistent with the Court’s ruling and order. This change does not affect the previous determination that the Project qualifies for an ND. Pursuant to Section 15164 of the CEQA Guidelines, no addendum to the ND is necessary and none of the conditions described in Section 15162 of the CEQA Guidelines have occurred. Therefore, the adopted ND for the Project remains sufficient.
9. **PUBLIC COMMENTS.**
Staff has not received any public comments at the time of report preparation
10. **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.

Additionally, the Project was noticed and case materials were available on LA County Planning's website. On May 7, 2026, a total of 236 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 15 notices to those on the courtesy mailing list for the Sand Canyon Zoned District and to any additional interested parties.

CONDITIONAL USE PERMIT MODIFICATION FINDINGS

11. **The Hearing Officer finds that the Findings and Decision in Section 22.158.050 for the CUP as modified has been satisfied.** The Project meets the required findings for a CUP and the Project as modified through the CUP Modification will still satisfy the required CUP findings after the proposed elimination of Condition No. 35.
12. **The Hearing Officer finds that the modified CUP will not materially deviate from the terms and conditions imposed in the previously approved CUP.** The elimination of Condition No. 35 of the CUP will not materially deviate from the terms and conditions imposed in the previously approved CUP. On October 16, 2025, the County Superior Court ("Court") ordered LA County Planning to set aside Condition No. 35 for reconsideration including the additional evidence of the Permittee's geological and cultural assessment reports. The Permittee submitted geological and cultural assessment reports to Staff on November 3, 2025. After additional informal consultation with the Fernandeano Tataviam Band of Mission Indians ("FTBMI"), and Staff analysis of the consultation and reports, Staff determined that Condition No. 35 is not necessary for the Project.
13. **The Hearing Officer finds that the approval of the application is necessary to allow the reasonable operation and use granted in the CUP.** The Court ordered reconsideration of Condition No. 35 based on information that had been previously requested by FTBMI. Once this information was received and reviewed, Staff determined that elimination of Condition No. 35 was necessary to satisfy the Court order and to allow the use authorized by the grant to proceed. Therefore, the Hearing Officer finds that the elimination of the Condition No. 35 is warranted.

ENVIRONMENTAL FINDINGS

14. The Hearing Officer finds that the ND adopted by the Board for the Project on September 26, 2023 based on the Initial Study that was completed in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, is the correct CEQA determination for the Project.

ADMINISTRATIVE FINDINGS

15. **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

**PROJECT NO. 2019-01416
MINOR MODIFICATION OR ELIMINATION OF CONDITIONAL USE PERMIT
CONDITIONS NO. RPPL2026001631**

**EXHIBIT C
FINDINGS
PAGE 4 OF 4**

materials shall be the Section Head of the North County Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The Findings and Decision in County Code Section 22.158.050 for the CUP as modified has been satisfied.
- B. The modified CUP will not materially deviate from the terms and conditions imposed in the previously approved CUP.
- C. Approval of the application is necessary to allow the reasonable operation and use granted in the CUP.

THEREFORE, THE HEARING OFFICER:

1. Approves **MINOR MODIFICATION OR ELIMINATION OF CONDITIONAL USE PERMIT CONDITIONS NO. RPPL2026001631**, subject to the attached CUP Modification Addendum.

ACTION DATE: June 23, 2026

SD:RC

6/9/26

**DRAFT CONDITIONAL USE PERMIT MODIFICATION ADDENDUM
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 2019-01416-(5)
CONDITIONAL USE PERMIT NO. RPPL2019002661
MINOR MODIFICATION OR ELIMINATION OF CONDITIONAL USE PERMIT
CONDITIONS (“CUP MODIFICATION”) NO. RPPL2026001631**

ELIMINATION OF CONDITION NO. 35 OF CONDITIONAL USE PERMIT (“CUP”) NO. RPPL2019002661

Pursuant to Chapter 22.236 (Minor Modification or Elimination of Conditional Use Permit Conditions) of the Los Angeles County Code, and in conformance with the Hearing Officer’s approval action regarding CUP Modification No. RPPL2026001631 on June 23, 2026, Condition No. 35 of the originally approved CUP No. 2019002661 is hereby eliminated as described below:

Condition No. 35, as previously approved, reads as follows:

“The Permittee shall retain a professional archaeological monitor (“Native American Monitor”) with expertise in Native American tribal cultural resources. The Native American Monitor shall be procured by the FTBMI or shall be selected by the Permittee and approved by the FTBMI and Regional Planning. The Native American Monitor shall be present to observe all grading of the building pads on the Project site, any trenching or excavation outside of the building pad areas, and any archaeological work conducted during Project implementation. If tribal cultural resources are encountered, the Native American Monitor, in conjunction with the on-site archaeologist, will have the authority to request ground disturbing activities cease within 60 feet of discovery to assess and document potential finds in real time.”

With the approved modification, this condition will be eliminated.

All other conditions of CUP No. 2019002661 are to remain as previously approved.

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: May 13, 2026
PROJECT NUMBER: 2019-001416-(5)
PERMIT NUMBER(S): Minor Modification or Elimination of Conditional Use
 Permit Conditions RPPL2026001631-(5), Conditional Use
 Permit No. RPPL2019002661 Environmental Assessment
 RPPL2021010782
SUPERVISORIAL DISTRICT: 5
PROJECT LOCATION: 16612 Sierra Highway, Canyon Country
OWNER: James C. Ball
APPLICANT: James C. Ball
CASE PLANNER: Richard Claghorn, Principal Regional Planner
 rclaghorn@planning.lacounty.gov

Los Angeles County ("County") completed an Initial Study for the above-mentioned project. County Staff recommends that this project qualifies for a Negative Declaration ("ND") based on the Initial Study that was completed in accordance with 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 Board adopted the ND on September 26, 2023 based on the Initial Study that was completed in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. The Project remains the same as reviewed under the adopted ND. The only change to the Project is the elimination of one CUP condition (No. 35), which was found to be unnecessary, as the result of a Court order and subsequent further review by Staff. This change does not affect the previous determination that the Project qualifies for an ND. Pursuant to Section 15164 of the CEQA Guidelines, no addendum to the ND is necessary and none of the conditions described in Section 15162 of the CEQA Guidelines have occurred. Therefore, the adopted ND for the Project remains sufficient



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DAWYN R. HARRISON
County Counsel

September 26, 2023

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Agenda No. 5
12/20/22

**Re: Project No. 2019-001416-(5)
Conditional Use Permit No. RPPL2019002661-(5)**

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing regarding the above-referenced Project No. 2019-001416-(5), consisting of Conditional Use Permit No. RPPL2019002661-(5), to authorize the construction of six single-family residences on six existing legal parcels, including related grading and development, within a hillside management area, and to authorize a water storage and distribution system, located at 16612 Sierra Highway in the unincorporated community of Canyon Country, applied for by James C. Ball. At the conclusion of the public hearing, your Board indicated an intent to approve the project, deny the appeal, and instructed our office to prepare the necessary documents. Enclosed are the findings and conditions.

Very truly yours,

DAWYN R. HARRISON
County Counsel

By 
KATHY PARK
Deputy County Counsel
Property Division

APPROVED AND RELEASED:


THOMAS J. FAUGHNAN
Senior Assistant County Counsel

KP:ll

c: Fesia A. Davenport, Chief Executive Officer
Celia Zavala, Executive Officer, Board of Supervisors
Amy J. Bodek, Director, Department of Regional Planning

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. 2019-001416-(5)
CONDITIONAL USE PERMIT NO. RPPL2019002661-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the appeal of Condition No. 32, which has subsequently been renumbered as Condition No. 35, of Project No. 2019-001416-(5) ("Project"), consisting of Conditional Use Permit No. RPPL2019002661-(5) ("CUP") on December 20, 2022. The County Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on May 11, 2022, which was continued to June 15, 2022, and July 27, 2022.
2. James C. Ball ("Permittee") is requesting the CUP to authorize the construction of six single-family residences on six existing legal parcels in a Hillside Management Area ("HMA") and to authorize the distribution of water for the Ball Mountain Water Company ("Water Company"), which will serve the six subject parcels and two other adjoining parcels.
3. The Project is located on six contiguous vacant parcels in the 16600 block of Sierra Highway, Canyon Country ("Project Site") in the unincorporated community of Canyon Country within the Santa Clarita Valley Area Plan ("Area Plan").
4. The Project is located within the Sand Canyon Zoned District and is currently zoned A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area). Pursuant to Los Angeles County Code ("County Code") Section 22.104.030, a CUP is required to develop multiple single-family residences on contiguous parcels in an HMA. Pursuant to County Code Section 22.16.030.C, a CUP is required to authorize the operation and maintenance of a water distribution system. The Water Company will serve the six parcels comprising the Project Site and two other adjoining parcels. The two adjoining parcels served by the Water Company are Assessor Parcel Numbers ("APN") 3231-010-026 and 3231-010-029. The Permittee currently owns all eight parcels to be served by the Water Company.
5. The Project Site is located within the Rural Land 5 (RL5) land use category of the Area Plan Land Use Policy Map, a component of the General Plan.
6. Surrounding zoning within a 500-foot radius of the Project Site includes:

North: A-2-2 and A-1-10,000 (Light Agricultural – 10,000 Square Feet Minimum Required Lot Area);
South: A-2-2 and RPD-10,000-1.95U (Residential Planned Development - 10,000 Square Feet Minimum Required Lot Area - 1.95 Dwelling Units Per Acre Maximum Density);

East: A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area) and A-1-10,000; and
West: C-3 (General Commercial) and R-1 (Residential-Agricultural).

7. Surrounding land uses within a 500-foot radius of the Project Site include:

North: Vacant land, commercial uses, mobile home park, and single-family residences;
South: Vacant land, single-family residences, and detached residential condominiums;
East: Vacant land and single-family residences; and
West: Commercial uses, RV storage, mortuary, automotive service, plumbing, and single-family residences.

8. The Project Site consists of APNs 3231-010-018, 3231-010-019, 3231-010-020, 3231-010-023, 3231-010-025, and 3231-010-028. The two adjoining parcels served by the Water Company are APN 3231-010-026 (16612 Sierra Highway) and 3231-010-029 (16666 Sierra Highway). Each of these two adjoining parcels has an existing single-family residence. The address used for reference for the Project is 16612 Sierra Highway, although it is not actually part of the Project Site. New addresses will be assigned to the currently vacant parcels during the building permit process.

9. Previous entitlements include the following:

B. Certificate of Exception 11930 was approved on February 25, 1970, for the four eastern parcels;

C. Certificate of Exception 12601 was approved on April 19, 1971, for the four western parcels;

D. Certificates of Compliance 02-146E, 02-147E, 02-148E, and 02-149E were recorded on March 29, 2002, to verify the legality of the four eastern parcels;

E. Certificates of Compliance 02-191E, 02-192E, 02-193E, and 02-194E were recorded on April 19, 2002, to verify the legality of the four western parcels;

F. Lot Line Adjustment ("LLA") No. 200800011 was recorded on May 16, 2008, and adjusted the boundaries of the parcels now identified as APNs 3231-010-025 and 3231-010-026;

G. Variance 200900007 ("Variance") was approved on December 16, 2009, for a new single-family residence on APN 3231-010-026. The Variance was to allow the residence to be built 50 feet above the natural grade, exceeding the height limit of 35 feet. This residence is only 26 feet in height above the finished grade;

- H. LLA No. 201000002 was recorded on July 29, 2013, and adjusted the boundaries of the parcels now identified as APNs 3231-010-016 and 3231-010-017. The two parcel numbers were replaced in this recording. APN 3231-010-016 was replaced by APN 3231-010-028, and APN 3231-010-017 was replaced by APN 3231-010-029; and
 - I. Site Plan Review RPP 201300869 was approved on December 11, 2013, for a single-family residence on APN 3231-010-029 (16666 Sierra Highway).
10. A stipulation for settlement ("Settlement Agreement") was signed by the Permittee and County representatives on August 20, 2013, to resolve a legal dispute between the Permittee and the County. The Settlement Agreement provides the following:
- A. Allow the development of a single-family residence on APN 3231-010-017 (now APN 3231-010-029) following approval of a ministerial Site Plan Review application by the County Department of Regional Planning ("Regional Planning") staff ("Staff") and other required agency approvals;
 - B. Require an HMA CUP to develop the remaining six parcels (APNs 3231-010-018, 3231-010-019, 3231-010-020, 3231-010-023, 3231-010-025, and 3231-010-016 (now APN 3231-010-028)); and
 - C. APNs 3231-010-026 and 3231-010-017 (now 3231-010-029) would not be included as part of the HMA CUP review.

The requested CUP by the Permittee is part of the resolution to the Settlement Agreement to develop the remaining parcels.

11. The Project Site associated with the HMA CUP is 19.94 gross acres in size and consists of six legal parcels: APNs 3231-010-018, 3231-010-019, 3231-010-020, 3231-010-023, 3231-010-025, and 3231-010-028. The Project Site is on the east side of Sierra Highway, south of the Sand Canyon Road. Sand Canyon Road fronts the eastern edge of the Project Site, but the only access is a 20-foot-wide shared driveway from Sierra Highway, which serves the six parcels of the Project Site and the two adjoining parcels that have already been developed with single-family residences.
12. The topography of the Project Site includes steep hillsides and canyons. A slope analysis for the Project Site shows approximately 81 percent of the area has a natural slope of at least 25 percent, and nearly 48 percent of the Project Site has a natural slope of at least 50 percent. The Project Site has had previous grading, so the natural slopes have been altered in many areas throughout.

13. The only access to the Project Site is the shared driveway leading from Sierra Highway, a designated Major Highway on the County Master Plan of Highways. The driveway begins where APN 3231-010-026 adjoins Sierra Highway and then passes through five of the six parcels of the Project Site before ending at APN 3231-010-029, the parcel to the east of the Project Site with an existing single-family residence. A proposed branch of the driveway splits off from the main driveway to provide access to APN 3231-010-019.
14. The site plan for the Project ("Site Plan"), dated June 15, 2021, depicts the six parcels comprising the Project Site and the two adjoining parcels served by the Water Company (APNs 3231-010-026 and 3231-010-029). The first page of the Site Plan depicts the three westerly parcels of the Project Site as well as APN 3231-010-026. The first page lists the six parcels included in the CUP and provides grading information for each of the parcels. The combined proposed grading for the six parcels includes approximately 18,867 cubic yards of cut and 16,338 cubic yards of fill, to be balanced on-site. Due to shrinkage, the volume of the proposed cut is larger than the proposed fill, but there is no proposed import or export, except between the subject parcels. The second page of the Site Plan depicts the three easterly parcels of the Project Site as well as the previously developed APN 3231-010-029. The driveways, grading, residences, and garages are depicted on the Site Plan for the Project Site. Four of the proposed residences will have detached garages. The garages for APNs 3231-010-018 and 3231-010-028 will be attached to the proposed residences.
15. The proposed floor plans depict each of the two floors for the single-family residence. The six proposed residences will all use the same floor plan, as currently proposed. The floor plans and elevations are conceptual and may change prior to construction. There are four bedrooms and 2-1/2 bathrooms proposed for each residence. The area of the proposed residences is approximately 2,700 square feet each. The elevation plans depict a height of 26 feet and two inches above grade. If the plans for the proposed residences change from what is currently proposed, review of the new plans will be required through a Revised Exhibit "A" to ensure conformance with the approved CUP.
16. The Open Space Exhibit shows the six subject parcels of the Project Site. The driveways, residences, garages, building pads, graded areas, water tanks, water lines and facilities, solar panel arrays, utility easements, and preliminary fuel modification areas are all shown. The open space areas are shown in green. Improved open space areas are depicted with diagonal lines. The improved open space areas are the portions of the fuel modification zones that are within the open space area. The combined open space area for the Project Site was calculated as 627,821 square feet of the 868,791-square-foot Project Site, or approximately 72.3 percent of the total area. The minimum amount of required open space for a non-urban HMA project is 70 percent, pursuant to County Code Section 22.104.050.A. The amount of improved open space was calculated at 103,440 square feet, or approximately 16.5 percent of the open space area. The

maximum amount of improved open space that may be approved for an HMA project is 33 percent, pursuant to County Code Section 22.104.050.A.

17. Prior to the Commission's public hearing on the Project, Staff completed an Initial Study for the Project. Staff recommends that the Project qualifies for a Negative Declaration ("ND") based on the Initial Study completed, in accordance with 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.
 - A. The Initial Study included consideration of tribal cultural resources, pursuant to Assembly Bill ("AB") 52, codified in the California Public Resource Code. AB 52, effective July 1, 2015, established tribal cultural resources ("TCR") as a category of resources for review under CEQA that considers the tribal cultural values, in addition to the scientific and archaeological values when determining impacts and mitigation. TCRs are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that are listed, or determined to be eligible for listing, in the national or state register of historical resources, or listed in a local register of historical resources, or resources the lead agency determines, in its discretion, are tribal cultural resources.
 - B. AB 52 requires public agencies to consult with tribes during the CEQA process and respond to Native American tribal representative requests by providing formal notification of proposed projects within the geographic area that is traditionally and culturally affiliated with the tribe.
 - C. In compliance with State CEQA laws, on October 21, 2021, Staff notified the Native American tribal representative of the proposed Project's geographic area – the Fernandeño Tataviam Band of Mission Indians ("FTBMI"). FTBMI responded to Staff on October 22, 2021, and expressed interest in the Project. Between December 7, 2021, and January 14, 2022, FTBMI consulted Staff on the project. During that time, FTBMI requested to review a grading or excavation plan, a geotechnical report, if available, and/or a cultural resource assessment. The Permittee did not provide any of the requested information.
 - D. On January 14, 2022, FTBMI submitted a written consultation regarding the Project, based on the known facts available, stating the following:
 - i. The Project is situated in a culturally sensitive zone where several tribal cultural resources have been identified;
 - ii. Among the TCRs within walking distance are prehistoric and historic villages and seasonal habitation settlements, food production sites with bedrock mortars and manos, ash middens, tool production sites, sites with rock shelters containing petroglyphs

or pictographs, sites containing human burial(s), as well as isolated artifacts (isolates), and trails. Additionally, there are culturally significant landmarks, including unique geological formations, oak trees, and places with natural resources where people gathered to conduct daily life activities, such as harvesting plants for food and medicine and collecting raw materials for tool production;

- iii. Without a geotechnical report or cultural resource assessment for the project, there is insufficient archeological and geological information to assess the current conditions of the property and the extent of impact under CEQA. The Project Site does not contain any known TCRs;
- iv. However, there is potential for TCRs to exist on the site due to its location in a culturally sensitive zone where TCRs have previously been identified; and
- v. Based on the Project's proposed depth of excavation, native and understudied soils will be impacted. FTBMI, therefore, recommended mitigation measures for the Project, which Staff incorporated in the Conditions of Approval to reduce potentially significant impacts.

- 18. Staff received email comments from two individuals from the general public expressing questions or concerns regarding the Project. One comment inquired about oak tree protection and the Water Company. The other comment inquired about potential negative impacts to a neighboring property. These comments were provided to the Commission as part of the supplemental hearing package for the June 15, 2022, hearing.
- 19. Prior to the Commission's hearing of the Project, Staff received the following recommendations from County Departments, which are incorporated as a part of the Conditions of Approval:
 - A. County Department of Public Works ("Public Works"): Recommended clearance to public hearing with conditions in a letter dated September 7, 2021.
 - B. County Department of Public Health ("Public Health"): Recommended clearance to public hearing with conditions in a letter dated September 28, 2021.
 - C. County Fire Department ("Fire Department"): Recommended clearance to public hearing with conditions in a letter dated October 4, 2021.
- 20. On July 27, 2022, the Commission conducted a duly-noticed public hearing on the CUP. The public hearing was originally scheduled for May 11, 2022. The public hearing was continued by the Commission to June 15, 2022, at the

Permittee's request, without a presentation by Staff or receiving any testimony, to allow time for a meeting between the Permittee and Staff to resolve concerns about the draft Conditions of Approval ("Conditions"). On June 15, 2022, the public hearing was continued to July 27, 2022, without a presentation by Staff or receiving any testimony because the meeting between Staff and the Permittee to discuss the Permittee's concerns had not yet happened. Staff and the Permittee met on June 23, 2022, and some of the concerns were resolved. Staff made further changes to the draft Conditions following the meeting, but the Permittee maintained objections to certain draft conditions. At the public hearing on July 27, 2022, Staff gave a presentation about the Project and recommended approval of the Project. Mr. Ball stated he did not accept the draft Conditions and requested a continuance to allow more time to resolve his concerns and answer his questions regarding the draft Conditions. Mr. Ball also stated his intent to appeal the decision if the CUP were approved with the proposed draft Conditions. The Commission asked Staff for clarification regarding the proposed changes to draft Condition Nos. 32 and 33 (subsequently renumbered to Condition Nos. 35 and 36, respectively) included in the supplemental hearing package dated July 21, 2022. After discussion, the Commission, by a unanimous vote of five to zero, adopted the ND for the Project and approved the CUP for the Project and Conditions as recommended by Staff.

21. On August 10, 2022, Mr. Ball filed a timely appeal of the Commission's decision with respect to Condition No. 32 (subsequently renumbered to Condition No. 35), which requires a tribal monitor to observe grading on building pads, trenching or excavation outside the building pads, and any archeological work at the Project Site.
22. On December 20, 2022, the Board held its duly-noticed public hearing on the appeal of the CUP Condition No. 32 (subsequently renumbered to Condition No. 35). The Board heard testimony from Mr. Ball, and asked the Director of Regional Planning, Amy Bodek, questions regarding the issue on appeal.
 - A. Specifically, Supervisor Kathryn Barger asked Ms. Bodek to explain the driving force behind the requirement for a cultural monitor during different phases of development. Ms. Bodek explained AB 52 requires tribal cultural consultations under CEQA. AB 52 does not require a feasibility study.
 - B. Supervisor Barger also asked Ms. Bodek why County CEQA Guidelines only allow exemptions for up to three single-family lots in HMAs. Ms. Bodek explained hillside development requires special care, and thus, the Hillside Management Ordinance regulates development on hillsides consistent with State CEQA guidelines.
 - C. Supervisor Barger commented she acknowledges Mr. Ball is not happy with the condition recommended by Regional Planning and approved by the Commission. Supervisor Barger continued that the Project is not fully

exempt under the County CEQA Guidelines and is subject to the requirements of AB 52, a law which the entire Board endorses. Supervisor Barger stated the FTBMI was consulted, and it determined "the use of a cultural monitor would substantially lessen the impact on tribal cultural resources." Supervisor Barger said "While I am a staunch supporter of private property rights, development on private land must be done in accordance with applicable codes, guidelines, and laws. In this case, local and State guidelines are clear on the requirements to build the proposed project and will require the inclusion of Condition No. 32 (subsequently renumbered to Condition No. 35). Therefore, I will vote yes to support the department's recommendation to deny the appeal."

- D. Mr. Ball addressed the Board. Mr. Ball said Ms. Bodek was not truthful, AB 52 requires a finding of significant impacts, and there was never such a finding by FTBMI. Mr. Ball believes AB 52 requires a feasibility study and claimed the FTBMI never indicated his property was anywhere within 30 miles of any significant impact. Mr. Ball also said Regional Planning delayed his project "for years over stupid, stupid stuff." Mr. Ball claimed Ms. Bodek misstated CEQA because he believes CEQA provides an exemption for his project.
- E. Supervisor Barger asked Ms. Bodek to respond to Mr. Ball's issue with CEQA. Ms. Bodek explained the Project consists of six single-family homes on six individual lots which must comply with the terms of a 2013 Settlement Agreement between the County and Mr. Ball. The Settlement Agreement specifically states "although Ball disputes that a Hillside Management CUP is required for this project, Regional Planning will not approve development of any of the other six parcels, without a Hillside Management CUP. Ball agrees to apply for a Hillside Management CUP prior to conducting any further development of the other six lots." Ms. Bodek continued that the CEQA Guidelines provide for an exemption when processing a project of three or less homes. Ms. Bodek further explained since the Project consists of six homes, there is no exemption that can apply in this case, requiring Regional Planning to process an ND. The ND states there is a potentially significant impact to tribal resources, which requires Regional Planning to consult with local tribal resources. The FTBMI was consulted, and they determined there was a potential for cultural resources. Therefore, the FTBMI made recommendations to Regional Planning. Regional Planning made those conditions more flexible to Mr. Ball, with permission from FTBMI, in an effort to balance private property needs with cultural and significant ecological resources, while complying with the terms of the Settlement Agreement and CEQA.
- F. Supervisor Hilda L. Solis asked Ms. Bodek to elaborate on what the FTBMI said regarding the Project. Ms. Bodek explained the FTBMI believes without further digging, there are cultural resources in the area,

which was their tribal homeland. There is the possibility tribal resources could exist, and so the FTBMI recommends tribal monitoring when there is grading. The phases of the Project in which the monitor must be present were tailored to provide flexibility to Mr. Ball, with permission from the FTBMI.

- G. Ms. Bodek clarified Mr. Ball's CUP is not a subdivision because the lots were legally divided in the 1970s. Nevertheless, this CUP does require all six lots to be processed as one. As to Mr. Ball's claim Regional Planning caused delay to his project, Ms. Bodek explained a large portion of the delay in this Project was caused by Mr. Ball, who submitted the CUP application in 2019, despite the Settlement Agreement having been signed in 2013.
 - H. Supervisor Barger noted this reminded her of a development in Chinatown where artifacts were found.
 - I. Supervisor Janice Hahn stated the land acknowledgment given at the opening of the Board meeting cannot just be words. "It has to be implemented words. It has to be in our deeds, in how we process through all of our department's lenses."
23. The Board additionally considered a Board letter, which included the Project documents considered by the Commission and a Departmental Statement addressing Condition No. 32 (subsequently renumbered to Condition No. 35). The Board heard public comments from two individuals. One individual stated he opposed the Project altogether. Another individual stated his support for any measure to help the Indian Reservation. No written comments were received by the Board.
24. The Board thereafter closed its public hearing, indicated its unanimous intent to deny the appeal, and instructed County Counsel to prepare the necessary findings to affirm the Commission's approval of the Project.

GENERAL PLAN CONSISTENCY FINDINGS

25. The Board finds the Project is consistent with the goals and policies of the Area Plan. The RL5 designation is intended for areas which are not appropriate for intense development requiring urban services and has a maximum density of one dwelling unit per five acres. The development of the nearly 20-acre Project Site with six proposed residences exceeds this density, but it is considered to be consistent with the Area Plan because the lots or parcels were legally created prior to the adoption of the Area Plan. Page 9 of the Area Plan, section VIII (How to Use the Santa Clarita Valley Area Plan) of the Introduction Chapter, provides: "All legally established uses in existence at the time of adoption of this Santa Clarita Valley Area Plan are deemed to be consistent with this Plan, although Zoning Ordinance provisions regarding Non-Conforming Uses may

apply. Existing legal lots (or parcels) may be developed (following current development requirements) regardless of lot size." The lots associated with the Project were legally created in 1970 and 1971 through Certificates of Exception, prior to the adoption of the Area Plan and are, therefore, deemed to be consistent with the Area Plan. The RL5 designation allows single-family residences, agriculture, and other uses as determined by the underlying zoning designation. The Project is consistent with the RL5 designation of the Area Plan because it allows for the development of one single-family residence on each of the six existing legal lots.

26. The Board finds the goals and policies of the Area Plan are applicable to the Project:
- A. Policy LU-7.1.2: Promote the use of solar panels and renewable energy sources in all projects. The Project includes solar panel arrays that will provide electricity for the proposed residences.
 - B. Policy LU 6.3: Encourage low-density and low intensity development in rural areas that is compatible with rural community character, preserves open space, and conserves agricultural land. The Project is in a rural hillside area subject to the HMA requirements. The Project preserves over 70 percent of the total area as open space. The Project complies with the HMA requirements and is a low-density development in an area with higher densities on some nearby properties. The proposed density will ensure existing HMA are preserved to the extent possible.

ZONING CODE CONSISTENCY FINDINGS

27. The Board finds the Project is consistent with the A-2-2 zoning classification, pursuant to County Code Section 22.16.030.C. This zone allows single-family residences with approval of a Site Plan Review, and the associated water distribution system and grading are permitted with a CUP.
28. The Board finds the Project is consistent with the applicable development standards for uses in the A-2 Zone as listed in County Code Section 22.16.050. The minimum required setbacks are 20 feet for the front yard, five feet for the side yards, and 15 feet for the rear yard. The maximum permitted height for single-family residences is 35 feet. All the proposed residences are within compliance with these development standards.
29. The Board finds the Project Site is located within the Rural Outdoor Lighting District and is, therefore, subject to the applicable requirements in County Code Chapter 22.80. The maximum height allowed for light fixtures in agricultural zones is 20 feet. Lighting must be shielded and avoid unacceptable light trespass. Any outdoor light fixtures installed above 15 feet in height shall have a manufacturer's maximum output rating of no greater than 400 lumens. All

outdoor lighting fixtures shall comply with these requirements as part of the Conditions for the CUP.

30. The Board finds the amount of proposed open space is 72.3 percent of the Project Site, exceeding the requirement of minimum 70 percent for rural land use designations in County Code Section 22.104.050.A.1.a. The amount of improved open space proposed is approximately 16.5 percent of the Project Site. The maximum amount of improved open space that may be approved for an HMA project is 33 percent, pursuant to County Code Section 22.104.050.A.1.b. The improved open space area is the portion of the fuel modification zones which are located within the open space area. County Code Section 22.104.050.B requires at least 51 percent of the natural open space be configured into one contiguous area. This Section states: "A street may be placed within the contiguous natural open space area if the Review Authority finds such street is necessary to ensure adequate circulation or access. Such a street shall not be counted as a portion of the total required open space provided." The largest contiguous natural open space area occupies approximately 359,835 square feet out of the overall natural open space area of approximately 524,381 square feet, or approximately 68.6 percent of the overall natural open space. A 20-foot-wide driveway and two-inch-wide water line pass through the contiguous natural open space area but are not counted as part of it. The driveway is necessary for access, and there are no feasible alternative locations without further disturbance to the existing hillside, therefore, the driveway location is acceptable. The water line will be subterranean and only two inches in diameter, thus its location within this area would have no negative effect in terms of maintaining contiguous open space area. The driveway and water line are not counted as part of the open space area. The Project is consistent with the required HMA findings in County Code Section 22.104.060 to reduce impact to hillside resources, preserve scenic resources, and ensure community compatibility.

CUP FINDINGS

31. The Board finds the proposed use will be consistent with the adopted General Plan for the area. The Project is consistent with the applicable policies of the General Plan and Area Plan for the RL5 land use designation. The proposed single-family residences are on legal parcels created prior to the adoption of the Area Plan and are, therefore, deemed to be consistent with the Area Plan. The water distribution system is also consistent with the RL5 land use designation of the Area Plan, as it is consistent with the underlying A-2 zoning designation.
32. The Board finds the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare. The proposed single-family residences will comply with all applicable development standards, such as heights, setbacks, and other

requirements for open space. Conditions include measures to limit the hours of operation for construction activities and to control noise and dust to avoid any potential adverse impacts to persons working or residing in the surrounding area.

33. The Board finds the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping, and other development features as are required to integrate the Project into the surrounding area. The Project Site has sufficient area to accommodate the required parking, setbacks, and other development features on each of the six parcels to be developed with single-family residences. The Project Site has a gross area of approximately 19.9 acres. Each of the six parcels is at least 2.4 acres in size and each parcel is adequate in size to accommodate a single-family residence, two-car garage, setbacks, and other required development features.
34. The Board finds the Project is adequately served by highways of sufficient width and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required. The Project Site is accessible from Sierra Highway, a 100-foot-wide major highway on the County Master Plan of Highways. Each parcel will have access from a 20-foot-wide shared driveway. The Water Company will provide adequate supply of water to each of the proposed residences of the HMA CUP and two existing residences on adjoining parcels. Each parcel will have a septic system for wastewater disposal which shall comply with the applicable requirements and will be subject to the approval of the DPH before building permit issuance.

HMA CUP FINDINGS

35. The Board finds the proposed development preserves the physical integrity of HMAs to the greatest extent feasible, resulting in lesser impacts to hillside resources, by:
 - A. Locating development outside of HMAs to the extent feasible;
 - B. Locating development in the portions of HMAs with fewer hillside constraints; and
 - C. Using sensitive hillside design techniques tailored to the Project Site requirements.
36. The proposed residences are located on the flatter portions of the Project Site and are located outside the HMAs to the extent feasible. Development will occur within the HMAs but will mostly occur in areas with slopes of less than 50 percent and with fewer hillside constraints. At approximately 18,867 cubic yards of cut and 16,338 cubic yards of fill, the Project will require relatively low amounts of additional grading to develop six residences and will implement sensitive hillside design techniques tailored to the Project Site requirements to minimize impacts incorporated into the Conditions for the CUP.

37. The Board finds the proposed development preserves the scenic value of HMAs to the extent feasible, resulting in lesser impacts to on-site and off-site scenic views of slopes and ridgelines as well as views of other unique, site-specific aesthetic or significant natural features of the hillside, by:
 - A. Locating development outside of HMAs to the extent feasible;
 - B. Locating development in the portions of HMAs with the fewest hillside constraints; and
 - C. Using sensitive hillside design techniques tailored to the site requirements.
38. The proposed development will preserve the scenic value of the HMAs to the extent feasible by siting the residences and other development in flatter areas of the Project Site and minimizing the amount of disturbance and grading necessary to build the residences, garages, driveways, and infrastructure-related facilities. Because the proposed residences will be set back far from the adjoining streets, sensitive hillside design techniques will be used; and due to the location and topography of the Project Site, the scenic value of the HMA will be preserved to the extent feasible.
39. The Board finds the proposed development is compatible with or enhances community character and provides open space as required in Chapter 22.104 of the County Code. The proposed development complies with the required development standards, including the 70 percent open space requirement. The Project is compatible with the community character, as it is a low-density residential development designed to be sensitive to its hillside location.
40. The Board finds the amount of proposed improved open space is much lower than what is allowed. The only proposed modifications to the open space requirements are to allow a driveway and water line to pass through the natural open space area, while not counting as part of the open space area. Such modification is needed based on the topography of the Project Site, the existing lot lines, and the Project design. An alternative design would require additional grading and result in additional impacts, and the proposed design is the most feasible alternative. Where open space requirements of Chapter 22.104 of the County Code are modified, they are modified as follows:
 - A. For development in a rural land use designation, a greater percentage of improved open space is necessary for public safety or is aesthetically superior; or
 - B. For streets within a natural open space area, such street is necessary to ensure adequate circulation or access. In such cases, no portion of the street shall be counted as open space.
41. The Board finds the proposed development is in substantial compliance with the Hillside Design Guidelines ("Guidelines"). The Project complies with at least

four design measures per category on the Sensitive Hillside Design Measures checklist. The categories include site planning, grading and facilities, road circulation, building design, and landscaping. Five of the building pads are sited in existing disturbed areas close to the existing driveway. New grading is minimized to the extent necessary to develop the building sites and to provide access. House designs and landscaping are consistent with the Guidelines. Therefore, it is found to be in substantial compliance with the Guidelines.

ENVIRONMENTAL FINDINGS

42. The Board finds the Project qualifies for an ND based on the Initial Study, which was completed in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. After consideration of the ND, together with the comments received during the public review process, the Board finds, on the basis of the whole record before it, there is no substantial evidence the Project, as conditioned, will have a significant effect on the environment, and further finds the ND reflects the independent judgment and analysis of the Board.
43. The Board finds the Permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources, pursuant to California Fish and Game Code section 711.4.
44. The Board finds, pursuant to County Code Section 22.222.120, the community was properly notified of the public hearing by mail, newspapers (The Signal and La Opinion), and property posting. Additionally, the Project was noticed, and case materials were available on the Regional Planning's website. On April 7, 2022, a total of 233 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 14 notices to those on the courtesy mailing list for the Sand Canyon Zoned District.
45. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional 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 North County Development Services, Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:

- A. The proposed use with the attached Conditions will be consistent with the adopted General Plan and Area Plan.
- B. The proposed use at the Project Site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of

other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

- C. The Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required to integrate said use with the uses in the surrounding area.
- D. The Project Site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate and by other public or private service facilities as are required.
- E. The proposed development preserves the physical integrity of HMAs to the greatest extent feasible, resulting in lesser impacts to hillside resources by:
 - 1. Locating development outside of HMAs to the extent feasible;
 - 2. Locating development in the portions of HMAs with fewer hillside constraints; and
 - 3. Using sensitive hillside design techniques tailored to the Project Site requirements.
- F. The proposed development preserves the scenic value of HMAs to the extent feasible, resulting in lesser impacts to on-site and off-site scenic views of slopes and ridgelines as well as views of other unique, site-specific aesthetic, or significant natural features of the hillside, by:
 - 1. Locating development outside of HMAs to the extent feasible;
 - 2. Locating development in the portions of HMAs with the fewest hillside constraints; and
 - 3. Using sensitive hillside design techniques tailored to the Project Site requirements.
- G. The proposed development is compatible with or enhances community character and provides open space as required in Chapter 22.104 of the County Code.
- H. Where open space requirements of Chapter 22.104 are modified:
 - 1. For development in a rural land use designation, a greater percentage of improved open space is necessary for public safety or is aesthetically superior; or

2. For streets within a natural open space area, such streets are necessary to ensure adequate circulation or access. In such cases, no portion of the street shall be counted as open space.
- I. The proposed development is in substantial compliance with the Hillside Design Guidelines.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Certifies the ND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies it independently reviewed and considered the ND and the ND reflects the independent judgment and analysis of the Board as to the environmental consequences of the Project; determined, on the basis of the whole record before the Board, there is no substantial evidence the Project, as conditioned, will have a significant effect on the environment; adopts the ND in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County;
2. Denies the appeal of Condition No. 32 (subsequently renumbered to Condition No. 35) of CUP No. RPPL2019002661-(5); and
3. Affirms the Commission's approval of CUP No. RPPL2019002661-(5), subject to the attached Conditions.

**CONDITIONS OF APPROVAL
PROJECT NO. 2019-001416-(5)
CONDITIONAL USE PERMIT NO. RPPL2019002661-(5)**

1. This grant is for Conditional Use Permit No. RPPL2019002661-(5), as part of Project No. 2019-001416-(5) ("Project"), to authorize the construction of six single-family residences on six existing contiguous legal lots, including related grading and development, within a Hillside Management Area ("HMA"), and to authorize a water storage and distribution system ("water system"), Ball Mountain Water Company, in the A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) Zone, subject to the following conditions of approval ("Condition" or "Conditions").
2. 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.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective, pursuant to Los Angeles County Code ("County Code") Sections 22.222.230.F and 22.240.060.F.
4. 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 ("Regional Planning") their affidavit stating they are aware of and agree to accept all of the Conditions of this grant, and the Conditions of this grant have been recorded as required by Condition No. 8, and until all required monies have been paid, pursuant to Condition Nos. 6, 10, and 11. Notwithstanding the foregoing, this Condition No. 4 and Condition Nos. 5 and 8 shall be effective immediately upon the date of final approval of this grant by the County.
5. 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.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the

costs or expenses involved in Regional Planning's cooperation in the defense, including, but not limited to, depositions, testimony, and other assistance provided to Permittee or Permittee's counsel. The Permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- A. 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. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - B. 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, pursuant to County Code Section 2.170.010.
7. 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.
 8. Prior to the use of this grant, the Permittee, or the owner of the subject property, if other than the Permittee, shall record the terms and conditions of this grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, 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 this grant and its Conditions to the transferee or lessee of the subject property.
 9. This grant shall expire unless used within five years from the date of final approval of this 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. For the purposes of this provision, the issuance of a building permit or grading permit and beginning of construction or grading for at least one of the single-family residences authorized under this grant on the site and satisfaction of Condition No. 4 shall be considered use of this grant.
 10. 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 of 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 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 \$1,000, which shall be placed in a performance fund and be used exclusively to reimburse Regional 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 inspections, three of which will be to defray the cost of reviewing and verifying the information contained in the reports required by Condition Nos. 45 to 49 of this grant. Inspections may be unannounced. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems ("UAS"). Use of an UAS requires the approval of the Permittee, pursuant to Regional Planning UAS Policy.

11. 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 Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection or the current recovery cost established by Regional Planning at the time any additional inspections are required, whichever is greater.
12. Within five working days from the day after the appeal period ends, or by December 4, 2023, the Permittee shall remit processing fees at the Recorder, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination ("NOD") for this Project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife ("CDFW"), the Permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently \$2,839 (\$2,764 for an ND or Mitigated Negative Declaration plus \$75 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.
13. 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 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 (Modifications and Revocations) of the County Code.
14. 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 ("Fire Department").

15. All development pursuant to this grant shall conform with the requirements of the County Department of Public Health ("Public Health") to the satisfaction of said department.
16. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
17. 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 Regional Planning ("Director").
18. The Permittee shall maintain the subject property in a neat and orderly fashion. The Permittee shall maintain free of litter all areas of the premises over which the Permittee has control.
19. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the uses being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or nonprofit organization. In the event of graffiti or other extraneous markings occurring, the Permittee shall remove or cover said markings, drawings, or signage within 48 hours of such notification, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
20. The subject property shall be developed and maintained in substantial conformance with the plans, including the Open Space Exhibit, marked Exhibit "A."
21. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the Permittee shall submit one digital copy of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A." All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
22. This grant authorizes the construction of a single-family residence on each of the six existing legal lots included in this grant, and related grading and development, within an HMA as well as use of areas of the Project site outside of dedicated open space areas for staging and storage of construction equipment and materials while a building permit or grading permit is in effect for development, pursuant to this grant. This grant also authorizes a water system, Ball Mountain

Water Company, which serves the six existing legal lots covered by this grant (Assessor's Parcel Numbers ("APNs") 3231-010-018, 3231-010-019, 3231-010-020, 3231-010-023, 3231-010-025, and 3231-010-028) and two other adjoining parcels (APNs 3231-010-026 and 3231-010-029).

23. The Permittee shall comply with all conditions set forth in the attached Fire Department letter dated October 4, 2021.
24. The Permittee shall comply with all conditions set forth in the attached Public Health letter dated September 28, 2021.
25. The Permittee shall comply with all conditions set forth in the attached Public Works letter dated September 7, 2021.
26. All exterior lighting on the parcels with development authorized under this grant shall be hooded and directed away from off-site locations to prevent direct illumination and glare and shall comply with County Code Chapter 22.
27. Project construction activities shall be limited to the hours between 7:00 a.m. to 5:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday.
28. All materials graded shall be sufficiently watered to prevent excessive amounts of fugitive dust during the construction phase. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 20 miles per hour averaged over one hour) to prevent excessive amounts of fugitive dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of fugitive dust.
29. Upon completion of the constructed residence on a parcel pursuant to this grant, the required open space area on that respective parcel as shown on the approved Exhibit "A" shall be subject to the open space restrictions, pursuant to County Code Section 22.105.050.C. At least 70 percent of the net area of the development site shall be provided as required open space (for the entirety of the Project site, but not necessarily for each individual parcel). Up to 33 percent of the total required open space may be provided as improved open space as depicted on the approved Exhibit "A."
30. Required open space areas shall not be used for residential, commercial, industrial, or agricultural activities, except for community gardens.
31. At least 51 percent of the required natural open space shall be configured into one contiguous area as depicted on the approved Exhibit "A."
32. Required open space areas shall be shown on the site plan Exhibit "A." All required open space shall be labeled as Open Space – Restricted Use Area in a covenant recorded with the Recorder. The Permittee shall submit a copy of the draft document to be recorded for review and approval by the Director. Prior to

issuance of a building permit for the single-family residences associated with this grant, the Permittee shall provide a copy of the recorded document.

33. In the event that tribal cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease, and a qualified archaeologist meeting Secretary of Interior standards shall assess the find and notify Regional Planning. Regional Planning or the Permittee shall contact the Fernandeano Tataviam Band of Mission Indians ("FTBMI") to consult, if any such find occurs.
34. If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease; and the County Medical Examiner-Coroner shall be contacted by the Permittee or their representative, pursuant to section 7050.5 of the California Health and Safety Code, which shall be enforced for the duration of the Project. Inadvertent discoveries of human remains and/or funerary object(s) are subject to section 7050.5 of the California Health and Safety Code, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendant, as determined by the Native American Heritage Commission, should those findings be determined as Native American in origin.
35. The Permittee shall retain a professional archaeological monitor ("Native American Monitor") with expertise in Native American tribal cultural resources. The Native American Monitor shall be procured by the FTBMI or shall be selected by the Permittee and approved by the FTBMI and Regional Planning. The Native American Monitor shall be present to observe all grading of the building pads on the Project site, any trenching or excavation outside of the building pad areas, and any archaeological work conducted during Project implementation. If tribal cultural resources are encountered, the Native American Monitor, in conjunction with the on-site archaeologist, will have the authority to request ground disturbing activities cease within 60 feet of discovery to assess and document potential finds in real time.
36. If any tribal cultural resources are encountered during grading activities, the Permittee shall enter into a cultural resource agreement with the FTBMI for the protection of cultural resources and identification of sensitive tribal cultural resource areas. The FTBMI shall be identified to provide the following services:
 - A. Consultation and Project support during the Project planning stages related to tribal cultural resources and mitigation under the California Environmental Quality Act ("CEQA"), Public Resources Code section 21080.3.1, subdivisions (b), (d), and (e); and
 - B. Consultation on the treatment of inadvertent discoveries and the disposition of inadvertently discovered non-funerary resources.

37. Construction activities shall be scheduled to avoid the operation of several pieces of equipment simultaneously, which causes high-noise levels, to the extent feasible. The construction contractor shall ensure all construction equipment, fixed or mobile, is properly serviced and maintained to the manufacturer's standards and mufflers are working adequately. Construction contractor shall also limit idling of nonessential construction equipment to no more than five consecutive minutes.
38. Noise and ground-borne vibration construction activities, whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling), shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses. Natural and/or man-made barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.
39. Barriers, such as, but not limited to, plywood structures, flexible sound control curtains, or sound blankets extending eight feet in height, shall be erected around the perimeter of active construction areas wherever feasible and physically possible to minimize the amount of noise during construction on the nearby sensitive receivers.
40. This grant shall not be construed to prohibit accessory dwelling units that would otherwise be allowed, pursuant to Title 22 of the County Code.
41. The Permittee shall disclose to any potential buyer of any of the six parcels included in this grant that percolation testing for a septic system will be needed for each lot before it can be built on. The Permittee shall also require that any potential buyers or future owners shall agree to indemnify the County from any liability with regard to the septic systems prior to the sale or transfer of ownership of any of the parcels included in this grant.
42. If the water system fails and another water company is approached to provide water service for the Project site, the water system would need to be replaced with facilities which meet current standards of the water company as well as the Division of Drinking Water of the State Water Resources Control Board. The property owners would be required to finance the water system improvements and pay all applicable connection and capacity fees in order to be considered to receive water service from the other water company. The Permittee shall disclose to any potential buyer of any of the six parcels included in this grant of the above information regarding the water system. The Permittee shall also require that any potential buyers or future owners shall agree to indemnify the County from any liability with regard to the water system prior to the sale or transfer of ownership of any of the parcels included in this grant.
43. The Permittee shall pay all applicable development fees as determined by Public Works Building and Safety Division at the time of each building permit application

for each residence proposed on the Project site, including mitigation fees for County Library and County Sheriff's Department services.

44. Prior to the development of the proposed single-family residence on APN 3231-010-019, the driveway leading to it and related grading or development, and of the proposed solar panel array on the northern part of APN 3231-010-020, Condition Nos. 45 through 49 shall be completed. Such a development may not occur unless and until a Revised Exhibit "A" is approved by Regional Planning staff for said development, and any other necessary permits have been issued. The County Biologist shall verify that all necessary requirements have been satisfied prior to approval of a Revised Exhibit "A" pursuant to this Condition. Condition Nos. 45 through 49 are only applicable for development of the proposed single-family residence on APN 3231-010-019 and the driveway leading to it, and related grading and development, and of the proposed solar panel array on the northern part of APN 3231-010-020.
45. This condition is only applicable for development of the proposed single-family residence on APN 3231-010-019, the driveway leading to it and related grading and development, and of the proposed solar panel array on the northern part of APN 3231-010-020. A copy of the landscaping plan shall be submitted to Regional Planning for approval prior to issuance of a building permit. The landscape plan shall show the size, type, and location of all plants and watering facilities. Only locally indigenous native species shall be utilized outside of Fire Department mandated irrigated areas. Within irrigated zones, non-invasive, drought-tolerant, nonnative species may be used.
46. This condition is only applicable for development of the proposed single-family residence on APN 3231-010-019, the driveway leading to it and related grading and development, and of the proposed solar panel array on the northern part of APN 3231-010-020. Fencing shall be designed with materials not harmful to wildlife. Prohibited materials include, but not limited to, spikes, glass, or razor/barbed wire. All hollow fence and signposts, or posts with top holes, such as metal pipes or signposts with open bolt holes, shall be capped and the bolt holes filled to prevent the entrapment of bird species.
 - A. Impermeable fencing, walls, and enclosures shall be permissible within the development footprint and outside of natural habitat areas.
 - B. Only wildlife-permeable fencing may be permitted in order to delineate lot boundaries or to section off development features, such as streets, trails, driveways, active recreation areas, or animal keeping structures. Such fencing shall be developed as follows:
 - i. Fences shall be located outside of dedicated open space areas;

- ii. Fences shall be of an open design and made out of materials which are visible to wildlife, such as wood rail, steel pipe, vinyl rail, PVC pipe, recycled plastic rail, or coated wire;
 - iii. The bottom edge of the lowest horizontal rail or board shall be no closer than 18 inches from the ground;
 - iv. Except where a different height is stated, the top edge of the topmost rail or board shall be no higher than 48 inches from the ground; and
 - v. Fencing shall provide sufficient sight distance at driveways and intersections to the satisfaction of Public Works.
47. This condition is only applicable for development of the proposed single-family residence on APN 3231-010-019, the driveway leading to it and related grading and development, and of the proposed solar panel array on the northern part of APN 3231-010-020.
- A. Prior to the issuance of a grading permit, a qualified biologist shall be retained by the Permittee as the lead biological monitor, subject to the approval of Regional Planning and the CDFW. That person shall ensure impacts to all biological resources are minimized or avoided and shall conduct (or supervise) pre-grading field surveys for species which may be avoided, affected, or eliminated as a result of grading or any other site preparation activities. The lead biological monitor shall ensure all surveys are conducted by qualified personnel (e.g., avian biologists for bird surveys, herpetologists for reptile surveys, botanist for plant surveys, etc.) and they possess all necessary permits and memoranda of understanding with the appropriate agencies for the handling of potentially-occurring special-status species. The lead biological monitor shall also ensure daily monitoring reports (e.g., survey results, protective actions, results of protective actions, adaptive measures, etc.) are prepared and shall make these monitoring reports available to Regional Planning and CDFW at their request.
 - B. During grading, earthmoving activities, and other construction activities, the biological monitor shall be present to inspect and enforce all conditions pertaining to biological resources (Condition Nos. 45 through 49) and to relocate any species that may come into harm's way to an appropriate off-site location of similar habitat. The lead biological monitor shall be authorized to stop specific grading or construction activities, if violations of conditions or any local, State, or federal laws are suspected. The lead biological monitor shall file a report of the monitoring activities with Regional Planning and CDFW. If ongoing biological monitoring of construction activities reveals the presence of any special-status reptiles within an active work area, then work shall be temporarily halted until the

animals can be collected and relocated to areas outside of the designated work zones. Work areas shall be surveyed for special-status species during construction activities. Any special-status species occurring within the work area shall be collected and relocated to areas outside of the designated work zones.

48. This condition is only applicable for development of the proposed single-family residence on APN 3231-010-019, the driveway leading to it and related grading and development, and of the proposed solar panel array on the northern part of APN 3231-010-020.
- A. Breeding birds. Proposed Project activities, including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates, should occur outside of the avian breeding season which generally runs from February 1 to August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill (Fish and Game Code section 86), and includes take of eggs or young resulting from disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine if a change in the breeding season dates is warranted.
- i. If avoidance of the avian breeding season is not feasible, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys beginning 30 days prior to the initiation of Project activities, to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 500 feet of the disturbance area. The surveys shall continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of Project activities. If a protected native bird is found, the Permittee shall delay all Project activities within 300 feet of on-site and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist may continue the surveys to locate any nests. If an active nest is located, Project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the Project activities and the nest. Project personnel, including all contractors working on-site, shall be instructed on the sensitivity of the area. The Project proponent shall provide Regional Planning with the results of the recommended protective measures described above

to document compliance with applicable State and federal laws pertaining to the protection of native birds.

- ii. If the lead biological monitor determines a narrower buffer between the Project activities and observed active nests is warranted, they shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the Project activities and the nest and foraging areas) to Regional Planning and, upon request, the CDFW. Based on the submitted information, Regional Planning (and the CDFW, if the CDFW requests) will determine whether to allow a narrower buffer.
 - iii. The lead biological monitor shall be present on-site during all grubbing and clearing of vegetation to ensure these activities remain within the Project footprint (i.e., outside the demarcated buffer) and the flagging/stakes/fencing is being maintained; and to minimize the likelihood of active nests being abandoned or failing due to Project activities. The lead biological monitor shall send weekly monitoring reports to Regional Planning during the grubbing and clearing of vegetation and shall notify Regional Planning immediately if Project activities damage active avian nests.
- B. A seasonally appropriate survey (April to June) for slender mariposa lily ("lily") shall be conducted prior to the issuance of grading permit. If lilies are detected, they shall be avoided to the greatest extent possible. If preconstruction surveys reveal lilies that cannot be avoided, mitigation of lost lilies shall be provided at a minimum 10 to 1 ratio. This acreage will be calculated with input from Regional Planning and CDFW. Additionally, because lilies have locally available seed sources, plantings of the lilies on appropriate soil types on the Project site shall be implemented in selected areas. The lilies may also be transplanted from areas planned for disturbance to more suitable locations in the Project site. Transplantation locations must be situated within adequately buffered areas to be found suitable. The mitigation acreage may be located within the Project site, but outside of the area of development, subject to Regional Planning and CDFW approval, if acreage of sufficient quantity and quality exists.
- C. Prior to the issuance of a grading or building permit, drift fence or other barrier impermeable to reptiles shall be erected around the construction area, and pre-construction surveys shall be conducted for special status ground-dwelling reptiles. Surveys shall be conducted by installing an array of pit-fall traps, coverboards, or other devices, as determined to be appropriate, by the lead biological monitor on the ground prior to the commencement of construction. Pit-fall traps, if used, must be checked daily. Coverboards shall be installed no less than four weeks prior to construction and checked at least weekly. Pit-fall traps shall be covered

during periods when daily checking is not possible (weekends, holidays, in the event of delays during construction, etc.). Any special-status reptiles or other species determined important by the qualified biological monitor (i.e., biologist must be appropriately permitted for collection and relocation activities) occurring within the work area prior to the start of work shall be collected and relocated to areas outside of the designated work zones.

49. This condition is only applicable for development of the proposed single-family residence on APN 3231-010-019, the driveway leading to it and related grading and development, and of the proposed solar panel array on the northern part of APN 3231-010-020.
- A. Prior to development within this area, a jurisdictional delineation map shall be prepared by a qualified biologist to identify areas of the Project site potentially subject to the jurisdiction of CDFW. The biologist preparing the map shall be selected by the Permittee from the certified biological consultant list maintained on the Regional Planning's website. If jurisdictional waters cannot be avoided, the Permittee shall apply for a section 401 permit from the Regional Water Quality Control Board and a 1602 Streambed Alteration Agreement from CDFW. These permits shall be obtained prior to approval of improvement plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the Project site. The Permittee shall ensure the Project would result in no net loss of waters of the State by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the Streambed Alteration Agreement. Compensatory mitigation may consist of:
- i. Obtaining credits from a mitigation bank;
 - ii. Making a payment to an in-lieu fee program that would conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities (these programs are generally administered by government agencies or nonprofit organizations which have established an agreement with the regulatory agencies to use in-lieu fee payments collected from Permittee); and/or
 - iii. Providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity. This last type of compensatory mitigation may be provided at, or adjacent to, the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation).
- B. The Permittee retains responsibility for the implementation and success of the mitigation project. Evidence of secured permits shall be provided prior

to approval of improvement plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the Project site.

- C. Temporary construction staking or fencing shall be erected under the supervision of a qualified Biologist at or outside the edge of the impact areas where they interface with jurisdictional features. This fencing shall be erected prior to commencement of grading activities and shall demarcate areas where human and equipment access and disturbance from grading are prohibited. A qualified Biologist shall monitor all site preparation and grading activities near these interfaces during construction. Staging areas shall be restricted to approved impact areas only.

Attachments:

County Fire Department letter dated October 4, 2021

County Department of Public Health letter dated September 28, 2021

County Department of Public Works letter dated September 7, 2021

County Department of Regional Planning Unmanned Aircraft System Policy



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4293, Fax (323) 890-9783

EPIC-LA NUMBER: RPPL2019002661 PROJECT NUMBER: 2019-001416
CITY/COMMUNITY: Canyon Country STATUS: Cleared
PROJECT ADDRESS: 16666 Sierra Hwy DATE: 10/04/2021

CONDITIONS

1. Prior to any Building Permit issuance any lot within the project scope of this Conditional Use Permit, plans shall be submitted for review and approval to the Fire Department's Fire Prevention Engineering Section Building Plan Check. Plans should be submitted through EPIC-LA, contact the Santa Clarita Fire Prevention office at (661) 286-8821 for details on their submittal requirements.
2. This property is located within the area described by the Fire Department as a Fire Hazard Severity Zone. A "Fuel Modification Plan" shall be submitted to the Fuel Modification Unit prior building plan approval. Please contact the Department's Fuel Modification Unit for details. They may be reached at (626) 969-5205, or by visiting <https://www.fire.lacounty.gov/forestry-division/forestry-fuel-modification/>

For any questions regarding the report, please contact Juan Padilla at (323) 890-4243 or Juan.Padilla@fire.lacounty.gov.

Juan Padilla



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH
5050 COMMERCE DRIVE BALDWIN PARK, CA 91706 (626) 430-5380

September 28, 2021

CASE: RPPL2019002661

Project: 2019-001416

Planner: Claghorn, Richard

Location: 16600 Block of Sierra Hwy, Canyon Country 91351

The Department of Public Health-Environmental Health Division has reviewed the above project proposal to construct 6 single-family 2-story dwellings on six parcels of land with private water supplies and septic systems. The applicant received approval from the Drinking Water Program of Public Health – Environmental Health with a September 14, 2021 Water Availability Approval Letter. Subdivision and Conditional Use Permit (CUP) clearances from Public Health for parcels in which there is no sewer system or connection within 200 feet would require a conceptual approval for each parcel from the Environmental Health Land Use Program with a limited feasibility report for each parcel with percolation data demonstrating that the soil and depth to groundwater would support an Onsite Wastewater Treatment System, in addition to a 100% future expansion area. However, this would require that the permitted grading be completed before the feasibility study and percolation tests. The applicant obtained a September 7, 2021 clearance for the project that does not require the completion of permitted grading prior to issuance of a Certificate of Occupancy or Building Permit.

Public Health conditionally clears this project for the CUP approval process with the conditions below that must be met prior to the issuance of building permits.

Land Use Program: Wastewater

1. When the building or proposed buildings are not within 200 feet of a public sewer a Conventional Onsite Wastewater Treatment System (OWTS) or Non-Conventional Onsite Wastewater Treatment System (NOWTS) will be required (LACC 11.38.730)
2. Apply for six separate Onsite Wastewater Treatment System Reviews that includes the corresponding fees, associated documents, and feasibility study/reports for the specific APN's to the local EH Land Use Program listed on the application prior to Building Permit issuance.

3. Work plans shall have both one set of hard copies and one set of electronic copies. Please check our website for our guidance documents, applications, associated fees and conditions at www.lapublichealth.org/eh/EP/lu/lu_main.htm.
4. A feasibility report for each APN shall consist of a soil profile excavation and exploratory boring to determine historic and seasonal high groundwater mark, presence of subsurface water, and percolation testing to confirm that the soil on the property can support the use of an (N)OWTS. Testing shall be conducted in an area likely to be utilized as a dispersal field, including the 100% future dispersion area. The report shall be prepared in compliance with the “Conventional and Non-Conventional Onsite Wastewater Treatment Systems – Requirements and Procedures” located at www.lapublichealth.org/eh/EP/lu/lu_main.htm.
5. The minimum lot size density is 2.5 acres per dwelling unit for the utilization of an OWTS. Parcels not meeting the minimum 2.5 acres require the utilization of a NOWTS. As this project was subdivided before October 2, 2018, this existing subdivision is not subject to this lot density provision.
6. A NOWTS makes use of supplemental treatment components, telemetry features, system sampling, reporting, annual permit, and a County Registrars recorded covenant & agreement on the properties/parcels title.
7. The design and installation of an OWTS or NOWTS shall conform to the requirements of this Department and other applicable regulatory agencies. The required size and capacity of the proposed septic system shall be determined based multiple factors including, bedrooms, bedroom equivalents, fixture unit count, number of employees, beds, number of parking spaces, and restrooms. The proposed system shall result in the largest system capacity, in accordance with requirements established in the Department’s guidelines and table 201.1-CAPACITY OF SEPTIC TANKS, table 201.1(2)-ESTIMATED WASTE SEWAGE FLOW RATES, and table H 101.8 LOCATION OF SEWAGE DISPOAL SYSTEM (Title 28, Appendix H) Reference: https://library.municode.com/CA/Los_Angeles_County/codes/code_of_ordinances?nodelid=TIT28PLCO.
8. Parcels that will be served by a proposed system shall comply with the following: Where all or part of the septic system is located on an abutting lot other than the lots where the various buildings are located, an instrument recording such action shall constitute an agreement that clearly states and exhibits the areas to be served and maintained as a unit during the time they are so used to the satisfaction of the Program. Such an agreement shall be recorded on all parcels in the office of the Los Angeles County Recorder as part of the conditions of ownership of said parcels and shall be binding on all heirs, successors, and assigns to such parcels regardless of responsible party designation or system parcel location.

For question regarding this report, please contact Shayne LaMont, Land Use Program for any questions regarding this report at (626) 430-5380 or slamont@ph.lacounty.gov.



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 7, 2021

IN REPLY PLEASE

REFER TO FILE: **LD-4**

TO: Samuel Dea
Zoning Enforcement North Area Section
Department of Regional Planning

Attention Richard Claghorn

FROM: James Chon 
Land Development Division

**CONDITIONAL USE PERMIT (RPPL2019002661)
ASSESSOR'S MAP BOOK 3231, PAGE 10, PARCELS 18, 19, 20, 23, 25, AND 28
UNINCORPORATED CANYON COUNTRY**

As requested, Public Works re-evaluated the Conditional Use Permit (CUP) for compliance with the Hillside Management requirements related to development of six existing single-family residential lots ranging from 2.3 to 5.2 acres in size. This memorandum supersedes the memorandum dated July 28, 2021.

- Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- Public Works has comments on the submitted documents; therefore, a Public Hearing shall **NOT** be scheduled until the comments have been addressed.

1. Street

- 1.1. Prior to issuance of a grading or building permit, submit street improvement plans to Public Works, through the EPIC-LA portal under "Public Improvement Plans: Street Plans," that reflects the following for review and approval:
 - 1.1.1. Design the driveway/approach to Public Works standards.
 - 1.1.2. The driveway/approach design must be compatible with the future road widening of Sierra Highway.

Be advised that we currently have no known County construction project within the limits of your project. Should a County project be scheduled and constructed ahead of the applicant's development, a pavement moratorium may be imposed that would restrict any pavement work for two years. Exceptions could be made if acceptable rehabilitation measures are provided. The applicant is encouraged to monitor pavement condition information for roads in the unincorporated County area by visiting <https://pw.lacounty.gov/gmed/lacroads/Find.aspx> periodically to determine if any future County projects have been scheduled or to determine whether a pavement moratorium currently exist along streets fronting the project location.

- 1.2. Prior to the issuance of the grading or building permit, submit a Signing and Striping Plan, through EPIC-LA under "Engineering Studies: Traffic Conceptual Plan," to Public Works for review and approval.
- 1.3. Prior to issuance of a Certificate of Occupancy, construct all required street improvements or execute an Agreement to Improve.
 - 1.3.1. Construct the driveway approach perpendicular to Sierra Highway. The driveway geometry must accommodate the ultimate widening and grades of Sierra Highway.

For questions regarding the street condition Nos. 1.1 and 1.3, please contact Ambria Vasquez of Public Works, Land Development Division, at (626) 458-4921 or avasquez@pw.lacounty.gov.

For questions regarding the Signing and Striping Plan condition, No. 1.2, please contact Kent Tsujii of Public Works, Traffic Safety and Mobility Division, at (626) 300-4776 or ktsujii@pw.lacounty.gov.

2. Drainage

- 2.1. Prior to issuance of a grading or building permit, submit for review/approval and comply with the hydrology and Low-Impact Development (LID) requirements, or as otherwise required by Public Works. LID Standards Manual can be found at <https://pw.lacounty.gov/idd/lib/fp/Hydrology/Low Impact Development Standards Manual.pdf>.

For questions regarding the drainage condition, please contact Hassan Houmsi of Public Works, Land Development Division, at (626) 458-4921 or hhoumsi@pw.lacounty.gov.

3. Geologic and Soils Engineering

- 3.1. Prior to issuance of a Certificate of Occupancy or Building Permit, comply with the approved geotechnical report(s).

For questions regarding the geologic and soils condition, please contact Greg Johnson of Public Works, Geotechnical and Materials Engineering Division, at (626) 458-7986 or gjohnson@pw.lacounty.gov.

4. Building & Safety

- 4.1. Prior to the issuance of a building permit:

4.1.1. Submit a grading/drainage plan(s) to Public Works, Building and Safety Division (Santa Clarita District Office), for review and approval. The grading plan(s) must show and call out the construction of at least all drainage devices and details; paved driveways; elevation and drainage of all pads, retaining walls, water-quality devices, and LID features; all existing easements; and illegal grading remediation. All grading, drainage, and structures shall meet the Los Angeles County Building, Residential, and Green Building Standards codes.

4.1.2. Construct the shared driveway from each lot to access Sierra Highway.

- 4.2. Prior to the issuance of the grading permit:

4.2.1. Grading permits must be obtained simultaneously for all properties or provide recorded covenants for off-site work/cross-lot grading.

4.2.2. Provide off-site drainage acceptance covenants for drainage.

4.2.3. Show proof of legal access for each lot to a publicly maintained street (i.e., Sierra Highway) and provide reciprocal easements for ingress/egress and maintenance purposes to all holders over the proposed shared driveway.

4.2.4. Provide approval from Southern California Edison for the proposed improvements that encroach into their easement.

For questions regarding the Building & Safety conditions, please contact Carolyn Griffiths of Public Works, Building and Safety Division, at (661) 257-2940 or cgriffit@pw.lacounty.gov.

Samuel Dea
September 7, 2021
Page 4

If you have any questions or require additional information, please contact Phoenix Khoury of Public Works, Land Development Division, at (626) 458-4921 or pkhoury@pw.lacounty.gov.

PK:la

PW_Clear (REV'd 2021-8-23)_2021-07-15 CUP rev1_RPPL2019002661.docx



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

UNMANNED AIRCRAFT SYSTEMS PROGRAM POLICY

I. Introduction

- A. Purpose: To provide oversight and direction to Los Angeles County Department of Regional Planning (DRP) for using Unmanned Aircraft Systems (UAS) to support land use efforts.
- B. Background: The UAS program will enhance DRP's efficiency by enabling DRP staff to conduct site visits quicker and facilitating access to sites that have presented accessibility issues due to obstructions and/or safety concerns. The UAS Program will also improve the safety of staff by allowing them to inspect sites with hazards from safe nearby locations.
- C. Scope: These instructions apply to all staff responsible for and assisting with operating a UAS and all staff requesting UAS flights.
- D. Administrator: During the initial phase of the UAS Program, the Zoning Enforcement Special Projects (ZESP) section shall be responsible for the content, revision, and periodic review of this policy.
- E. Authority: All UAS operations must be conducted in accordance with departmental and the Federal Aviation Administration (FAA) Part 107 Regulations. Staff may refer to www.faa.gov/uas for additional information.
- F. Appendix 1: Definitions
- G. Appendix 2: UAS Program Flight Activity Log Template

II. General Regulations

- A. A UAS shall be operated with strict oversight within established policies and procedures.
- B. While operating a UAS, all applicable federal, state, and local laws and regulations shall be observed.
- C. Any staff found to be operating a UAS in an unsafe manner or in violation of this policy and/or federal, state and local regulations can be subject to legal and/or disciplinary action and may be prohibited from conducting any additional UAS flights for DRP.

- D. A UAS shall be operated at minimum by a team consisting of two trained staff who will act as the Pilot in Command (PIC) and the Visual Observer (VO). The PIC must be a Certified UAS Pilot and have successfully completed the Department-approved training. The VO can be the Case/Project staff for which the site visit is being conducted.

III. Responsibilities

Staff assigned to operate a UAS for site visits shall understand and comply with all the UAS policies and instructions.

- A. The UAS Coordinator shall:

1. Be appointed by the Supervising Regional Planner for each section and be a Certified UAS Pilot. During the initial phase of the UAS Program, the ZESP section shall serve as the UAS Coordinator until each section has an appointed UAS Coordinator.
2. Be responsible for the administration of the UAS program within their respective section.
3. Oversee certification, training and program compliance.
4. Provide technical assistance and logistical support to all trained staff operating a UAS, including, but not limited to the PIC and VO.
5. Be responsible for overseeing the cleanliness, maintenance, repairs, and security of equipment including the UAS assigned to each respective section.

- B. All trained staff operating a UAS shall:

1. Maintain licenses, certifications, and required training. The FAA remote pilot certificate must be renewed every two years and must be always carried by the PIC when operating a UAS. Staff shall also complete the department's UAS training course every two years and attend the quarterly UAS Information-Sharing Meetings.
2. Within 2 days of receiving a request for a UAS inspection, assess the request and determine if the use of a UAS is suitable for the case/project.
3. Within 2 days of determining that the use of a UAS is suitable for a case/project, start coordinating with the staff requesting the use of a UAS to schedule an inspection date.
4. Ensure UAS operations are fully compliant with federal, state and local laws.
5. If assigned a UAS, be responsible for the cleanliness, maintenance, repairs, and security of equipment including the UAS.

IV. Privacy

- A. A UAS shall be operated in a manner which respects private individuals' Fourth Amendment Rights, civil rights, and reasonable expectations of privacy.
- B. The following criteria must be met to use a UAS for site visits:
 - 1. No reasonable expectation of privacy; or
 - 2. Subject property has an entitlement that allows site visits to be conducted with a UAS; or
 - 3. A court order has been granted to utilize a UAS on the subject property; or
 - 4. Permission to conduct a site visit with a UAS by the person in control of the subject property has been granted.
- C. Should any incidental, accidental and/or unintentional video or images be captured of private activities, the PIC shall immediately delete the recordings or images and notify the UAS Coordinator of the circumstances of the deletion.
- D. Site visits with the UAS are bounded by the same consent restrictions as traditional site visits from the ground level. If at any point during a site visit permission to use the UAS is revoked, the PIC must immediately cease operations and ground the UAS.
- E. UAS footage shall not be posted on any online public setting.
- F. The use of a UAS is a tightly controlled and regulated operation and not in any way intended to document the activity of private citizens.

V. Division Roles

- A. Land Use Regulation (LUR)
 - 1. UAS can be utilized within the LUR Division for zoning enforcement and permit compliance efforts.
 - 2. LUR staff will assist other Divisions in training and developing their UAS operations.
 - 3. ZESP staff will coordinate and manage the UAS fleet for LUR until each LUR section has an appointed UAS Coordinator.
- B. Current Planning
 - 1. *Placeholder*
- C. Advance Planning
 - 1. *Placeholder*

D. Information and Fiscal Services

1. Placeholder

VI. Site Criteria

Each request to utilize a UAS for a site visit shall be evaluated on a case-by-case basis by the UAS Coordinator for each section. In most instances, initial site visits should be conducted via traditional methods. The use of a UAS should be considered to:

1. Create a safer site visit environment for staff;
2. Improve a site visit’s efficiency; and/or
3. Increase access to the site.

UAS Coordinators can use the UAS Site Visit Criteria below to help them determine if a UAS is suitable for a site visit. Staff can also use the criteria to help them determine whether they should propose the use of the UAS for a site visit. A “Yes” response to any question can suggest that the use of a UAS may be appropriate. The criteria can be amended and customized by each Division to best fit their needs.

UAS Site Visit Criteria

Questions	Yes	No	Considerations
1. Are there safety hazards present at the site?			Safety hazards staff face include, but are not limited to, hazards related to topography, encountering unknown individuals, exposure to radiation, piles of junk & salvage material, etc. The use of a UAS can eliminate exposure to these hazards.
2. (Skip if answer is “no” to question 1) Are these safety hazards preventing access to the whole or portions of the site?			In several instances the above-mentioned safety hazards can limit access to sites. By eliminating exposure to these hazards, the UAS can aid staff in accessing sites and conducting full site visits.
3. Is there a physical barrier(s) preventing access to the whole or a portion of the site?			Physical barriers staff face which restrict access to sites include, but are not limited to, outside storage, junk, cargo containers etc. A UAS can help overcome these physical barriers.
4. Would it take more than 15 minutes to survey the site by foot?			Very large sites can be very time-consuming to survey on foot. A UAS can be used to survey large sites quicker; thereby, increasing efficiency.
5. Has staff conducted a site visit multiple times; yet been unable to conduct a complete site visit?			To improve efficiency, a UAS can be used to ensure complete site visits are conducted in a single trip.

6. Is the person in control of the property likely to give consent to the use of a UAS?			Securing consent reduces legal risk. If possible, site visits with consent should be prioritized.
7. Is the case a high concern for the Board and/or Management?			A UAS can be used to document high- profile cases with more detail.

Note: A UAS should never be used if there is no consent, no warrant and/or there is a reasonable expectation of privacy. Furthermore, a UAS should never be used to fly within an enclosed structure since they are meant for outdoor use only. In addition, unless a waiver from the FAA has been obtained, a UAS should not fly over crowds.

VI. Staff Procedures

Once a UAS Coordinator has authorized the use of a UAS, staff may proceed with the site visit.

A. The Case/Project staff shall:

1. Request a UAS site visit by submitting a HelpDesk Ticket.
2. Coordinate access with property owner, tenant, and/or person who has control of the property. The Case/Project staff will consult with County Counsel for any other special circumstances, such as for sites without reasonable expectation of privacy or a court order.
3. If applicable, complete EnerGov data entries regarding UAS site visit details within 5 days of the site visit date.

B. The UAS Coordinator shall:

1. Assign a Certified UAS Pilot within their section to serve as the PIC for each scheduled UAS flight. If no pilots are available within their section, they may reach out to other UAS Coordinators for assistance.
2. Maintain a UAS Program Flight Activity Log (see Appendix 2) for the UAS utilizing the HelpDesk Ticket.

C. The PIC shall:

1. Hold a pre-flight briefing with Case/Project staff to obtain general knowledge of the site including take-off and landing zones and areas of focus.
2. Assign roles including the VO for each site visit. The VO can be the Case/Project staff for whom the site visit is being conducted. If needed, additional VO's may be utilized to safely conduct a site visit.
3. If a UAS has not been assigned to them, contact the UAS Coordinator to secure a UAS 2 business days prior to a site visit. The PIC shall:

- a. Upon checking out a UAS from the UAS Coordinator, assume responsibility for the storage, transportation, assembly and the overall care, maintenance, and condition of the UAS.
 - b. Re-charge the UAS batteries prior to returning the UAS.
 - c. Coordinate the return of the UAS with the UAS Coordinator by the end of the next business day following the completion of the flight(s).
 - d. Remove all images and video from the site visit(s) prior to returning the SD memory card(s). Return the SD memory card(s) to the UAS Coordinator with the UAS.
4. Provide the FAA with any required notifications/ authorizations using the appropriate applications.
 5. Function as the flight leader and operator of the UAS during site visits with the authority to designate and/or change crew roles as needed.
 6. Ensure that equipment is prepared for flight and paired accordingly.
 7. Ensure the safe operation, input of commands, and piloting of the UAS in accordance with all applicable federal, state, and local laws and regulations, as well as the DRP Unmanned Aircraft Systems Training Task Book (TTB).
 8. Report all incidents, including equipment malfunctions, to the UAS Coordinator within 24 hours. For incidents involving injuries to a person or damages to personal property, fill out the County's Security Incident Report (<http://tpz.planning.lacounty.gov/assets/uploads/blog/Security-Incident-Report-2017.pdf>) and report to FAA as required.
 9. Log the flight and sort through/identify the usable imagery and video within 7 days. Discard unusable imagery and video.
 10. Store the usable imagery at [\\RPF01.hosted.lac.com\UAS Program Imagery](http://RPF01.hosted.lac.com/UAS%20Program%20Imagery) using the Program's naming convention (see TTB) within 7 days.
 11. Ensure the Case/Project staff for which the site visit was conducted receives the videos and imagery from the site visit within 7days.
- D. The VO shall:
1. Maintain visual observation of the UAS while it is in flight and alerting the PIC of any hazardous conditions (e.g., obstructions, terrain, powerlines, structures, air traffic, weather, etc.), which may affect the safety of the operation.
 2. Have constant communication with the PIC to ensure instant relaying of information.

Appendix 1 - Definitions

- A. Certified UAS Pilot: Staff member who has successfully completed a Part 107 preparation course, passed the “FAA Unmanned Aircraft General – Small” exam, holds a valid FAA remote pilot certificate with a UAS rating, and completed the TTB; or staff member who has successfully completed TTB and is authorized to fly subject to Certificates of Waiver or Authorization (COA).
- B. Pilot-in-Command (PIC): A Certified UAS Pilot who has the final authority and responsibility for the operation and safety of a UAS operation.
- C. Small Unmanned Aircraft Systems (UAS): Small unmanned aircrafts (drones) and their associated elements (including communication links and the components that control the UAS) that are required for the safe and efficient operation of the UAS in the national airspace system.
- D. Visual Observer (VO): A staff member acting as a flight crewmember who assists the PIC to see and avoid other air traffic or objects aloft or on the ground.

Environmental Checklist Form (Initial Study)

County of Los Angeles, Department of Regional Planning



Project title: “Ball Mountain Single-Family Residences”/ Project No. 2019-001416 / Case No(s). Environmental Assessment (“EA”) RPPL2021010782; Conditional Use Permit (“CUP”) RPPL2019002661

Lead agency name and address: Los Angeles County Department of Regional Planning, 320 West Temple Street, Los Angeles, CA 90012.

Contact person and phone number: Richard Claghorn, (213) 974-6443,
Email: rclaghorn@planning.lacounty.gov

Project sponsor’s name and address: James C. Ball, 16612 Sierra Highway, Canyon Country, CA 91351.

Project location: 16600 block of Sierra Highway.

Assessor’s Parcel Number (APN): 16600 block of Sierra Highway

3231-010-018, 3231-010-019, 3231-010-020, 3231-010-023, 3231-010-025,
3231-010-028

USGS Quad: Mint Canyon.

Gross Acreage: 19.91 acres

General Plan designation: N/A. Santa Clarita Valley Planning Area

Community/Areawide Plan designation: Rural Land (RL5 – Rural Land 5 (NU3 – Non-Urban 3))
(Santa Clarita Valley Area Plan)

Zoning classification: A-2-2 (Heavy Agricultural, Two-Acre Minimum Required Lot Area); Sand Canyon Zoned District

Description of project: The Project Site is comprised of six existing legal parcel, totaling up to 19.91 acres. The applicant is proposing to build one single-family residence on each of the six parcels. The proposed residences are two stories in height, with a height of approximately 27 feet above grade, and floor area of approximately 2,700 square feet each according to the preliminary architectural plans. The actual sizes and heights of the residences may differ from the preliminary plans when ultimately built. Because the project site within a Hillside Management Area, a CUP is required for the proposed development. A CUP is also required for the water distribution system, Ball Mountain Mutual Water Company, which serves the subject parcels and two adjoining parcels (APN 3231-010-026 & 3231-010-029). Each of these two adjoining parcels contains a single-family residence. Proposed grading for the project has been estimated as 18,867 cubic yards of cut and 16,338 cubic yards of fill, to be balanced on site.

Proposed Assessor’s Parcel Number (Parcel Name)	Gross Area		Disturbed Areas	
	(Acres)	(Square feet)	(Square feet)	(Percentage)
3231-010-020 (Parcel 20)	3.71	161,663	43,129	26.7%
3231-010-025 (Parcel 25)	2.38	103,789	31,370	30.2%

3231-010-023 (Parcel 23)	2.80	122,082	38,296	31.4%
3231-010-018 (Parcel 18)	5.23	227,684	74,306	32.6%
3231-010-019 (Parcel 19)	3.25	141,745	32,869	23.2%
3231-010-028 (Parcel 28)	2.57	111,828	21,000	18.8%
Total	19.94	868,791	240,970	27.7% average

Surrounding land uses and setting: The Project Site is located in a hillside area extending from Sierra Highway on the west side to Sand Canyon Road on the east side. Approximately 81% of the gross site area exceeds a 25% natural slope, with nearly 48% of the gross area having natural slopes in excess of 50%. An existing driveway runs from Sierra Highway to an existing home on APN 3231-010-026 (16612 Sierra Highway). The driveway then enters the project site and continues eastward, passing through five of the six parcels comprising the Project Site, before exiting the Project Site and ending at APN 3231-010-029 (16666 Sierra Highway), where an existing single-family residence is located. Most of the driveway is proposed to remain, but portions of it will be re-routed, and a new driveway is proposed to branch from the main driveway north to APN 3231-010-019. Elevations on the site range from approximately 1,660 feet along Sierra Highway to over 2,000 feet at the high point in the southeast part of the site. Surrounding properties include a 110-unit detached condominium development to the southwest of the project site, a 123-unit mobilehome park to the east, a mixture of commercial uses along Sierra Highway to the west, and vacant land to the north and the southeast. There are also some single-family residences to the southeast and to the west. There is no Significant Ecological Area (SEA) on the project site. The nearest SEA is the Cruzan Mesa Vernal Pools SEA, which is located approximately 0.86 miles to the west of the site. The Santa Clara River SEA is located approximately 1.3 miles south of the project site.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code § 21080.3.1? Yes, the Fernandeno Tataviam Tribe, also known as the Fernandeno Tataviam Band of Mission Indians, has requested consultation.

If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? Yes. Tribal consultation with the Fernandeno Tataviam Band of Mission Indians was concluded on January 20, 2022 with development of mitigation measures for tribal cultural resources incorporated into the conditions of approval.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

<i>Public Agency</i>	<i>Approval Required</i>
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Major projects in the area:

<i>Project/Case No.</i>	<i>Description and Status</i>
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TR 46353/CUP 90-264 / CUP 98-152 Major land division for 110 detached residential condominiums on a 65-acre site in a hillside management area. Final map was recorded on August 19, 2004.

CUP 88-030 123-unit mobilehome park; approved April 3, 1989

Figure 1: Project Site

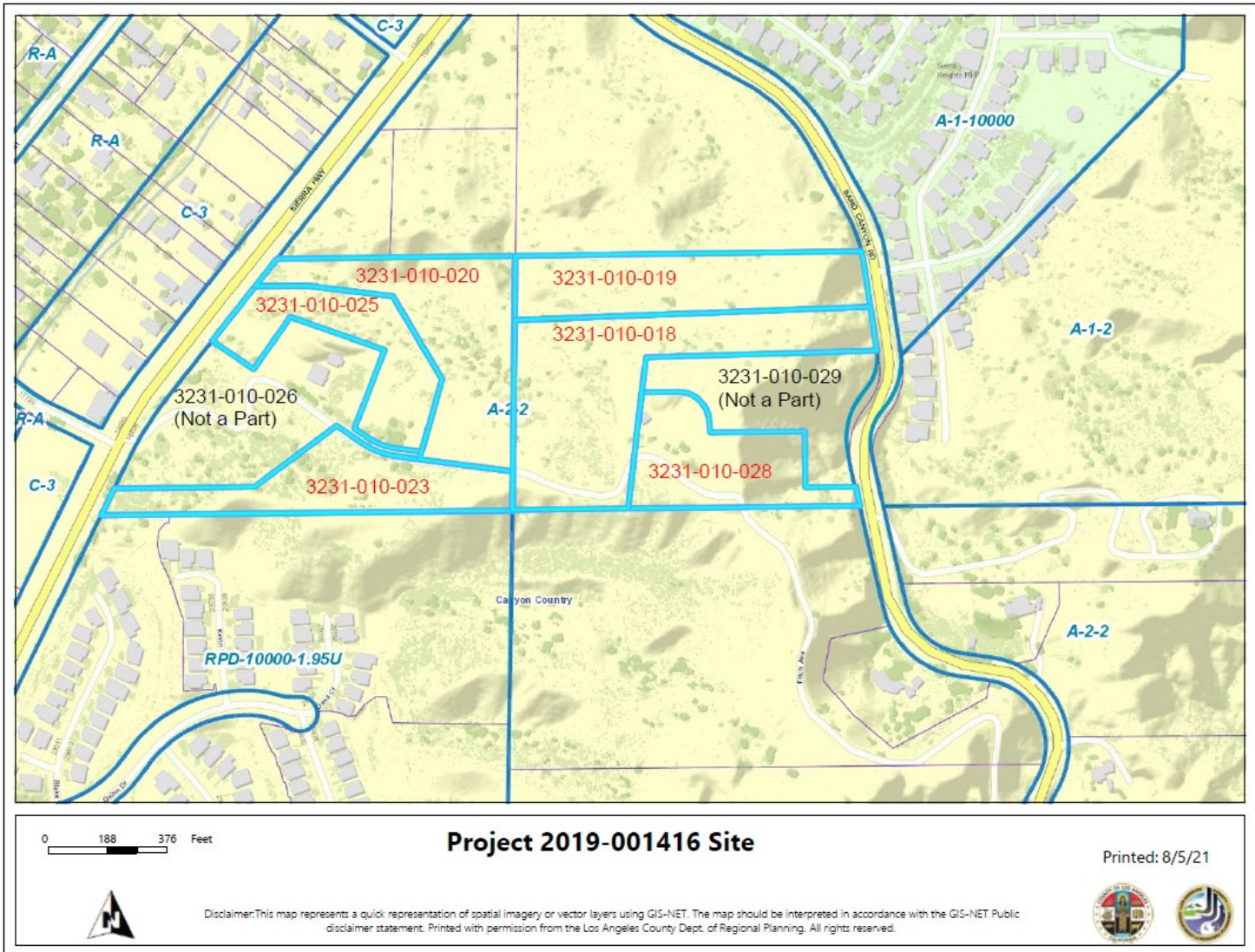


Figure 2: Slope Analysis

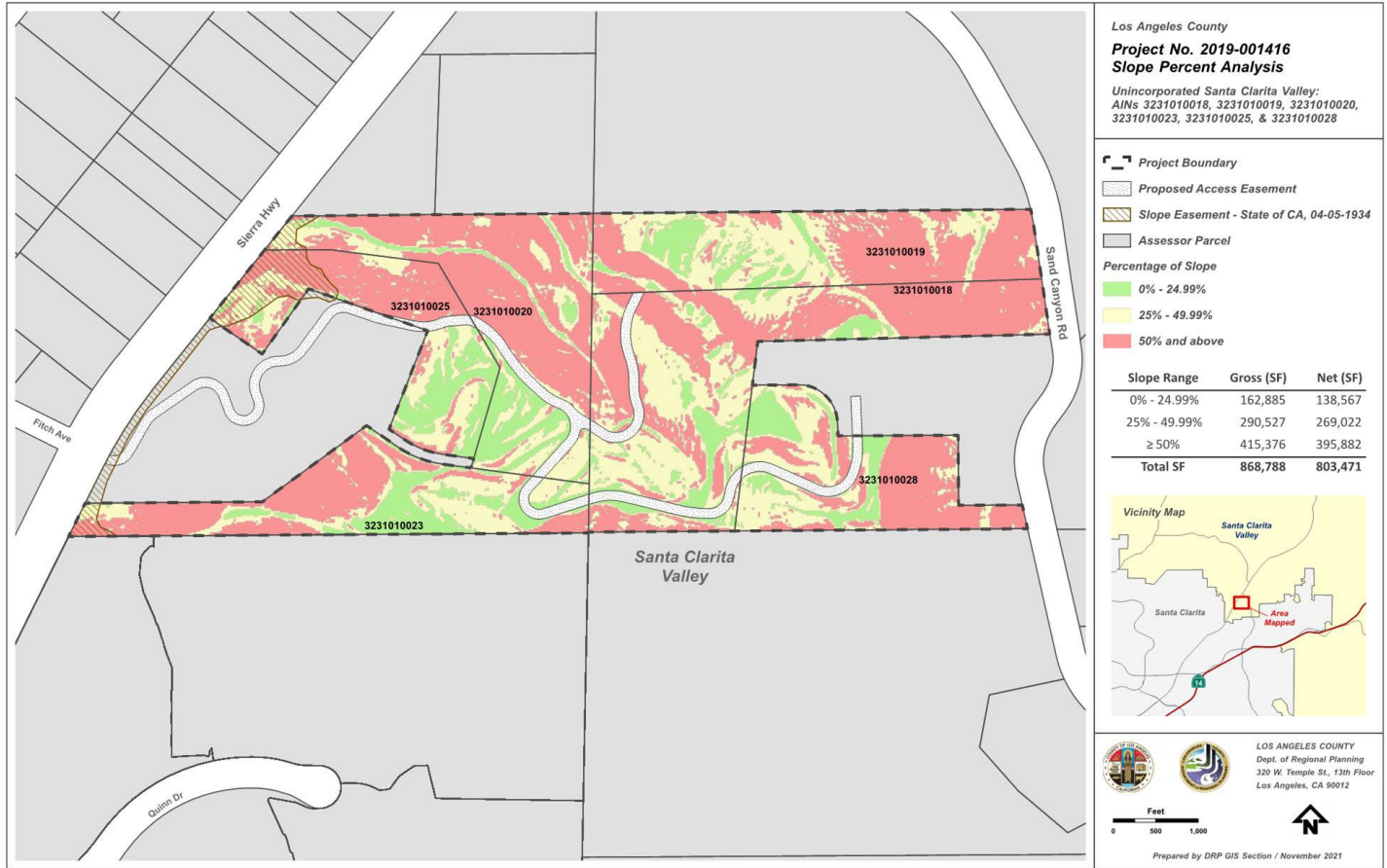


Figure 3: Open Space Map

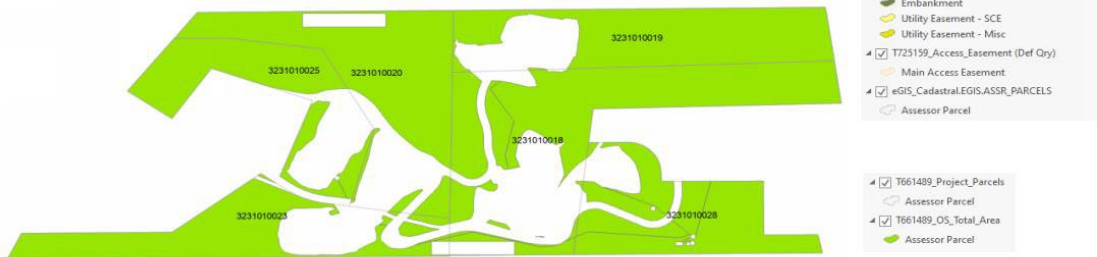


Figure 4: Open Space Analysis Table

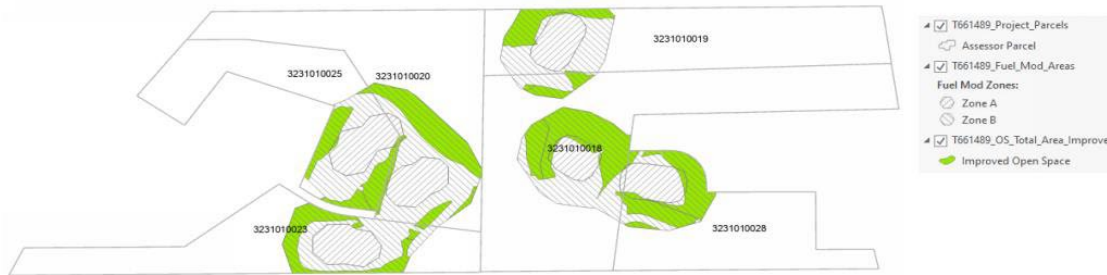
AIN	Area (SF)	Building Pads	Access Driveways	Graded Area	Easement - SCE	Easement - Misc	Main Access Road	Solar Arrays	Water Infrastructure	Totals	% disturbed	acreage
3231010018	227,684	25,665	4,395	22,430	1,096	-	14,924	5,700	96	74,306	32.6%	5.23
3231010019	141,745	13,854	-	19,004	-	-	-	-	11	32,869	23.2%	3.25
3231010020	161,663	9,569	3,334	13,398	-	-	9,553	7,273	2	43,129	26.7%	3.71
3231010023	122,082	13,263	860	15,676	2,101	529	4,277	1,573	17	38,296	31.4%	2.80
3231010025	103,789	15,870	-	12,670	-	-	2,709	-	122	31,370	30.2%	2.38
3231010028	111,828	9,467	1,451	2,389	197	-	6,743	-	754	21,000	18.8%	2.57
Total SF:	868,791	87,688	10,039	85,567	3,394	529	38,205	14,546	1,001	240,970	27.7%	19.94



Open Space: 627,821



Improved OS: 103,440



Reviewing Agencies: [See CEQA Appendix B to help determine which agencies should review your project]

Responsible Agencies

- None
- Regional Water Quality Control Board:

 - Los Angeles Region
 - Lahontan Region

- Coastal Commission
- Army Corps of Engineers
- LAFCO

Special Reviewing Agencies

- None
- Santa Monica Mountains Conservancy
- National Parks
- National Forest
- Edwards Air Force Base
- Resource Conservation District of Santa Monica Mountains Area
- Native American Heritage Commission
- William S. Hart Union High School District
- Sulphur Springs Union School District
- Fernandeño Tataviam Band of Mission Indians

Regional Significance

- None
- SCAG Criteria
- Air Quality
- Water Resources
- Santa Monica Mtns. Area
-

Trustee Agencies

- None
- State Dept. of Fish and Wildlife
- State Dept. of Parks and Recreation
- State Lands Commission
- University of California (Natural Land and Water Reserves System)

County Reviewing Agencies

- DPW
- Fire Department
 - Forestry, Environmental Division
 - Planning Division
 - Land Development Unit
- Sanitation District
- Public Health/Environmental Health Division: Land Use Program (OWTS), Drinking Water Program (Private Wells), Toxics Epidemiology Program (Noise)
- Sheriff Department
- Parks and Recreation
- Subdivision Committee
- Library

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

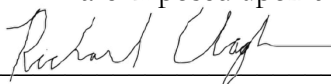
The environmental factors checked below would be potentially affected by this project.

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture/Forestry | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Services |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Noise | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Department.)

On the basis of this initial evaluation:

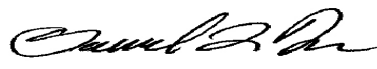
- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Signature (Prepared by)

4/5/22

 Date



 Signature (Approved by)

4/4/22

 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the Lead Department cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Department has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. (Mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.)
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. (State CEQA Guidelines § 15063(c)(3)(D).) In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) The explanation of each issue should identify: the significance threshold, if any, used to evaluate each question, and; mitigation measures identified, if any, to reduce the impact to less than significance. Sources of thresholds include the County General Plan, other County planning documents, and County ordinances. Some thresholds are unique to geographical locations.

1. AESTHETICS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Except as provided in Public Resources Code Section 21099, would the project:

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. There are no Scenic Highways or Scenic Drives in the vicinity of the project site. The proposed residences are on hillsides overlooking the surrounding area. However, because they are set back hundreds of feet from the nearest roads and because of the topography of the area, the homes will not be visible from most points along the roads. The homes may be incidentally visible from some nearby locations along the roads, as are the existing homes on APN 3231-010-026 & 3231-010-029. However, because of the long distance from the roads, any visual impacts will be minimal.

b) Be visible from or obstruct views from a regional riding, hiking, or multi-use trail?

Less Than Significant Impact. There is an adopted proposed unnamed trail along Sand Canyon Road shown on the Santa Clarita Valley Area Plan Trails map along the eastern frontage of the project site. However, the Department of Parks and Recreation (DPR) has determined that the proposed trail route along the property frontage is not suitable due to the steep topography and unsafe conditions for a trail, as well as a lack of connectivity, and has determined that no trail easement is required for the project. DPR issued a letter on June 2, 2020 stating that the proposed project will not impact any DPR facilities. There is no existing trail currently in the area, and it does not appear likely that a trail will be developed there in the future due to the topography, which has very little room between Sand Canyon Road and the steep hillside. Even if a trail is developed along Sand Canyon Road in the future, it would likely have to be on the opposite side of the road due to the topography.

c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less Than Significant Impact. The project site is not near any designated scenic highways. There are no known nationally- or state-designated historic resources in the project area. No oak trees are proposed for removal. No scenic resources, including rock outcroppings, will be significantly impacted.

d) Substantially degrade the existing visual character or quality of public views of the site and its surroundings because of height, bulk, pattern, scale, character, or other features or conflict with applicable zoning and other regulations governing scenic quality? (Public views are those that are experienced from publicly accessible vantage point)

Less Than Significant Impact. The project will comply with the applicable Zoning Code requirements for height, setbacks, and other development standards. The project site will mostly be dedicated open space.

The homes will be spaced widely, and views of the homes from off-site will be limited due to the surrounding topography and long distances from surrounding roads to the proposed homes.

e) **Create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area?**

Less Than Significant Impact. The project is located within a Rural Outdoor Lighting District. It will be subject to the restrictions of the Rural Outdoor Lighting District pertaining to outdoor lighting. Implementation of these standards will prevent substantial shadows, light, and glare from affecting views in the area.

2. AGRICULTURE / FORESTRY

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No Impact. The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data that are used for analyzing impacts on California's agricultural resources. Agricultural land is rated based on the soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. FMMP produces Important Farmland Maps, which are a hybrid of resource quality (soils) and land use information. The project site is not identified as Prime Farmland, Unique Farmland or Farmland of Statewide Importance on maps prepared pursuant to FMMP. According to these maps, there is no Farmland on or neighboring the project site. Therefore, the project would not have an impact related to converting Farmland to non-agricultural use.

b) Conflict with existing zoning for agricultural use, with a designated Agricultural Resource Area, or with a Williamson Act contract?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No Impact. The project site is zoned A-2-2 (Heavy Agricultural, Two-Acre Minimum Required Lot Area). This zone allows single-family residences, and the proposed residences will comply with the requirements of this zone. No Agricultural Resource Area is located on or near the project site. The project site is not in conflict with a Williamson Act contract.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220 (g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined in Government Code § 51104(g))?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No Impact. The project site does not contain any forest land, timberland, or timberland production areas.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The project site does not contain any forest land.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. There is no farmland or forest land on or near the project site, and no changes resulting from the project would impact any farmland or forest land.

3. AIR QUALITY

The Federal government and the State of California have established air quality standards designed to protect public health from these criteria pollutants. Among the federally identified criteria pollutants, the levels of ozone, particulate matter, and carbon monoxide in Los Angeles County continually exceed federal and state health standards. The County is also considered a non-attainment area for these pollutants.

In response to the region’s poor air quality, the South Coast Air Quality Management District (SCAQMD) & the Antelope Valley Air Quality Management District (AVAQMD) were created. The SCAQMD and the AVAQMD are responsible for monitoring air quality as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards in the region.

The SCAQMD implements a wide range of programs and regulations, most notably, the Air Quality Management Plan (AQMP). According to the SCAQMD, if a project does not conform to a general plan, then it is not within SCAG’s population and vehicle miles traveled (VMT) projections, which are the foundation for the AQMP.

The air pollutants that are regulated by the Federal and California Clean Air Acts fall under three categories, each of which are monitored and regulated:

- Criteria air pollutants;
- Toxic air contaminants (TACs); and
- Global warming and ozone-depleting gases.

In 1970, the U.S. Environmental Protection Agency (EPA) identified six “criteria” air pollutants they found to be the most harmful to human health and welfare. These include:

- Ozone (O3);
- Particulate Matter (PM10 and PM2.5);
- Carbon Monoxide (CO);
- Nitrogen Dioxide (NO2);
- Sulfur Dioxide (SO2); and,
- Lead (Pb).

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	<i>Less Than Significant</i>		
<i>Potentially Significant Impact</i>	<i>Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

Would the project:

a) Conflict with or obstruct implementation of applicable air quality plans of either the South Coast AQMD (SCAQMD) or the Antelope Valley AQMD (AVAQMD)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The project site is located within the South Coast Air Basin and falls within the purview of the SCAQMD. A significant air quality impact would occur if the proposed Project is found to be inconsistent with the SCAQMD's AQMP or directly obstruct the implementation of the policies or goals set forth in the AQMP. The AQMP was prepared to comply with the federal and State Clean Air Acts and amendments, to accommodate growth, to reduce the high levels of pollutants Los Angeles Basin, to meet federal and state air quality standards, and to minimize the fiscal impact that pollution control measures have on the local economy. A project is consistent with the AQMP if it is consistent with the population, housing, and employment assumptions that were used in the development of the AQMP.

Under the Clean Air Act, SCAQMD is required to reduce emissions of criteria pollutants for which the Basin is in non-attainment (i.e., ozone, PM_{2.5} and PM₁₀). The Project would be subject to the SCAQMD's 2016 AQMP1, which was adopted by the SCAQMD Governing Board on March 3, 2017. The 2016 AQMP includes a comprehensive list of pollution control strategies and measures directed at reducing emissions and achieving the National Ambient Air Quality Standards (NAAQS). The 2016 AQMP demonstrates attainment of the 1-hr and 8-hr ozone NAAQS as well as the latest 24-hr and annual PM_{2.5} standards. These strategies are developed, in part, based on regional population, housing, and employment projections prepared by the Southern California Association of Governments (SCAG).

SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino and Imperial Counties and serves as a forum for regional issues relating to transportation, the economy, community development and the environment. The emissions inventory of the 2016 AQMP are based in part on demographic growth forecasts and transportation activities projections developed by SCAG for the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS). The 2016-2040 RTP/SCS forms the basis for the land use and transportation control portions of the AQMP and are utilized in the preparation of air quality forecasts and consistency analysis included in the AQMP. Both the RTP/SCS and AQMP strategy incorporate projections from local planning documents. In sum, the 2016-2040 RTP/SCS was integrated in the 2016 AQMP.

Because the 2016-2040 RTP/SCS is based on the General Plan growth projections of the local municipalities within the Los Angeles Basin, projects that are consistent with the projections of employment and population forecasts identified in their respective General Plans are considered consistent with the AQMP. Projects that are not consistent with the local General Plan and/or involve Plan Amendments for higher densities must be analyzed for consistency with the AQMP.

The Project Site is located within the unincorporated area of the County within the Santa Clarita Valley Area Plan. The 2012 Santa Clarita Valley Area Plan is a component of the County General Plan 2035. By conforming to the adopted General Plan 2035 and applicable zoning regulations, the proposed project will not conflict or obstruct the implementation of 2016 AQMP. Projects that are consistent with the applicable zoning and long-range plans requirements are typically considered to be consistent with the Air Quality Management Plan (AQMP). The proposed project is consistent with the Rural Land 5 land use category of the Santa Clarita Valley Area Plan as well as the A-2-2 Zone uses subject to permits. The development of single-family residences within a hillside management area is allowed in the A-2-2 Zone with approval of a CUP. Compliance with the required CalGreen standards as part of the project will help to ensure the project

¹ On October 1, 2015, the U.S. Environmental Protection Agency (EPA) strengthened the National Ambient Air Quality Standards (NAAQS) for ground-level ozone, lowering the primary and secondary ozone standard levels to 70 parts per billion (ppb). The South Coast Air Basin is classified as an "extreme" non-attainment area and the Coachella Valley is classified as a "severe-15" non-attainment area for the 2015 Ozone NAAQS. SCAQMD is currently updating its plan to address such requirements and the 2022 AQMP has not been approved. For the purposes of this analysis, the Project is still subject to the approved 2016 AQMP.

will be in compliance with the applicable AQMP. Nevertheless, there is potential for dust to be generated during construction activities which could adversely impact the air quality of the area without adequate dust control measures. Implementation of dust control measures during construction will help to avoid adverse air quality impacts and any conflict with applicable air quality plans. As such, air quality impacts are expected to be less than significant with mitigation incorporated.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact. The Project Site is located within the SCAQMD basin, which is classified as a non-attainment area for the federal and state standards for ozone (O3). It is also a non-attainment area for the state standard for particulate matter for PM10. The basin generally has poor air quality. Air quality impacts may occur during site preparation, grading, building construction, paving, and architectural coating required to implement the proposed land use. Sources of emissions during construction include exhaust emissions, fugitive dust generated from soil and material disturbance during site preparation and grading activities resulting in net increase of particulates, and the emission of reactive organic gases (ROGs) during the painting of the structures.

Construction and operation of the Project will result in net increases of O3 precursors (ROG and NOx), and PM10, and would also generate emissions of CO, SOx, and PM2.5. However, the construction of six new low-rise, single-family detached residences is not anticipated to exceed SCAQMD air quality significance thresholds for daily construction emissions. Due to its small size, the project is not deemed a project of statewide, regional or areawide significance (CEQA Statute and Guidelines Section 15206(b)). The threshold for statewide, regional or areawide significance is 500 dwelling units and the proposed project is substantially below this threshold of significance. The emissions would be a very small fraction of SCAQMD CEQA significance thresholds for regional and local construction emissions. Given the small scale of the project and small size of the project site, the project will have a less than significant impact on air quality standards. Furthermore, single-family residential use is an allowed under the A-2-2 Zone and is consistent with the Santa Clarita Valley Area Plan and the General Plan 2035.

For this analysis, CalEEMod 2020.4.0 was used to model with default parameters for the construction and operational emissions from the proposed Project. In accordance with CEQA Guidelines Section 15064(h)(3), the SCAQMD’s approach for assessing cumulative impacts is based on the AQMP forecasts of attainment of ambient air quality standards in accordance with the requirements of the federal and state Clean Air Acts. If the mass regional emissions calculated for a project exceed the applicable SCAQMD daily significance thresholds that are designed to assist the region in attaining the applicable state and national ambient air quality standards, that project can be considered cumulatively considerable. As shown in Table 3.1 and Table 3.2, the unmitigated modeled construction and operational emissions do not exceed the significance thresholds established by SCAQMD.

Table 3.1 Maximum Daily Construction Emissions (lbs per day)

	ROG	NOx	CO	SO2	PM10	PM2.5
Construction Year 2023	3.39	34.56	28.72	0.06	21.12	11.32
Construction Year 2024	18.95	13.49	16.24	0.03	0.64	0.59
Maximum Emissions	18.95	34.56	28.72	0.06	21.12	11.32

SCAQMD Regional Thresholds ²	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No
Maximum On-Site Emissions	3.32	34.51	28.05	0.06	10.63	4.96
SCAQMD Localized Significance Thresholds (LSTs)	N/A	183	1,814	N/A	14	9
Threshold Exceeded?	N/A	No	No	N/A	No	No
Notes: ROG=reactive organic gases; NO _x =nitrogen oxide; CO=carbon monoxide; PM ₁₀ =course particulate matter; PM _{2.5} =fine particulate matter.						
The table assumes the proposed project would comply with SCAQMD Rule 403. Emission data is pulled from “unmitigated” results. Maximum on-site emissions are the highest emissions that would occur on the project site from on-site sources such as heavy construction equipment and architectural coatings and excludes off-site emissions from sources such as construction worker vehicle trips and haul truck trips.						
Source: CalEEMod simulation using CalEEMod2020.4.0, completed March 2022.						

Table 3.2 Maximum Daily Operational Emissions (lbs per day)

	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	2.89	0.13	0.53	<0.01	0.46	0.46
Energy	<0.01	0.04	0.02	<0.01	<0.01	<0.01
Mobile	0.17	0.19	1.73	<0.01	0.41	0.11
Project Emissions	3.06	0.36	2.28	<0.01	0.87	0.57
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded	No	No	No	No	No	No
Notes: Some numbers may not add up due to rounding. Emission data is pulled from “unmitigated” results. The table assumes the proposed project would comply with SCAQMD Rule 403.						
Source: CalEEMod simulation using CalEEMod2020.4.0, completed March 2022.						

Furthermore, SCAQMD’s Rule 403 governs fugitive dust emissions from construction projects. This rule sets forth a list of control measures that must be undertaken for all construction projects to ensure that no dust emissions from the project are visible beyond the property boundaries. Adherence to Rule 403 is mandatory and as such, does not denote mitigation under CEQA. Implementation of construction best management practices and dust control measures during construction would help to avoid exacerbating the non-attainment status for PM₁₀. In sum, the project’s regulatory compliance would be adequate to ensure that the construction and operational emissions would not exceed SCAQMD regional significance thresholds for all six criteria pollutants. Impacts are less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The existing single-family residences within a 500-foot radius of the Project Site are considered sensitive receptors. The proposed Project consists of new six new residences; new sensitive receptors are introduced to the area since the Project itself is considered a sensitive receptor.

Construction activities have the potential to emit diesel particulate matter (DPM). DPM is known to the State of California as a toxic air contaminant (TAC). Although off-road heavy-duty diesel equipment used for site grading, paving, and other construction activities would result in the generation of DPM, construction is only

² <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>

temporary. It occurs over a relatively short duration in comparison to the operational lifetime of the Proposed project. In addition, only portions of the site would be disturbed at a time, with operation of construction equipment regulated by federal, State, and local regulations, including SCAQMD rules and regulations, and occurring intermittently throughout the course of a day. Thus, the likelihood that any one sensitive receptor would be exposed to high concentrations of DPM for any extended period is low.

During operation, the project would not involve the use of stationary diesel engine or become a major on-site stationary source of TACs. The California Air Resources Board's Handbook includes facilities (e.g., distribution centers) with associated diesel truck trips of more than 100 trucks per day as a source of substantial TAC emissions. The project is not a facility that would generate such high numbers of diesel truck trips. As a residential project, it would not be a type of land use that would generate operational TACs (which typically include commercial or industrial uses such as dry cleaners, factories, and refineries). No industrial and distribution facilities, and major transportation projects are located within 1,000 feet. There are also no dry cleaners within 300 feet and no gasoline station within 500 feet. Therefore, the proposed project would not expose any existing sensitive receptors to any new permanent or substantial TAC emissions. The proposed Project is immediately surrounded by mostly residential uses and would not place new sensitive receptors to existing sources of pollutants. Impacts from exposure to substantial pollutants would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. The proposed Project consists of six detached single-family residences that would not generate objectionable odors, which are generally associated with agricultural activities; landfills and transfer stations; the generation or treatment of sewage; the use or generation of chemicals; and food processing. Construction equipment and activities may generate odors from diesel exhaust emissions, painting, and paving operations. There may be situations where construction odors would be noticeable by neighboring residents and other nearby individuals, but these odors would not be unfamiliar or necessarily objectionable. The odors would be temporary and would dissipate rapidly from the source with an increase in distance. Therefore, the impacts would be short-term and would not be objectionable to a substantial number of people.

Project operation would not result in objectionable odors as the project is a typical small single-family residential project that does not manufacture or store material, nor are uses allowed within the zone that would generate significant objectionable odors. The limited amounts of trash in the trash receptacles anticipated from residences are not considered significant source of objectionable odors. These trash receptacles would be located in an enclosed area and subject to regular maintenance, including the collection of trash for off-site disposal. Although the Project will include an onsite wastewater treatment system (OWTS) for each of the six parcels, the OWTS should not be a source of offensive odors as long as they are properly maintained. The OWTS shall be subject to the requirements of the Los Angeles County Department of Public Health and be subject to stringent monitoring and testing. There would be a less than significant impact and no mitigation is required.

4. BIOLOGICAL RESOURCES

		<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>Would the project:</p> <p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Less Than Significant Impact. The site is partially disturbed and supports remnant stands of coastal sage scrub, chaparral, and ruderal vegetation. No biological documentation has been prepared for the project site; however, queries of the California Natural Diversity Database and California Native Plant Society Inventory of Rare and Endangered Plants indicate recorded observations of 62 special-status species within the USGS 7.5-minute quadrangle containing the site and 8 adjacent quadrangles. Most of these are not expected to occur due to geographic range limitations and habitat requirements. Those with potential to occur on site include Peirson's morning-glory (*Calystegia peirsonii*), Palmer's grapplinghook (*Harpagonella palmeri*), slender mariposa lily (*Calochortus clavatus* var. *gracilis*), Plummer's mariposa-lily (*Calochortus plummerae*), southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), Bell's sage sparrow (*Amphispiza belli belli*), California horned lark (*Eremophila alpestris actia*), loggerhead shrike (*Lanius ludovicianus*), San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), San Diego desert woodrat (*Neotoma lepida intermedia*), coastal whiptail (*Aspidoscelis tigris stejnegeri*), rosy boa (*Charina trivirgata*), and coast horned lizard (*Phrynosoma blainvillii*).

If present on site, Peirson's morning-glory, Palmer's grapplinghook, slender mariposa lily, Plummer's mariposa-lily, southern California rufous-crowned sparrow, Bell's sage sparrow, loggerhead shrike, and San Diego desert woodrat would be restricted primarily to remnant patches of coastal sage scrub and chaparral vegetation outside of direct impact areas related to construction on the existing pads and approach road. Indirect impacts to these species could be expected through implementation of fuel-modification activities for fire protection; night lighting; introduction of pets and domestic animals; and chemicals including pesticides, herbicides, and fertilizers.

California horned lark, coastal whiptail, rosy boa, and coast horned lizard are tolerant or dependant on sparse habitats similar to the disturbed areas on site and may be subject to the indirect impacts listed above, as well as mortality or nest failure resulting from construction activity on the existing pads and access road.

Direct and indirect impacts to special-status species resulting from development of the site would be reduced to a less than significant level through the implementation of project conditions. The access roads and other development shall be designed to avoid impacting any areas where special-status species may be present. A wildfire burned over much of the site in October 2019, damaging or destroying much of the existing vegetation.

b) Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS?

Less Than Significant Impact. Several specimens of Tucker oak (*Quercus john-tuckeri*) are present on-site along the approach road. Individuals of this species occur on-site within the context of remnant chaparral vegetation and do not form part of a woodland. Remaining coastal sage scrub and ruderal vegetation on site is not considered sensitive by CDFW or other resource agencies.

c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, and drainages) or waters of the United States or California, as defined by § 404 of the Federal Clean Water Act or California Fish & Game code § 1600, et seq. through direct removal, filling, hydrological interruption, or other means?

Less Than Significant Impact. Drainage courses are present on the project site. One drainage course will be impacted by the project, which is located on Parcels 18 and 19 and includes part of the driveway leading to the building site on Parcel 19. In the event that this drainage course is recognized as CDFW jurisdiction under California Fish & Game Code 1600, et seq. a Streambed alteration Agreement would be required prior to any development impacting CDFW jurisdiction.

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

Less Than Significant Impact. The site lies approximately 1.9 miles west of the nearest linkage design recognized by the South Coast Missing Linkages Project (the San Gabriel – Castaic Connection); however, through-movement opportunities exist on site by virtue of its undeveloped condition and adjacency to intact natural habitat areas. These are sporadically interrupted by roads and suburban and rural development and extend west towards Cruzan Mesa and onward to Vasquez and Plum Canyons, and northeast along the complex system of ridges separating Mint and Tick Canyons. Wide-ranging mammals (coyote, bobcat, deer, etc), flying insects, birds, and bats are expected to traverse this network easily. Non-volant, small-bodied animals (rodents, reptiles, most invertebrates) are probably limited in their movement through the area by roads, especially Sierra Highway and Sand Canyon Road. Development of the project site would not be expected to appreciably frustrate existing movement opportunities.

Wildlife nursery sites on site may comprise nesting sites of native bird species, which are protected by the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755) and the California Fish and Game Code Section 3503.

Direct and indirect impacts to wildlife nursery sites resulting from development of the site would be reduced to a less than significant level through the implementation of project conditions.

e) Convert oak woodlands (as defined by the state, oak woodlands are oak stands with greater than 10% canopy cover with oaks at least 5 inch in diameter measured at 4.5 feet above mean natural grade) or other unique native woodlands (juniper, Joshua, southern California black walnut, etc.)?

Less Than Significant Impact. Several specimens of Tucker oak (*Quercus john-tuckeri*) are present on-site along the approach road. Tucker oak is a large shrub/small tree; individuals of this species occur on-site within the context of remnant chaparral vegetation and do not form part of a woodland. Remaining coastal sage scrub and ruderal vegetation on site is not considered sensitive by CDFW or other resource agencies.

Individuals of Tucker oak with single trunks larger than 8” at 4 ½ ft above the ground, or with any two trunks having a combined diameter of 12” at 4 ½ ft above the ground would be subject to the provisions of the Los Angeles County Oak Tree Ordinance.

f) Conflict with any local policies or ordinances protecting biological resources, including Wildflower Reserve Areas (L.A. County Code, Title 12, Ch. 12.36), the Los Angeles County Oak Tree Ordinance (L.A. County Code, Title 22, Ch. 22.174), the Significant Ecological Areas (SEAs) (L.A. County Code, Title 22, Ch. 102), and Sensitive Environmental Resource Areas (SERAs) (L.A. County Code, Title 22, Ch. 22.44)?

No Impact. The site is not located within a designated Wildflower Reserve Area, Significant Ecological Area, or Sensitive Environmental Resource Area. Oak trees are present which may be protected by the Los Angeles County Oak Tree Ordinance; however, impacts to these trees are not presently proposed.

g) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved state, regional, or local habitat conservation plan?

No Impact. The site is not located within an area subject to the provisions of an adopted habitat conservation plan.

5. CULTURAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines § 15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. A historical resource under the CEQA definition generally falls within one of three categories: 1) mandatory; 2) presumptive; and/or 3) discretionary. A “historical resource” is a resource that meets one or more of the following criteria:

Mandatory Resource:

- Formally listed in, or determined by the State Commission to be eligible for listing in, the California Register of Historical Resources(California Register);

Presumptive Resource:

- Officially listed in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k) or be recognized by local ordinance or resolution (or in local general plan);
- Identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or;
- Determined to be a historical resource by an agency by a preponderance of the evidence that the site is not historically or culturally significant (PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a)(2)).

Discretionary Resource:

- May be determined to be historic in agency discretion, independent of any decision to list or not on a register, pursuant to PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a)(3)).

According to the County’s Historic Resource/Cultural Resource Map, no resources are identified on the project site. The Project Site consists of vacant land and no designated historical resources exist on or near the project site. Existing accessory structures such as a storage units and water tanks exist on three of the six residential parcels. The Project will not impact any identified historic resources defined in CEQA Guidelines § 15064.5 for the following reasons:

- The property is not formally listed in the National Register of Historic Places.
- The property is not formally listed in, or determined to be eligible by the State Historical Resource Commission, for listing in the California Register of Historical Resources.
- The property is not included in a local register of historical resources or identified as significant in a historical resource survey meeting the requirements of 5024.1(g) of the Public Resources Code.
- The property is not designated by the County’s Historic Preservation Ordinance in the Registry of Landmarks and Historic District

- The existing accessory structures are not determined by the County to be historically significant. These structures and its architecture are neither unique nor distinctive in the area. They are not associated with significant events that made contribution to the broad pattern of California’s history or cultural heritage, not associated with any important persons, nor embody distinctive characteristics of a type, period, or method of construction or present the work of important creative individual. No famous person is associated with the existing structures, nor was it designed by an important creative individual.
- The property is unlikely to yield information important in prehistory or history.

The existing structures do not meet the definition of a historical resource and are not determined to be a significant historical resource; therefore, impact is less than significant. No historic resources are known to exist on the site.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?

Less Than Significant Impact. The Project Site has been previously disturbed by rough grading. The proposed ground-disturbing footprint will be primarily limited to previously graded areas. No archaeological resources are known to exist on the project site. Due to the potential for unknown archaeological resources to be discovered during the fine grading phase of the project, mitigation measures have been developed in consultation with the Fernandeno Tataviam Band of Mission Indians to cease project activities in the area of any cultural resource or tribal cultural resource that may be found, to develop a Monitoring and Treatment Plan and provide an archaeological monitor in the event that significant resources are found, to consult with the tribe regarding the disposition and treatment of any tribal cultural resources encountered during all ground disturbing activities, and related measures to protect cultural resources and tribal cultural resources.

Conditional Use Permit Conditions of Approval:

- Draft Condition No. 31: In the event that Tribal Cultural Resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. The Department or permittee shall contact the Fernandeno Tataviam Band of Mission Indians (FTBMI) to consult if any such find occurs.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. It is not currently known whether unmarked human remains may exist on the site. Human remains can be found unexpectedly on development sites during grading activities. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within a project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and recommendations regarding the disposition of the human remains have been made to the person responsible for the excavation, or to an authorized representative. If the coroner determines that the remains are not subject to his or her authority and if the coroner determines or believes the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC. This requirement will be included as a conditional of approval for the project

Conditions of Approval:

- Draft Condition No. 32: If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted by the permittee or their representative pursuant to State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the Project.
 - Inadvertent discoveries of human remains and/or funerary object(s) are subject to California State Health and Safety Code Section 7050.5, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.

d) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. Any paleontological resources that may have existed on-site is likely to have been disturbed by previous grading activity. No unique geological features or rock formations will be disturbed by the project. If paleontological resources are discovered during grading or other project activities, then work on the project shall be halted and the Los Angeles County Natural History Museum and the Department of Regional Planning (DRP) shall be notified. A certified paleontological resource specialist would need to be retained by the applicant to ensure the protection of paleontological resources in the event that such resources are discovered on the site. Work may not resume on the site in this situation until clearance is given by the paleontological specialist. This will be included as a CUP condition.

6. ENERGY

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The project would not involve inefficient use of energy resources. During operation, the proposed project would be powered by solar energy and would be connected to the Southern California Edison energy grid as a secondary power source. Each property would also be equipped with a battery for storage of surplus energy generation and use during nighttime and on cloudy days. Overall, the project would be required to comply with the mandatory provisions of the Los Angeles County Title 31 Green Building Standards Code and all other applicable requirements to achieve the objective of improving public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact, or positive environmental impact, and encouraging sustainable construction practices. Title 31 which is based on the California Green Building Standards Code (CALGreen), for residential construction. Title 31 addresses green building, energy efficiency, water efficiency and conservation, low-impact development, and landscape design. The project would be reviewed by the County Department of Public Works to ensure that the building construction techniques, building materials, and landscape design are consistent with the principles of sustainability and green design in the Los Angeles County Green Buildings Standard Code.

b) **Conflict with or obstruct a state or local plan for renewal energy or energy efficiency?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The project would include residential solar power installation for each single-family residence and would comply with the state’s renewal energy plan. The proposed project is required to provide energy saving features to comply with applicable County Green Building Standards Code, as well as Green Building Standards Code (CALGreen Code) of Title 24 of the California Code of Regulations and the State of California Green Code. The efficient energy consumption measures required by the Green Building Standards Code and CALGreen would result in a less than significant impact.

7. GEOLOGY AND SOILS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known active fault trace? Refer to Division of Mines and Geology Special Publication 42.**

No Impact. Based on criteria established by the California Geological Survey (CGS), faults can be classified as active, potentially active, or inactive. CGS establishes regulatory zones around active faults, called Alquist-Priolo Earthquake Fault Zones. An active fault, for the purposes of the Alquist-Priolo Act, is one that has ruptured in the last 11,000 years. These zones, which extend from 200 feet to 500 feet on each side of a known fault, identify areas where a potential surface fault rupture could prove hazardous for buildings used for human occupancy. Development projects located within an Alquist-Priolo Earthquake Fault Zone are required to prepare special geotechnical studies to characterize hazards from any potential surface ruptures. The CGS states that wherever an active fault exists, if it has the potential for surface rupture, a structure for human occupancy cannot be placed over the fault and must be a minimum distance from the fault (generally fifty feet).

There are no known active faults traversing the project site, and the project site is not located within the Alquist-Priolo Earthquake Fault Zone or any other established fault zones according to the CGS California Earthquake Hazards Zone Application (EQ Zapp)³. The San Gabriel Fault is the nearest earthquake fault to the project site and is located approximately six miles southwest of the project site. Thus, the project would not be exposed to fault rupture hazards along the San Andreas Fault, and no impact would occur.

ii) **Strong seismic ground shaking?**

Less Than Significant Impact. As part of a seismically active region, there is a risk of strong seismic ground shaking due to the presence of a major or potentially active faults throughout Southern California. As previously stated, the Project Site does not contain any active faults.

The California Building Code and County Code Title 26 and Title 30 contain provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the strength of

³ <https://maps.conservation.ca.gov/cgs/EQZApp/app/> [Accessed February 23, 2022]

ground motion with specified probability of occurring at the site. It requires the preparation of project-specific geotechnical reports prepared by a Certified Engineering Geologist or Geotechnical Engineer prior to construction of proposed structures. Site specific requirements are incorporated into project plans that are reviewed by County Building and Safety Division prior to issuance of permits and improvements are inspected in the field prior to permit sign off to ensure that these requirements are implemented.

Due to the seismic history of the region, all structures, including extension of public utilities and infrastructure to serve the proposed development, will be designed to resist seismic forces in accordance with the criteria and seismic design parameters contained in the most current version of the California Building Code. The construction and placement of all structures and infrastructure facilities would conform to state regulations, seismic design requirements, ordinances, and existing standard requirements. Impacts related to seismic ground shaking would be less than significant.

iii) **Seismic-related ground failure, including liquefaction and lateral spreading?**

Less Than Significant Impact. Liquefaction describes a phenomenon where cyclic stresses, which are produced by earthquake-induced ground motions, create excess pore pressures in cohesionless soils. As a result, the soils may acquire a high degree of mobility, which can lead to lateral spreading, consolidation and settlement of loose sediments, ground oscillation, flow failure, loss of bearing strength, ground fissuring, and sand boils, and other damaging deformations. This phenomenon occurs only below the water table, but after liquefaction has developed. It can propagate upward into overlying, non-saturated soil as excess pore water escapes. Liquefaction, as well as other ground failure hazards such as lateral spreading, flow failures, ground oscillations, sand boils, and/or general loss of bearing strength can lead to near-surface or surface ground failure that can result in property damage and structural failure. Should any structures be located in areas potentially susceptible to ground failure hazards, a potentially significant impact would occur.

Liquefaction Zones identify where the stability of foundation soils must be investigated, and countermeasures undertaken in the design and construction of buildings for human occupancy. Statutes require that cities and counties use these zones as part of their construction permitting process. A small western portion of Parcel 25 of the Project Site is mapped within a Liquefaction Zone Area where historical occurrence of liquefaction, or local geological, geotechnical and ground water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required.

A geotechnical investigation will be required when the proposed work is a "Project" as defined in California Public Resources Code section 2693 and is located in an area designated as a "Seismic Hazard Zone" as defined in section 3722 of Title 14 of the California Code of Regulations and on Seismic Hazard Zone Maps issued by the State Geologist under Public Resources Code section 2696. Furthermore, the geotechnical report shall include data regarding the nature, distribution, and strength of existing soils, conclusions, and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary, and an opinion on the adequacy for the intended use of sites to be developed by the proposed grading as affected by geotechnical factors, including the stability of slopes. This investigation would also include a liquefaction study for any parcels that meet the criteria stipulated by County Code Section 1613 in Chapter 16 of Title 26 Building Code for liquefaction potential and any recommendations shall be incorporated in the site plans. This Project would prepare parcel-specific geotechnical investigation as determined by the County Building Official during the plan check stage to ensure that any proposed liquefaction or lateral spreading risks to the proposed structures would be reduced to less than significant.

iv) Landslides?



Less Than Significant Impact. The CGS designates the portions of the Project Site as being within a landslide and liquefaction zone According to the CGS's Landslide Inventory, the western portions of the Parcel 18 and Parcel 19 are mapped within a Definite Dormant Old/Mature/Age Not Specified Landslide Activity. Another area directly north of Fitch Avenue overlapping the northern portion of Parcel 23 and southern portion of Parcel 25 is mapped Questionable Landslide for earth flow, which means that there is a 50 percent confidence level that it is a landslide, but a geomorphic feature could be explained by other processes and cannot be certain it is a landslide without detailed site investigation.

The landslide activity classification is based on the recency of activity into one of four categories (i.e., active/historic, dormant/young, dormant/mature, dormant/old) based on the system created by Keaton and DeGraff in 1996. The designation of activity shows an estimate of how recently the landslide moved, but also suggests the type of hazard represented. More recently active landslides are more likely to continue to fail, or to fail completely. Older landslides are less likely to move as single slide masses, but may be the source of smaller slides. The present risk at the Project is earth flow moving northwest in the 300 degree direction. CGS defines an earth flow as “a specific type of soil flow landslide where the majority of the soil materials are fine-grained (silt and clay) and cohesive. The material strength is low through much of the slide mass, and movement occurs on many discontinuous shear surfaces throughout the landslide mass. This movement along numerous internal slide planes disrupts the landslide mass leading to cumulative movement that resembles the flow of a viscous liquid characterized by a lumpy, or “hummocky” slope morphology. The lower parts of an earth flow usually bulge outward and are steeper than adjacent slopes. Earth flows commonly occur on moderately steep slopes. Slope gradients are commonly from 10% to as steep as 30%, although steeper slopes may be found in headscarp and toe areas. Earth flows typically are initiated by periods of prolonged rainfall and sometimes do not initiate until well after a storm or the rainy season has passed. They are characteristically slow moving, in the millimeters or centimeters per day range, and may continue to move for a period of days to weeks after initiating.”⁴

During the plan check stage, the Department of Public Works may require an engineering geology or soils engineering report (or both), prepared by a licensed professional in the State of California. The engineering geology or soils engineering report or both shall contain a finding regarding the safety of the site of the proposed work against hazard from landslide, settlement or slippage and a finding regarding the effect that the proposed work will have on the geotechnical stability of the area outside of the proposed work.

Furthermore, the proposed single-family residences, accessory structures, and associated infrastructure will be required to comply with the 2019 California Building Code and Residential Code, which have been adopted and incorporated by reference into Title 26 and Title 30 of the County Code. Title 26 and Title 30 of the County Code provides minimum standards to protect property and the public welfare by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. Specifically, there are seismic design regulations governing the design and construction of new buildings and additions to existing buildings when constructing such buildings on or into slopes steeper than 33.3 percent. Site specific requirements are incorporated into project plans that are reviewed by County Building and Safety Division prior to issuance of permits and improvements are inspected in the field prior to permit sign off to ensure that these requirements are implemented. If necessary, the proposed project could be conditioned to be setback further from an unstable part of a slope and the project may be conditioned

⁴ <https://www.conservation.ca.gov/cgs/landslides#earthflows>

for soil mitigation, such as soil stabilizing measures, as required by the Los Angeles County Public Works Geotechnical and Materials Engineering Division. Due to the age of the landslide activity and there is no record of recent landslide activity in the project vicinity, the Project would have less than significant related to landslide after complying with the applicable requirements specified in the California Building Code and County Code related to slope stability and hazards against landslide.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Grading is proposed for the project, including an estimate of 18,867 cubic yards of cut and 16,338 cubic yards of fill, to be balanced on site. Erosion control measures will be incorporated as project features. The project is required to submit a hydrology study and Low-Impact Development (LID) plan to DPW Land Development Division and to comply with LID (County Code Section 12.84.440) standards in accordance with the LID standards manual. These standards are designed to Minimize hydromodification impacts to natural drainage systems, including erosion impacts, as well as preventing pollution.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact. As discussed above in the response to Checklist Question 7(a)(i) through (iv), the Project will conduct a detailed site geotechnical investigation at each parcel during the plan check stage to determine soil and slope conditions for the proposed building pads of each residence. This geotechnical investigation would make specific recommendations with respect to the building foundation and grading activities that would reduce potential impacts to less than significant level. Additionally, the proposed Project would be constructed in conformance with all applicable engineering and building standards enforced by the County Division of Building and Safety and under observation and testing of a geotechnical engineer. The geotechnical engineer would provide continuity of geotechnical interpretation and check that the recommendations presented for geotechnical aspects of site development are incorporated during site grading, construction of improvements, and excavation of foundations. Due to seismic compliance standards, the construction contractor shall also incorporate best management practices consistent with the guidelines provided in the California Storm Water Best Management Practice Handbooks: Construction as well as project design elements consistent with Office of Statewide Health Planning and Development, California Building Code, Uniform Building Code, or other required standards to further reduce any potential for impacts resulting from unstable slopes that may result in collapse. Therefore, impacts including the risk of landslide, lateral spreading, subsidence, liquefaction, or collapse would be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. Expansive soils contain significant amounts of clay particles that swell considerably when wetted and shrink when dried. Foundations constructed on these soils are subject to uplifting forces caused by the swelling. Grading would occur to create building pads that are in compliance with the applicable requirements related to expansive soil of the California Building Code and the County Building Code. The detailed site geotechnical investigation at each parcel will identify soils that may possess expansive characteristics and the removal depth shall be determined by a geotechnical engineer in the field

during grading. All proposed engineered grading shall be performed in accordance with an approved grading plan and specifications prepared by a Civil Engineer, unless otherwise required by the Building Official. Furthermore, grading inspections shall be conducted under a permit to ensure that grading operations are performed under the retained services of a Field Engineer, Geotechnical Engineer, and Engineering Geologist. The Field Engineer for all engineered grading projects shall prepare routine inspection reports and shall file these reports with the Building and Safety Division. Therefore, the detailed site investigation and the routine inspections of grading operations by the County Building Official, the Project would have less than significant impact related to expansive soils.

e) **Have soils incapable of adequately supporting the use of onsite wastewater treatment systems where sewers are not available for the disposal of wastewater?**

Less Than Significant Impact. As discussed in the Section 19, Utilities and Service Systems, the project site proposes the use of both conventional and non-conventional OWTS. Prior to the issuance of a building permit, a work plan and feasibility report shall be required for each residential parcel to document soil profile excavation, exploratory boring to determine historic and seasonal high groundwater mark, presence of subsurface water, and percolation testing to confirm that the soil on the property could support the use a conventional OWTS or non-conventional OWTS. Testing shall be conducted in an area likely to be utilized as a dispersal field, including the 100% future dispersion area. The report shall be prepared in compliance with the “Conventional and Non-Conventional Onsite Wastewater Treatment Systems – Requirements and Procedures.” Non-conventional OWTS will account for the smaller dispersal field or site condition limitations not conducive to conventional OWTS by making use of supplemental treatment components, telemetry features, system sampling, reporting, annual permit, and a County Registrars recorded covenant & agreement on the properties/parcels title ensure compliance and monitoring. Therefore, impacts would be less than significant in the event soils were found to be incapable of supporting a conventional OWTS.

f) **Conflict with the Hillside Management Area Ordinance (L.A. County Code, Title 22, Ch.22.104)?**

Less Than Significant Impact. The Project Site located within a Hillside Management Area containing slopes of 25 percent or greater and is therefore subject to the Hillside Management Ordinance. A Hillside Management Conditional Use Permit (CUP) is required. A rural land use designation in a Hillside Management Areas is required to provide at least 70 percent of land for open space (up to 33 percent of the dedicated open space as improved open space) as well as implement design guidelines as part of the project. The proposed project will provide at least 70 percent to open space and incorporate design guidelines The project is designed to minimize grading and disturbance to hillside areas. **All proposed buildings will not exceed two stories in height.** Therefore, the approval of the requested Hillside Management Areas CUP would ensure compliance with the Hillside Management Ordinance.

8. GREENHOUSE GAS EMISSIONS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) **Generate greenhouse gas (GHGs) emissions, either directly or indirectly, that may have a significant impact on the environment?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The project will generate GHGs during construction and operation. The project is not a large-scale development that would have significant cumulative GHG impacts in the Antelope Valley Region or have a significant impact on GHG emission levels. The majority of guests are expected to arrive in buses and vans, reducing the need for motor vehicle trips, and thus resulting in lower GHG emissions. Buildings used for the project will be required to comply with CalGreen building standards to reduce potential GHG impacts and improve energy efficiency. The site proposes to use solar panels, thereby reducing the amount of GHGs generated by the project. Compliance with the CalGreen standards and the use of solar panels will help to reduce GHG impacts, and such impacts will be at less than significant levels.

b) **Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The Los Angeles County General Plan 2035 adopted in 2015 contains a Community Climate Action Plan (CCAP) identifying the County’s goals with regard to climate change and GHGs. This project is required to comply with the current Title 31 standards, the County’s Green Building Standards, which are intended to “improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact, or positive environmental impact, and encouraging sustainable construction practices” in the areas of planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental air quality. The use of solar panels by the project is also consistent with the County’s plans and policies, including the CCAP. The scale of this project is relatively small and it does not conflict with any specific requirement in the CCAP, or GHG requirements of the California Air Resources Board (ARB), AVAQMD, or any other pertinent state or local agency.

9. HAZARDS AND HAZARDOUS MATERIALS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) **Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. Hazardous materials are generally defined as any material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or future hazard to human health and safety or to the environment, if released into the workplace or the environment (Health and Safety Code §25501(o)). The California Department of Toxic Substances (DTSC) is responsible for classifying hazardous materials in the state of California. Hazardous materials are commonly stored and used by a variety of businesses and are commonly encountered during construction activities.

The type and quantities of hazardous materials to be used in association with the Project would be typical of those used in single-family residential developments. The project does not include the routine transportation, storage, production, use, or disposal of hazardous materials, or the use of pressurized tanks. During the construction phase of the project, the project may include minimal use of hazardous materials, such as solvents, paints, lubricants, oils, and other hazardous materials that are commonly associated with construction activities. Hazardous materials that are used during construction would be transported, used, stored, and disposed in accordance applicable County, State, and Federal laws. After construction, unused hazardous materials may be properly transported for use at other projects. Hazardous wastes may be properly disposed at licensed facilities or recycled to minimize wastes requiring disposal.

During operation, the proposed six single-family residences would use common, everyday hazardous materials such as cleaning products (floor and antiseptic cleaners), painting supplies, pool maintenance products, and landscaping products (fertilizers, pesticides, and herbicides) that may be hazardous if improperly used or ingested. These products have a low incidence of unsafe use. Materials that may be used during construction and operation are not acutely hazardous. While it is impossible to guarantee compliance from Project residents, it is likely that virtually all potentially hazardous materials, presumed to be in small quantities, would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations.

b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The Project is unlikely to create significant hazard to the public or environment through accidental release of large quantities of hazardous materials or waste into the environment. The Project involves construction of six new single-family residences, which typically require grading, site preparation, installation of infrastructure to provide power, potable water, gas, and wastewater

services, and other works associated with residential construction. The hazardous materials to be used in association with operation of the Project are anticipated to be everyday products such as cleaning solvents, painting supplies, and pesticides for landscaping. Further, there was no significant environmental concern induced by the present or past operations and practices at the Project site and its immediate vicinity. Compliance with California Fire Code standards for design, storage, operations, maintenance, and spill prevention/response measures, would reduce impacts associated with the handling of hazardous materials during construction and operation of the proposed project to less than significant level.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses?

Less Than Significant Impact. Sensitive land uses are generally considered to be uses such as residential uses, schools, churches, playgrounds, senior citizen centers, hospitals, day-care facilities, or other uses that are more susceptible to hazardous materials. The proposed Project itself is considered a sensitive land use. The sensitive uses within one-quarter mile of the Project Site include the residential communities (i.e., single-family residences and mobile home parks) to the north and south of the Project Site. There are two adjoining single-family residential properties to the Project Site, but these are also owned and operated by the Project Applicant.

Despite the Project Site’s proximity to sensitive land uses, Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Existing regulatory measures and local oversight of the County Fire Department on residential construction would avoid significant hazardous emissions to the public or environment. Standard protocols would be adopted to minimize the risk associated with hazardous materials and wastes handling and use. Because the proposed Project does not anticipate using large quantities of hazardous materials, accidental hazardous material releases would be low under existing regulatory requirements. Materials that may be used during construction and operation are not acutely hazardous. Everyday cleaning products used during operation contaminating hazardous materials or substances have a low incidence of unsafe use. Compliance with California Fire Code standards for design, storage, operations, maintenance, and spill prevention/response measures, would reduce impacts associated with the handling of hazardous materials during construction and operation of the proposed project to less than significant level.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The project site was not found on the list pursuant to Government Code Section 65962.5. The Project Site is currently undeveloped and is not located in an area with a history of industrial uses or hazardous material uses. Government Code Section 65962.5 requires the DTSC, State Department of Health Services, State Water Resources Control Board, and local enforcement agency to compile and update as appropriate, at least annually, the “Cortese” List, and submit to the Secretary of Environmental Protection for consolidation and distribution. The Hazardous Waste and Substances Sites List is a planning document used by the State, local agencies and developers to comply with the CEQA requirements in providing information about the location of hazardous materials release sites. A review of the Hazardous Waste and Substances Site

List –Site Cleanup database⁵ showed no records on the project site. The project sites are not included in any Water Board’s list of solid waste disposal sites, list of “active” orders where necessary actions have not yet been completed (known as Cease and Desist Orders (CDO) and Cleanup and Abatement Orders (CAO)). According to the State Water Resources Control Board Geotracker database, there are no leaking underground storage tank (LUST), permitted USTs, or cleanup sites identified on the property. Results from the DTSC’s EnviroStor database also shows no records of cleanup sites or permitted sites on the property.

The Project Site has no documented occurrence or potential of either petroleum or hazardous material contamination. Existence of significant environmental impairments is unlikely. Due to the undeveloped nature of the Project Site, it is unlikely unknown hazardous environmental concerns exist on the property. Thus, less than significant impact would occur.

e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The project is not located within the vicinity of an airport, a private airstrip or an airport land use plan. The nearest airport, Palmdale Regional Airport, is more than 31 miles away. It would therefore have no impact for any potential safety hazards or excessive noise for people residing or working in the project area.

f) Substantially impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The Project site is primarily vacant and undeveloped. The project is near the Sierra Highway, which is designated as a Highway Disaster Route according to Figure 12.6 Disaster Routes of the Los Angeles County General Plan 2035. However, the project does not have direct vehicular access to this route. The access will be provided via private access path, which will connect Sierra Highway to the Project Site. Implementation of the Project would not result in the closure of Sierra Highway, or any streets designated as an evacuation route in an adopted emergency response or evacuation plan. Construction activities and staging areas would be confined to the Project site. The construction activities would not physically impair access to and around the Project site. Furthermore, development of the Project would comply with County’s building and applicable fire and safety codes, which would require adequate access for fire personnel and equipment in and out of the Project site. Therefore, impacts would be less than significant.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving fires, because the project is located:

i) within a high fire hazard area with inadequate access?

⁵ Accessed March 22, 2022. http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

Less Than Significant Impact. The Project Site is located within a Very High Fire Hazard Severity Zone but on-site adequate Fire access will meet Los Angeles County Fire Department (Fire Department) access requirements. The Project Site will be connected to the Sierra Highway, designated as a Highway Disaster Route by the 2035 General Plan, via a private road. The County Fire Code requirements would stipulate applicable County access standards (i.e., roadway widths, all-weather surface requirements, length of streets, turning requirements, grade restrictions, maintenance requirements, and parking restrictions) that would be implemented by the Project. Specific fire and life safety requirements would be addressed at the building permit phase when architectural plans are submitted to the Fire Department for review and approval. Therefore, impacts would be less than significant.

ii) within an area with inadequate water and pressure to meet fire flow standards?

Less Than Significant Impact. As mentioned above, the project will be required to meet the required fire flow standards of the LACFD. The LACFD Fire Prevention Division has reviewed the conceptual design of the proposed Project and issued a clearance letter for the project CUP in letter dated October 4, 2021 with recommended conditions of approval including the plan check phrase with a Fire Engineer and ensure compliance with fire flow standards. Therefore, impacts would be less than significant.

iii) within proximity to land uses that have the potential for dangerous fire hazard?

Less Than Significant Impact. As mentioned above, the project is located within a Very High Fire Hazard Severity Zone. The regional natural vegetation in this area is highly prone to wildfires. Residential uses do not generally present a high potential for dangerous fire hazards. However, wildfires may occur in this area due to its highly natural state. The Project will comply with all applicable fire safety requirements including fuel modification as required by the CUP conditions of approval. Therefore, impacts would be less than significant.

h) Does the proposed use constitute a potentially dangerous fire hazard?

Less Than Significant Impact. The Project will not be a source of dangerous fire hazard because it does not involve the storage, use, or transportation of flammable chemicals and other combustible materials. The Project only consists of six two-story high single-family residences and is not a commercial or industrial operation that would use large quantities of hazardous materials to have the potential to ignite a dangerous fire. The plan check phrase of the Project would ensure compliance with the fuel modification requirements, water system requirements, and access requirements of the Fire Department. Therefore, it will not constitute a potentially dangerous fire hazard.

10. HYDROLOGY AND WATER QUALITY

	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Violate any water quality standards or waste discharge requirements?

Less Than Significant Impact. Development of the proposed project may result in two types of water quality impacts: 1) short-term impacts due to construction related discharge of pollutants and through wind and water driven erosion of soil; and 2) long-term impacts from operation or changes in site runoff characteristics such as buildings, roads, parking lots (impervious surfaces) that prevent water from being absorbed back into the ground which also results in increase rate and flow of stormwater runoff. Runoff can contain pollutants such as oil, fertilizers, pesticides, trash, soil, and animal waste. These pollutants flow into water bodies such as lakes, streams, rivers, and ultimately drain into the ocean. The increased urban runoff also leads to increase in intensity of flooding and erosion.

Through the Clean Water Act, the United States Environmental Protection Agency has established regulations under the National Pollutant Discharge Elimination System (NPDES) program to control direct storm water discharges in order to ensure that water quality standards are upheld. Point source discharges are regulated through the local Regional Water Quality Control Board. This federal program has also delegated authority to the California State Water Resources Control Board (State Water Board) and the nine Regional Water Quality Control Boards (Regional Water Boards) for implementation. Each regional board prepares and maintains a Basin Plan, which identifies water quality objectives to protect the waters of that region. The objectives detailed in the Basin Plan range from controlling the amount of oxidized ammonia in inland surface waters to regulating the mineral quality of ground waters. The Basin Plans achieve the identified water quality objectives through implementation of Waste Discharge Requirements (WDRs). These water quality objectives are achieved by employing three strategies for addressing water quality issues: control of point source pollutants, control of nonpoint source pollutants, and remediation of existing contamination.

The Project Site is located within the Los Angeles Regional Water Quality Control Board (LARWQCB) that is responsible for the issuance of waste discharge requirements, construction stormwater runoff permits, and NPDES permitting. The LARWQCB's Basin Plan has established water quality standards to protect waters in the region through the implementation of WDRs and the control of point and non-point source pollutants.

The pollutants of greatest concern during construction activities are generally sediment, which may run off the project site due to site grading or other site preparation activities, and hydrocarbon or fossil fuel remnants from the construction equipment. Construction runoff is regulated by the California's WDRs and the NPDES Construction General Permit. The permits are issued by the appropriate Regional Water Quality Control Board and may set discharge limitation or other discharge provisions and applies to all construction which disturbs an area of at least one acre.

Section 402 of the federal Clean Water Act requires dischargers of potential pollutants into waters of the United States to: (1) implement best management practices (BMPs) to eliminate or reduce point and non-point source discharges of pollutants, and, (2) if one acre or more of soil is disturbed during construction, to

prepare a site-specific Storm Water Pollution Prevention Plan (SWPPP) to protect human health and the environment, and obtain a NPDES permit. NPDES permits establish enforceable limits on discharges, require effluent monitoring, designate reporting requirements, and require construction and post-construction BMPs to eliminate or reduce point and non-point source discharges of pollutants. Point source discharges are regulated through the local Regional Water Quality Control Board.

Construction

Construction projects typically expose soil to erosion and may temporarily alter drainage patterns. Storm water runoff during construction may contain soil amendments such as fertilizers and pesticides, trash, waste oil, paints, solvents and other substances used during construction. Because the Project Site is more than one acre, a General Construction Activity Storm Water Permit and a site-specific SWPPP are required. The project is covered by the requirements of the County's MS4 Permit (Municipal Separate Storm Sewer System NPDES Permit) to control and minimize potentially polluted runoff. Furthermore, the proposed project would also be required to comply with the requirements of the County's Low-Impact Development (LID) Ordinance and Stormwater Ordinance (Chapter 12.80 of County Code). The LID Ordinance is designed to promote sustainability and improve the County's watersheds by preserving drainage paths and natural water supplies in order to '...retain, detain, store, change the timing of, or filter stormwater or runoff.'

Compliance with the County LID Ordinance would reduce potential water quality impacts and the Stormwater Ordinance would address discharge, deposit, or disposal of any stormwater and/or runoff to the storm drain system and/or receiving waters within the area covered by MS4 Permit. As part of the conditions for the grading permit issuance, the project will also implement appropriate BMPs such any slopes with disturbed soils or denuded of vegetation must be stabilized and eroded sediments and other pollutants must be retained on site. Implementation of appropriate BMPs, compliance to the requirements of the MS4 Permit, LID Ordinance, and Stormwater Ordinance would ensure that the construction of the project would not violate any water quality standards or discharge requirements, or otherwise substantially degrade water quality.

Operation

The project site is currently undeveloped and mostly unimproved with a segment of the Fitch Avenue running through Parcels 18, 20, 25 and Parcel 28. The proposed six building pads with a new two-story single-family residence and associated accessory uses on each would result in a greater area of impervious surfaces. Although not all disturbed areas would result in impervious surfaces, the estimated construction footprint of the Project, excluding fuel modification zones but including water infrastructure, solar arrays, driveways/access roads, utility easements, is estimated at 155,403 square feet or 3.57 acres (18 percent) of a 19.86-acre site. More than 70 percent of the Project Site would remain open space. The surface water runoff from the Project Site would be directed to adjacent storm drains. Catch basin, infiltration basin would be incorporated into the project design per LID requirements and Stormwater Ordinance.

The Project will be served by a conventional and/or non-conventional on-site wastewater treatment systems (OWTS) on each parcel. The State Water Resources Control Board's OWTS Policy⁶, required by Assembly Bill (AB) 885, provides a multi-tiered strategy for management of OWTS in California, and sets standards for wastewater treatment and monitoring requirements. It also authorizes the State, through the Regional Water Boards, to authorize local governments to approve OWTS for domestic wastewater through a Local Area Management Program (LAMP). LAMP allows DPH to regulate septic systems within the unincorporated areas as well as the contract cities and implement alternate standards from OWTS Policy Low Risk standards, including the conditions that allow DPH to issue operating permits for non-conventional OWTS. Prior to

⁶ State Water Resources Control Board adopted the Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems, dated June 19, 2012, also referred to as the "OWTS Policy"

LAMP, OWTS discharges effluent loadings exceeding 10,000 gallons per day would fall under the regulations of the State’s WDR permitting. These projects would be required to comply with WDRs (Title 23 of the California Code of Regulations), issued by the local Regional Water Quality Control Board. Under this scenario, the proposed project would have to demonstrate compliance with such requirements in order to receive construction permits and certificates of occupancy. Under LAMP, the Project would not be required to apply a WDR permit from the local Water Board for the OWTS but would fall under the purview and oversight of the Land Use Program of the County Department of Public Health (DPH), Environmental Health Division.

The OWTS on each parcel must undergo a rigorous septic system plan check and approval process before an OWTS could be installed by a qualified contractor. A feasibility report, plot plan, and floor plan are required as well as proof of availability of potable water is also required for a new building. The proposed OWTS must also designate and test both the initial dispersal system and the future dispersal area. In the requested CUP, conditions of approval are imposed to ensure that the installation of OWTS would not result in significant environmental effects. Prior to the issuance of a building permit, a work plan and feasibility report shall be required for each residential parcel to document soil profile excavation, exploratory boring to determine historic and seasonal high groundwater mark, presence of subsurface water, and percolation testing to confirm that the soil on the property could support the use a conventional OWTS or non-conventional OWTS. Testing shall be conducted in an area likely to be utilized as a dispersal field, including the 100% future dispersion area. The report shall be prepared in compliance with the “Conventional and Non-Conventional Onsite Wastewater Treatment Systems – Requirements and Procedures.” In sum, all operational activities would comply with applicable provisions required to local, State, and Federal laws. Therefore, implementation of the regulatory requirements would ensure operation-related impacts to any water quality standards would be less than significant.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. The Project Site is located within the Santa Clara River Valley Groundwater Basin⁷ and a small eastern segment of the Project Site (extending from Sierra Highway) falls within the Upper Santa Clara River Basin (also known as the Eastern Santa Clara River Valley Basin or East Subbasin), which is part of the larger Santa Clara River Valley Groundwater Basin. The Basin encompasses an area of approximately 103 square miles and comprises two primary aquifers that are used for groundwater production. They provide about 50 to 60 percent of the water supply for the Santa Clarita Valley residents: a shallow Alluvial Aquifer and an older, underlying geologic unit called the Saugus Formation. The main surface drainage features in the area include the Santa Clara River (which provides most of the annual groundwater recharge to the groundwater system), Bouquet Creek, and Castaic Creek.

According to current groundwater levels data from March 2020 to September 2021 obtained from a nearby monitoring well along Sierra Highway, ground surface depth to groundwater level was 61.1 to 63.5 feet⁸. Due to this depth of the ground to groundwater level, groundwater is not anticipated to be encountered during construction activities. In the rare event that groundwater is encountered, a treatment system would be implemented. A dewatering permit would be obtained from the Los Angeles County if treated groundwater needs to be discharged into the San Clara River.

⁷ <https://dwr.maps.arcgis.com/apps/Styler/index.html?appid=740d10eefd6148579321a3abcd065a36>

⁸ <https://wdl.water.ca.gov/GroundwaterBrowseData.aspx?StationId=49744>

the project would conform to the County’s LID Ordinance by having an LID-compliant grading and site plan, which would account for potential modifications to flow and reduce any potential for flooding on- or offsite. Additionally, implementation of the SWPPP would reduce the amount of surface water runoff after storm events, as the Project would be required to implement Stormwater BMPs and comply with NPDES and the LID Ordinance. In sum, the project must comply with LID requirements and obtain approval for a drainage plan from DPW Land Development Division. The project may not result in flooding on or offsite in order to comply with the LID requirements.

(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. As previously discussed, the project is covered by the requirements of the County’s MS4 Permit to control and minimize potentially polluted runoff. Per the County’s LID Ordinance and Stormwater Ordinance, the project may not result in an excessive amount of runoff which would exceed the capacity of stormwater drainage systems or substantially increase polluted runoff. The County’s LID Ordinance and Stormwater Ordinance would require design requirements to promote and improve the County’s watersheds and prevent potential polluted runoffs from the Project to drain into natural water bodies. Prior to issuance of a grading permit, the Project is required to obtain approval from the DPW Land Development Division for a hydrology report, a LID/drainage plan, and conduct appropriate infiltration tests in the LID reports to ensure the design of any flood control facilities meet the standards set in the LID Ordinance. Therefore, impacts would be less than significant.

(iv) Impede or redirect flood flows which would expose existing housing or other insurable structures in a Federal 100-year flood hazard area or County Capital Flood floodplain to a significant risk of loss or damage involving flooding?

The Project Site does not contain a 100-year or 500-year flood plain according to the Los Angeles County General Plan Figure 12.2: Flood Hazard Zones Policy Map or GIS-Net FEMA Flood Zone maps. The project design will comply with the latest County design standards and codes, including LID requirements. Flood flows will not be substantially impeded or redirected by the project.

d) Otherwise place structures in Federal 100-year flood hazard or County Capital Flood floodplain areas which would require additional flood proofing and flood insurance requirements?

The Project Site does not contain a Federal 100-year flood hazard area or County Capital Flood floodplain area according to the Los Angeles County GIS-Net hydrological hazard maps. Therefore, impacts would be less than significant.

e) Conflict with the Los Angeles County Low Impact Development Ordinance (L.A. County Code, Title 12, Ch. 12.84)?

No Impact. As previously discussed, the project must demonstrate compliance with the LID Ordinance prior to the issuance of a grading or building permit. The Project is required to adhere to the specifications set forth in the LID Standards Manual; therefore, it would not conflict with the LID Ordinance.

f) Use onsite wastewater treatment systems in areas with known geological limitations (e.g. high groundwater) or in close proximity to surface water (including, but not limited to, streams, lakes, and drainage course)?

Less Than Significant Impact. The Project Site is not located in close proximity to surface waters and the proposed OWTS shall comply with all applicable standards to protect drainage courses and groundwater. The proposed Project would install on-site wastewater treatment system (OWTS) for wastewater disposal for each of the six single-family residences. Prior to the issuance of a building permit, a work plan and feasibility report shall be required for each residential parcel to document soil profile excavation, exploratory boring to determine historic and seasonal high groundwater mark, presence of subsurface water, and percolation testing to confirm that the soil on the property could support the use a conventional OWTS or non-conventional OWTS. Testing shall be conducted in an area likely to be utilized as a dispersal field, including the 100% future dispersion area. The report shall be prepared in compliance with the “Conventional and Non-Conventional Onsite Wastewater Treatment Systems – Requirements and Procedures.” Generally, the Department of Public Health would require non-conventional OWTS for lot size less than 2.5 acres. Two out of the six parcels fall under this 2.5-acre minimum lot size and may require a non-conventional OWTS to be used. A non-conventional OWTS would make use of supplemental treatment components, telemetric monitoring of the system, system sampling, annual operating permit, annual inspection by qualified contractor (with testing for bacteria near impaired water bodies), reporting, and a County Registrars recorded covenant & agreement on the properties/parcels title to inform future prospective owners of the requirements. As stated in a clearance letter dated September 28, 2021, the County Department of Public Health (DPHS) has imposed conditions of approval that would ensure that any OWTS installation would not result in significant environmental effects.

g) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant Impact. The Project Site is located more than 30 miles northeast of the nearest coastline and is outside the tsunami inundation areas along the coast. The Santa Clara River is approximately 1.5 miles south of the Project Site. The Project Site is not located within a 100-year or 500-year flood plain according to the Los Angeles County General Plan Figure 12.2: Flood Hazard Zones Policy Map or in areas identified on GIS-Net maps as FEMA Flood Zones, Dam Inundation Areas (seiche zones), or Tsunami Hazard Zones. Therefore, impacts are less than significant.

h) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. The Project Site is located within the Santa Clara River Watershed and within the Los Angeles Regional Water Quality Control Board’s Basin Plan¹¹, which also includes sustainability and basin-specific protection of groundwater. The Basin Plan is designed to preserve and enhance water

¹¹ https://www.waterboards.ca.gov/losangeles/water_issues/programs/basin_plan/basin_plan_documentation.html

quality and protect the beneficial uses of all regional waters by numerical water quality objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State's anti-degradation policy, and implementation programs and other actions that are necessary to achieve the water quality objectives established in the Basin Plan. Project is subject to the applicable requirements of the Basin Plan administered by the LARWQCB through the NPDES General Construction Permits and any WDR Permits. As discussed above, the Project would include required BMPs and drainage control requirements that would be consistent with the Basin Plan. The Project shall be required to comply with all applicable DPH and Regional Water Quality Control Board requirements to ensure that groundwater will be protected and use of groundwater will be maintained at sustainable levels.

The Project will be served by private wells operated by a small water system and the well owner production rights have annual volume limits thereby controlling groundwater deficits. The amount of water use planned for the six single-family residences is not anticipated to be significant enough deplete groundwater supplies. Therefore, the project would not conflict with the groundwater management of the area and potential impacts would be less than significant.

11. LAND USE AND PLANNING

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) **Physically divide an established community?**

No Impact. The proposed project conforms to the existing land use patterns of the community. North of the Project Site is the Sierra Heights Mobile Home Estates and south of the Project Site is the Mint Canyon residential community. The uses west of Sierra Highway are predominately commercial and industrial businesses, and Sand Canyon Road, vacant land, and several residences are located on the east side. The project does not propose a new construction of highways, freeways, rails or flood control channel that are generally associated with the physical division of an established community. It will conform to the existing street grid and continues with the existing pattern of residential development and would not create barriers within an existing community or otherwise physically divide an established community. Therefore, no impact is anticipated.

b) **Cause a significant environmental impact due to a conflict with any County land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

Less Than Significant Impact. The Project Site is designated in the Rural Land (RL5 – Rural Land 5 (NU3 – Non-Urban 3)) of the Santa Clarita Valley Area Plan. This land use category allows for one dwelling unit per five acres, but specific allowable uses and development standards are determined by the underlying zoning designation, which is A-2-2 (Heavy Agriculture with minimum two-acre lot minimum). The proposed residential use is compatible with the established community, the zone, and the land use designation.

The six legal lots where the single-family residences are being built range from 2.36 acres to 5.23 acres in size and were created prior the 1980 General Plan, the first Santa Clarita Valley Plan adopted in 1986 and prior to the adoption of the 2012 Santa Clarita Valley Area Plan. In the 2012 Santa Clarita Area Plan, Intro Chapter, Section VIII, Page 9, it states that "Existing legal lots may be developed (following current development requirements) regardless of lot size." These lots were created in 1970 and 1971 pursuant to Certificates of Exception 11930 and 12601. There was no applicable long-range plan at the time of the lot creation. The Certificates of Compliance were recorded for each of the lots in 2002, and they are all legal lots. Lot Line Adjustments recorded in 2008 and 2013 changed the boundaries of some of the lots, but the total number of lots has remained unchanged, and all of the lots are legal lots. Since the Project is not a subdivision and each of the six single-family residences are located on legal lots, the Project is deemed consistent with the plan.

c) **Conflict with the goals and policies of the General Plan related to Hillside Management Areas or Significant Ecological Areas?**

Less Than Significant Impact. The project site is not located in a Significant Ecological Area, but is located within a Hillside Management Area. A CUP is required to develop within a Hillside Management Area. As part of the Hillside Management CUP approval, the Project is required to dedicate at least 70% of the land to

open space and the Project currently proposes to disturb nearly 28 percent of the Project Site. Over 70 percent of the remaining Project Site will be preserved in place. The Project employs sensitive hillside design techniques related to site planning, grading and facilities, road circulation, building design, and landscaping as required by the Hillside Management Areas Ordinance. As designed, the Project would minimize grading and disturbance to areas with slopes greater than 25 percent. The project includes some new structures or building pads being in areas with natural slopes exceeding 25 percent, but the buildings will generally be located in relatively flatter areas, or areas where grading has previously occurred, to minimize the need for extensive additional grading. Buildings will not exceed two stories in height and will comply with the applicable design measures. The project is consistent with the goals and policies of the General Plan with respect to Hillside Management Areas. With compliance with the requested CUP for the Hillside Management Areas, the Project would be consistent with applicable standards of the County's Zoning Code. As such, impacts would be less than significant.

12. MINERAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>Would the project:</p> <p>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Less Than Significant Impact. California’s Geological Survey (State Department of Conservation, Division of Mines and Geology) identifies deposits of regionally- significant aggregate resources. These clusters or belts of mineral deposits are designated as Mineral Resources Zones (MRZ-2s). There are four major MRZ-2 zones (i.e., Little Rock Creek Fan, Soledad Production Area, Sun Valley Production Area, and Irwindale Production Area) designated in the County. The Project Site is located outside of these four major MRZ-2 zones but is located within the MRZ-3 zone¹², which are areas containing known or inferred Portland cement concrete aggregate resource of undetermined mineral resource significance. In accordance with the requirements of the Hillside Management Area Ordinance, over 70 percent or 14.22 acres of the Project Site would be set aside for open space and an additional 5.64 acres will dedicated for improved open space such as community solar arrays. Although single-family residences are being proposed for the site, the project will not prevent such resources from being used in the future if mineral resources still exist on the project site.

However, no mineral extraction operations currently occur on the Project Site or near the Project Site. There are no known mineral resources in the project vicinity. The site has also been rough graded for development and is surrounded by other urban uses such as mobile home park and the nearby Sierra Highway is lined with urbanized uses. The Project Site and the surrounding developed area are unlikely to become a value to the region for mineral resources. Therefore, impacts would be less than significant.

<p>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Less Than Significant Impact. Except for Mineral Resources Zones, the County does not have any locally important mineral resources specifically delineated in the General Plan. No impact would occur, and no mitigation measures are required.

¹² <https://www.conservation.ca.gov/cgs/PublishingImages/Publications/SR-254-preview.jpg>

13. NOISE

Noise is often described in qualitative terms, and individuals differ greatly on what noises are considered pleasant or annoying. Certain land uses are particularly sensitive to noise and vibration. These uses include residential, schools, libraries, churches, nursing homes, hospitals, and open space/recreation areas where quiet environments are necessary for enjoyment, public health, and safety. Commercial and industrial uses are generally not considered noise- and vibration-sensitive uses, unless noise and vibration would interfere with their normal operations and business activities. The surrounding sensitive receivers of the proposed site include the existing single-family residences and multi-family residences immediately to the north, east, west, and south.

The main sources of noise on and near the project site are automobile and truck traffic on surrounding roads, specifically Sierra Highway. Sierra Highway is classified as an existing major highway by the County Master Plan of Highways.

The community noise metrics used in the General Plan Noise Element are either Community Noise Equivalent Level (CNEL) or Day-Night Average Level (Ldn). CNEL and Ldn are the metrics used to describe annoyance due to noise and to establish land use planning criteria regarding noise. Table 13A represents the subjective effect of changes in sound pressure levels.

Noise Descriptors

- Decibel (dB): A unit of level that denotes the ratio between two quantities that are proportional to power. The number of decibels is 10 times the logarithm (base 10) of this ratio which has a reference quantity in the denominator. For sound pressure decibels, the reference quantity is 20 micropascals (μPa).
- A-Weighted Decibel (dBA): An overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
- The equivalent noise level (Leq): The average of sound level over a defined time period (such as 1 minute, 15 minutes, 1 hour or 24 hours). Thus, the Leq of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure.
- The Community Noise Equivalent Level (CNEL); The 24-hour average Leq with a five decibel (dBA) “penalty” added to noise during the hours of 7:00 p.m. to 10:00 p.m., and a 10-dBA penalty added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime. The CNEL metric is currently used by the California Aeronautics Code for the evaluation of noise impacts at airports. Local compliance with the state airport standard requires that community noise levels be expressed in CNEL.
- Day-Night Average Noise (Ldn): The 24-hour average Leq with an additional 10-dBA “penalty” added to noise that occurs between 10 p.m. and 7 a.m. Ldn represents a simplification of CNEL.
- A noise level that is exceeded 90 percent of the time (L90) at a given location; it is often used as a measure of “background” noise.

TABLE 13.1 Change in Apparent Loudness

±3 dB	Threshold of human perceptibility
±5 dB	Clearly noticeable change in noise level

±10 dB	Half or twice as loud
±20 dB	Much quieter or louder
Source: General Plan Update Draft EIR, 2014	

The analysis of noise impacts considers project construction and operational noise. The proposed project would have a significant adverse impact if the project results in at least one of the following:

- Conflict with an applicable noise restrictions standard imposed by regulatory agencies.
- Cause the permanent ambient noise level at the property line of an affected land use to increase by 3 decibels (dBA)¹³ CNEL. It is widely accepted that in the community noise environment the average healthy ear can barely perceive CNEL noise level changes of 3 dBA.
- Construction takes place between the hours of 8:00 p.m. and 7:00 a.m. Monday through Saturday, and any time on Sunday or a legal holiday.
- Construction activities result in vibration levels of 80 velocity decibels (VdB) or higher.¹⁴

	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project result in:

a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the County General Plan or noise ordinance (Los Angeles County Code, Title 12, Chapter 12.08), or applicable standards of other agencies?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. Temporary construction noise would also occur, but due to the distances from the nearest residences, the noise levels would not be expected to exceed the applicable noise standards.

The proposed Project is the construction and operation of six single-family residences located in an existing low-density residential community. Noise impacts are considered significant if the proposed project would generate excess noise that would cause ambient noise level at the project site to exceed noise level standards. The proposed Project is required to must comply with the noise standards established in the County General Plan Noise Element and the Noise Control Ordinance (Chapter 12.08 Noise Control and Chapter 12.12 Building Construction of the County Code).

Construction Noise

A short-term increase in noise level due to construction activities is anticipated from the proposed project. Construction of the proposed project would require the use of heavy equipment for demolition, grading, foundation preparation, installation of utilities, paving, and structure construction. There would be a different mix of equipment operating; noise levels would vary based on the number of equipment in operation and the location of each specific activity. Noise levels are projected to be highest during the

¹³ An increase of 3 dBA is barely perceptible to the human ear.

¹⁴ FTA criteria for residences and buildings where people normally sleep.

demolition phase and site preparation phase. The use of heavy construction equipment could expose nearby residential or commercial real-property to construction noise.

The County Code Section 12.08.440 and Section 12.12.030 prohibit the operation or causing the operation of any tools or equipment used in construction, drilling, repair, alternation or demolition work between the hours of 7:00 p.m. and 7:00 a.m. on Monday through Saturday, and at any time on Sundays and legal holidays. The Noise Control Ordinance also requires the contractor to conduct construction activities in such a manner that the maximum noise levels at the affected building will not exceed the noise levels listed in Table 13.1 – Maximum Construction Noise Levels.

Table 13.2 Maximum Construction Noise Levels

RESIDENTIAL STRUCTURES			
	Single-family Residential	Multi-family Residential	Semi-residential Commercial
Mobile Equipment: Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment			
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	75 dBA	80 dBA	85 dBA
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays	60 dBA	64 dBA	70 dBA
Stationary Equipment: Maximum noise levels for repetitively scheduled and relatively long-term operation (more than 10 days) of stationary equipment			
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	60 dBA	65 dBA	70 dBA
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays	50 dBA	55 dBA	60 dBA
BUSINESS STRUCTURES			
Mobile Equipment: Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment			
Daily: all hours (including Sundays and legal holidays)	85 dBA		
Source: County of Los Angeles, Noise Control Ordinance of the County of Los Angeles, website: https://library.municode.com/index.aspx?clientId=16274 , accessed February 24, 2022.			

There are noise sensitive land uses such as the two single-family residences downslope from the Project Site to the southwest and southeast within a 500-foot radius. Due to the project site’s proximity to these sensitive receptors, the project would be expected to exceed the threshold of 75 dBA for single family residential structures when construction activities occur. Thus, a temporary or periodic increase in ambient noise levels would occur at these sensitive receptors. However, incorporation of the following conditions of approval during construction would reduce noise impacts to a less than significant level. The implementation of these conditions of approval would also ensure compliance with the required time restrictions and maximum noise levels for each type of affected building nearby would limit construction noise.

Draft Condition No. 35: Operating Construction Equipment

Construction activities shall be scheduled to avoid the operation of several pieces of equipment simultaneously, which causes high noise levels, to the extent feasible. The construction contractor shall ensure that all construction equipment, fixed or mobile is properly serviced and maintained to the manufacturer's standards, and that mufflers are working adequately. Construction contractor shall also limit idling of non-essential construction equipment to no more than five consecutive minutes.

Draft Condition No. 36: Noise Screening

Noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.

Draft Condition No. 37: Temporary Shields and Noise Barriers

Barriers such as, but not limited to, plywood structures or flexible sound control curtains or sound blankets extending eight feet in height shall be erected around the perimeter of active construction areas wherever feasible and physically possible to minimize the amount of noise during construction on the nearby sensitive receivers.

Draft Condition No. 38: Construction Site Notice

The project shall provide a construction site notice that includes the following information: job site address, permit number, name and phone number of the contractor and owner (or owner's agent), hours of construction allowed by County Noise Control Ordinance and/or mitigation measures, and telephone numbers which violations may be reported. The notice shall be displayed in a location visible by the public.

Operation Noise

During operation of the proposed residences, the on-site operational noise would be generated by heating, ventilation, and air conditioning (HVAC) equipment installed on the new building structures. The HVAC noise levels must comply with the requirement of Section 12.08.530 of County Code which governs the operating or permitting the operation of any air conditioning and refrigeration equipment. Specifically, the noise level measured at any point on neighboring property line, five feet above grade and no closer than three feet from any wall, cannot exceed 55 dBA. The air conditioning units for the proposed project are currently proposed on top of the building roof, more than 25 feet above finished grade, and centrally located away from the property lines. This distance from the property line provides a buffer to the nearby sensitive uses. Standard design features including shielding would also further reduce HVAC equipment noise emissions.

The proposed use is residential, which is consistent with the surrounding residential uses. Any noise generated by the project would be similar to the ambient noise level in the residential area. The addition of nine residential apartment unit would not generate substantial traffic flow to contribute to an increase in the ambient noise level. Thus, the project would not result in less than significant long-term increase in ambient noise level in the project vicinity.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. The Project Site has been roughly graded previously. Additional proposed grading for the three westerly parcels (Parcels 20, 23, and 25) includes a total of 6,260 cubic yards of cut and 5,077 cubic yards of fill. The proposed grading will occur mostly on the remaining three easterly parcels (Parcels 18, 19, and 28), with an estimated 12,607 cubic yards of cut and 11,261 cubic yards fill for all six project parcels, proposed additional grading includes 18,867 cubic yards of cut, and 16,338 cubic yards of fill, to be balanced onsite. A shrinkage factor of 15% was used in the grading calculations. Groundborne vibration may occur. Construction operations can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. The vibration effect on buildings in the vicinity of the construction site varies depending on soil type, ground strata, and receptor-building construction. The results from vibration can range from no perceptible effects at the lowest vibration levels (VdB), to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Construction activities rarely reach the levels that can damage structures, but can achieve audible and perceptible ranges in buildings close to the construction site¹⁵. Table 13.3 lists vibration levels for construction equipment.

Table 13.3 Vibration Levels for Construction Equipment

Equipment	Approx. Velocity Level at 25 Feet (VdB)	Approx. PPV ¹⁶ at 25 Feet (inches/second)
Pile Driver (sonic) Upper Range	105	0.734
Pile Driver (sonic) Lower Range	93	0.170
Large Bulldozer	87	0.089
Caisson Drilling	87	0.089
Jackhammer	79	0.035
Small Bulldozer	58	0.003
Loaded Trucks	86	0.076
FTA Criterion – Human Annoyance	80	--
FTA Criterion – Structural Damage to non-engineered timber and masonry buildings	--	0.2000
Source: FTA, 2006 & General Plan Update Draft EIR, 2014		

Groundborne Vibration (Criterion b)

As discussed in the Initial Study (Appendix A) construction of the proposed project would utilize vibration-generating equipment including dozers and rollers during most construction phases. As shown in Table 4.7-5, groundborne vibration from construction equipment would not exceed the County’s threshold of 0.01 in./sec. PPV (68 vibration decibels (VdB)) at distances of 175 feet, which is the distance between on-site construction equipment and the nearest structure with sensitive receivers (15760 Gun Tree Drive). Furthermore, the Noise

¹⁵ Placeworks 2014. Los Angeles County General Plan Update Draft Environmental Impact Report (EIR), Santa Ana, June.

¹⁶ The peak particle velocity (PPV) or root mean square (RMS) velocity is usually used to describe vibration levels. PPV is defined as the maximum instantaneous peak of the vibration level and is typically used for evaluating potential building damage. RMS is defined as the square root of the average of the squared amplitude of the level. RMS velocity in decibels (VdB) is typically more suitable for evaluating human response. It is calculated from vibration level (VbB) using the reference of 1 micro-inch/second.

and Vibration Study for the proposed project determined that project construction and operations would not generate significant groundborne vibration impacts (Appendix G). Thus, this subject is not discussed further.

Table 4.7-1 Vibration Levels at Sensitive Receivers

Equipment	VdB at 175 feet	in./sec. PPV at 175 feet
Bulldozer (large)	68	0.010
Loaded Trucks	64	0.009
Los Angeles County Threshold	68	0.01
Threshold Exceeded?	No	No

in/sec = inches per second.
 PPV= peak particle velocity
 See Appendix G for vibration analysis worksheets.
 Source: FTA 2018

As shown in Table 13.3, vibration generated by construction equipment has the potential to be substantial due to its potential to exceed FTA Criteria for human annoyance of 80 VdB and structural damage of 0.200 inch/second. For purpose of addressing vibration impacts relative to human annoyance, the following analysis relies on the FTA’s vibration impact thresholds, which are 80 VdB and above at residences and buildings where people normally sleep (e.g., nearby residences) and 83 VdB and above at institutional buildings, which includes schools and churches. These thresholds are based on an "Infrequent Events" scenario defined as fewer than 30 vibration events of the same kind per day¹⁷.

However, groundborne vibration is almost never annoying to people who are outdoors. It is usually evaluated in terms of indoor receivers (FTA 2006). The background vibration velocity level in residential areas is usually around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for most people.

The nearest residence to the project site is approximately 120 feet away and the other nearby residences such as the mobile parks are located more than 600 feet away. There are no sensitive receptors within 25 feet of the proposed grading activities, which would subject these sensitive receptors to potential FTA’s vibration impact thresholds at greater than 80 VdB and above. The level of excavation and construction proposed for the project site is likely to cause significant noise and vibration impact to nearby residences. Draft **Condition No. 36** would specifically address vibration impacts from construction equipment. Furthermore, the implementation of above noise related conditions of approval would further reduce vibration impacts from the project site. Limiting construction hours primarily to Monday through Friday would reduce vibration exposure to indoor receptors as most people would not be at home during the daytime on a weekday. The project would not result in a significant noise impact with the incorporation of four noise-related conditions.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project

¹⁷ FTA 2006. Federal Transit Administration. Transit Noise and Vibration Impact Assessment, Washington D.C. May.

expose people residing or working in the project area to excessive noise levels?

No Impact. The project site is not located within the vicinity of a private airstrip or an airport land use plan and would have no impact regarding exposure of people residing or working in the area to excessive noise levels.

14. POPULATION AND HOUSING

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than Significant Impact. According to the Santa Clarita Valley Area Plan 2012, population of the Santa Clarita Valley at build-out of the uses shown on the Land Use Maps of the County’s Area Plan would be approximately 460,000 to 485,000 residents, comprising of approximately 150,000 to 155,000 households. According to the Southern California Association of Government’s Demographic and Growth Forecast adopted on September 3, 2020¹⁸, the unincorporated Los Angeles areas are projected to have a population of 1,258,000 people and 419,300 households in 2045, which is approximately three persons per household. In the 2020 U.S. Census, Census Tract 9200.40 in which the Project Site is located has approximately 3.25 persons¹⁹ per housing unit. Using this average of 3.25 persons per housing unit, the construction of six new single-family residences on the project site would generate a population of approximately 20 persons, which is a number not likely to induce high demand on existing infrastructure.

The project will not induce substantial unplanned population growth in the area. Although private access roads may be improved or constructed to provide fire access to the Project Site, no public roads will be added or extended, nor will any other public infrastructure be added or extended, which would potentially attract other development. The project site is surrounded by other residential development such as mobile home parks and single-family residences; therefore, the proposed residential use is compatible with the area. The project will not substantially alter the location, distribution, density or growth rate of the population beyond that projected by the County’s General Plan Housing Element, Santa Clarita Area Plan, or result in a substantial increase in population.

b) Displace substantial numbers of existing people or housing, especially affordable housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No impact. There are no residences currently on the project site, and no residents would be displaced as a result of the project.

¹⁸ Southern California Associations of Governments. Demographic and Growth For https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579

¹⁹ Census Tract 9200.40 has 1552 housing units with a population of 5045 per the 2020 decennial census.

15. PUBLIC SERVICES

	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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a) **Would the project create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

1) **Fire protection?**

Less Than Significant Impact. The Los Angeles County Fire Department (LACFD) provides 24-hour fire suppression services in unincorporated areas of Los Angeles County. The current standards for response times are: 5 minutes or less for urban areas; 8 minutes or less for suburban areas; and 12 minutes or less for rural areas. The Project would be served by LACFD Fire Station No. 132 at 29310 Sand Canyon Road, which is located approximately 1.5 miles from the Project Site and is located within the appropriate response-time distance from the nearest fire station. LACFD also operates under a regional concept in its approach to providing fire protection and emergency medical services, where in emergency response units are dispatched as needed to an incident anywhere in the LACFD’s service territory based on distance and availability, without regard to jurisdictional or municipal boundaries.

Furthermore, development in the unincorporated areas must comply with the requirements of the Fire Code (Title 32), which provides design standards for all development in the unincorporated County. As part of the condition of approval, the Project will be required to undergo building plan check review and obtain approval from Fire Prevention Engineering Section to ensure compliance with the applicable Fire Code related to construction, access, water mains, fire flows, and fire hydrants. An approved Fuel Modification Plan will be required to ensure proper vegetation management and maintenance in a Very High Fire Hazard Severity Zone. The Fire Department Fire Prevention Division issued a clearance letter for the project CUP in letter dated October 4, 2021. Therefore, impacts would be less than significant.

2) **Sheriff protection?**

Less Than Significant Impact. The Los Angeles County Sheriff’s Department (LACSD) provides law enforcement and protection services in unincorporated areas of Los Angeles County. The Project Site is located within the Sheriff’s Department North Patrol Division and is served by the LACSD Santa Clarita Valley Sheriff’s Station located at 26201 Golden Valley Road in Santa Clarita, approximately 7.7 miles west of the Project Site. Various other law enforcement agencies within and beyond the limits of the County also provide additional law enforcement services and resources to the LASD per existing mutual aid agreements.

The Santa Clarita Valley Sheriff’s Station has a service area population of 282,254 in the year 2020, and currently employs 207 sworn personnel and 34 civilian employees²⁰. The service area encompasses approximately 656 square miles, which includes the City of Santa Clarita, Angeles National Forest, and

²⁰ Email communication with Los Angeles County Sheriff’s Department, Facilities Planning Bureau, dated March 2, 2022.

unincorporated areas of Bouquet Canyon, Canyon Country, Castaic, Gorman, Hasley Canyon, Newhall, Neenach, Sand Canyon, Saugus, Six Flags Magic Mountain, Sleepy Valley, Southern Oaks, Stevenson Ranch, Sunset Point, Tesoro del Valle, Valencia, Val Verde, and West Hills, Westridge. This Sheriff's Station is equipped with a heliport for emergency flight operations. Special service teams within the division and the Sheriff Station include the arsons explosives detail, canine services detail, emergency services detail, hazardous materials detail, and the special enforcement detail.

The project would also incorporate design features such as provide sufficient lighting through the project site to ensure safety and visibility. Entryways and driveways would also be illuminated and designed to eliminate areas of concealment. The addition of six two-story single-family residential buildings does not necessitate the construction of a new sheriff's station and any increase in law enforcement services demands would be relatively low. The project would not create capacity or service level problems or result in substantial adverse physical impacts on sheriff protection. Therefore, impacts associated with the sheriff protection would be less than significant.

3) Schools?

Less Than Significant Impact. The Project Site would be served by two different school districts, Sulphur Springs School District and William S. Hart High School District. Sulphur Springs School District covers the grades K-6 student population on the east side of the Santa Clarita Valley including most of Canyon County. It consists of nine elementary schools, which are all located within the incorporated City of Santa Clarita except for Mint Canyon Community School which is located nearest the Project Site in unincorporated County. William S. Hart Union High School District will serve the student population grades 7 through 12 that may potentially result from the proposed Project. The Sierra Vista Junior High School located at 19425 West Stillmore Street in Santa Clarita and the Canyon High School located at 19300 W. Nadal Street in Canyon Country) are assigned to the Project Site and are located four and five miles, respectively, southwest of Project Site.

School (School District)	Student Generation Rate Per Single-Family Residential Detached Unit	Project Total
Mint Canyon Community School Grades K-6 (Sulphur Springs Union District)	0.308	1.8
Sierra Vista Junior High Grades 7-8 (Hart High School District)	0.101	0.6
Canyon High School Grades 9-12 (Hart High School District)	0.153	0.9
		Total: 3.3 or 4 Students
Source: Table 4- Student Yield Factors (SYF's), William S. Hart Union High School Student Population Projections Report Fall 2016-2022 ²¹ .		

Although the number of school age population will likely increase but the increase will likely be less than four school-age persons to Sulphur Springs Union District and Hart High School District. Such a small number is unlikely to generate a potentially significant impact and would likely not exceed the capacity of the schools serving the project site.

²¹ <https://1.cdn.edl.io/ceA4JmEtR1XRv00jOmJSEmJaXpZsol6rfqOxof1Op7UR3XP6.pdf>

4) Parks?

Less Than Significant Impact. The County of Los Angeles Department of Parks and Recreation would provide park services to the project site. The Los Angeles County General Plan Parks and Recreation Element, provides the standard for the allocation of parkland in the unincorporated county. This standard is four acres of local parkland per 1,000 residents, and six acres of regional parkland per 1,000 residents. The project site’s nearby park facilities include Country Park and Plum Canyon Park, located approximately 2.1 and 2.5 miles away respectively. The 5,261-acre Castaic Lake State Recreation Area is also 17 miles west of the project site. The 2016 Los Angeles Countywide Comprehensive Parks and Recreation Needs Assessment has already determined that the area in which the project site is located, the Unincorporated Agua Dulce – Angeles National Forest -Canyon Country study area, the park need is considered Low. The anticipated increase of approximately 20 persons is unlikely substantially reduce the existing parkland-to-population ratio. Furthermore, the project may be subject to the County Department of Parks and Recreation’s in-lieu fees to offset the impact on existing park facilities. Therefore, impact would be less than significant.

5) Libraries?

Less Than Significant Impact. The Project Site is located within the proximity of both the Los Angeles County Public Library (LACPL) and the City of Santa Clarita Library systems. The nearest LACPL library is the Stevenson Ranch Library at 25950 The Old Rd, Stevenson Ranch, approximately 11 miles west of the Project Site. The Canyon Country Jo Anne Darcy Library at 18601 Soledad Canyon Rd in the incorporated City of Santa Clarita is approximately 2.8 miles away. The projected incremental increase of 20 persons, impact on library services is anticipated to be minimal and would not affect the County’s ability to provide library services.

To ensure that the Project pays its fair share of costs associated with library services, the Permittee shall comply with the Developer Fee Program for the LACPL as provided in County Code Section 22.246.060 (Library Facilities Mitigation Fee). A fee of \$1,010 will be collected for each residential dwelling unit built for the Project. Compliance to pay this mitigation fee would offset any incremental need for funding of capital improvements to maintain adequate library facilities and service, resulting from the Project by payment of development fees per the Code. As such, impacts regarding library services would be less than significant.

6) Other public facilities?

No Impact. The other public facilities above those discussed above are not anticipated to have the potential for adverse physical impact associated with the project construction or operation. No significant impacts on other public facilities are anticipated.

16. RECREATION

- | | <i>Potentially
Significant
Impact</i> | <i>Less Than
Significant
Impact with
Mitigation
Incorporated</i> | <i>Less Than
Significant
Impact</i> | <i>No
Impact</i> |
|---|---|--|---|--------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Less Than Significant Impact. The nearest parks to the project site are Canyon Country Park and Plum Canyon Park, located approximately 2.1 and 2.5 miles away respectively. The 5,261-acre Castaic Lake State Recreation Area is also 17 miles west of the project site. The increase of six dwelling units on the project site and the projected 20 residents are not anticipated to increase the use of existing neighborhood and regional parks or other recreational facilities to such a level of intensity to cause substantial physical deterioration. This addition of six new single family residential units is also unlikely to induce high demand on existing infrastructure. Such use is not expected to result in substantial deterioration because the population growth from the proposed project would fall within the SCAG population growth forecast for the unincorporated area of the County and fall within the projected growth of the Countywide General Plan.

Although the new residents resulting from this development are expected to use the surrounding neighborhood and regional parks, the introduction of this relatively small population in comparison with the local and regional service populations would not substantially affect nearby park facilities. County of Los Angeles Department of Parks and Recreation will be consulted as part of the Environmental Assessment to determine the impacts of the project to the existing neighborhood and regional parks or other recreational facilities. According to the 2016 Los Angeles Countywide Comprehensive Parks and Recreation Needs Assessment, the project site is located within the Unincorporated Agua Dulce – Angeles National Forest - Canyon Country study area where the park need is Low²². The project will not substantially alter the location, distribution, density or growth rate of the population beyond that projected by the County’s General Plan Housing Element or result in a substantial increase in population.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Does the project include neighborhood and regional parks or other recreational facilities or require the construction or expansion of such facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less Than Significant Impact. The proposed project does not include construction of neighborhood or regional parks or on-site recreational areas. The proposed project is a small residential development that does not warrant the construction or expansion of park, trails, or recreational facilities. No new park or other recreational component is proposed as part of the project. The County of Los Angeles Department of Parks and Recreation will be consulted as part of the conditional use permit process to assess any related park impact fees.

²² <https://lacountyparkneeds.org/wp-content/uploads/2016/06/FinalReport.pdf>

c) Would the project interfere with regional open space connectivity?

Less Than Significant Impact. The proposed project would not significantly affect regional open space connectivity. The project site is surrounded by residentially and agriculturally zoned land and existing residential development, including a mobile home park, on three of the four cardinal directions. The existing connectivity of the surrounding open space areas will remain unaffected. The majority of the project site will remain undeveloped, particularly the steep hillside areas, and the areas to be developed will be done so in such a way as to maintain connectivity in the natural environment.

17. TRANSPORTATION

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The 100-foot-wide Sierra Highway, which is classified as an existing Major Highway in the County Master Plan of Highways, is located just west of the Project Site. An existing 20-foot-wide shared private vehicular access road, known as Fitch Avenue, traversing through neighboring Parcel 3231-010-026 from Sierra Highway will be extended and improved as part of the Project to provide public access to the proposed six single-family residences on the Project Site. The City of Santa Clarita Transit runs a bus line (Line 5 Stevenson Ranch/Vasquez Canyon) along Sierra Highway and a bus stop is located at a corner of Sierra Highway and Fitch Avenue. According to the County Master Plan of Bikeways, a proposed Class III bikeway is designated within the Sierra Highway public right-of-way. There are also no continuous sidewalks along Sierra Highway or Fitch Avenue. The construction and operation of the Project would not conflict such the Master Plan of Highways or Master Plan of Bikeways because it would not obstruct

Due to the small size and location of the six single-family residential Project, the number of vehicle trips is not expected to be significant enough to warrant a Transportation Impact Analysis. Based on the most recent edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, the average daily trip generation rate for detached single-family residences in general urban/suburban setting is 9.44 trips per dwelling unit, and the project is anticipated to generate 57 daily trips. An average of 57 daily trips for six single-family residences is below the 110 or more daily vehicle trips threshold for a traffic study. According to the County Transportation Impact Analysis Guidelines, if a development project does not generate a net increase of 110 or more daily vehicle trips, then a less than significant impact determination could be made. This project is not expected to significantly contribute to increased population growth to the area and is not a contributor to a significant increase in traffic trips.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. As mentioned in the response above, the County Transportation Impact Analysis Guidelines dated July 2020 determined that only development projects estimated to generate a net increase of 110 or more daily trips would be required to prepare a vehicles miles traveled (VMT) analysis. As such, the proposed Project’s anticipated trip generation of 57 daily average trip falls below this screening criteria for non-retail project trip generation; further VMT analysis is not warranted because the Project’s projected transportation impact would fall below the threshold of significance and is presumed to have less than significant impacts.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The Project Site is currently vacant but is adjacent to nearby residences. Vehicular access to the Project Site would be provided by a driveway approach on Fitch Avenue, which is perpendicular to the Sierra Highway. The Project is required to make improvements to the existing Fitch Avenue and the design of any 20-foot-wide paved driveway approach to the proposed single-family residences would be constructed in accordance with the County Public Works Department' standards. The driveway geometry design must also be compatible with or accommodate the future road widening and grades of Sierra Highway. Specifically, in a clearance letter dated September 7, 2021 issued by the County Public Works Department for the requested CUP, Condition No. 1.3 requires such street improvements to be made or an Agreement to Improve has been executed prior to issuance of a Certificate of Occupancy. This condition further requires that the submittal of a Signing and Striping Plan to Public Works for review and approval before the issuance of the grading or building permit. These steps prior to the project construction would ensure that there would be no increased hazards due to a geometric feature or incompatible uses for the Project. Therefore, impacts will be less than significant.

d) Result in inadequate emergency access?

Less Than Significant Impact. The proposed project would not involve the closure of any public roadway. The project is designed to provide adequate emergency access for emergencies that occur on-site. The proposed Project would not impede emergency access on-site or off-site. The proposed project would not result in inadequate emergency access to the project site or to nearby properties. The project shall be subject to the conditions of approval, including those conditions related to access, if the project is approved. The Fire Department has imposed conditions in a clearance letter dated October 4, 2021 that would ensure adequate access requirements are met prior to a building permit is obtained. Therefore, no impact would occur.

18. TRIBAL CULTURAL RESOURCES

	<i>Less Than Significant</i>	<i>Less Than Significant</i>	
<i>Potentially Significant Impact</i>	<i>Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k), or
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Less Than Significant Impact. The vacant Project Site is not listed or eligible for listing in the California Register of historical resources as defined in Public Resources Code § 5020.1(k). There are no known tribal cultural resources on the project site listed or eligible for listing in the California Register of Historical Resources. Conditions incorporated into the CUP for cultural and tribal cultural resources will ensure that any impacts to those resources from the project will be less than significant.

- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.
-

Less Than Significant Impact. AB 52 requires public agencies to consult with tribes during the CEQA process and respond to Native American tribal representative requests by providing formal notification of proposed projects within the geographic area that is traditionally and culturally affiliated with the tribe. The project site is located within a geographic area that is affiliated with the Fernandeno Tataviam Band of Mission Indians. A notification letter informing the Native American tribal representatives of the proposed Project were emailed on October 21, 2021. The Fernandeno Tataviam Tribe, also known as the Fernandeno Tataviam Band of Mission Indians, responded to the notification letter on Friday, October 22, 2021 and expressed interest in the Project. Emails were exchanged between December 7, 2021 and January 14, 2022, and consultation concluded on January 20, 2022.

The Fernandeno Tataviam Tribe indicated the Project is situated in a culturally sensitive zone. This area is known for prehistoric and historic villages and seasonal habitation settlements, food production sites as well as tool production sites, sites with rock shelters containing petroglyphs or pictographs, sites

containing human burial(s), as well as isolated artifacts (isolates), and trails. Additionally, there are unique geological formations, oak trees, and places with natural resources where people gathered to conduct daily life activities such as harvesting plants for food and medicine and collecting raw materials for tool production. Although the Project Site does not contain any known tribal cultural resources, there is potential for such tribal resources to exist on the site due to its location. Based on provided written information shared by the tribe, the following conditions of approval are incorporated into the CUP to reduce potentially significant impacts resulting from project excavation:

Draft Condition No. 31: In the event that Tribal Cultural Resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. The Department or permittee shall contact the Fernandeano Tataviam Band of Mission Indians (FTBMI) to consult if any such find occurs.

Draft Condition No. 32: If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted by the permittee or their representative pursuant to State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the Project. Inadvertent discoveries of human remains and/or funerary object(s) are subject to California State Health and Safety Code Section 7050.5, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.

Draft Condition No. 33: The Project permittee shall retain a professional Native American monitor procured by the Fernandeano Tataviam Band of Mission Indians to observe all ground-disturbing activities including, but not limited to, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, clearing, driving posts, auguring, backfilling, blasting, stripping topsoil or a similar activity, and any archaeological work conducted during Project implementation. If cultural resources are encountered, the Native American monitor, in conjunction with the onsite archaeologist, will have the authority to request ground disturbing activities cease within 60-feet of discovery to assess and document potential finds in real time.

Draft Condition No. 34: The permittee shall enter into a cultural resource agreement with the Fernandeano Tataviam Band of Mission Indians for the protection of cultural resources and identification of sensitive Tribal Cultural Resource areas. The Fernandeano Tataviam Band of Mission Indians shall be identified to provide the following services:

- Consultation and Project support during the Project planning stages related to Tribal Cultural Resources and mitigation under the California Environmental Quality Act (CEQA), Public Resources Code section 21080.3.1, subdivision (b), (d), and (e),
- Consultation on the treatment of inadvertent discoveries and the disposition of inadvertently discovered non-funerary resources.

The above conditions for cultural and tribal cultural resources have been developed through this consultation process for the project to protect those resources and to ensure that any impacts from the project will be less than significant.

19. UTILITIES AND SERVICE SYSTEMS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water draining, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact.

Water

The County Department of Public Health (DPH) Division of Environmental Health, Drinking Water Program has verified that the Ball Mountain Mutual Water Company²³ would provide potable water supply, which will be piped to the six parcels from two existing wells (Primary Well 01 on Parcel 28 and Secondary Well 02 on Parcel 25). The water company has demonstrated to the DPH’s Drinking Water Program that adequate water supply is available from the water system’s well sources and the distribution storage facilities would be enhanced to supply a minimum of three gallons per minute for at least 24 hours for each service connection served by the system. This distribution storage facilities would include one 10,000-gallon water tank to be installed on five of the parcels, specifically Parcels 18, 19, 20, 23, and 25. Parcel 28 would have three 10,000-gallon tanks (two non-potable and one potable). Based on the water distribution plan for the eastern portion of the Project Site, a 10,000-gallon potable water tank on Parcel 28 will be connected to the main well. This tank would supply water through two-inch or four-inch PVC mains to the residences on Parcels 18, 19, and 28, and another line would be connected to the potable water tanks on Parcels 20, 23 and 25. The rest of the tanks on the eastern parcels (18, 19, and 28) are non-potable and would source water to the on-site fire hydrants.

The construction of these water mains, storage tanks, and connection pipelines are not anticipated to result in significant environmental effects. The proposed water infrastructure would be installed in accordance with applicable Building, and Health and Safety regulations to ensure proper operation and maintenance. The Project falls substantially below the threshold of a development generating water demand equivalent to or greater than that of 500 dwelling units under Senate Bill (SB) 610 and would not require a water supply assessment be conducted by the water service provider to determine if there is sufficient water supply to serve the Project during normal, single dry, and multiple dry water years. Therefore, sufficient water supplies would be available to serve the Project from existing entitlements and resources, and new or expanded entitlements would not be necessary. As a result, impacts would be less than significant.

Wastewater

²³ State Small Water System - #1907039

The proposed Project has no connection to any public sewer connection or system within 200 feet and would install on-site wastewater treatment system (OWTS) for wastewater disposal for each of the six single-family residences. The County Department of Public Health (DPHS) Division of Environmental Health, in a clearance letter dated September 28, 2021, imposed conditions of approval that would ensure that the installation of OWTS would not result in significant environmental effects. Prior to the issuance of a building permit, a work plan and feasibility report shall be required for each residential parcel to document soil profile excavation, exploratory boring to determine historic and seasonal high groundwater mark, presence of subsurface water, and percolation testing to confirm that the soil on the property could support the use a conventional OWTS or non-conventional OWTS. Testing shall be conducted in an area likely to be utilized as a dispersal field, including the 100% future dispersion area. The report shall be prepared in compliance with the “Conventional and Non-Conventional Onsite Wastewater Treatment Systems – Requirements and Procedures.” Generally, the Department of Public Health would require non-conventional OWTS for lot size less than 2.5 acres. Two out of the six parcels fall under this 2.5-acre minimum lot size and may require a non-conventional OWTS to be used. A non-conventional OWTS would make use of supplemental treatment components, telemetric monitoring of the system, system sampling, annual operating permit, annual inspection by qualified contractor (with testing for bacteria near impaired water bodies), reporting, and a County Registrars recorded covenant & agreement on the properties/parcels title to inform future prospective owners of the requirements.

Stormwater

As discussed in the Section 10 Hydrology and Water Quality, during the construction phase of a proposed Project, the pollutants of greatest concern are sediment, which may run off the project site due to site grading or other site preparation activities, and hydrocarbon or fossil fuel remnants from the construction equipment. But the construction runoff of the Project would be regulated by the California’s Waste Discharge Requirements and the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. This permit applies to all construction which disturbs an area of at least one acre. NPDES is a permitting program that established a framework for regulating municipal, industrial, and construction stormwater discharges into surface water bodies and stormwater channels. Permits are issued by the appropriate Regional Water Quality Control Board and may set discharge limitation or other discharge provisions. The Project must also comply with applicable California Green Building Code and applicable County regulations on stormwater runoff pollution control to prepare a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would minimize sediment and other pollutants in stormwater runoff commonly associated with construction activities. Therefore, impacts would be less than significant related to construction activities.

The increase in impervious surfaces resulting from the Project has the potential to impact the capacity of existing storm water drainage system and alter existing drainage conditions of the site. Therefore, the Project is required to comply with the County’s Low Impact Development Ordinance, which was created to deal with storm water runoff from new projects. Proposed roof drains would be drained toward pervious or landscaped surfaces. Per the County’s LID Manual, the project is considered a “Designated Project” since proposed development would disturb over one acre and would add more than 10,000 square feet of impervious surface area. As such, the project would be required to implement post-construction storm water management control measures on-site through infiltration, evapotranspiration, storm water runoff harvest and use, or a combination of the three. Before the issuance of a grading or building permit, an approved drainage concept from the Department of Public Works would ensure that LID requirements, as specified in the LID Standards Manual, or as otherwise required, related to storm water drainage would be met. After the implementation of BMPs and LID standards required by Chapter 12.84 of the County Code, the Project impacts related to stormwater would be less than significant.

Electric Power, Telecommunications, and Natural Gas

As discussed in Section 6 Energy, proposed Project would be powered by solar energy and would be connected to the Southern California Edison energy grid as a secondary power source. Each residence would also be equipped with a battery for storage of surplus energy generation and use during nighttime and on cloudy days. The solar array panels will be installed on-site within previously disturbed areas and outside of any designated natural open space areas required by the HMA. Residents would be provided telecommunication services through their mobile carrier provides and be serviced by existing macro communications towers in the project vicinity. No natural gas lines are proposed for the Project. Electric stove will be used. No significant expansion to the utility infrastructure is necessary to serve the project and any such minor changes to the utility infrastructure would not cause significant environmental effects.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. As stated previously, the Project consists of six single-family residential units, which falls substantially below the threshold of a development generating water demand equivalent to or greater than that of 500 dwelling units under Senate Bill (SB) 610. No water supply assessment is to determine if there is sufficient water supply to serve the Project during normal, single dry, and multiple dry water years. DPH’s Drinking Water Program has verified that the Ball Mountain Mutual Water Company would provide potable water supply, which will be piped to the six parcels from two existing wells (Well 01 and 02). The Project was issued a Water Availability Approval Letter by the Drinking Water Program on September 14, 2021. Therefore, impacts are less than significant.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?

Less Than Significant Impact. An OWTS feasibility report must be prepared by the applicant and reviewed by the County DPH Division of Environmental Health, Land Use Program to evaluate the feasibility of the OWTS. The applicant must demonstrate the adequacy of the OWTS prior to the issuance of a building permit. The design and installation of a conventional OWTS or non-conventional OWTS shall conform to the requirements of DPH and other applicable regulatory agencies. The required size and capacity of the proposed septic system shall be determined based multiple factors including, bedrooms, bedroom equivalents, fixture unit count, number of employees, beds, number of parking spaces, and restrooms. The proposed system shall result in the largest system capacity, in accordance with requirements established in the DPH’s guidelines for OWTS, referenced in Title 28 of the County Code, Appendix H. Therefore, impacts are less than significant.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. The amount of solid waste created by the project will not exceed the capacity of local infrastructure. There is sufficient landfill capacity in the County to handle any solid waste from the

project in addition to the other sources in the area. This is a relatively small-scale project that will not significantly affect the capacity of the existing solid waste disposal infrastructure.

e) **Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Less Than Significant Impact. The project must comply with federal, state and local statutes with regard to disposal of solid waste. The project will comply with Chapter 20.87, Construction and Demolition Debris Recycling and Reuse, of the County Utilities Code for 50 percent recycling during construction. The project would also need to comply with the CALGreen requirements for diversion and reduction of construction and demolition waste. The project must be designed to comply with federal, state, and local statutes and regulations related to solid waste.

Project is proposed at a location without any nearby fire hydrants or piped water supplies to the project site, the Project would include internal access roads and fire lanes, which would provide emergency access to the project site. Furthermore, the project would be required to submit a Fuel Modification Plan per County Code Section 4908.1 and follow applicable guidelines with the proposed development. The project shall comply with the fuel modification requirements of the Fire Department and all other fire safety requirements including fire access, as described in the clearance letter from the County Fire Department dated October 4, 2021.

Once developed, the Project would not increase wildfire spread because of the modified topography, and the ignition resistance of the structures and the site fuel modification plan. Prior to project construction, a building permit would be required pursuant to California Government Code 51182, which would require that the project applicant to obtain certification that the building complies with all applicable State and County Fire Code. New construction is required to include safety measures to minimize the threat of fire, including ignition-resistant construction with exterior walls of noncombustible or ignition resistant material from the surface of the ground to the roof system and sealing any gaps around doors, windows, eaves and vents to prevent intrusion by flame or embers.

Conditions of approval of the Project would also ensure that vegetation management around all proposed buildings would be maintained throughout the project operation. Adequate fire flow and the necessary infrastructure to combat a fire during a major wildland fire incident will be provided as part of project approval. the Project would not exacerbate wildfire risks nor expose project occupants to pollutant concentrations from a wildfire different from existing occupants in the area or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors. With compliance with the County Fire Code and conditions of approval, potential impacts would be reduced to less than significant.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less Than Significant Impact. The project would be served by existing Sierra Highway, new improved internal access roads, power lines, and other utilities. Project implementation would involve the installation of new onsite water distribution lines, water tanks, solar arrays, onsite wastewater treatment systems, and improved access road. Any source of natural gas or electric power would be provided onsite by extending existing infrastructure and/or temporary equipment provided by construction contractors. The improvement of the access roads would offer firefighters continued, safer access to the project site, where access is limited under current conditions. Potable water will be piped from existing water wells to the Project Site through new underground water distribution lines.

The proposed access improvements would facilitate emergency access throughout all areas of the Project Site as compared to existing conditions. Construction activities used for infrastructure installation and maintenance could exacerbate fire risk by using gasoline and diesel-powered vehicles and equipment. The proposed project would require the installation project-associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that would reduce the fire risk by removing flammable vegetation during the grading operations. However, adequate fuel modification would be created during construction around grading, site work, and other construction activities in areas where the vegetation is combustible. The firebreaks would reduce the fire risk during construction. Required fuel modification would also reduce the risk of fire during residential occupancy.

The Project's roadways would meet all County access requirements for new single family residential development in a Very High Fire Hazards Severity Zone. The County Fire Code requirements describe the applicable County access standards (i.e., roadway widths, all-weather surface requirements, length of streets, turning requirements, grade restrictions, maintenance requirements, and parking restrictions) that would be implemented by the Project. Specific fire and life safety requirements would be addressed at the building permit phase when architectural and construction plans are submitted to the Fire Department for review and approval. As the project applicant would comply with the requirements of the LACFD and would pay for any necessary water system upgrades to ensure adequate water flow for fire prevention, potentially significant infrastructure impacts that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment would be reduced to a less than significant level.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less Than Significant Impact. Mud and debris flows can result and increase hazard risks to people and nearby development following a wildfire event. Mud and debris flows can occur when a wildfire removes native vegetation that prevents erosion. During construction, the Project would include precise grading, which could alter the site topography and therefore potentially alter the existing drainage pattern. As discussed in Section 10, Hydrology and Water Quality, the proposed Project would be required to conform to applicable County design requirements associated with proper site preparation and grading practices. The Project would be required to have a County-approved LID site plan and hydrology report to implement surface drainage improvements and erosion control measures as well as construction BMPs under the SWPPP.

Currently, residential communities surround the Project Site on the north, west and east and undeveloped vacant land is located to the south of the Project site. The risk of wildland fires to the surrounding residential uses would be reduced with the implementation of the Project's fuel modification plan. Project would provide post-construction storm water management with a variety of LID BMPs as specified in the County LID Standards Manual that capture and treat post-construction storm water runoff. Therefore, the proposed project is not anticipated to expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes

e) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The Project Site was previously burned in the October 2019 Tick Fire, and Canyon Country is part of the California chaparral ecology that are adapted to wildfires and the process of ecological succession after a wildfire. Severe wildfires damage trees, the shrub canopy, vegetation, and soil. In general, this could reduce the amount of vegetation from hillsides. Vegetation on hillslopes helps to stabilize soil, slow water flow, and allow for percolation into the soil. After a wildfire, exposed slopes on the hillsides could result in increased runoff after intense rainfall, and put residences and structures downslope of a burned area at risk of localized floods and landslides. However, the Project is not located downslope and the new six single-family residences are proposed to be constructed on the flatter areas at higher elevations of the hilltops. Vegetation native to this area is fast-growing, strong, and adaptable, and therefore establishment and maintenance of native vegetation on unstable slopes would mitigate slope instability over time. Adherence to the approved Fuel Modification Plan would require the establishment of fire-resistant vegetation, native to Los Angeles County, on the project site slopes. Furthermore, residential uses do not generally present a high potential for dangerous

fire hazards, but the Project Site would have dedicated open space and the surrounding open space areas to the south could have buildup vegetation that is highly combustible. Under existing site conditions, there is no fuel modification on the Project Site, which would expose the surrounding residential uses to the north, west and east of the site to increased risks of wildland fires when compared to post-project conditions with fuel modification.

To address the risk of loss, death, and injury related to wildfires, LACFD has adopted programs directed at wildland fire prevention, including adopting the State Fire Code standards for new development in hazardous fire areas. Fire prevention requirements include provision of access roads, adequate road width, and clearance of brush around structures located in hillside areas. In addition, proof of adequate water supply for fire flow is required within a designated distance for new construction in fire hazard areas. The Project will comply with the LACFD's fire prevention requirements, which include adequate access roads and fire lanes with the required road width within 150 feet of the first story of all proposed buildings. The Project would also ensure that vegetation management around all proposed buildings would be maintained throughout Project operation. A Water Availability approval letter issued by the Ball Mountain Water Company confirms there is adequate water supply for the required fire flow for this development. Additionally, all proposed residential buildings would be required to provide an approved fire sprinkler system pursuant to County Codes (specifically Section R313.2 of the Residential Code) and buildings materials used for development of the Project would be fire retardant. This would be consistent with Policy S-3.2.4 of the Santa Clarita Valley Area Plan, which requires sprinkler systems, fire resistant building materials, and other construction measures deemed necessary to prevent loss of life and property from wildland fires. In sum, the Project would require compliance with development designs, applicable fire prevention provisions and safety requirements of Title 32 (Fire Code) and Title 26 (Building Code) of the County Code, especially as they relate to Wildland-Urban Interface Fire Areas, as well as applicable standards in Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, of the California Building Code related to fire-retardant construction materials and techniques to combat potential damages and risks from wildfires. Therefore, impacts are less than significant.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The project does not have the potential to substantially degrade the quality of the environment. The project’s environmental effects are relatively minor and can be adequately mitigated through project conditions.

b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The proposed Project consists of the construction and operation of six single-family residences on existing legal lots. The analysis of this initial study includes short-term (construction phase) and long-term (operation phase) environmental impacts that could occur as a result of implementation of the proposed Project. No potentially significant impacts were found associated with the proposed Project after the implementation of conditions of approval through the CUP and project design features required through the Hillside Management Areas Ordinance. The proposed Project would be required to comply with the County long-range planning goals and policies in the General Plan 2035, Santa Clarita Valley Area Plan, applicable regulations specified in Title 22 (Planning and Land Use), Title 26 (Building Code), Title 30 (Residential Code), Title 31 (Green Building Standards Code), and Title 32 (Fire Code). The proposed project would increase the population in a small number that is within the SCAG’s 2016-2040 RTP/SCS growth forecast for the unincorporated area of the County. The unincorporated areas have been assigned a Regional Housing Needs Assessment (RHNA) allocation of 90,0520units for the 6th Cycle RHNA allocation plan, which covers the planning period October 2021 through October 2029. The Project would provide the critically needed housing units supported by the Housing Element and help the County meet RHNA allocation. The proposed single-family residential use and density complies with the applicable long-term plans including the General Plan, Santa Clarita Valley Area Plan, and Zoning Ordinance. Therefore, the proposed project would have a less than significant impact.

c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. A significant impact may occur if the proposed project, in conjunction with other related projects in the area, would result in impacts that would be less than significant when viewed separately, but would be significant when viewed together. Related projects include past, current, or probable future projects whose development could contribute to potentially significant cumulative impacts in conjunction with a given project. However, there are no concurrent or pending projects within a 500-foot radius of the project site. Any related planning entitlements issued within the project vicinity are limited to ministerial approvals for community signs and small residential remodeling project such as a new patio. The environmental impacts of the project to the surrounding area are minimal, and the project does not create any cumulatively considerable incremental impacts. Any cumulative impacts to air quality, noise, public services, traffic, or utilities or wildfire, that might result from the Project to the west or multiple or future projects, are not anticipated. Therefore, the Project would not be expected to meet this Mandatory Finding of Significance.

The estimated average daily trip for the proposed project is 57 trips, significantly below the threshold of 110 daily trips or more for a traffic impact analysis. There are no known pending or concurrent projects that would add to the daily trips from the proposed Project. An estimated of 57 daily trips is not high enough to contribute to cumulatively considerable impacts to the Sierra Highways. The Project is required to comply with the LID Ordinance which will reduce impacts on the environment. These additional features will improve the existing condition of the site and will off-set the additional impacts from the increase in density.

For utilities, the Project has demonstrated the availability of water supply, sewer and solid waste collection services, natural gas and electricity. The applicant would also be subject to development impact fees to off-set the cost of development on public services such as schools and libraries. Greenhouse gas emissions, air quality, cultural resources, hydrology, noise, public services, and utilities are all determined to be below the thresholds of significance for the proposed Project. Any future projects within the jurisdiction of County would be under County review and be subject to standard procedures of approval. These projects would be examined on a project-by-project basis to determine the appropriate type of CEQA review process and would be required to provide mitigation measures for their impacts. All projects must also comply with the development and design standards stipulated in the County Code.

The proposed project would not directly induce population growth within the project area. The project does not require new infrastructure beyond that necessary to serve the project. Because the proposed project would not increase environmental impacts, the incremental contribution to cumulative impacts would be less than significant.

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant Impact. The project's environmental effects are relatively minor and can be adequately mitigated. The project does not cause any substantial adverse environmental effects on human beings. The construction and operation of a small residential project is not anticipated to cause substantial environmental effects which would result in adverse effects on human beings, either directly or indirectly. The Project Site is vacant and undeveloped with no known history contamination.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**Civil Division**

North Valley District, Chatsworth Courthouse, Department F51

23STCP00854

October 16, 2025

**JAMES CHRISTOPHER BALL vs L.A. COUNTY DEPT. OF
REGIONAL PLANNING, AMY BODEK, DIRECTOR**

3:00 PM

Judge: Honorable Andrew E. Cooper
 Judicial Assistant: P. Terrazas
 Courtroom Assistant: F. Rodriguez

CSR: None
 ERM: None
 Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS:

COURT ORDER RE: RULING ON WRIT OF PETITION

After reading and considering all papers submitted as well as oral arguments, the Court's order is as follows:

The Court orders Respondent to set aside Condition No. 35 for reconsideration consistent with the Court's ruling.

BACKGROUND

Petitioner brings this action against Respondent in relation to the Los Angeles County Department of Regional Planning's ("DRP") evaluation and recommendation of conditions of approval in Petitioner's Conditional Use Permit ("CUP") Application No. RPPL2019002661, through which Petitioner sought to construct six single-family residences on six existing legal parcels in the Santa Clarita Valley Planning Area. (Ex. 1 to SAP.)

The DRP prepared conditions to Petitioner's CUP application, and on 7/27/22, the County Regional Planning Commission heard and approved the application. (Ibid.) On 8/8/22, Petitioner timely appealed the decision to the County Board of Supervisors ("BOS"), challenging a condition involving the requirement of a tribal monitor to oversee grading in the event tribal cultural resources are discovered.

On 12/20/22, the BOS held a hearing on Petitioner's appeal, accepting testimony from both Petitioner and Respondent. Thereafter, the Board "instructed the Interim County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of" Petitioner's CUP application "and denied the appeal" thereof. (Ex. 1 to SAP.) On 9/26/23, the BOS considered and unanimously voted to adopt the findings and conditions. (10/25/23 Suppl.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

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CSR: None
ERM: None
Deputy Sheriff: None

Status Report.)

On 3/17/23, Petitioner filed his original petition against Respondent, alleging the following causes of action: (1) CEQA Exemptions; (2) Tribal Jurisdiction; (3) Biological Monitor; (4) Unannounced Drone Spying; (5) Unnecessary Costs and Fees for Delayed Permits; and (6) Regional Planning Should Clean Up Their Act. The petition sought writ of mandamus and declaratory relief pursuant to Code of Civil Procedure sections 1060, 1085, and 1086.

On 11/29/23, the Court sustained Respondent’s demurrer against Petitioner’s fourth, fifth, and sixth causes of action without leave to amend, and against Petitioner’s first, second, and third causes of action with leave to amend. On 1/2/24, Petitioner filed his first amended petition (“FAP”), alleging the following causes of action: (1) Pretendian Woke Shakedown; (2) Biological Monitor for One Parcel; and (3) Conditional Use Permit Conditions Require Clarification. The parties settled Petitioner’s third cause of action.

On 8/1/24, after the Court sustained Respondent’s demurrer against the FAP, Petitioner filed his second amended petition (“SAP”), alleging the following causes of action: (1) Pretendian Woke Shakedown; and (2) No Basis for Biological Monitoring Requirements.

On 8/4/25, Petitioner filed his brief. On 9/2/25, Respondent filed its opposition. On 9/8/25, Petitioner filed his reply. A hearing on the petition was held on 10/3/25.

ANALYSIS

A. Legal Standard

An agency’s abuse of discretion may be established and a writ of mandamus issued under Code of Civil Procedure section 1094.5, subdivision (b) when the agency did not support its decision with adequate findings. “To prevail, a petitioner seeking a writ of administrative mandate must show the agency... (1) acted without, or in excess of, its jurisdiction; (2) deprived the petitioner of a fair administrative hearing; or (3) committed a prejudicial abuse of discretion. ... Abuse of discretion is established if the [agency] has not proceeded in the manner required by law, the order or decision is not supported by the findings, or the findings are not supported by the evidence.” (Balakrishnan v. Regents of University of California (2024) 99 Cal.App.5th 513, 524 [internal quotations and citations omitted]; Code Civ. Proc. § 1094.5, subd. (b).)

“Where it is claimed that the findings are not supported by the evidence, in cases in which the

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

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CSR: None
ERM: None
Deputy Sheriff: None

court is authorized by law to exercise its independent judgment on the evidence, abuse of discretion is established if the court determines that the findings are not supported by the weight of the evidence. In all other cases, abuse of discretion is established if the court determines that the findings are not supported by substantial evidence in the light of the whole record.” (Code Civ. Proc. § 1094.5, subd. (c).)

“If the administrative decision involved or substantially affected a ‘fundamental vested right,’ the superior court exercises its independent judgment upon the evidence disclosed in a limited trial de novo in which the court must examine the administrative record for errors of law and exercise its independent judgment upon the evidence.” (JKH Enterprises, Inc. v. Department of Industrial Relations (2006) 142 Cal.App.4th 1046, 1057.) “The courts must decide on a case-by-case basis whether an administrative decision or class of decisions substantially affects fundamental vested rights and thus requires independent judgment review.” (Bixby v. Pierno (1971) 4 Cal.3d 130, 144.)

Here, the Court finds that the challenged administrative decision affects Petitioner’s fundamentally vested property rights, namely Petitioner’s right to develop his own property. Accordingly, the Court reviews the evidence under the independent judgment standard. (Code Civ. Proc. § 1094.5, subd. (c).) “In exercising its independent judgment, a trial court must afford a strong presumption of correctness concerning the administrative findings, and the party challenging the administrative decision bears the burden of convincing the court that the administrative findings are contrary to the weight of the evidence.” (Fukuda v. City of Angels (1999) 20 Cal.4th 805, 817.)

B. Pretendian Woke Shakedown

Petitioner’s first cause of action alleges Pretendian Woke Shakedown against Respondent, specifically that “this Cause of Action seeks to redress the abuses of discretionary authority by Respondent, L.A. County Department of Regional Planning, in preparing and presenting condition #35 of the Conditional Use Permit RPPL2019002661-(5) to the Board of Supervisors (BOS) at the administrative hearing and appeal on December 20, 2022.” (SAP 4:17–20.) Petitioner further alleges that this “Cause of Action originates from the abuse of discretionary authority that resulted in stupid and expensive conditions that require me to pay unlimited costs for a professional archaeologist to watch me run my bulldozer to look for stuff that ain’t there.” (Id. at 5:22–25.)

Condition #35 requires that “The Permittee shall retain a professional archaeological monitor

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

North Valley District, Chatsworth Courthouse, Department F51

23STCP00854

October 16, 2025

**JAMES CHRISTOPHER BALL vs L.A. COUNTY DEPT. OF
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CSR: None
ERM: None
Deputy Sheriff: None

(‘Native American Monitor’) with expertise in Native American tribal cultural resources. The Native American Monitor shall be procured by the FTBMI or shall be selected by the Permittee and approved by the FTBMI and Regional Planning. The Native American Monitor shall be present to observe all grading of the building pads on the Project site, any trenching or excavation outside of the building pad areas, and any archaeological work conducted during Project implementation. If tribal cultural resources are encountered, the Native American Monitor, in conjunction with the on-site archaeologist, will have the authority to request ground disturbing activities cease within 60 feet of discovery to assess and document potential finds in real time.”

This condition was based on the San Fernandeño Tataviam Band of Mission Indians’ (“FTBMI) finding that:

“The Project is situated in a culturally sensitive zone where several TCRs have been identified. Among the TCRs within walking distance are prehistoric and historic villages and seasonal habitation settlements, food production sites with bedrock mortars and manos, ash middens, as well as tool production sites, sites with rock shelters containing petroglyphs or pictographs, sites containing human burial(s), as well as isolated artifacts (isolates), and trails. Additionally, there are culturally significant landmarks such as unique geological formations, oak trees, and places with natural resources where people gathered to conduct daily life activities such as harvesting plants for food and medicine and collecting raw materials for tool production.

It is our understanding that the applicant has not provided a geotechnical report or a cultural resources assessment for the Project. As a result, there is insufficient archaeological and geological information to assess the current conditions of the property and the extent of impact under the California Environmental Quality Act (CEQA).” (AR-1828.)

“Petitioner objects to the CUP condition #35 that requires continual monitoring of any grading or trenching, however minor, by a professional archaeologist who must satisfy the requirements of the generational descendants of a local Indian tribe who are not answerable to any governmental authority.” (Pet.’s Trial Brief 2:2–5.) Petitioner argues that “while AB 52 emphasizes the importance of tribal consultation, it does not mandate that lead agencies adopt the mitigation measures proposed by tribes. ... Thus, by deferring to the tribe’s recommendations and not reaching an independent conclusion, Regional Planning has not acted lawfully.” (Id. at 8:11–17.) “The administrative record shows that it is virtually impossible to expect that any tribal cultural resources might exist on the subject property.” (Id. at 8:19–21.) “The administrative record shows that Regional Planning only accepted the Tribe’s unfounded assertion that there might be TCR’s, but Planning as the lead CEQA agency never had a finding that it was possible, and they

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

North Valley District, Chatsworth Courthouse, Department F51

23STCP00854

October 16, 2025

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never considered Petitioner’s geology reports and cultural assessments.” (Id. at 9:6–9 [emphasis in original].)

Petitioner also argues that “there was no finding of significant impact and no discussion of feasibility as required by law” pursuant to Public Resources Code section 21082.3, subdivision (b). (Id. at 3:1–2.) “If a project may have a significant impact on a tribal cultural resource, the lead agency’s environmental document shall discuss both of the following: (1) Whether the proposed project has a significant impact on an identified tribal cultural resource. (2) Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.” (Pub. Resources Code § 21082.3, subd. (b) [emphasis added].)

In opposition, Respondent argues that *Koi Nation of Northern California v. City of Clearlake* (2025) 109 Cal.App.5th 815 is directly on point. In *Koi Nation*, the Court of Appeal found that in approving a hotel construction project, the city failed to comply with AB 52 by failing to engage in a meaningful consultation with the local Native American tribe where the proposed project was located 0.2 miles north of a tribal ancestor’s former residence. (109 Cal.App.5th at 823, 827.) Respondent argues the *Koi Nation* holding cuts against Petitioner in this case. (Resp.’s Opp. 8:17–22.) The Court disagrees.

The *Koi Nation* opinion discusses the adequacy of the city’s consultation with the Native American tribe, where the Court of Appeal ultimately found an “absence of evidence that any meaningful consultation took place,” and remanded the matter to the trial court with instructions to issue a writ of mandate setting aside the city’s project approvals. (Id. at 840–843 [“The consultation here was perfunctory at best. As far as the record reflects, there was no discussion between the City and Koi Nation of the reasons for the City’s decision to reject two of the mitigation measures that Koi Nation had requested (that is, the retention of on-site tribal cultural monitors during development and all ground disturbance activities and the adoption of a specific protocol for handling human remains and cultural resources)”].)

Here, the Court agrees with Petitioner that “the *Koi Nation* case does not provide case law that says the agency must defer to the tribe’s recommendations. It says the agency must consider the tribe’s recommendations.” (Pet.’s Reply 7:6–8.) Accordingly, the Court finds that the holding in *Koi Nation* is not applicable to Petitioner’s arguments that the FTBMI’s findings are without merit or factual basis.

Respondent further argues that any failure to consider Petitioner’s geotechnical reports is based

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

North Valley District, Chatsworth Courthouse, Department F51

23STCP00854

October 16, 2025

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ERM: None

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Deputy Sheriff: None

on Petitioner’s own documented refusal to cooperate with the permit application process. (Resp.’s Opp. 10:3–11:1, citing AR-2115, AR -2113, AR-1903, AR-2118, AR-1924.) Respondent argues that the FTBMI’s findings were based on the information available at the time. However, “where the court finds that there is relevant evidence that, in the exercise of reasonable diligence, could not have been produced or that was improperly excluded at the hearing before respondent, it may enter judgment as provided in subdivision (f) remanding the case to be reconsidered in the light of that evidence; or, in cases in which the court is authorized by law to exercise its independent judgment on the evidence, the court may admit the evidence at the hearing on the writ without remanding the case.” (Code Civ. Proc. § 1094.5, subd. (e).)

Here, in exercising its independent judgment on the evidence, the Court finds that the geological and cultural assessment reports were improperly excluded from the tribal consultation discussions. Prior to the BOS adopting its final findings, Petitioner apprised Respondent’s Regional Planner, Richard Claghorn, of the purported impossibility of tribal cultural resources based on the property’s characteristics. (AR-01300.) On this basis, the Court finds that the findings are not supported by the weight of the evidence, and orders Respondent to set aside Condition No. 35 for reconsideration with the additional evidence of Petitioner’s geological and cultural assessment reports. (Code Civ. Proc. § 1094.5, subd. (f).) Respondent is ordered to reconsider its findings fully considering Petitioner’s geological and cultural assessment reports.

The Court imposes the following reasonable time limits for completion to not further delay property development plans:

Petitioner to submit/resubmit his supporting documentation/evidence to the Respondent no later than thirty days after this order.

Respondent to complete its review and issue a decision no later than sixty days after receiving the Petitioner’s supporting documentation.

C. Biological Monitor

Petitioner’s second cause of action alleges No Basis for Biological Monitoring Requirements. “A party seeking relief for an injury for which an administrative remedy is available ordinarily must pursue relief from the administrative agency before seeking relief in court.” (City of Fillmore v. Board of Equalization (2011) 194 Cal.App.4th 716, 725.) A plaintiff may not ordinarily advance a new theory in the court that was not presented to the administrative agency. (Hoag Mem. Hosp. Presbyterian v. Kent (2019) 36 Cal.App.5th 413, 425–426.)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

North Valley District, Chatsworth Courthouse, Department F51

23STCP00854

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Here, the Court previously ruled that at the pleading stage, “Petitioner has alleged facts sufficient show that Respondent is equitably estopped from asserting as a defense a failure to exhaust administrative remedies.” (2/3/25 Min. Order, p. 6.) The Court’s ruling was based on Petitioner’s allegations that the biological monitor conditions “were invented by Regional Planning in an abuse of authority,” that “Regional Planning’s representations to me and the Board of Supervisors were false,” And “that information was improperly excluded from the BOS hearing and my appeal, because Regional Planning deceived me and the Board of Supervisors by concealing the fact that there was no evidence supporting the findings that generated the Biological Monitoring conditions. Instead, Regional Planning presented a smokescreen of bad information produced by the CA Dept. of Fish & Wildlife (CDFW).” (SAP 12:8, 12:24–25, 12:10–14.)

“Generally speaking, four elements must be present in order to apply the doctrine of equitable estoppel: (1) the party to be estopped must be apprised of the facts; (2) he must intend that his conduct shall be acted upon, or must so act that the party asserting the estoppel had a right to believe it was so intended; (3) the other party must be ignorant of the true state of facts; and (4) he must rely upon the conduct to his injury.” (Driscoll v. City of Los Angeles (1967) 67 Cal.2d 297, 305.) Here, Respondent argues that it cannot be equitably estopped from asserting an exhaustion of administrative remedies defense because “the County informed Petitioner in writing the basis for the biological monitor condition before both public hearings. ... Petitioner’s email reply acknowledged this information. ... [therefore] Petitioner was not ‘ignorant of the true state of facts.’” (Resp.’s Opp. 13:13–15, citing AR-1302.)

Based on the foregoing, the Court agrees with Respondent that “Petitioner fails to prove the Driscoll elements to get around the prerequisite of exhaustion of administrative remedies. Thus, the second cause of action is jurisdictionally barred from consideration in this case.” (Id. at 13:18–20.) Accordingly, the writ petition is denied as to Petitioner’s second cause of action.

CONCLUSION

The Court orders Respondent to set aside Condition No. 35 for reconsideration consistent with the Court’s ruling.

Certificate of Service is attached.

Ball Construction

(J.C. Ball dba)

May 5, 2026

To: The Honorable L.A. County Board of Supervisors
Subject: Project Number 2019-001416 or RPPL2026001631
Litigation: Ball v Bodek, Mandamus Petition 23STCP00854

This letter will explain the Request for C.U.P. Modification eliminating Archaeological Monitoring for six parcels that are not a subdivision. This letter also informs the Board of another abuse of discretionary authority: Biological Monitoring is required for just one parcel that was never inspected by any biologist; and monitoring conditions were invented downtown by a county biologist who never visited the property.

The following B.1. C.U.P. Modification is undisputed by Regional Planning:

B.1. The Findings and Decision in Section 22.158.050 for the Conditional Use Permit as modified has been satisfied.

Condition 35 was litigated for 3 years in Superior Court (case 23STCP00854), resulting in a court order: "Respondent [DRP] to set aside Condition No. 35 for reconsideration ... [and] to reconsider its findings fully considering Petitioner's geological and cultural assessment reports."

Regional Planning subsequently informed Applicant on December 21, 2025: "Based on these reviews, LA County Planning has concluded that Condition No. 35 is not necessary for your project."

Summary: C.U.P. Condition 35 has been set aside and has therefore been satisfied.

The following is informative and not a part of the requested C.U.P. Modification (void if detached).

The following is informative and not a part of the requested C.U.P. Modification (void if detached).

A C.U.P. modification application for the following was arbitrarily refused concurrent processing by Susan Tae at Regional Planning in a discretionary decision:

After surviving three demurrers, the Court declined to issue an Administrative Mandamus Writ for this cause of action, because it was not specifically appealed to the BOS. Nevertheless, it represents an abuse of discretionary authority, and this Board should be aware of it. Regional Planning wants it swept under the rug.

SECOND CAUSE OF ACTION

“NO BASIS FOR BIOLOGICAL MONITORING REQUIREMENTS”

From the trial brief filed August 4, 2025, page 14, line 20:

“The administrative record shows no basis for biological monitoring requirements.

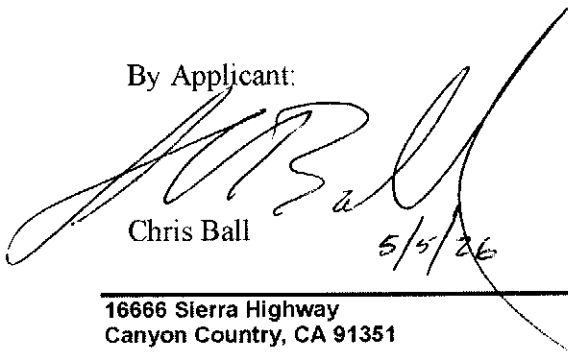
CUP conditions require the applicant to hire a biologist to monitor habitat for endangered species that were never found and to monitor the impact on wetlands and streambeds that were never identified. The Administrative Record shows that the habitat is the same for all six parcels, and all six parcels drain to the same place. The Administrative Record contains no field notes or photographs from the county biologists who never inspected the property. There is nothing in the Administrative Record that informed the Board of Supervisors of the following:

- Why were the biological monitoring conditions imposed on just the one parcel -019 when the habitat maps are the same for all parcels?
- Why was the one parcel never inspected by county biologists?
- Why are there no maps showing affected wetlands and streambeds?

Summary of Second Cause of Action: No Basis for Biological Monitoring.

- Regional Planning has acted unlawfully by delegating the determination of jurisdiction.
- Regional Planning presented the Board of Supervisors with a smokescreen.
- The administrative record shows no basis for biological monitoring requirements.”

By Applicant:



Chris Ball
5/5/26

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

North Valley District, Chatsworth Courthouse, Department F51

23STCP00854

January 12, 2026

**JAMES CHRISTOPHER BALL vs L.A. COUNTY DEPT. OF
REGIONAL PLANNING, AMY BODEK, DIRECTOR**

12:23 PM

Judge: Honorable Andrew E. Cooper

CSR: None

Judicial Assistant: P. Terrazas

ERM: None

Courtroom Assistant: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS:

COURT ORDER RE: PETITIONER'S REQUEST FOR CLARIFICATION OF OCTOBER 16,
2025 MINUTE ORDER (NO HEARING REQUESTED)

Without providing preview rulings on potential future actions,
the Court responds to Petitioner's Request for Clarification of
the October 16, 2025 Minute Order as follows:

1. Effect of Dismissal of 2nd COA: the dismissal was with prejudice because the basis was the failure to exhaust administrative remedies prior to bringing the second COA.
2. Any future petitions for writ relief will be subject to full analysis based on future administrative actions including the facts and law.

Certificate of Service is attached.