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August 23, 2005

Agenda No. 6  
11/23/04

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

**Re: CONDITIONAL USE PERMIT NUMBER 02-236-(5)  
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

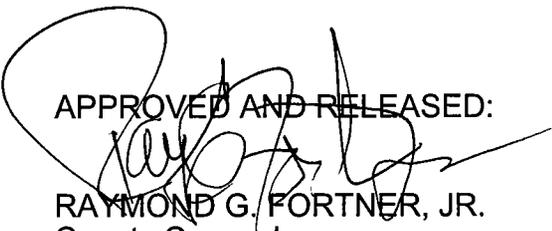
On November 23, 2004, your Board conducted a public hearing regarding the above-referenced permit to authorize the construction and maintenance of three water tank farms, two loading stations, and associated spring water delivery pipes in the unincorporated community of Gorman in the Castaic Canyon Zoned District. At the conclusion of the hearing, you indicated an intent to approve the permit and instructed us to prepare the appropriate findings and conditions for approval. Enclosed are proposed findings and conditions for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.  
County Counsel

By   
LAWRENCE L. HAFETZ  
Principal Deputy County Counsel  
Property Division

APPROVED AND RELEASED:

  
RAYMOND G. FORTNER, JR.  
County Counsel

LLH:di

Enclosures

HOA.295028.1

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
CONDITIONAL USE PERMIT NUMBER 02-236-(5)**

1. The Los Angeles County Board of Supervisors ("Board") conducted a duly noticed public hearing on this proposed Conditional Use Permit No. 02-236-(5) on November 23, 2004. The Los Angeles County Regional Planning Commission ("Commission") conducted its duly noticed public hearing on this application on June 9, 2004.
2. Pursuant to Section 22.24.150 of the Los Angeles County Code ("County Code"), the applicant is requesting authorization for the storage and export of spring water, including the construction of three water tank farms, two loading stations and associated spring water delivery pipes. An existing residence would be used as a caretaker's residence.
3. The subject property is located at 39439 Gorman Post Road, southeast of the unincorporated community of Gorman. Access to the site is via Gorman Post Road. The site is 1.1 miles from the Gorman on/off ramps to the Interstate 5 Freeway ("I-5 Freeway") on the west and 3.5 miles from Highway 138 on the east. The property is located in the Castaic Canyon Zoned District.
4. Zoning on the subject property is A-2-5 (Heavy Agricultural – five-acre minimum area).
5. Surrounding zoning is A-2-5 to the north, south, east, and west.
6. The subject property is currently developed with a 1,400 square-foot single-family residence. The site has also been used for cattle grazing for approximately 100 years.
7. The subject property is surrounded by vacant land with the exception of a Southern California Edison sub-station located to the east of the proposed caretaker's residence. The I-5 Freeway is located south of the subject property.
8. Access to the I-5 Freeway is available in Gorman (1.1 miles northwest of the subject property) and via Highway 138, which is 3.5 miles southeast of the subject property. The project will generate an average of 44 round trips per day.
9. The subject property is located within the Tehachapi Foothills Significant Ecological Area ("SEA"). Pursuant to Section 22.56.215 of the County Code, a conditional use permit is required in order to protect resources contained in SEAs and in hillside management areas from incompatible development which may result in or have the potential for environmental degradation and/or destruction of life and property. In extending protection to these environmentally sensitive areas, it is further intended to provide a process whereby the reconciliation of potential conflict within these areas may equitably occur. It is not the purpose of

the SEA designation to preclude development within these areas but to ensure to the extent possible that such development maintains and where possible enhances the remaining biotic resources of the SEAs and the natural topography, resources, and amenities of the hillside management areas while allowing for limited controlled development therein.

10. The tank farms will consist of up to eight water tanks with a capacity of 12,000 to 15,000 gallons each. The tanks will be non-reflective and neutral in color, and small filter/pump sheds (approximately 100 square feet) will be required at each station. Piping will be installed on the hillsides away from the stream areas to minimize erosion. The tanks will be constructed of seamless polyurethane and their height will be restricted to a maximum of 14 feet to minimize the risk of rupture due to seismic activity.
11. The proposed development will have minimal impact on the natural site. One and half percent (1.5%) of the 192-acre site will be improved. The remaining 98.5 percent (98.5%) of the site will remain as open space. The wildflower sites on the south-facing slopes will not be removed or disturbed. Infrastructure preparation at the source of the watercourses will occur only during the one to two weeks required to drill each source and install piping. Once drilling is completed the sites will be restored to their previous state as per the requirements of the California Department of Fish and Game.
12. The site has been used for extensive cattle grazing for approximately 100 years, which has depleted much of the native grassland vegetation but has allowed the non-native grassland vegetation, such as wildflowers, to flourish. The applicant plans on reducing the number of cattle on the site to allow for "Best Management Practices" and minimize damage to the natural springs and seeps while allowing the annual wildflower display to continue.
13. The Significant Ecological Technical Advisory Committee ("SEATAC") reviewed the case at its December 2, 2002 meeting, and found the project to be as well designed as possible, and that it meets the SEA compatibility requirements provided the wetland/riparian reestablishment is successful in promoting habitat for native species. The attached Mitigation Monitoring Program addresses this requirement. The actual area of riparian vegetation on the ground will be monitored to protect against a decrease in area of such vegetation and will be monitored for wildlife use.
14. The project site is located within the boundaries of the Golden Valley Municipal Water District ("District"). A hydrological study of the water resources of the District was prepared and based on the study the applicant has obtained the approval of the District for exportation of between 150 to 300-acre feet of water annually.

15. Pursuant to Section 22.24.150 of the County Code, the proposed water storage facility and caretaker's residence are permitted uses in the A-2-5 zone, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and as long as such permit is in full force and effect, and activities are conducted in conformity with the conditions of such permit.
16. The subject property is classified as Non-Urban 1 (N-1) in the Antelope Valley Area Plan ("AVAP").
17. As described in the AVAP, non-residential uses requiring, or appropriate for, remote locations may be allowed in non-urban areas where, among other things, the application process for the non-residential use involves a public hearing process and appropriate conditioning of the design of the project such that any potential negative impacts on adjacent land uses are minimized.

Moreover, the AVAP provides that non-residential uses can include local and highway-oriented commercial and industrial uses to serve the needs of local residents and travelers, manufacturing activities including product testing, development, and storage, and public and semi-public uses such as solid and liquid waste disposal.

The spring water collection, storage, and maintenance of a caretaker residence, as proposed by the applicant, are deemed consistent by the Board with the goals of the AVAP.

18. The applicant's site plan (Exhibit "A") depicts four springs labeled T1, T2, T3, and T4, three areas of water storage and two sites for truck loading on the north side of Gorman Post Road. The two loading areas are located along the driveway, adjacent to the two westerly tank farms. The caretaker's residence is located along Gorman Post Road adjacent to a Southern California Edison sub-station. Access to each site is shown from Gorman Post Road to the south.
19. Pursuant to Section 22.24.170 of the County Code, the proposed uses will comply with the development standards of the A-2 zone, as follows:
  - Yards shall be required as follows:
    - Front yard: 20 feet
    - Back yard: 15 feet
    - Side yard: 5 feet

The applicant's site plan does not depict any new construction other than for the pads on which the water tanks will sit and the proposed access driveways/aprons. The project complies with the stated setback requirements.

- Signs shall comply with the requirements of Part 10 of Chapter 22.52 of the County Code. In the A-2 zone, one business sign not to exceed 12 square feet in sign area shall be permitted per lot or parcel of land (Section 22.52.860).

The applicant has not submitted any plans for signage.

20. The existing single-family residence on the subject property will be occupied by a caretaker and his immediate family for the purposes of providing continuous supervision of the facility.
21. The Los Angeles County Department of Regional Planning has determined that a Mitigated Negative Declaration is the appropriate environmental documentation for this project under California Environment Quality Act ("CEQA") reporting requirements. An Initial Study was prepared for this project in compliance with the Environmental Guidelines and Reporting Procedures of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment other than in the areas of biota, cultural resources, visual qualities, flood, traffic, and water quality. However, the initial study further indicated that project's potential impacts to these areas will be less than significant with project mitigations.
22. During the environmental review phase of the project, staff received comment letters from the Los Angeles County Department of Public Works dated March 8, 2003 and December 2, 2002, the Los Angeles County Department of Health Services dated October 17, 2002, the California Department of Fish and Game dated February 18, 2003 and November 1, 2002, the California Regional Water Quality Control Board dated January 21, 2003, and the Los Angeles County Fire Department dated November 18, 2002. These comments have been reflected, where appropriate, as mitigation measures in the Mitigation Monitoring Program, which has been included as an attachment to this document.

Staff received five telephone calls, a nine-signature petition, 16 letters in opposition, and 15 letters in favor of this request while it was pending before the Commission. Concerns included draining of water, destruction of wildflowers, traffic impacts, and visual scarring by placing water tanks on the hillside.

Concerns have been raised by opponents to this project that the removal of the water from this area will result in a depletion of wildflowers and drain the springs on the property. Studies show that the project will not have a significant impact upon groundwater supplies or substantially interfere with groundwater recharge. The applicant submitted a hydro-geologic investigation, prepared for the Golden Valley Municipal Water District, which showed perennial yield amounts representing groundwater resources that are surplus to the area aquifers and also showed that the withdrawal of between 150 to 300-acre feet of water annually, as proposed by the applicant, will not have a significant impact.

23. To mitigate the project's visual impacts, the water tanks will be buffered and shielded from view from the I-5 Freeway, as well as Gorman Post Road by berms landscaped with native vegetation. The tanks will also be in a color that blends with the surrounding environment. Because the tanks will be sited at the foot of the mountains near the loading areas located along the driveway near Gorman Post Road and shielded by the berms, visual impacts will be mitigated to less than significant levels.
24. A limit on night lighting contained in attached Condition No. 18(e) minimizes visual impacts and impacts on wildlife associated with night time illumination.
25. SEATAC has required the restoration of wetland/riparian habitat after drilling activities and has required ongoing monitoring to ensure no future impacts to this habitat.
26. Wildflower sites on the southerly slopes will not be disturbed because the project minimizes ground disturbance where the above-ground piping will be installed and the less than two percent (2%) of the project site that will be developed is near the road and located at the foot of the mountains.
27. A butterfly survey was conducted at the site at an appropriate time of year to provide an estimate of the diversity of butterfly species potentially using the site. The survey showed that no such species will be impacted by this project.
28. A traffic analysis of the proposed project indicated that traffic generated by the project will be below the daily trip generation threshold of significance, as established by the Los Angeles County Department of Public Works, for any traffic impact analysis. The applicant will provide traffic-related improvements.
29. The proposed project will help meet the growing demand for bottled spring water. The Los Angeles area's bottling plants currently depending on water from San Diego and Kern Counties would gain a closer supply source.
30. The Board conducted a public hearing on this matter on November 23, 2004, and heard testimony in favor and against this project. After consideration of the Mitigated Negative Declaration, together with all comments received during the public review process, the Board found that it cannot be fairly argued on the basis of the whole record that there is substantial evidence that the project may have a significant effect on the environment, and further found that the appropriate restrictions in the Mitigation Monitoring Plan and conditions of approval as amended by the Board mitigate any project impacts to less than significant.

31. The Board further found that objections to the project were not based on substantial evidence and do not create a fair argument that the project may have a significant effect on the environment. To constitute substantial evidence, the information cannot be based on speculation, unsubstantiated opinion, or inaccurate or erroneous information, or provided by an expert who is not appropriately qualified and does not possess sufficient facts about the project and relevant circumstances of the project site. The Board found that project objections, including the following, did not constitute substantial evidence:
- a. Depletion of aquifers/hydrology. Objections were raised that the project would deplete aquifers. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. The Board found that the hydrology study and staff expertise regarding the existing aquifers and groundwater basins in the area and lack of connectivity to adjacent aquifers that may be used for other projects contemplated for development in the area constitute substantial evidence that the project, as mitigated and conditioned, will not have a significant environmental impact.
  - b. Destruction of wildflowers. Objections were raised that the project would destroy or lessen blooming of wildflowers. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. The Board found that the project will not impact wildflower displays because the wildflower sites on the south facing slopes will not be disturbed by project design or implementation, because the project applicant's plan to allow a reduced number of cattle on the site will continue to facilitate the annual wildflower displays, and because the extraction of up to 300-acre feet per year of water will not significantly impact the availability of water needed for the annual wildflower displays.
  - c. Visual impacts because of location of water tanks on hillside. Concerns were expressed that the water tanks would be visible from Gorman Post Road and the I-5 Freeway. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. The Board found that the water tanks will be located at the base of the hillside, not on it, they will be neutral in color, shielded by berms that will be vegetated by native plants, and that per staff's analysis and assessment, as conditioned and mitigated, the project's water tanks will not be visible from either Gorman Post Road or the I-5 Freeway and their presence will not impact views in general or views of the annual wildflower display.

- d. Traffic impacts and safety. Objections were raised that the project's impacts on traffic on Gorman Post Road and traffic safety were significant and had not been mitigated to less than significant. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. The Board found that Gorman Post Road's current level of service is A and per staff's expertise, the addition of 44 daily round trips caused by the project does not constitute a significant increase in traffic. The Board further found that the conditions required by the Department of Public Works mitigate safety concerns to less than significant levels.
- e. Noise. Objections were raised that the project would result in an increase in noise levels due to increased traffic on Gorman Post Road. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. Gorman Post Road is located 600 feet east of the I-5 Freeway, a high noise source, and the Board finds that the truck traffic consisting of 44 round trips generated by the project does not constitute a significant impact on noise.
- f. Air Pollution. Objections were raised that the project would result in an increase in air pollution due to increased traffic on Gorman Post Road. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. The Board found that the project does not exceed thresholds of potential significance established by the Air Quality Management District ("AQMD").
- g. Impact on wildlife from nighttime lighting and glare. Objections were raised that the project's operation at night would have a significant impact on wildlife from lighting and glare. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. The Board found that the conditions placing limitations on security lighting and requiring that motion detectors be used for outdoor lighting reduces any project impacts to less than significant.
- h. Biological Resources. Objections were raised that the project may threaten or eliminate plant or animal species that are endangered, threatened, or species of special concern, that the biota report was inadequate, that wetlands might be impacted, and that mitigation consisting of post approval study is deficient. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. The Biota Report assessed project impacts on site and the one and half percent (1.5%) of the 192-acre site that will be improved. The small portion of the project site proposed to be disturbed in conjunction with the required mitigation measures establishes that project impacts on biological resources are less than significant. Any contrary conclusions regarding project impacts based on nearby property or lack of knowledge of the project site does not constitute substantial evidence.

The California Department of Fish and Game commented that the Biota Report sufficiently analyzed project impacts and that the mitigation proposed for the project reduced impacts to less than significant. The Board is entitled to rely on these comments to support its determination that the project will not have significant biological impacts as mitigated. Likewise, the Board properly required approval of a Department of Fish and Game Streambed Alteration Agreement to mitigate impacts on wetlands and the riparian communities to less than significant levels, and is entitled to utilize monitoring to adjust water extraction rates as mitigation for potential impacts.

- i. Geotechnical concerns. Objections were raised that the water tanks for the project could break and release their contents in the event of a major earthquake. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. Because the water tanks will be made of seamless polyurethane to minimize the risk of rupture during an earthquake, project impacts from any seismic activity are reduced to less than significant levels.
  - j. Drainage approval concept. Objections were raised that the drainage approval concept to minimize erosion due to flooding improperly deferred mitigation. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. The Board found that the drainage concept approval already granted by the Department of Public Works is a project condition, and no improper deferral of mitigation occurred.
  - k. Water quality. Objections were raised that project impacts from runoff were not analyzed or mitigated. The record as a whole demonstrates that the evidence provided in support of these objections is not substantial. Obtaining a National Pollutant Discharge Elimination System "NPDES" permit is required for this project. The Board found that while without mitigation, the project may have a significant effect on the environment, with mitigation, it would not. Compliance with conditions imposed by other agencies that satisfy specific performance criteria imposed under applicable statutory or regulatory authority constitutes appropriate mitigation.
32. The Board also found that the Mitigated Negative Declaration reflected the independent judgment and analysis of the Board and adopted the Mitigated Negative Declaration and the Mitigation Monitoring Program for the project.

33. The Board found that with appropriate restrictions on its operation as set forth in the conditions of approval, the proposed use will be compatible with surrounding land uses.
34. 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 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 the Land Divisions Section, Los Angeles County Department of Regional Planning.

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

- A. That the proposed use will be consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location 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. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in the Zoning Ordinance, or as is otherwise required in order to integrate the proposed use with the uses in the surrounding area;
- D. That the proposed 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. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard;
- F. That the proposed project is compatible with the natural, biotic, cultural, scenic, and open space resources of the area;
- G. That the proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;

- H. That the proposed project demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;
- I. That the proposed project is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;
- J. That the proposed project is designed to maintain water bodies, watercourses, and their tributaries in a natural state;
- K. That the proposed project is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;
- L. That the proposed project retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development;
- M. That where necessary, fences or walls are provided to buffer important habitat areas from development; and
- N. That roads and utilities serving the proposed project are located and designed so as not to conflict with critical resources, habitat areas, or migratory paths.

**THEREFORE, THE BOARD OF SUPERVISORS:**

1. Indicates that it has previously adopted the Mitigated Negative Declaration and Mitigation Monitoring Program for the Project, and in view of the findings presented above, approves Conditional Use Permit No. 02-236-(5), subject to the attached conditions.

**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NUMBER 02-236-(5)**

1. This grant authorizes the use of the subject property for spring water storage and delivery, including the construction of three water tank farms, two loading stations, and associated spring water delivery pipes with an existing residence to be used for a caretaker as depicted on the approved Exhibit "A." The grant is subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. 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 Department of Regional Planning ("Department") their affidavit stating that they are aware of, and agree to accept all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 10 and 11.
4. 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 limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. 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 pay the Department an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the Department's cooperation in the defense, including but not limited to depositions, testimony, and other assistance 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 incurred reach 80 percent (80%) of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code ("County Code").

6. This grant shall expire unless used within two years from the date of approval. A one-year time extension may be requested in writing with the payment of the applicable fee at least six months before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Registrar-Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
9. This grant shall terminate on September 1, 2029.

Upon written application of the permittee made no less than six months prior to September 1, 2029, the term of this grant shall be extended by the Director of the Department of Regional Planning ("Director") for a period not to exceed 25 years, as provided herein below. The Director shall grant such extension unless he or she finds one of the following: (1) that the permittee has failed to adhere to the conditions of approval and such failure has not been timely corrected upon written notice thereof; and (2) that the use is not in compliance with all applicable laws and regulations. If either of the foregoing findings is made by the Director, the extension may be denied. Subsequent extensions may be granted by the Commission upon written application made no less than six months prior to the expiration of the previous extension.

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. Prior to the use of this grant, the permittee shall deposit with the County the sum of \$3,300. These monies shall be placed in a performance fund that shall be used exclusively to compensate the Department for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file at the Department. The fund provides for two inspections of the site per year. Inspections shall be unannounced. On or before September 1, 2016, the permittee shall deposit with the County the sum equal to 26 additional biannual inspections at the then

current recovery rate. If the term of the grant is extended, additional monies sufficient to provide for additional biannual inspections shall be deposited with the County for the life of the grant. The amount due for such inspections for the extended term shall be the amount equal to the recovery cost at the time of payment.

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 condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment, currently \$150 per inspection.

11. Within 15 calendar days following the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to section 711.4 of the Fish and Game Code. The current fee amount is \$1,275.
12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated, or that this grant has been exercised so as to be detrimental to the public health, or safety, or so as to be a nuisance.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said department.
15. All structures shall comply with the requirements of the Building and Safety Division of the Los Angeles County Department of Public Works ("Building and Safety"). The proposed landscape berms screening the water tanks shall be installed to the satisfaction of the Department prior to the final inspection or permit approval issued by Building and Safety.

16. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A," and those areas of the property not intended for development as shown on Exhibit "A" shall remain as open space for the life of the project. In the event that subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
17. The permittee shall comply with the attached "Project Changes/Conditions Due to Environmental Evaluation" and the corresponding Mitigation Monitoring Program. The applicant shall deposit the sum of \$3,000 with the Department to defray the cost of reviewing and verifying the information contained in the required Mitigation Monitoring Reports. This deposit is due and payable within 30 days of the approval date of this grant.
18. The construction, operation, and maintenance of the water storage and delivery facility is subject to all of the following conditions:
  - a. The permittee shall maintain all areas of the premises over which the permittee has control in a neat and orderly fashion, free of litter and debris. All required landscaping shall be continuously maintained in good condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary;
  - b. Trucking of water between 8:00 a.m. and 6:00 p.m. on Sundays and on all weekend days during the wildflower season, March 1st through May 31st, is prohibited;
  - c. The permittee shall comply with the conditions of the Los Angeles County Fire Department as outlined in its memorandum dated March 4, 2003, attached hereto;
  - d. The permittee shall comply with the conditions of the Los Angeles County Department of Public Works as outlined in their memorandum dated June 8, 2004, attached hereto, which conditions require that: (1) the internal truck circulation within the property should be directional (one-way traffic only); (2) the most easterly driveway should be restricted to ingress only, and (3) the most westerly driveway should be restricted to egress only;
  - e. Security lighting shall be low intensity, shielded at low height, and directed downward and away from other natural areas. Motion detectors shall be used for outdoor lighting;
  - f. The permittee shall maintain a current contact name, address, and phone number on file with the Department at all times;

- g. The caretaker's residence shall be occupied by a caretaker in accordance with Section 22.08.030 of the County Code;
- h. The applicant shall install a water guzzler for wildlife outside the fenced off area;
- i. The coloring of the water tanks shall be in a tone which blends with the surrounding environment; and
- j. Upon termination of this grant as provided in Condition No. 9, or, if after the construction of the facility this facility ceases to operate, the permittee shall remove and clear the site of all equipment. The permittee shall restore the site as nearly as practicable to its condition prior to the installation of the subject facilities. Failure to remove such facilities as required herein shall constitute a public nuisance. Prior to installation of its facilities, the permittee shall post a performance security, satisfactory to the Director of Public Works, in an amount and form sufficient to cover the cost of removal of the facilities provided herein. In the event that the facilities are not removed within 90 days after the permittee's receipt of notice requiring removal, the County may itself cause the facilities to be removed.

**ATTACHMENTS:**

Project changes/conditions due to environmental evaluation  
Mitigation Monitoring Program – Project No. 02-236  
County Fire Department letter dated March 4, 2003  
Department of Public Works letter date June 8, 2004



**PROJECT CHANGES/CONDITIONS  
DUE TO ENVIRONMENTAL EVALUATION**

**PROJECT No. CUP 02-236**

The Department of Regional Planning (DRP) staff has determined that the following conditions or changes in the project are necessary in order to assure that there will be no substantial evidence that the proposed project may have a significant effect on the environment.

The applicant shall deposit the sum of \$3,000 with the DRP within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports by a Mitigation Monitoring Program (MMP).

**Flood/Drainage**

To mitigate project's potential impact on drainage, the applicant shall comply with all requirements of the approved drainage concept to the satisfaction of the Department of Public Works.

**Spring Water**

To ensure project impact to springs is less than significant, the applicant shall monitor the four springs from which water will be ultimately extracted annually to document the condition and trend of the hydrologic and biotic components. Monitor one "control" spring (T-3) to factor normal background variation in spring size into the annual assessment. If monitoring results indicate a substantial shrinkage in size or quality of one or more of the springs that is attributable to extraction, then extraction rates will be adjusted away from those sources to the other remaining sources. The details of the monitoring are as follows:

1. Prior to any extraction, the applicant shall conduct a baseline monitoring which is to occur in late summer or early fall subsequent to the project approval and prior to water extraction and subsequently on an annual basis for 5 years following the commencement of spring water extraction. The late season annual monitoring date assures that the extent of the wetlands associated with these springs will be the most easily defined by the color of vegetation, and any substantial changes in extent would be the most easily detected.
2. A permanent photographic station shall be established for each spring and control. The locations of these stations shall be marked in the field with a stake or rock cairn according to the Biota Report dated November 6, 2002.

### Spring Water (cont.)

3. At each photographic station, an observer shall photograph the spring using the same view and orientation as is established in the base line monitoring effort. Subsequent monitoring photographs shall be taken with a 35mm SLP camera with a lens of focal length of 50mm, using 200 ASA color film, on a relatively clear and sunny day.
4. At each photographic station, the observer shall record the following information:
  - ξ Observers name, date and time of photos, weather conditions, type of camera, lens, and type of film.
  - ξ Dominant plant species and approximate height and condition (vigor)
  - ξ Presence and extent of surface water and saturated soils.
  - ξ Any observed wildlife use.
5. In the first year of monitoring (after the baseline year), and in the subsequent four years following the commencement of extraction, an annual report shall be submitted to the Los Angeles County Department of Regional Planning, and copies to other responsible agencies with jurisdiction. The report shall include the following analysis:
  - ξ On the baseline photographs for each spring and control, draw a line (probably using a computer on a digital image) that corresponds to the extent of hydrophytic vegetation (margin with upland vegetation).
  - ξ Do the same for the current year's monitoring photographs. Compare the margins of the wetlands from the two consecutive years and determine whether the margin has contracted, expanded, or remained static.
  - ξ Factor in the observed natural variation in the Control spring (as a percentage of observed areal contraction or expansion) at each of the four springs subject to extraction.
  - ξ Estimate the areal extent of contraction or expansion of the wetland area (factored using control) as a percentage of the previous year's area.
  - ξ In subsequent years, examine the entire data set for all years to date in order to access overall trend.
  - ξ Prepare a text discussion of these findings, and prepare a recommendation after consultation with a hydrologist and biologist for adjustment of the extraction if it appears that any diminishment of spring wetland area has occurred at any one or more of the springs, and which is attributable to the extraction (i.e., after having factored for the control).
  - ξ At the end of five years of extraction and monitoring, the control spring will become available for extraction.

The pipes leading from the well heads to the bottom of the slope and storage tanks shall be placed on the surface of the ground, in order that trenching shall be unnecessary. The pipes shall be secured near or adjacent, but not within the steam channels exiting from the springs. Upon reaching the bottom of the slope, the pipes may be buried.

### **Spring Water (cont.)**

It will be necessary to transport a small, trailer-mounted drilling rig to the springs. Existing and proposed access roads will be utilized to accomplish this. The drilling rig will also need to be placed within the wetland areas of the springs in order to accomplish the drilling. Prior to placement of the drill rig, a stiff padded mattress or other support placed under the trailer shall protect the entire work area estimated at approximately 20 by 30 feet. All drill spoils shall be collected and disposed of outside of wetland or downstream channel areas. The protective blanket/support shall be removed immediately following construction of the well head.

### **Water Quality**

To mitigate project impacts on water quality, the applicant shall comply with all pertinent NPDES requirements of the Regional Water Quality Control Board and the Los Angeles County Department of Public Works.

The applicant shall provide TMDLs information to the satisfaction of the Regional Water Quality Control Board prior to project operation. A copy of the TMDLs information shall be submitted to the Department of Regional Planning.

Prior to project operation, final approval shall be obtained from the State of California Department of Health Services for the proposed Spring Water Delivery operation to include design, installation and operation.

The existing on-site sewage disposal system is allowed to be utilized on performance basis to accommodate caretaker residence needs and is subject to periodic evaluation to insure adequacy. The existing septic tank shall be serviced by licensed pumper truck company before the operation is commenced and serviced regularly thereafter as frequent as required to maintain an approved sanitary sewage disposal system.

Upgrading of the existing septic system shall be required at the time of any building expansion and modification to the caretaker living quarter arrangements, change in the existing usage status that may result in requiring a system with greater capacity or when deemed necessary by LA County Department of Health Services.

The existing water well shall be dedicated to supply potable water to the caretaker residence and on-site irrigation only to accommodate a typical usage needs and cannot be sold as part of the proposed water operation.

### **Biota**

To allow recovery of natural spring-side vegetation and enhancement of wildlife habitat values, the applicant shall install exclusionary barbed-wire fencing which includes the entire active area of the spring where the well head is to be placed. One spring has already been fenced, and this shall serve as an example for the others.

### **Biota (cont.)**

To ensure the integrity of on-site vegetation during project operation, no invasive alien plants are to be used. Selections of plants used in screening and landscaping based on the existing flora of the site shall be made from the species mentioned in the Biota Report pages 38 and 39 dated November 6, 2002 prepared by Envicom Corporation.

To reduce light impact to wildlife, lighting to service the collection stations shall be the lowest intensity that is practical and allowable. Lights shall not be placed more than 6 feet above the ground, and shall be directed downward and away from open space areas. They shall not be on continuously during nighttime hours, but shall be turned on as demand warrants, by an automatic sensor, or manually on a timer by the operators.

To ensure the sustainability of the wetlands and riparian communities which could be impacted by the project, the applicant shall enter into an agreement with the California State Department of Fish and Game, pursuant to Sections 1601 through 1603 of the State Fish and Game Code prior to alteration of any streambeds.

Before any dredged or fill material is discharged into waters of the U.S., the applicant may be required to submit a Department of Army Permit Section 404 Clean Water Act to Army Corps of Engineers, Los Angeles District Branch.

### **Visual**

To mitigate project's visual impacts, the water tank storage sites shall be buffered and shielded from view from I-5, as well as Gorman Post Road by landscaped berms. The contouring of the exterior slopes of the berms shall be designed so as to resemble prevailing slope conditions and be landscaped with drought-resistant native vegetation. The trees and shrubs selected for use as visual screening along the access driveways and concrete loading aprons shall consist of native species consistent with the varieties occurring naturally in the vicinity.

### **Traffic**

To mitigate project's impact on the circulation on nearby roadways and intersections during the construction period, construction-related traffic shall be limited on adjacent streets during the weekday peak hours.

**Cultural Resources**

To mitigate project impacts on cultural resources, a qualified archaeological monitor shall be present for initial grading or de-vegetation when work associated with tapping the springs (e.g. placement of pipes or clearing of vegetation) is conducted. The applicant shall agree to suspend construction in the vicinity of a cultural resource encountered during ground-disturbing activities at the site, and leave the resource in place until appropriate mitigation measures are determined.

**Mitigation Compliance**

As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting annual mitigation compliance report to the DRP for review, and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and completed.

As the applicant, I agree to incorporate these changes/conditions into the project, and understand that the public hearing and consideration by the Hearing Officer and/or Regional Planning Commission will be on the project as changed/conditioned.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

No response with 10 days. Environmental Determination requires that these changes/conditions be included in the project.

\_\_\_\_\_  
Staff

\_\_\_\_\_  
Date

MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p><b>Flood/Drainage</b> To mitigate project's potential impact on drainage, the applicant shall comply with all requirements of the approved drainage concept to the satisfaction of the Department of Public Works.</p>	<p>Compliance with approved drainage concept</p>	<p>Prior to issuance of any grading or building permits, whichever occurs first</p>	<p>Applicant</p>	<p>Public Works</p>
<p><b>Spring Water</b> To ensure project impact to springs is less than significant, the applicant shall monitor the four springs from which water will be ultimately extracted annually to document the condition and trend of the hydrologic and biotic components. Monitor one "control" spring (T-3) to factor normal background variation in spring size into the annual assessment. If monitoring results indicate a substantial shrinkage in size or quality of one or more of the springs that is attributable to extraction, then extraction rates will be adjusted away from those sources to the other remaining sources. The details of the monitoring are as follows:</p> <ol style="list-style-type: none"> <li>1. Prior to any extraction, the applicant shall conduct a baseline monitoring which is to occur in late summer or early fall subsequent to the project approval and prior to water extraction and subsequently on an</li> </ol>	<p>Baseline monitoring</p>	<p>In late summer or early fall subsequent to the project approval and prior to water extraction and subsequently on an annual basis for 5 years.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>

MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>annual basis for 5 years following the commencement of spring water extraction. The late season annual monitoring date assures that the extent of the wetlands associated with these springs will be the most easily defined by the color of vegetation, and any substantial changes in extent would be the most easily detected.</p> <p>2. A permanent photographic station shall be established for each spring and control. The locations of these stations shall be marked in the field with a stake or rock cairn according to the Biota Report dated November 6, 2002.</p>	<p>Establishment of a permanent photographic station for each spring and control</p>	<p>In late summer or early fall subsequent to the project approval and prior to water extraction and subsequently on an annual basis for 5 years.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>
<p>3. At each photographic station, an observer shall photograph the spring using the same view and orientation as is established in the base line monitoring effort. Subsequent monitoring photographs shall be taken with a 35mm SLP camera with a lens of focal length of 50mm, using 200 ASA color film, on</p>	<p>Photography the spring using the same view and orientation as is established in the base line monitoring effort.</p>	<p>In late summer or early fall subsequent to the project approval and prior to water extraction and subsequently on an annual basis for 5 years.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>

MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>a relatively clear and sunny day.</p> <p>4. At each photographic station, the observer shall record the following information:</p> <ul style="list-style-type: none"> <li>ξ Observers name, date and time of photos, weather conditions, type of camera, lens, and type of film.</li> <li>ξ Dominant plant species and approximate height and condition (vigor)</li> <li>ξ Presence and extent of surface water and saturated soils.</li> <li>ξ Any observed wildlife use.</li> </ul>	<p>Submittal of annual mitigation compliance reports.</p>	<p>In late summer or early fall subsequent to the project approval and prior to water extraction and subsequently on an annual basis for 5 years.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>
<p>5. In the first year of monitoring (after the baseline year), and in the subsequent four years following the commencement of extraction, an annual report shall be submitted to the Los Angeles County Department of Regional Planning, and copies to other responsible agencies with jurisdiction. The report shall include the following analysis:</p> <ul style="list-style-type: none"> <li>ξ On the baseline</li> </ul>	<p>Submittal of annual mitigation compliance reports.</p>	<p>In the first year of monitoring (after the baseline year), and in the subsequent four years following the commencement of extraction</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>

MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>photographs for each spring and control, draw a line (probably using a computer on a digital image) that corresponds to the extent of hydrophytic vegetation (margin with upland vegetation).</p> <p>ξ Do the same for the current year's monitoring photographs. Compare the margins of the wetlands from the two consecutive years and determine whether the margin has contracted, expanded, or remained static.</p> <p>ξ Factor in the observed natural variation in the Control spring (as a percentage of observed areal contraction or expansion) at each of the four springs subject to extraction.</p> <p>ξ Estimate the areal extent of contraction or expansion of the</p>				

MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>wetland area (factored using control) as a percentage of the previous year's area.</p> <p>§ In subsequent years, examine the entire data set for all years to date in order to access overall trend.</p> <p>§ Prepare a text discussion of these findings, and prepare a recommendation after consultation with a hydrologist and biologist for adjustment of the extraction if it appears that any diminishment of spring wetland area has occurred at any one or more of the springs, and which is attributable to the extraction (i.e., after having factored for the control).</p> <p>§ At the end of five years of extraction and monitoring, the control spring will become available for extraction.</p>				
<p>The pipes leading from the well</p>			Applicant	LA County Dept of Public

MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>heads to the bottom of the slope and storage tanks shall be placed on the surface of the ground, in order that trenching shall be unnecessary. The pipes shall be secured near or adjacent, but not within the steam channels exiting from the springs. Upon reaching the bottom of the slope, the pipes may be buried.</p>	<p>1. A stiff padded mattress shall protect the entire work area</p> <p>2. Removal of protective blanket/support</p>	<p>1. Prior to placement of the drill rig.</p> <p>2. Immediately following construction of the well head.</p>	<p>Applicant</p>	<p>Works LA County Dept of Regional Planning</p>
<p>It will be necessary to transport a small, trailer-mounted drilling rig to the springs. Existing and proposed access roads will be utilized to accomplish this. The drilling rig will also need to be placed within the wetland areas of the springs in order to accomplish the drilling. Prior to placement of the drill rig, a stiff padded mattress or other support placed under the trailer shall protect the entire work area estimated at approximately 20 by 30 feet. All drill spoils shall be collected and disposed of outside of wetland or downstream channel areas. The protective blanket/support shall be removed immediately following construction of the well head.</p>	<p>1. A stiff padded mattress shall protect the entire work area</p> <p>2. Removal of protective blanket/support</p>	<p>1. Prior to placement of the drill rig.</p> <p>2. Immediately following construction of the well head.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>
<p><b>Water Quality</b> To mitigate project impacts on water quality, the applicant shall comply with all pertinent NPDES requirements of the Regional Water Quality Control Board and the Los Angeles County Department of Public Works.</p>	<p>Compliance of all pertinent NPDES requirements. A copy to be submitted to DRP.</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant</p>	<p>Regional Water Quality Control Board Public Works</p>

MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>The applicant shall provide TMDLs information to the satisfactory of the Regional Water Quality Control Board prior to project operation. A copy of the TMDLs information shall be submitted to the Department of Regional Planning.</p>	<p>Submittal of TMDLs information. A copy to be submitted to DRP.</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant</p>	<p>Regional Water Quality Control Board</p>
<p>Prior to project operation, final approval shall be obtained from the State of California Department of Health Services for the entire proposed Spring Water Delivery operation to include design, installation and operation.</p>	<p>Approval from the CA DHS for the entire proposed Spring Water Delivery operation</p>	<p>Prior to project operation</p>	<p>Applicant</p>	<p>California Department of Health Services</p>
<p>The existing on-site sewage disposal system is allowed to be utilized on performance basis to accommodate caretaker residence needs and is subject to periodic evaluation to insure adequacy. The existing septic tank shall be serviced by licensed pumper truck company before the operation is commenced and serviced regularly thereafter as frequent as required to maintain an approved sanitary sewage disposal system.</p>	<p>Maintenance of an approved sanitary sewage disposal system for the caretaker residence</p>	<p>During project operation.</p>	<p>Applicant</p>	<p>LA County Department of Health Services.</p>
<p>Upgrading of the existing septic system shall be required at the time of any building expansion and modification to the caretaker living quarter arrangements, change in the existing usage status that may result in requiring a system with greater capacity or when deemed necessary by LA County Department of Health</p>	<p>Upgrading of the existing system</p>	<p>At the time of any building expansion and modification to the caretaker living quarter arrangements</p>	<p>Applicant</p>	<p>LA County Department of Health Services</p>

**MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236**

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p><b>Services.</b> The existing water well shall be dedicated to supply potable water to the caretaker residence and on-site irrigation only to accommodate a typical usage needs and cannot be sold as part of the proposed water operation.</p>	<p>Existing water well shall be dedicated to supply potable water to the caretaker residence and on-site irrigation only</p>	<p>During project operation</p>	<p>Applicant</p>	<p>LA County Department of Health Services</p>
<p><b>Biota</b> To allow recovery of natural spring-side vegetation and enhancement of wildlife habitat values, the applicant shall install exclusionary barbed-wire fencing which includes the entire active area of the spring where the well head is to be placed. One spring has already been fenced, and this shall serve as an example for the others.</p>	<p>Installation of exclusionary barbed-wire fencing</p>	<p>Prior to issuance of any grading permit.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>
<p>To ensure the integrity of on-site vegetation during project operation, no invasive alien plants are to be used. Selections of plants used in screening and landscaping based on the existing flora of the site shall be made from the species mentioned in the Biota Report pages 38 and 39 dated November 6, 2002 prepared by Envicom Corporation.</p>	<p>Submittal and approval of Landscape Plan.</p>	<p>Prior to issuance of any grading permit.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>
<p>To reduce light impact to wildlife, lighting to service the collection stations shall be the lowest intensity that is practical and allowable. Lights shall not be placed more than 6 feet above the ground, and shall be directed downward and away from open</p>	<p>Submittal and approval of Lighting Plan.</p>	<p>Prior to issuance of any grading permit.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>

MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>space areas. They shall not be continuously during nighttime hours, but shall be turned on as demand warrants, by an automatic sensor, or manually on a timer by the operators.</p>				
<p>To ensure the sustainability of the wetlands and riparian communities which could be impacted by the project, the applicant shall enter into an agreement with the California State Department of Fish and Game, pursuant to Sections 1601 through 1603 of the State Fish and Game Code prior to alteration of any streambeds.</p>	<p>Approval of DFG Streambed Alteration Agreement. A copy of the SAA shall be submitted to DRP.</p>	<p>Prior to alteration of any streambeds</p>	<p>Applicant</p>	<p>California Department of Fish and Game</p>
<p>Before any dredged or fill material is discharged into waters of the U.S., the applicant may be required to submit a Department of Army Permit Section 404 Clean Water Act to Army Corps of Engineers, Los Angeles District Branch.</p>	<p>Approval of waiver of Section 404 Permit. A copy of the SAA shall be submitted to DRP</p>	<p>Prior to any dredged or fill material is discharged into waters of the U.S.</p>	<p>Applicant</p>	<p>U.S. Department of Army</p>
<p><b>Visual</b> To mitigate project's visual impacts, the water tank storage sites shall be buffered and shielded from view from I-5, as well as Gorman Post Road by landscaped berms. The contouring of the exterior slopes of the berms shall be designed so as to resemble prevailing slope conditions and be landscaped with drought-resistant native vegetation. The trees and shrubs selected for use as visual screening along the access driveways and</p>	<p>Submittal and approval of Landscape Plan.</p>	<p>Prior to issuance of any grading permit.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>

**MITIGATION MONITORING PROGRAM  
PROJECT NO. 02-236**

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>concrete loading aprons shall consist of native species consistent with the varieties occurring naturally in the vicinity.</p> <p><b>Traffic</b></p> <p>To mitigate project's impact on the circulation on nearby roadways and intersections during the construction period, construction-related traffic shall be limited on adjacent streets during the weekday peak hours.</p>	<p>During project construction</p>	<p>Routine field inspection</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning <i>LA County Dept Public Works</i></p>
<p><b>Cultural Resources</b></p> <p>To mitigate project impacts on cultural resources, a qualified archaeological monitor shall be present for initial grading or de-vegetation when work associated with tapping the springs (e.g. placement of pipes or clearing of vegetation) is conducted. The applicant shall agree to suspend construction in the vicinity of a cultural resource encountered during ground-disturbing activities at the site, and leave the resource in place until appropriate mitigation measures are determined.</p>	<p>1. Grading monitoring; submittal and approval of monitoring report.</p> <p>2. Suspension of construction.</p>	<p>1. During initial grading or de-vegetation when work associated with tapping the springs (e.g. placement of pipes or clearing of vegetation) is conducted.</p> <p>2. Upon discovery of cultural resources.</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>
<p><b>Mitigation Compliance</b></p> <p>As a means of ensuring compliance of all above mitigation measures, the applicant is responsible for submitting annual mitigation compliance report to the DRP for review and responsible for replenishing the mitigation monitoring account, if necessary until such time as all mitigation measures have been</p>	<p>Submittal and approval of annual Mitigation Compliance Report. Replenishment of Mitigation Monitoring account if necessary until such time as all mitigation measures have been implemented and completed.</p>	<p>Annually</p>	<p>Applicant</p>	<p>LA County Dept of Regional Planning</p>

MITIGATION MONITORING PROGRAM

PROJECT NO. 02-236

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
implemented and completed.				

R1101



# COUNTY OF LOS ANGELES FIRE DEPARTMENT

5823 Rickenbacker Road  
Commerce, California 90040

**DATE:** March 4, 2003  
**TO:** Department of Regional Planning  
Permits and Variances  
**SUBJECT:** C.U.P. 02-236  
**LOCATION:** 39439 Gorman Post Road, Gorman

- The Fire Department has no additional requirements for this permit.
- The required fire flow for this development is 1250 gallons per minute for 2 hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- Install    Public and/or    On-site and/or 1 Upgrade/Verify 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments:** Caretakers unit is required to provide adequate fire protection water. Indicate to this office if public water is available or private water is being provided. Indicate location of the proposed care takers unit.
- Location:** A public fire hydrant shall be located within 750' , in the line of travel of the properly spaced public fire hydrant. If no hydrants are located within the area then a private water system consisting of a water tank and fire sprinklers for the interior of the residence.
- Access:** Proposed access to the caretakers unite shall be a minimum width of 20'. All portions with grades of 10% or shall be paved prior to construction. Driveways in excess of 150' shall provide an approved fire department turnaround. Indicate compliance on the site plan.
- Special Requirements:** This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: *Janna Masi*

Co.CUP 6/02



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE  
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ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE: LD-4

June 8, 2004

TO: Russell Fricano  
Zoning Permits Section  
Department of Regional Planning

Attention Maria Masis

FROM: Barry S. Witler *Barry S. Witler*  
Transportation Planning and Subdivision Review Section  
Land Development Division

### CONDITIONAL USE PERMIT NO. 02-236

After further review of the revised site plan dated March 17, 2004, for the subject case in the Gorman area in the vicinity of 39439 Gorman Post Road. This case is for the construction of two truck loading stations for the storage and export of spring water. The following recommendation supersedes our previous comments dated June 7, 2004.

If this permit is approved, we recommend the following conditions:

1. The internal truck circulation within the property should be directional (one-way traffic only).
2. The most easterly driveway should be restricted to ingress only and the most westerly driveway should be restricted to egress only.

WH:ca

P:\LDPUB\TRANS\CUPS\CUP 02-236REV1 TRUCKS LOADING STATIONS.DOC

cc: Traffic and Lighting (Chon, Alfonso)