ANALYSIS

This ordinance amends Title 3 of the Los Angeles County Code to change, consistent with California Assembly Bill No. 2402 ("AB 2402"), the name of the Fish and Game Commission to the "Fish and Wildlife Commission." This ordinance also amends Titles 6, 10, 20, and 22 to reflect the change in the name of this Commission and to similarly reflect the change in the name of the State Department of Fish and Game to the "Department of Fish and Wildlife" pursuant to AB 2402.

This ordinance does not alter references to the Fish and Game Warden as the title of that County officer is enumerated by Section 14 of the Charter of the County of Los Angeles, which requires a vote of the County electorate to amend, and California Government Code section 24000.

MARY C. WICKHAM
County Counsel

By
CASEY YOURN
Deputy County Counsel
Property Division

CY:ll

Requested: 12-1-15

Revised: 3-7-16

ORDINANCE NO. 2016-0019

An ordinance amending Title 3 of the Los Angeles County Code to change, consistent with California Assembly Bill No. 2402 (AB 2402), the name of the Fish and Game Commission to the "Fish and Wildlife Commission." This ordinance also amends Titles 6, 10, 20, and 22 to reflect the change in the name of this Commission and to similarly reflect the change in the name of the State Department of Fish and Game to the "Department of Fish and Wildlife" pursuant to AB 2402.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 3.26 of Title 3 is hereby amended to read as follows:

Chapter 3.26 FISH AND ~~GAME~~WILDLIFE COMMISSION

SECTION 2. Section 3.26.010 of Title 3 is hereby amended to read as follows:

3.26.010 Chapter a~~A~~pplicability.

This chapter applies to the ~~f~~Fish and ~~game~~Wildlife ~~c~~Commission and to the office of ~~f~~Fish and ~~g~~Game ~~w~~Warden.

SECTION 3. Section 3.26.020 of Title 3 is hereby amended to read as follows:

3.26.020 Continuation—Composition.

A. The ~~f~~Fish and ~~game~~Wildlife ~~c~~Commission of the ~~c~~County of Los Angeles, which shall be referred to in this chapter as the "~~c~~Commission," is continued.

B. The ~~c~~Commission shall have five positions. A member of the ~~c~~Commission shall be appointed to a vacant position by, and serve at the pleasure of, the ~~b~~Board of ~~s~~Supervisors, which shall be referred to in this chapter as the "~~b~~Board."

C. Each person who is a member of the ~~c~~Commission on the effective date of the amendment codified in this section shall serve at the pleasure of the ~~b~~Board for the remainder of his or her term of three years.

SECTION 4. Section 3.26.030 of Title 3 is hereby amended to read as follows:

3.26.030 Length of ~~s~~Service—Vacancy.

The provisions of this section shall become applicable to a position on the ~~c~~Commission at the expiration of the term of the member occupying that position on the effective date of the amendment codified in this section.

A. Each member of the ~~c~~Commission shall serve at the pleasure of the ~~b~~Board. Each position on the ~~c~~Commission shall become vacant every two years from the date this amendment becomes applicable to each position.

B. No member of the ~~c~~Commission may serve more than two consecutive full periods of service as specified in subsection A of this section. The ~~b~~Board may, by order, extend this length of service or waive this limit for individuals or the ~~c~~Commission as a whole.

C. A member's position on the ~~c~~Commission shall become vacant upon his or her death, resignation, or removal by the ~~b~~Board. In the case of such a vacancy, the

~~b~~Board shall appoint a successor to serve until the position next becomes vacant under subsection A of this section.

D. The provisions of Chapter 5.12 of the County Code shall not apply to the ~~c~~Commission.

SECTION 5. Section 3.26.060 of Title 3 is hereby amended to read as follows:

3.26.060 Chair~~man~~person and ~~s~~Secretary.

The ~~fish and game c~~Commission shall elect a chair~~man~~person and secretary from its membership, each of whom shall serve for a period of one year and thereafter until their successors are elected.

SECTION 6. Section 3.26.070 of Title 3 is hereby amended to read as follows:

3.26.070 Compensation.

Unless otherwise provided in the current salary ordinance, the members of the ~~fish and game c~~Commission shall serve without compensation.

SECTION 7. Section 3.26.080 of Title 3 is hereby amended to read as follows:

3.26.080 Rules and ~~r~~Regulations.

The ~~fish and game c~~Commission also may prepare and adopt rules and regulations for the internal government of its business, subject to the approval of the ~~b~~Board.

SECTION 8. Section 3.26.090 of Title 3 is hereby amended to read as follows:

3.26.090 Meetings.

Meetings shall be held by the ~~fish and game c~~Commission at least four times a year and at the time and place to be provided or selected by the ~~c~~Commission for the purpose.

SECTION 9. Section 3.26.100 of Title 3 is hereby amended to read as follows:

3.26.100 Duties.

The members of the ~~fish and game c~~Commission shall devote their time and thought to the best methods for the propagation and protection of fish and ~~game~~wildlife in the state of California and ~~c~~County of Los Angeles. The ~~fish and game c~~Commission shall be an advisory body and make such recommendations to the ~~b~~Board ~~of supervisors~~ at least two times a year and to the ~~f~~Fish and ~~g~~Game ~~w~~Warden, as it may deem to be reasonable or necessary or advisable.

SECTION 10. Section 6.44.175 of Title 6 is hereby amended to read as follows:

6.44.175 Fish and ~~Game~~Wildlife Commission—Additional ~~i~~Information.

No person shall be appointed to a position under Item 9471 (Deputy Fish and Game Warden, Without Compensation) who does not hold either a position in the

~~c~~County of Los Angeles or a position in one of the County Fire Protection Districts of the ~~c~~County of Los Angeles.

SECTION 11. Section 6.44.180 of Title 6 is hereby amended to read as follows:

6.44.180 Fish and ~~game~~Wildlife ~~c~~Commission—Meetings.

Each member of the ~~f~~Fish and ~~game~~Wildlife ~~c~~Commission (Item No. 9415) shall receive $25.00 per meeting for each meeting attended by said person, not to exceed $50.00 in any one month.

SECTION 12. Section 10.84.020 of Title 10 is hereby amended to read as follows:

10.84.020 Feeding a~~A~~nimals ~~p~~Permitted ~~w~~When.

A person may feed or provide food to a nondomesticated rodent or a nondomesticated mammalian predator under the following instances:

A. When the person is the owner of such a rodent or mammalian predator, and such rodent or predator is kept under a valid certificate or permit issued by the State of California Department of Fish and ~~Game~~Wildlife;

. . .

SECTION 13. Section 20.92.030 of Title 20 is hereby amended to read as follows:

20.92.030 Fishing ~~r~~Restrictions.

A person shall not fish in the waters of any reservoir, debris basin or spreading grounds owned by or under the control of the Los Angeles County Flood Control

District, except that fishing will be permitted from the banks of Puddingstone Reservoir, San Dimas Reservoir, San Gabriel No. 1 Reservoir, and Cogswell Reservoir (unless such reservoirs are posted to the contrary by signs plainly visible from the banks thereof), and from boats on Puddingstone Reservoir, San Dimas Reservoir, Big Tujunga Reservoir, San Gabriel No. 1 Reservoir and Cogswell Reservoir by persons having valid boat permits under Section 20.92.020 of this chapter, all within the regularly designated fishing season as established by the California State Department of Fish and ~~Game Commission~~Wildlife, or by other competent authority, and in compliance with the terms and conditions and during the hours specified in the boat permit hereinabove referred to.

SECTION 14. Section 22.44.142 of Title 22 is hereby amended to read as follows:

22.44.142 Baldwin Hills Community Standards District.

. . .

E. Oil Field Development Standards.

The following provisions shall apply throughout the oil field portion of the district:

. . .

7. Biological Resources. All oil operations on the oil field shall be conducted in a manner that minimizes impacts to biological resources and shall comply with the following provisions:

. . .

e. Listed Plant or Wildlife Species. If federal- or State-listed plant or wildlife species are found, then the operator shall comply with all applicable United States Fish and Wildlife and California Department of Fish and ~~Game~~Wildlife rules and regulations.

. . .

g. Tree and Riparian Scrub Removal. Removal of native or non-native trees and riparian scrub vegetation shall be scheduled, as possible, for removal outside the nesting season to avoid impacts to nesting birds. If avoidance of removal of trees or riparian scrub during the recommended periods is not possible, a ~~e~~County-approved biologist shall perform a survey to ensure that no nesting birds are present prior to removal. If for any reason a nest must be removed during the nesting season, the operator shall provide written documentation to the ~~d~~Director demonstrating concurrence from the United States Fish and Wildlife Service and California Department of Fish and ~~Game~~Wildlife authorizing the nest relocation and a written report documenting the relocation efforts.

. . .

SECTION 15. Section 22.44.940 of Title 22 is hereby amended to read as follows:

22.44.940 Administrative Coastal Development Permit.

A. Applicability. The provisions of this section shall apply to the principal permitted use and other permitted uses for each zone as set forth in this LIP, that:

. . .

3. Do not disturb plants and/or animals found on the following resource lists, as updated:

. . .

b. Special Animals and Special Vascular Plants, Bryophytes and Lichens, by the California Department of Fish and ~~Game~~Wildlife.

SECTION 16. Section 22.46.470 of Title 22 is hereby amended to read as follows:

22.46.470 Flora and ~~f~~Fauna.

. . .

D. Prior to alteration of any streambeds, the applicant shall enter into an agreement with the California State Department of Fish and ~~Game~~Wildlife, pursuant to Chapter 6 of Division 2 of the State Fish and Game Code to protect fish or wildlife resources.

. . .

G. Development in those areas designated as significant ecological areas (SEA's) by the Los Angeles County general plan, defined in Chapter 22.08 of this code, and in Catalina Harbor, Cottonwood Canyon and Sweetwater Canyon shall be subject to all pertinent standards and conditions set forth in this Title 22, except that the exemption provisions contained in Section 22.56.215(C) shall not apply. All vegetation removal or grading affecting an area of greater than 400 square feet within an acre of land or cumulatively, 800 square feet within an individual SEA shall also comply with these provisions. Rare plants shall be protected by a requirement to construct and

maintain fences around them, to leave the areas undeveloped to use other measures devised as a result of biological information prepared by the applicant, the Department of Fish and ~~Game~~Wildlife or otherwise obtained during the permit process. The SEA's shown on the special management areas map of the general plan are based on "Areas of Special Botanical Significance" prepared by Dr. R. F. Thorne for the Center for Natural Areas in 1976. These areas are shown on the maps contained in Appendix D; more precise boundaries will be obtained during the individual studies of the natural resources done by the applicant when development is proposed within an SEA.

H. Development shall avoid conflicts with the reintroduction programs for the endangered bald eagle and peregrine falcon by coordinating with the State of California Department of Fish and ~~Game~~Wildlife. Developers shall submit evidence that the Department of Fish and ~~Game~~Wildlife has reviewed the site plans for the proposed development and has no objection to them. Applications for helistops and heliports shall also design the approach and departure routes to avoid conflicts with endangered and native bird populations.

SECTION 17. Section 22.46.690 of Title 22 is hereby amended to read as follows:

22.46.690 Shoreline a~~A~~ccessways.

The following provisions pertain to shoreline accessways which are dedicated or otherwise guaranteed in conformance with the requirements of this specific plan and for which a public agency or private association, approved by the ~~e~~Executive ~~d~~Director, has

accepted the responsibility for construction, maintenance and liability of said accessways:

. . .

F. The State of California Department of Fish and ~~Game~~Wildlife shall review all new shoreline access locations to avoid conflicts with the reintroduction programs for the endangered bald eagle and peregrine falcon. Access sites must be thoroughly investigated because these birds are coastal cliff nesters and will not generally tolerate human disturbance.

SECTION 18. Section 22.56.510 of Title 22 is hereby amended to read as follows:

22.56.510 Imposition of a~~A~~dditional c~~C~~onditions a~~A~~uthorized w~~W~~hen.

The d~~D~~irector or c~~C~~ommission, in approving an application for an animal permit:

. . .

B. Shall impose the following conditions on applications for rehabilitation facilities for small wild animals:

. . .

6. The facilities shall only be authorized for as long as the applicant maintains a continuously valid permit and Memorandum of Understanding from the California Department of Fish and ~~Game~~Wildlife, or in the case of wild migratory birds, a valid permit from the U.S. Department of Fish and Wildlife.

[CH326CYCC]

SECTION 19. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.

Hilda L. Solis
Chair

ATTEST:

Lori Glasgow

Lori Glasgow
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of April 5, 2016 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

	Ayes		Noes
Supervisors	Hilda Solis	Supervisors	None
	Mark Ridley-Thomas		
	Sheila Kuehl		
	Don Knabe		
	Michael D. Antonovich		

Effective Date: May 5, 2016

~~Operative Date:~~ _____

Lori Glasgow

Lori Glasgow
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to section 25103 of the government code, delivery of this document has been made.

LORI GLASGOW
Executive Officer
Clerk of the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By _____
Lester J. Tolhai
Acting Chief Deputy County Counsel

S:\Ordinances\County Counsel\2016\2016-0019