Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

August 4, 2011

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

Dear Supervisors:

Project No. 00-196-(5)
Landmark Village (Newhall Ranch Specific Plan)
General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196-(5)
Vesting Tentative Tract Map No. 53108-(5)
Conditional Use Permits, Case Nos. 00-196-(5) and 2005-00112-(5)
Oak Tree Permit Case No. 00-196-(5)
Applicant: The Newhall Land and Farming Company
25142 Springfield Court, Suite 300
Valencia, California 91355
Newhall Zoned District
Fifth Supervisorial District (3-Vote)

SUBJECT

Newhall Land and Farming Company, the applicant, is requesting approval of a Vesting Tentative Tract Map to create 422 lots on approximately 293 acres; Conditional Use Permits to authorize development within a Significant Ecological Area; Oak Tree Permits for the removal of 67 oak trees and encroachment into the protected zone of an additional 14 oak trees; and Plan Amendment Requests to redesignate a mapped highway to a local collector street. The Regional Planning Commission conducted a public hearing on this matter on January 31, 2007, February 28, 2007 and approved the project on January 9, 2008. The project has been called for review by your Board due to the Plan Amendment Request.

IT IS RECOMMENDED THAT YOUR BOARD:

- Certify that the Board has reviewed and considered the information contained in the Final Environmental Impact Report ("EIR"), Findings of Fact and Statement of Overriding Considerations ("SOC") in accordance with the

California Environmental Quality Act ("CEQA"), the County CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines for Project No. 00-196-(5), General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196-(5), Vesting Tentative Tract Map No. 53108-(5), Conditional Use Permit Case Nos. 00-196-(5) and 2005-00112-(5), and Oak Tree Permit Case No. 00-196-(5);

- Determine that with the conditions of approval and mitigation measures discussed in the Final EIR and Mitigation Monitoring Plan ("MMP"), reduce the project's significant environmental effects to less-than-significant levels except for certain specified unavoidable effects, which have been reduced to an acceptable level and are outweighed by the benefits of the project as identified in the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project;"

- Certify the Final EIR and adopt the "CEQA Findings of Fact and Statement of Overriding Considerations for the Landmark Village Project" and MMP;

- Indicate the Board's intent to approve General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196-(5), Vesting Tentative Tract Map No. 53108-(5), Conditional Use Permit Case Nos. 00-196-(5) and 2005-00112-(5), and Oak Tree Permit Case No. 00-196-(5); and

- Instruct County Counsel to prepare the final documents, findings, and conditions of approval for these entitlements and bring them back to the Board for its consideration at a future Board meeting.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The applicant proposes to develop a 292.6-acre master-planned community ("Landmark Village") to construct up to 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail/office uses, a fire station and elementary school, as well as 76.7 acres of open space, including a 10-acre community park and trail system. Landmark Village is the first subdivision proposal within the adopted Newhall Ranch Specific Plan ("Specific Plan").

The proposal requires amendments to the Los Angeles Countywide General Plan ("General Plan") and Santa Clarita Valley Area Plan ("Local Plan") to amend both the

Master Plan of Highways and Circulation Plan to downgrade "A" Street from a secondary highway to a local collector street. The project also requests approval of conditional use permits for compliance with requirements of development within a Significant Ecological Area/Special Management Area ("SEA/SMA"), onsite and offsite project grading and offsite utilities, including water tanks, and transport of materials. An oak tree permit is also required for the removal of 67 oak trees, including 10 heritage oaks, and the encroachment into the protected zone of 14 oak trees, including two heritage oaks.

Implementation of Strategic Plan Goals

The proposed project promotes the following Strategic Plan Goals:

Community and Municipal Services
The project provides a maximum of 1,444 residences consisting of single-family, townhome, condominium and apartment units with approximately 301 (161 for sale and 140 rental units) affordable housing units that will be reserved for qualified households. The proposed 1,033,000 square feet of commercial/office/retail space will provide jobs and services to potential residents of the project. The project includes public and recreational facilities such as an elementary school, community park, fire station, internal paseo system for pedestrian access, and improvements to local and regional trails.

FISCAL IMPACT/FINANCING

Adoption of the proposed general/local/specific plan amendment as well as the approval of the conditional use permits, oak tree permit and vesting tentative tract map should not result in any significant costs to the County as the project will construct adequate infrastructure to serve the project and through payment of connection and service fees, and will cover its fair share to develop new infrastructure as determined to be necessary. No request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On May 27, 2003, the Board of Supervisors certified the Newhall Ranch Program EIR in accordance with the California Environmental Quality Act and the County's Environmental Document Reporting Procedures and Guidelines; and adopted the Newhall Ranch Specific Plan, along with a statement of overriding considerations. At

that time, the Board found that there were overriding public benefits associated with approval of the Specific Plan, including, among others, preservation of over 12 square miles of land within the Specific Plan, including the High Country Special Management Area ("SMA")/SEA 20 (4,184 acres), the Santa Clara River SMA/SEA 23 (977 acres), Open Area (1,010 acres), and the dedication of 1,517 acres of land in the remaining Salt Creek watershed in Ventura County, adjacent to the Specific Plan.

On January 31, 2007, the Regional Planning Commission ("Commission") conducted a public hearing for Landmark Village and its associated permits. After opening the public hearing and taking public testimony, the Commission continued the hearing to allow for additional time requested by various agencies and individual citizens to comment on the project and EIR. The public hearing was continued to February 28, 2007, and the public comment period was extended to February 20, 2007 (a 90-day public comment period). The Commission directed the applicant to respond to the following issues: wireless technology opportunities for the project, redesign of the park and school; interim school plan; community sustainability/smart growth; ownership and maintenance of private park; consultation with Fernandeno Tataviam Tribe; trail connection; setbacks from Castaic Creek; perchlorate contamination and clean-up status; and adequacy of avian surveys in the EIR.

On February 28, 2007, the Commission conducted a continued public hearing and the applicant responded to the direction of the Commission and made the following changes to the project: (a) committed to working with the Castaic School District to ensure opening of the Landmark Village Elementary School as soon as possible, and in accordance with district requirements; (b) prepared a sustainability summary for Landmark Village and agreed to incorporate green building measures into the proposed project (e.g., renewable energy components identified and incorporated into portions of the project); (c) modified the school/park design plan resulting in an increased buffer from the elementary school to SR-126 and improved access from "A" Street; (d) entered into an agreement with the Fernandeño Tataviam Band of Mission Indians to provide monitoring and consulting services throughout development of the Newhall Ranch community (of which Landmark Village is a part); and (e) incorporated a fire station and trailhead into the proposed project.

At the conclusion of testimony, the Commission discussed various issues presented at the public hearing and then closed the public hearing and directed staff to prepare the Final Environmental Impact Report ("EIR"), project findings and conditions, and further

directed the applicant (Newhall Land) to resubmit the tract map to the County's Subdivision Committee for technical corrections required by staff and design changes requested by the Commission. Subsequently, the applicant resubmitted a revised tract map to the Subdivision Committee, which recommended approval with tract map conditions. In November 2007, the Landmark Village Final EIR was completed and sent for review to the Commission, state and local agencies, organizations, and other interested parties.

On January 9, 2008, at the public consent calendar meeting, the Commission considered Landmark Village and the associated environmental documentation, and adopted a resolution and project findings and conditions recommending that the Board of Supervisors certify the environmental documentation and approve the proposed project.

Subsequent to the Commission's action on Landmark Village, the applicant filed for Chapter 11 bankruptcy protection. On July 31, 2009, the applicant emerged from bankruptcy as a reorganized entity with the resources and financial flexibility to move forward with the Landmark Village project. Since August 2009, the applicant has worked with County staff to update the proposed project and associated environmental documents.

From August through December 2009, the applicant made minor changes to the overall project site, including the alignment of the utility corridor, the siting of water tank facilities, and modifications to the Adobe Canyon borrow site to increase the buffer surrounding a known San Fernando Valley Spineflower location. In addition, during this time, the Draft EIR was revised as follows: (a) Global Climate Change section was added; (b) updates and refinements were made to the project description; and (c) environmental sections were updated (*e.g.*, biota section was updated to include additional recommended mitigation measures).

Based on County staff review none of the project revisions resulted in the identification of any new or more severe environmental impacts. Nonetheless, based on the updated information, County staff determined that sufficient reason existed to recirculate the draft EIR, which would provide the public and other interested agencies and organizations with the opportunity to comment upon the new or updated information presented in a recirculated draft EIR.

The Landmark Village Recirculated Draft EIR ("RDEIR") was circulated for public review, commencing on February 1, 2010, and ending on March 17, 2010. On March 17, 2010, the California Department of Fish and Game ("CDFG") submitted comments on the RDEIR. In their correspondence, CDFG recommended that the County consider biological mitigation measures and increase the setback from riparian habitat. On March 24, 2010, County staff directed the applicant to review all comments.

Vesting Tentative Tract Map Revisions

On April 8, 2010, in response to comments from CDFG, and consistent with County staff direction, the applicant submitted a revised tract map reflecting, among other items, an additional setback from riparian resources that fall within CDFG's jurisdiction. The revised tentative map eliminates the majority of permanent and temporary impacts to CDFG's riparian jurisdiction along the north and south banks of the Santa Clara River, except where critical infrastructure is necessary, such as proposed bridge crossings or where bank protection ties into or is constrained by the location of existing infrastructure (i.e., Long Canyon Road Bridge; SR-126 crossings of the lowermost portions of the Castaic Creek and Chiquito Canyon drainages). The revised tract map gross area did not change; however, it includes an additional 11.7 acres of open space, and reduces grading area impacts by approximately 14.7 acres.

Under the revised tract map, the span of the bridge crossing has been increased to accommodate the additional setback from CDFG jurisdiction. As a result of this change, the majority of the impacts to CDFG's riparian jurisdiction along the Santa Clara River have been eliminated and the revised tract map has been reviewed by the Subdivision Committee, which recommended approval with conditions, and its recommendations are part of the submittal to the Board in conjunction with its public hearing process attached hereto.

Pursuant to subsection C of Section 21.56.010 and subsection B.2 of Section 22.60.230 of the Los Angeles County Code ("County Code"), the CUPs, Oak Tree Permit and Vesting Tentative Tract Map are deemed to be called for review by your Board and shall be considered concurrently with the General/Local/Specific Plan Amendment requests. A public hearing is required pursuant to Sections 22.16.200 and 22.60.240 of the County Code and Sections 65856 and 66452.5 of the Government Code. Notice of the

hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090 and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

In November 2006, a project-level Draft EIR was completed for the Landmark Village proposed project, which tiered from the previously certified Newhall Ranch Program EIR. The Landmark Village Draft EIR was made available for public comment beginning on November 20, 2006 and ending on February 20, 2007.

In November 2007, the Landmark Village Final EIR was completed and reviewed by the Commission. Subsequent to the Commission's action on Landmark Village, County staff determined that changes to the EIR were necessary due to passage of time, changes to the project, and availability of the Newhall Ranch EIS/EIR. Consequently, the applicant worked with County staff to include minor changes to the proposed project and update data and other information in the environmental documentation. Based on that information, County staff directed that the Draft EIR be revised and recirculated. In January 2010, the Landmark Village RDEIR was completed and circulated for public review and comment. The RDEIR was subject to a 45-day public comment period. After the close of the comment period, both the Santa Clarita Organization for Planning and the Environment ("SCOPE") and the Ventura County Agricultural Water Quality Coalition submitted comment letters, dated March 16, 2011 and April 27, 2011, respectively, regarding the project's potential effect on chloride levels in the Santa Clara River, specifically as related to wastewater discharge from the Valencia Water Reclamation Plant ("WRP"). These two comment letters, and the responses to those letters, are included in the Landmark Village Final EIR. The responses provide, in brief, that the Landmark Village project is expected to produce wastewater chloride concentrations similar to those in the existing Santa Clarita Valley Sanitation District service area; therefore, the interim discharge of wastewater from the Valencia WRP due to the Landmark Village project's wastewater would not impact the District's ability to comply with the adopted chloride Total Maximum Daily Load ("TMDL"). the District concurs with this conclusion, and has issued a memorandum to the Board of Supervisors, dated March 8, 2011, which is included as part of the Landmark Village Final EIR.

From March 2010 through June 2011, the Landmark Village Final EIR was completed, and it includes all comments and responses to comments received on the RDEIR, additional technical appendices, and other information. The Final EIR will be made available for your review prior to the public hearing.

Based on the analysis contained in the Final EIR, impacts to visual qualities, air quality, solid waste services, and agricultural resources have been determined to fall within the "significant and unavoidable" impact category and thus a statement of overriding considerations is necessary. Each of these significant and unavoidable impacts previously was identified as part of the certified Newhall Ranch Program EIR.

IMPACT ON CURRENT SERVICES OR PROJECTS

Action on the proposed General Plan/Local Plan/Specific Plan Amendment requests, Vesting Tentative Tract Map, Conditional Use Permits, and Oak Tree Permit is not anticipated to have a negative impact on current services as the applicant will construct adequate infrastructure to serve the project and through payment of connection and service fees, the project will cover its fair share to develop new infrastructure as determined to be necessary.

Respectfully submitted,

Richard J. Bruckner
Director

RJB:SZD:szd

Attachments: Commission Resolution, Findings and Conditions; Commission Staff Reports and Correspondence; Revised Conditions; Vesting Tentative Tract Map, Exhibit "A" (5/2/07 & 4/8/10); EIR and Mitigation Monitoring Program

c: Chief Executive Officer
County Counsel
Clerk of the Board
Assessor
Director, Department of Public Works

REVISED DRAFT CONDITIONS OF APPROVAL

(APRIL 8, 2010 TENTATIVE TRACT MAP)

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
VESTING TENTATIVE TRACT MAP NO. 53108
(TENTATIVE AND EXHIBIT MAP DATE: APRIL 8, 2010)

General Conditions

1. Subdivider shall conform to the applicable requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance) and the requirements of the Newhall Ranch Specific Plan. Also, subdivider shall conform to the requirements of Conditional Use Permit Nos. 00-196-(5), 2005-00112-(5) and 94-087-(5), Oak Tree Permit No. 00-196-(5) and the Landmark Village Final Environmental Impact Report (EIR) (October 2010) (SCH No. 2004021002) ("Final EIR") Mitigation Monitoring Plan.

2. Except as otherwise specified in these conditions or by Conditional Use Permit Nos. 00-196-(5), 2005-00112-(5) and 94-087-(5), or by a determination of Substantial Conformance as established by the Specific Plan, subdivider shall conform to the applicable requirements of the Newhall Ranch Specific Plan ("Specific Plan").

3. The subdivider 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 tentative approval which action is brought within the applicable time period of Government Code section 66499.37 or any applicable limitation period. The County shall promptly notify the subdivider of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the subdivider of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

4. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay the Los Angeles County Department of Regional Planning ("Regional Planning") an initial deposit of $5,000.00, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the subdivider or the subdivider's counsel. The subdivider 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 of the amount of deposit, the subdivider shall deposit additional funds 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;

(b) At the sole discretion of the subdivider, 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 subdivider according to Los Angeles County Code section 2.170.010.

5. Except as expressly modified hereinabove, this approval is subject to all those conditions set forth in Conditional Use Permit Nos. 00-196-(5), 2005-00112-(5) and 94-087-(5), Oak Tree Permit No. 00-196-(5), the Final EIR Mitigation Monitoring Program, which is incorporated by this reference, and the attached reports recommended by the Los Angeles County Subdivision Committee ("Subdivision Committee"), consisting of the Los Angeles County Department of Public Works ("Public Works"), Los Angeles County Fire Department, Los Angeles County Department of Parks and Recreation and Los Angeles County Department of Health Services.

6. Permission is granted to adjust lot lines to the satisfaction of Regional Planning and Public Works.

7. Permission is granted to use modified street sections as shown on Vesting Tentative Tract Map No. 53108 to the satisfaction of Public Works.

8. Permission is granted to create additional open space lots to the satisfaction of Regional Planning.

9. Permission is granted to record a large lot parcel map as the first unit, without improvements, subject to the following:

   (a) The lots shall conform to those shown on the tentative map or as approved by Regional Planning;

   (b) Each lot shall be numbered on the final map and shall have a minimum gross area of 20 acres;

   (c) Access to each lot shall be provided to the satisfaction of Regional Planning and Public Works; and

   (d) All Public Works conditions have been met to its satisfaction.

Prior to Use

10. This project is not de minimus in its effect on fish and wildlife, upon termination of the appeal period, subdivider shall remit processing fees (currently $2,792.25 plus $75.00 processing fee) 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 California Public

Resources Code and section 711 of the California Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No project subject to this requirement is final, vested or operative until the fee is paid.

11. Upon termination of the appeal period, subdivider shall deposit the sum of $3,000.00 with Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports required by the Mitigation Monitoring Plan. The mitigation measures set forth in the Mitigation Monitoring Plan in the Final EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the subdivider shall submit Mitigation Monitoring Reports to Regional Planning as frequently as may be requested by the department.

Prior to Issuance of a Grading Permit

12. No grading permit shall be issued prior to the recordation of a final map unless the Director of Regional Planning ("Director") determines that the proposed grading conforms to the conditions of this grant and the conditions of Vesting Tentative Tract Map No. 53108, Conditional Use Permit Nos. 00-196-(5), 2005-00112-(5) and 94-087-(5), and Oak Tree Permit No. 00-196-(5).

Prior to Recordation of a Final Map

13. Subdivider shall submit a copy of the project Conditions, Covenants and Restrictions ("CC&Rs") and any maintenance agreements and covenants to Regional Planning for review and approval.

14. Subdivider shall submit evidence that the conditions of the associated Conditional Use Permit Nos. 00-196-(5), 2005-00112-(5) and 94-087-(5), and Oak Tree Permit No. 00-196-(5) have been recorded with the office of the County Recorder.

15. In order to ensure compliance with the previously approved Conditional Use Permit No. 94-087-(5), approved with the Newhall Ranch Specific Plan, the subdivider shall submit a report, prior to recordation of the first unit map, describing how the conditions of approval of that permit have been or are being met.

16. Concurrent with recordation of the first unit map, subdivider shall record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures set forth in the approved Mitigation Monitoring Plan of the Final EIR. Prior to recordation, subdivider shall submit a copy of the covenant to the Director for review and approval.

17. Except for flag lots, subdivider shall provide at least 40 feet of street frontage at the property line for all lots fronting on a cul-de-sac and knuckles, and at least 50 feet of street frontage for all lots with a net area greater than 5,000 square feet. Lots with a minimum net area between 4,500 and 4,999 square feet may provide 40 feet of street frontage. No more than 93 single-family lots may have a minimum net area of 4,500 square feet (Lots 1-93). Subdivider shall provide approximately radial lot lines for each lot.

18. Subdivider shall show "A" Street, Long Canyon Road, Wolcott Road, ", "B" Street, "C" Street, "D" Street, "E" Street, "F" Street, "G" Street, "H" Street, "I" Street, "J" Street, "K" Street, "L" Street, "M" Street, "N" Street, "O" Street, "P" Drive, "Q" Street", "R" Street, "S" Street, "T" Street, "W" Street, "X" Street, "Y" Street, and "Z" Street as dedicated streets on the final map.

19. Subdivider shall dedicate access rights and construct or bond for a wall to the design standards depicted in the Newhall Ranch Specific Plan (Planning Notebook dated March 2010) and the Final EIR, on SR-126 to the satisfaction of Public Works and Regional Planning.

20. Subdivider shall dedicate vehicular access rights on the final map from all lots abutting SR-126, Wolcott Road and Long Canyon Road and the right to restrict access for lots fronting "A" Street.

21. Subdivider shall construct or bond with Public Works for driveway paving associated with private drives and fire lanes.

22. Subdivider shall provide for the ownership and maintenance of the common driveways through a maintenance agreement by the owners of the lots served or a homeowners' association. Subdivider shall submit a copy of the agreement to be recorded with Regional Planning for approval.

23. Subdivider shall post all common driveways with less than 26' with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the project's CC&Rs or in a maintenance agreement. Subdivider shall submit a copy of the CC&Rs or maintenance agreement to Regional Planning for approval.

24. Subdivider shall provide reciprocal easements for ingress and egress over shared or common driveways.

25. Subdivider shall dedicate to the County of Los Angeles on the final map the right to prohibit any development on open space lots 313-327, 344-346, 350, 352, 353, 356-361, 363, 365-371, and 374-421; and record an open space building restriction area over the above listed lots on the final map.

26. Subdivider shall dedicate to the County of Los Angeles on the final map the right to prohibit residential construction on water quality and debris basin lots 311, 329, 332, 333, 338, 342, 347, 351, 354, 355, 362, 372, and 373; multi-use trail lots 330, and 348; class 1 bike trail lots 331, and 349; light rail reservation lots 334, 337, and 341; future SR-126 right-of-way lots 335,

336, and 340; utility corridor lots 339 and 343; recreation lots 306-308; park lots 310 and 364; trailhead lot 312; and public facility lots 291 (park and ride), 302 (fire station), 309 (school), and 328 (recycled water booster pump station).

27. Subdivider shall provide for the ownership and maintenance of the following lots by a homeowners' association, by dedication to the County or other acceptable agency, by an alternative method or means as described in the approved Newhall Ranch Specific Plan, or as described in other conditions of approval; open space lots 313-327, 344-346, 350, 352, 353, 356-361, 363, 365-371, and 374-421; park lot 310; multi-use trail lots 330, and 348; class 1 bike trail lots 331and 349; light rail reservation lots 334, 337, and 341; future SR-126 right-of-way lots 335, 336, and 340; utility corridor lots 339 and 343; and public facility lots 291 (park and ride), 302 (fire station), 309 (school), and 328 (recycled water booster pump station).

28. Subdivider shall number all open space lots on the final map and provide access, a minimum of 15 feet in width, to each open space lot to the satisfaction of Regional Planning.

29. Subdivider shall dedicate lot 312 (trailhead) to the County of Los Angeles.

30. Subdivider shall place a note on the final map indicating that lot 310 is for a public park.

31. Subdivider shall provide for the maintenance of the private park lot 364 and private recreation lots 306-308 in the project CC&Rs.

32. Subdivider shall dedicate the multi-use trail to the County of Los Angeles concurrent with recordation of the final map and submit evidence to Regional Planning that conditions related to trail dedication have been met to the satisfaction of the Department of Parks and Recreation.

33. Subdivider shall place a note on the final map indicating that lot 302 is for a fire station.

34. This development shall reserve at least 161 for-sale residential units and 140 for-rent units depicted on lots 274, 277 and 278 of the tentative map, in accordance with the Newhall Ranch Affordable Housing Implementation Plan ("the Plan") dated June 25, 2010 or dated per amendment(s) approved by the Los Angeles County Community Development Commission ("CDC") to the satisfaction of the Director.

35. Concurrently with the recordation of the applicable final map, subdivider shall record a covenant and agreement, deed restriction or other document furnished by the subdivider and deemed appropriate after review and approval by the County Counsel and the CDC, to effectively assure the continuing availability of the designated affordable housing for qualified persons and families for the time specified in the Plan. This document shall be in conformance with the Specific Plan and Affordable Housing Implementation Plan approved by the CDC and shall assure construction

and continued occupancy of all designated affordable units identified on the tentative map. The subdivider shall be responsible for the continued administration of the provisions of the Plan.

36. As agreed, the subdivider shall comply with the provision of the Sustainability Summary submitted for the project. Prior to recordation of the first unit map, the subdivider shall submit a report which details how the project complies with that summary.

37. The subdivider has entered into an agreement with the Hart School District to ensure adequate service to this project. Subdivider shall submit a copy of an executed agreement to ensure adequate school facilities will be provided to the satisfaction of the William S. Hart Union High School District prior to recordation of the first unit map.

38. Subdivider shall include conditions in the project CC&Rs, which require continued maintenance of the planting for lots having planted slopes.

39. Per Section 21.32.195 of the County Code, subdivider shall plant or cause to be planted at least one tree of a non-invasive species within the front yard of each single-family residential lot. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Subdivider shall post bond with Public Works to ensure the planting of the required trees is to the satisfaction of Regional Planning.

40. Multi-family lots designated for apartment or condominium uses on Vesting Tentative Tract Map No. 53108 are approved for either use. Recordation of any apartment or condominium lot where development plans have not yet been reviewed through either the Revised Exhibit "A" or revised Exhibit Map process, shall require a note on the final map that use or construction of any structure, except for authorized model homes, is prohibited until such time as a final map that depicts required access, utility easments and any other information required by the County of Los Angeles is recorded.

41. To obtain approval of development plans for any apartment or condominium project, the subdivider shall submit a revised Exhibit Map for approval by the Subdivision Committee pursuant to Section 21.60.015 of the County Code to demonstrate conformance with the approved vesting tentative tract map and the provisions of the Newhall Ranch Specific Plan and Los Angeles County Code.

    Changes in the location, type, size and number of dwelling units on multi-family lots 271-287 from that depicted on the vesting tentative tract map may be authorized through approval of a revised Exhibit Map provided such changes are found in substantial conformance with the tentative map per the provisions of Section 5.2 of the Newhall Ranch Specific Plan, are consistent with the environmental analysis in the Final EIR and do not increase the number of dwelling units on any lot by more than 15% except for lots 274, 277 and 278, which are Affordable and not subject to adjustment. The submittal of each revised Revised Exhibit "A" or Exhibit

Map shall be accompanied by a matrix or similar chart to track the number of multi-family units. The matrix shall include information on the number of units approved on the tentative map, the number of units on the revised Exhibit Map, the percentage change from the tentative map, and the total number of dwelling units. The matrix will ensure that the total number of dwelling units within the boundaries of VTTM 53108 will not exceed 1,444, 270 of which will be located on single-family lots.

42. Recordation of any lot designated for commercial development where development plans have not yet been reviewed through either the Revised Exhibit "A" or Exhibit Map process, shall require a note on the final map that use or construction of any structure is prohibited until such time as a final map that depicts required access, utility easements and any other information required by the County of Los Angeles is recorded.

43. To obtain approval of development plans for a commercial development, the subdivider shall submit a revised Exhibit Map for approval by the Subdivision Committee pursuant to Section 21.60.015 of the County Code to ensure substantial conformance with the Newhall Ranch Specific Plan and the Zoning Ordinance.

44. For the multi-family lots, lots 271-287, subdivider shall use the standard lease project or condominium note on the final map.

45. For the commercial lots, subdivider shall use the standard lease project note, if applicable.

46. Permission is granted to record multiple final maps for multi-family and commercial development, including the recordation of unit maps over previously recorded lots. The boundaries of the unit final maps shall be to the satisfaction of the Subdivision Committee. Each final map to record shall comply on its own, or in combination with previously recorded maps, with the open space and lot area requirements of the Specific Plan. Prior to clearance of each final map, subdivider shall submit the following:

    (a) A phasing map, indicating the boundaries of the current final map, the boundaries and status of all previously filed final unit maps, and the expected boundaries and phasing of all future final maps; and

    (b) A summary sheet on the phasing map, indicating the number and type of all lots shown, including open space breakdown by acreage and type, on the current and all previous final maps.

    Multiple copies of the phasing map shall be submitted to Regional Planning for circulation and approval by the Subdivision Committee.

47. The mitigation measures set forth in the Final EIR are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53108. Subdivider shall comply with all such mitigation measures in accordance with the Mitigation Monitoring Plan. As a means of ensuring the

effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to the Director for approval prior to recordation of each final unit map.

The following reports consisting of 35 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

For information only:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.

2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.

3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.

Prior to recordation of a Final Map:

5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.

7. Prior to final approval of the tract map submit a notarized affidavit to the Director of Public Works, signed by all owners of record at the time of filing of the map with the Registrar-Recorder/County Clerk's Office, stating that any proposed condominium building has not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the Registrar-Recorder/County Clerk's Office.

8. Place standard condominium/residential planned development/commercial planned development/Landscape Maintenance District notes on the final map to the satisfaction of Public Works. The formation of the Landscape Maintenance District for all median and parkway landscaping must be approved by the Department of Parks and Recreation.

9. Place standard lease purpose only notes on the final map to the satisfaction of Public Works.

10. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

11. Reserve reciprocal easements for drainage, ingress/egress, utilities, and maintenance purposes, etc., in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.

12. If unit filing occurs, reserve reciprocal ingress and egress easements in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.

13. Furnish Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.

14. A Mapping & Property Management Division house numbering clearance is required prior to approval of the final map.

15. Design the boundaries of the unit final maps to the satisfaction of the Departments of Regional Planning and Public Works.

16. The first unit of this subdivision shall be filed as Tract No. 53108-01, the second unit, Tract No. 53108-02, ... and the last unit, Tract No. 53108.

17. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

18. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.

19. Quitclaim or relocate easements running through proposed structures.

20. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

21. Show open space note and dedicate residential construction rights over the open space lots.

22. If all possible, modify the boundaries of the open space lots or add additional open space lots to include the airspace easements for sight distance to the satisfaction of the Department of Regional Planning and Public Works.

23. Permission is granted to record large lots (20-acre or more) parcel map as shown on the insert map provided full street right of way and slope easements are dedicated along the latest IEC approved alignments on Route 126 (Henry Mayo Drive) and Long Canyon Road to the satisfaction of the Department of Public Works. In addition, make an offer of private and future right of way and dedicate slope easements along all remaining interior streets on alignments to the satisfaction of Public Works. This permission is contingent on deletion of the secondary highway south of and parallel to SR 126 from the County Highway Plan.

24. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of $2,000 (Minor Land Divisions) or $5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HW

Prepared by Henry Wong Phone (626) 458-4910 Date Rev. 10-06-2010

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
WWW.LADPW.ORG

TRACT NO: 53108

TENTATIVE MAP DATE: 04/08/2010
EXHIBIT MAP DATE: 04/08/2010

DRAINAGE & GRADING CONDITIONS OF APPROVAL, PHONE: (626) 458-4921

Prior to Improvement Plans Approval:

1. Provide drainage facilities to remove the flood hazard. A hydrology study for design of drainage facilities is required. Hydrology study must be submitted and approved prior to submittal of improvement plans. This is required to the satisfaction of the Department of Public Works.

2. Final pad elevations for buildings shown on the Exhibit Map sheets shall be within +/- 5 feet of the proposed contours, which cross the approximate center of each individual building pad, depicted on the Vesting Tentative Tract Map.

3. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).

4. Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.

5. Contact the Corps of Engineers to determine if a permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).

6. This site is located in Zone "A" per the Federal Flood Insurance Rate Map. Public Works, Watershed Management Division (626) 458-4322, should be contacted to obtain procedures for revising the flood insurance rate map once the storm drain facilities are constructed. Encroachment into FEMA Zone "A" is not permitted prior to obtaining a Conditional Letter of Map Revision (CLOMR) from FEMA.

7. Comply with the requirements of the revised Drainage Concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 12/29/09 to the satisfaction of Public Works.

8. The location of the alternative onsite debris basin as shown on the approved drainage concept is not necessarily approved. The location of the basin shall be determined in the hydrology study to the satisfaction of Public Works. Modification of the existing Caltrans culvert may be required. This may require a lot configuration change, a change in the number of lots, a revised drainage concept, a revised environmental document, and/or a revised tentative map.

9. The overflow of the existing Chiquito Landfill basin for the alternative onsite debris basin is not fully addressed in the approved drainage concept. This issue must be addressed in the hydrology study to the satisfaction of Public Works. This may require a lot configuration change, a change in the number of lots, a revised drainage concept, a revised environmental document, and/or a revised tentative map.

10. The sizing, design, and final locations of the proposed SUSMP mitigation shall be addressed in the hydrology study in compliance with the Newhall Ranch Stormwater Mitigation Plan to the satisfaction of Public Works. This may require a lot configuration change, a change in the number of lots, a revised drainage concept, a revised environmental document, and/or a revised tentative map.

11. The locations and number of catch basins in streets will vary depending on final street grades and the final hydrology analysis to be approved by Department of Public Works.

12. Locations of trails as shown on the approved drainage concept are not necessarily approved.

13. The non-structural utility corridor embankment is not to be maintained by LACFCD. An agreement memorializing the maintenance responsibilities must be in place to the satisfaction of Public Works.

14. Comply with the requirements of "Newhall Ranch Santa Clara River HEC-RAS Modeling Report dated December 2005 (I-5 to Ventura County Line)", "Newhall Ranch-Santa Clara River Phase 1 Fluvial Study dated March 6, 2006" approved on 04/18/06 and the approval letter from Land Development Division of LACDPW, and "Newhall Ranch Phase II River Fluvial Study" approved on 11/25/08.

15. Portions of the County Adopted Floodway (maps 43-ML23, 43-ML24, 43-ML25, and 43-ML26) must be revised and/or rescinded by the Board of Supervisors. The project will involve placement of earth fill within the existing Santa Clara River and result in relocating the River through the construction of the improvements. The proposed flood control improvements for this project affecting the County Adopted Floodways include (1) soil cement levee-lining for the fill associated with the development, (2) offsite soil cement levee-lining at south bank of the River, (3) WRP Utility Corridor soil cement levee-lining, (4) SR 126 Utility Corridor non-structural bank erosion protection with Turf Reinforced Mats and culvert extension outlets, (5) Long Canyon Bridge, (6) Chiquito Creek outlet structure/utility corridor scour protection, and (7) Martines Grande outlet structure/utility corridor scour protection. The improvements within the existing river will result in relocating the floodplain and require revising the existing County Ordinanced Floodways. The improvements and resulting county adopted floodway revisions may be phased.

16. Per ratification of these conditions of approval, the Board recognizes that the County Adopted ML maps will be revised and/or rescinded and authorizes the Director of Public Works to revise and/or rescind all necessary maps.

17. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.

TRACT NO: 53108

TENTATIVE MAP DATE: 04/08/2010
EXHIBIT MAP DATE: 04/08/2010

Prior to recordation of a Final Map or Parcel map Waiver:

1. Dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works.

2. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This is required to the satisfaction of the Department of Public Works.

3. Form an assessment district to finance the future ongoing maintenance and capital replacement of all SUSMP devices/systems. The developer shall cooperate fully with Public Works in the formation of the assessment district. SUSMP devices/systems may include, but are not limited to, catch basin inserts, debris excluders, biotreatment basins, vortex separation type systems, and other devices/systems for stormwater quality.

4. The developer shall deposit the first year's total assessment based on the engineers estimate as approved by Public Works. This will fund the first year's maintenance after the facilities are accepted. The second and subsequent years assessment will be collected through the property tax bill.

5. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map.

Prior to transfer of improvements:

1. Maintenance of the trail/fill over buried bank stabilization is not a responsibility of L.A. County or LACFCD. An agreement memorializing the maintenance responsibilities must be in place to the satisfaction of Public Works prior to acceptance of storm drain to LACFCD.

2. Prior to the transfer of the storm drain to LACFCD, maintenance permits from the State Department of Fish and Game, the Corps of Engineers, and the State Water Resources Control Board shall be provided to the satisfaction of the Department of Public Works.

AZ Name Yong Guo Date 08/19/2010 Phone (626) 458-4921
YONG GUO

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
1 Geologist
__ Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT MAP 53108
SUBDIVIDER Newhall Land & Farming Co.
ENGINEER Psomas
GEOLOGIST & SOILS ENGINEER Allan Seward

TENTATIVE MAP DATED 4/8/10 (Rev.)
LOCATION Newhall Ranch
REPORT DATE 2/25/10, 12/21/09, 10/29/03, 2/10/01, 9/27/00

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOLOGIC STANDPOINT

THE FOLLOWING CONDITIONS MUST BE FULFILLED:

1. The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical requirements have been properly depicted. For Final Map clearance guidelines refer to GS051.0 in the Manual for Preparation of Geotechnical Reports (http://www.dpw.lacounty.gov/gmed/manual.pdf).

2. A grading plan must be geotechnically approved by the GMED prior to Final Map approval. The grading depicted on the plan must agree with the grading depicted on the tentative tract or parcel map and the conditions approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds may be required.

3. Prior to grading plan approval a detailed engineering geology and soils engineering report must be submitted that addresses the proposed grading. All recommendations of the geotechnical consultants must be incorporated into the plan (Refer to the Manual for Preparation of Geotechnical Reports at http://www.dpw.lacounty.gov/gmed/manual.pdf).

4. All geologic hazards associated with this proposed development must be eliminated. Alternatively, the geologic hazards may be designated as restricted use areas (RUA), and their boundaries delineated on the Final Map. These RUAs must be approved by the GMED, and the subdivider must dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas (refer to GS063.0 in the manual for preparation of Geotechnical Reports*).

5. The Soils Engineering review dated 5/11/10 is attached.

Prepared by _____ Charles Nestle Reviewed by _____ Date 5/10/10

Please complete a Customer Service Survey at http://dpw.lacounty.gov/go/gmedsurvey

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 8.2
Job Number LX001129 / A866
Sheet 1 of 1

DISTRIBUTION:
____ Drainage
____ Grading
____ Geo/Soils Central File
____ District Engineer
____ Geologist
____ Soils Engineer
____ Engineer/Architect

Tentative Tract Map	53108
Location	Newhall Ranch
Developer/Owner	Newhall Land and Farming Company / Newhall Ranch Co.
Engineer/Architect	Psomas
Soils Engineer	Allan E. Seward Engineering Geology, Inc.
Geologist	Same as above

Review of:
Revised Tentative Tract Map and Exhibit Dated **4/8/10**
Soils Engineering and Geologic Report Dated 2/25/10, 12/21/09, 10/29/03, 2/10/01, 9/27/00
Previous Review Sheet Dated 3/30/10

ACTION:

Tentative Map feasibility is recommended for approval.

REMARKS:

1. At the grading plan review stage, provide information, analyses, and/or recommendations for the following:
   a. *Soils parameters*. Provide additional shear strength test results of various materials to verify those utilized in 100 Scale slope stability analyses for the Tentative Map stage.
   b. *Slope stability analyses*. Provide additional stability analyses for slopes based on a 40 scale to substantiate those performed at a 100 scale. Indicate the various shear strength parameters used in the analyses, in the appropriate segments of each failure plane. Recommend mitigation if factors of safety are below County minimum standards.
   c. *Retaining walls*. Indicate the types of walls that are proposed (e.g., keystone walls, crib walls, impact walls in areas with potential debris hazards, standard retaining walls, etc.), if any, and provide additional analyses as necessary.
   d. *Debris Impact walls*. As necessary.
   e. *Debris basins*. Provide debris volume calculations for debris basins that will mitigate debris flows.
   f. *Grading adjacent to Chiquito Canyon Road*. Provide additional analyses, recommendations for proposed grading adjacent to Chiquito Canyon Road, such as temporary stability analyses, as necessary.

2. At the grading plan review stage, submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

REGISTERED PROFESSIONAL ENGINEER
YOSHIYA MORISAKU
No. 67587
Exp. 6/30/11
CIVIL
STATE OF CALIFORNIA

Reviewed by Yoshiya Morisaku Date 5/11/10
Yoshiya Morisaku

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.

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The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following conditions:

REQUIREMENTS PRIOR TO GRADING PLAN APPROVAL:

1. Prior to approval of any grading plan, notarized covenants, in a form approved by Public Works, shall be obtained from all impacted offsite property owners, as determined by Public Works, and shall be recorded by the applicant. The number of offsite covenants will be determined by Public Works based on proposed off-site grading work which must be prepared by the applicant's consultants and submitted to Public Works for review and approval, in a format acceptable to Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require or otherwise involve the construction or installation of an offsite improvement, and that the offsite covenants referenced above do not constitute an offsite easement, license, title or interest in favor of the County. Therefore, the applicant acknowledges and agrees that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition.

2. Show disposition of all the easements (i.e. quit claimed, relocate, or easement holder permission will be obtained).

3. Provide landscaping or interim erosion control for graded slopes (Section J110.3 of Appendix J of the Los Angeles County Building Code) to the Satisfaction of Public Works.

4. Submit the following agency approvals:

   a. A permit/letter of non-jurisdiction may be required from State of California Department of Fish and Game.

   b. A permit/letter of non-jurisdiction may be required from State of California Department of Conservation Division of Oil and Gas (DOG).

   c. Permits/letters of non-jurisdiction may be required from State of California Regional Water Quality Control Board.

   d. A permit/letter of non-jurisdiction may be required from Army Corps of Engineers.

e. Provide soil/geology approval of the grading plan by the Geotechnical & Materials Engineering Division (GMED).

REQUIREMENTS PRIOR TO FINAL MAP RECORDATION:

5. Submit a grading plan for approval. The grading plans must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, and the SUSMP devices if applicable. The applicant is required to show and call out all existing easements on the grading plan and obtain the easement holder approvals.

6. A maintenance agreement may be required for privately maintained drainage devices.

7. Provide a draft copy of the CC&Rs.

8. All disturbed areas located in the disposal site shall be protected from erosion via landscaping and irrigation per grading code and National Pollutants Discharge Elimination Systems (NPDES) requirements or other erosion control measures acceptable to Public Works.

9. Benches and interceptor drains maybe required for the uncertified fill area (in the disposal site) per grading code.

10. A covenant shall be recorded identifying the uncertified fill area (in the disposal site) as a Restricted Use Area (RUA). No construction shall be allowed in the RUA without compliance with section 111 of Building Code.

COMMENTS/ADDITIONAL REQUIREMENTS:

11. Note number 1 on the general notes is subject to Department of Regional Planning (DRP) approval.

12. The location and limits of sound walls and retaining walls shown on the vesting tentative tract map (VTTM) are approximate and may be adjusted during final design to accommodate topography and final design grades. Wall adjustments shall be consistent with the intent of the subdivision approval and to the satisfaction of Department of Public Works (DPW) and DRP.

13. The height of retaining walls shown on the VTTM are intended as a maximum height. Final design of retaining walls may result in lower wall heights.

14. The location and limits of drainage devices on graded slopes, should be adjusted to conform to the final grading design and the approved drainage concept report. Design adjustments shall be consistent with the intent of the subdivision approval and to the satisfaction of DPW and DRP.

MDE Name David Esfandi Date 05/18/2010 Phone (626) 458-4921

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For Your Information

1. The subdivider shall provide detailed information regarding an agreement with Caltrans for mitigation of impacts to the state freeway system.

2. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets.

3. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way and on all the streets where grades exceed 10 percent.

4. Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent (1,000 feet for multi-lane highways or industrial collectors). If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate, in accordance with AASHTO guidelines.

5. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection. Reversing curves of local streets need not exceed a radius of 1,500 feet and any curve need not exceed a radius of 3,000 feet.

6. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

7. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.

8. At tee intersections involving local streets, the maximum permissible grade of the through street across the intersection is 10 percent. For intersections involving multi-lane highways, the maximum permissible grade of the through street is three percent. For 4-legged intersections, the maximum permissible grade of the through street is 8 percent.

9. Permission is granted to use the 58-foot modified local street section with 34 feet in roadway width with parking allowed on both sides of the street.

10. Permission is granted to use modified street cross-sections as shown on the tentative map to the satisfaction of Public Works. However, the subdivider may elect to construct standard and/or alternate street cross section to the satisfaction of Public Works. If alternate street cross sections are proposed, construct additional sidewalk pop-outs along the property frontage on all applicable streets in the vicinity of any above ground utilities to meet current ADA requirements to the satisfaction of Public Works.

11. Reciprocal easements may be required to serve lots not having public street frontage to the satisfaction of the Department of Regional Planning and Public Works.

Prior to Approval of the Road Improvement Plan:

12. Permission is granted to use a minimum longitudinal grade of 0.70% on public streets where engineered fill is proposed. The preparation of the subgrade shall conform with the soils report prepared by Allan E. Seward dated August 27, 2007, which shall then be reflected on the grading plan.

13. Provide a minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections to the satisfaction of Public Works.

14. Obtain an applicable encroachment permit from Caltrans for all improvements along SR-126 as dictated by each phased construction.

15. Prepare detailed 1" = 40' scaled signing and striping plans for all multi-lane streets /highways including SR-126, Long Canyon Road, Wolcott Road, "Y" Street, and "A" Street within or abutting this subdivision to the satisfaction of Public Works and Caltrans. Provide additional right of way, where needed, based on an approved striping plan to the satisfaction of Public Works.

16. Prepare detailed 1" = 40' scaled signing and striping plans for all off-site intersections affected by this subdivision as indicated in the attached memo dated May 26, 2010 from our Traffic and Lighting Division to the satisfaction of Public Works and Caltrans.

17. Setback the raised median nose a minimum of 20 feet from the right of way within all private driveway and fire lanes and streets (where applicable) to the satisfaction of Public Works.

18. Provide intersection sight distance for a design speed of:

    a. 65 mph or to the satisfaction of Public Works and Caltrans on SR-126 (westerly direction) from Long Canyon Road as dictated by Caltrans

    b. 60 mph (650 feet) on Long Canyon Road from the commercial driveway serving Lot 303/304 (northerly direction) and from the commercial driveway serving Lot 297/301 (southerly direction);

    c. 45 mph (465 feet) on "A" Street from the commercial driveway serving lot 302, which is located at the northwest corner of the intersection of "A" Street/"Y" Street and Long Canyon Road, (easterly direction, looking towards the center of the through lane on the northerly side of "A" Street east of Long Canyon Road); from the commercial driveway serving lots 300/301(easterly direction); from the commercial driveway serving lots 299/300(westerly direction), if a left-turn movement is proposed; from the park driveway serving lot 310 (easterly direction); from the school driveway-lot 309 (easterly direction); from "L" Street (westerly direction); from "N" Street (both directions); and from "T" Street (westerly direction).

    d. 30 mph (310 feet) on "C' Street from "D" Street (both directions); on "J" Street from "K" Street (westerly direction); on "Q" Street from the westerly intersection with "N" Street (northerly direction); and on "Q" Street from the intersection with "S" Street (easterly direction).

Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional grading may be required. With respect to the position of the vehicle at the minor road, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the top of curb (TC) or flow line (FL) prolongation. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. We use 6 feet from TC as a conservative rule, in the case of pop outs we use 6 feet from TC of the travel lane. When looking right, the target is the center of the lane nearest to the centerline or from the median TC (when present). We use 6 feet from centerline or from the median TC as a conservative rule.

19. Permission is granted to adjust the location of retaining walls and sound walls to avoid conflict with line of sight requirements at street and driveway intersections provided that the wall adjustments are consistent with the intent of the subdivision approval to the satisfaction of Public Works.

20. Locate any proposed entry monuments outside the road right of way and in such a way that they do not impede adequate line of sight to the satisfaction of Public Works.

21. Comply with the following street lighting requirements

    a. Provide street lights on concrete poles with underground wiring within the tract boundaries on all streets and highways including SR-126 to the satisfaction of Public Works and Caltrans. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.

    b. The proposed development or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.

(1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

(2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.

(3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300 4726.

c. The annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

d For acceptance of street light transfer of billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.

22. Design all affected intersections and driveway entrances along Long Canyon Road and Wolcott Road to be compatible with vertical approaches to the future grade separations at the SR-126 interchanges and at the Santa Clara River to the satisfaction of Public Works.

23. Additional comments/requirements: The street profiles along Long Canyon Road and Wolcott Road showing the vertical approach to the proposed interchanges, the at-grade intersections at SR-126, and at the Santa Clara River (Long Canyon Road only) as shown on the tentative map are not necessarily approved. The design and construction on Long Canyon Road and Wolcott Road must be compatible with the ultimate improvements on SR-126 and the Santa Clara River (Long Canyon Road only) to the satisfaction of Public Works.

Prior to Recordation of the Final Map (Separate Agreement)

24. Provide property line return radii of 13 feet at all local street intersections plus additional right of way for corner cut off to meet current guidelines of the Americans with Disabilities Act (ADA) to the satisfaction of Public Works.

25. Provide property line return radii of 27 feet at the intersection of local streets with planned highways (those on the County Highway Plan) and where all planned highways intersect or where one of the roads serves a commercial or industrial development to meet current guidelines of the Americans with Disabilities Act (ADA) to the satisfaction of Public Works.

26. Dedicate vehicular access rights on SR-126, unless the Department of Regional Planning or Caltrans requires the construction of a wall. In such cases, complete access rights shall be dedicated.

27. Dedicate right of way to the satisfaction of Public Works and Caltrans a minimum of 70 feet from the latest approved centerline on SR-126. The proposed 140-foot typical section of SR-126 is conditionally approved. Approval is contingent on the traffic study demonstrating that the projected traffic volumes do not exceed the capacity of this roadway. If so, provide additional right of way for additional lanes, exclusive left-turn lanes, exclusive right-turn lanes, and transition improvements to the satisfaction of Public Works and Caltrans. The cross sections and lane configurations as shown are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works and Caltrans. Reservation of right of way for SR-126 will be made through conveyance of fee lots to the satisfaction of Public Works and Caltrans.

28. Make an offer of future right of way and provide slope easements at the future SR-126 / Long Canyon Road Interchange and SR-126 / Wolcott Road Interchange to the satisfaction of Public Works and Caltrans.

29. Dedicate variable width right of way on Long Canyon Road as shown on the tentative map, or as necessary to satisfy the geometrics per the approved signing and striping plan to the satisfaction of Public Works. The alignment on Long Canyon Road shall conform with the latest approved centerline, per P-279.

    a. Long Canyon Road within this tract is a major highway added to the County Highway Plan through the adoption of the Newhall Ranch Specific Plan. Permission is granted for 60 mph design speed for Long Canyon Road within Tract 53108.

    b. Permission is granted to use modified street sections on Long Canyon Road subject to review and approval to the satisfaction of Public Works. The proposed 124 – 135 foot typical sections are conditionally approved with a median width of 14 feet and pavement on each side of the raised median at least 42 feet wide between curbs or as necessary to satisfy the geometrics per the approved signing and striping plan to the satisfaction of Public Works.

    c. Dedicate additional right of way on Long Canyon Road in the vicinity of the bridge to provide full-width sidewalk with 8 feet of clearance on the bridge."

    d. Maintain a minimum of 8 feet wide parkway on Long Canyon Road.

30. Dedicate variable width right of way (98-116 feet) along "A" Street (from Long Canyon Road to Wolcott Road) as shown on the tentative map (for design speed of 45 mph) or as necessary to satisfy the geometrics per the approved signing and striping plan to the satisfaction of Public Works.

a. Permission is granted to use modified street sections along "A" Street from Long Canyon Road to Wolcott Road subject to review and approval to the satisfaction of Public Works. The proposed 116-foot typical sections of "A" Street are conditionally approved with a median width of 14 feet and pavement on each side of the raised median at least 30 feet wide between curbs to accommodate one travel lane, a striped bike lane, and a parking lane. Pavement widh may be reduced if on-street parking is not permitted.

b. Maintain a minimum of 12 feet wide parkway on "A" Street.

c. The details of the sidewalks, landscaping, and swales in the parkway are not necessarily approved.

31. Dedicate variable width right of way (98 – 108 feet) along Wolcott Road from SR-126 to "A" Street as shown on the tentative map (for design speed of 45 mph) or as necessary to satisfy the geometrics per the approved signing and striping plan to the satisfaction of Public Works.

a. Permission is granted to use modified street sections on Wolcott Road. The proposed 108-foot street section on Wolcott Road is conditionally approved. Design the cross sections for Wolcott Road to provide lane configurations: with a median width of 14 feet and pavement on each side of the raised median at least 26 feet curb to curb (no parking, no bike lane), 32 feet curb to curb (on street parking, no bike lane), or 31 feet curb to curb (no parking, on street bike lane) and parkway width to the satisfaction of Public Works. Provide standard lane configurations based on cross sections for a secondary highway in accordance with Section 21.24.065 of the Subdivision Ordinance proposed cross sections and/or based on the approved traffic study to the satisfaction of Public Works.

b. The details of the sidewalks and landscaping in the parkway are not necessarily approved.

32. Dedicate right of way at all proposed roundabout locations as prescribed by the approved signing and striping plan to the satisfaction of Public Works. Roundabout configurations shown on the tentative map are not necessary approved.

33. All proposed driveway locations, driveway widths, median setbacks, and median openings as shown on the tentative map are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

34. Dedicate right of way 42 feet from centerline including a standard cul-de-sac bulb on "Y" Street to the satisfaction of Public Works.

35. Dedicate right of way 32 feet from centerline on "A" Street from Wolcott Road to "D" Street to the satisfaction of Public Works.

36. Dedicate right of way 55 feet from centerline on "P" Drive from "A" Street to "O" Street to the satisfaction of Public Works. The cross section for "P" Street as shown on the tentative map is not approved. The subdivider shall comply with the attached "P Drive Adjusted Typical Section" dated 5/20/10, which shows a 20 foot drive aisle, to the satisfaction of Public Works and the Fire Department.

37. Dedicate right of way 29 feet from centerline on "A" Street from "D" Street to "C" Street, "B" Street, "C" Street, " D" Street, " E" Street, " F" Street, "G" Street, "H" Street, "I" Street, "J" Street, "K" Street, "L" Street, "M" Street, "N" Street, "O" Street, "Q" Street, "Z" Street, "R" Street, "S" Street, "T" Street, "W" Street and "X" Street.

38. Dedicate additional right of way for standard knuckles and standard cul-de-sac bulbs to the satisfaction of Public Works.

39. All site plans shall be reviewed and approved by Public Works prior to final approval.

40. The Newhall Ranch Specific Plan also includes a secondary highway ("A" Street) through this tract (south of and parallel to SR-126). Based on additional traffic analysis completed for the project, it was determined that proposed traffic can be accommodated using local collector standards rather than secondary highway standards. The reclassification of "A" Street from a Secondary Highway designation to a Collector Street requires the approval of General Plan/Santa Clarita Valley Area Plan/Specific Plan (GPA/LPA/SP) Amendment 00-196-(5) by the Board of Supervisors.

41. Permission is granted to record large lots (20 acre or more) parcel map as shown on the insert map provided full street right of way and slope easements are dedicated along the latest approved alignments on SR-126 and Long Canyon Road to the satisfaction of Public Works. In addition, make an offer of private and future right of way and dedicate slope easements along all remaining interior street (including Wolcott Road) alignments to the satisfaction of Public Works.

42. Construct curb, gutter, base, pavement, and sidewalk on all streets and highways (except SR-126) to the satisfaction of Public Works.

43. Construct improvements along the property frontage on SR-126 to the satisfaction of Caltrans.

44. Construct additional pavement on SR-126 as may be determined necessary to mitigate project impacts to provide exclusive right-turn lanes, left-turn lanes, and transitions at entrance street intersections to the satisfaction of Public Works and Caltrans.

45. Construct drainage improvements (and parkway drains, if needed) and offer easements needed for street drainage or slopes to the satisfaction of Public Works. Where streets or highways are located within flood hazard areas or subject to inundation, provide adequate freeboard and slope protection to the satisfaction of Public Works. Construct adequate embankment protection along any sections of highways or streets located within flood plain boundaries or subject to inundation. Adequate freeboard shall also be provided.

46. Conform, to the extent possible, with the approved "Private Drives and Traffic Calming Design Guidelines Manual" for all proposed private drives. All private drives shall be constructed per an approved grading plan to the satisfaction of Public Works.

47. Comply with the mitigation measures (including off-site improvements) identified in the attached May 26, 2010 memo from our Traffic and Lighting Division to the satisfaction of Public Works.

48. Traffic Signal Plans (Scale 1"=20') shall be required at any location where modification to the existing traffic signal has been deemed necessary and at locations where new traffic signals are to be installed (per the attached May 26, 2010 memo from our Traffic and Lighting Division) to the satisfaction of Public Works. If required, provide additional right of way to the satisfaction of Public Works.

49. Plant street trees on all local streets and highways (except SR-126) to the satisfaction of Public Works.

50. Construct a slough wall outside the street right of way when the height of the slope is greater than five feet above the sidewalk and the sidewalk is adjacent to the street right of way. The wall shall not impede any required line of sight.

51. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

52. Provide and install street name signs to the satisfaction of Public Works.

53. Install postal delivery receptacles in groups to serve two or more residential lots to the satisfaction of Public Works and the United States Postal Service.

54. Prior to final map approval, pay the fees established by the Board of Supervisors for the Magic Mountain/Westside Bridge and Major Thoroughfare Construction Fee District in effect at the time of recordation.

Prior to Acceptance of Street Improvements

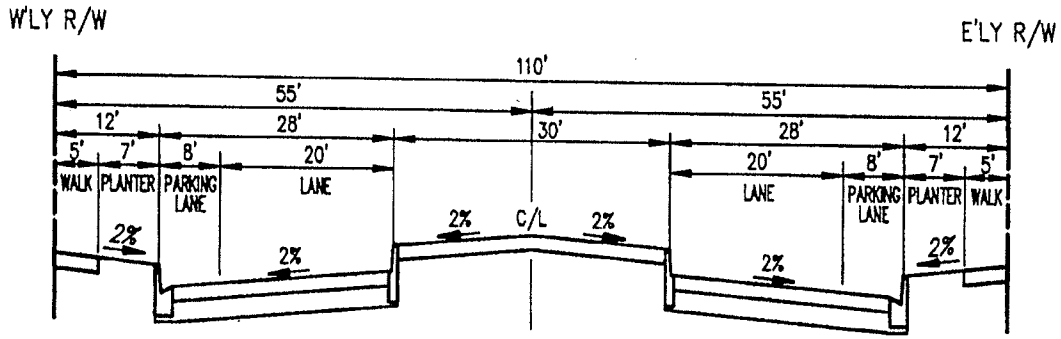
55. Establish a landscape maintenance district or other maintenance entity acceptable to Public Works, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways (if applicable) on Long Canyon Road.

56. Establish a landscape maintenance district or other maintenance entity acceptable to Public Works, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways on "A" Street.

57. Establish a landscape maintenance district or other maintenance entity acceptable to Public Works, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways on Wolcott Road.

58. Establish a landscape maintenance district or other maintenance entity acceptable to Public Works, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways on "P" Drive.

Prepared by Matthew Dubiel Phone (626) 458-4921 Date 9-28-2010



TYPICAL SECTION (110' R/W)

"P" DRIVE

Local Access - 30 MPH Design Speed

NOT TO SCALE

Landmark Village VTTM 53108
"P" Drive
Adjusted Typical Section

NEWHALL RANCH.

PSOMAS

DATE: 05-20-10 REVISED ON:
JOB No:1NFL0105.00

SHEET 1 OF 1
RV137-01

May 26, 2010

TO: Dennis Hunter
Land Development Division

Attention Andy Narag

FROM: Bill Winter
Traffic and Lighting Division

LANDMARK VILLAGE
RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT (JANUARY 2010)
TENTATIVE TRACT MAP NO. 53108
CASTAIC JUNCTION AREA

As requested, we have reviewed the Recirculated Draft Environmental Impact Report for the proposed Landmark Village Project. The project site is located south of State Route 126 and north of the Santa Clarita River in the unincorporated area of Castaic Junction.

This memo supersedes our previous memo dated May 20, 2010. Below are the traffic-related mitigation measures for the subject project.

- The traffic generated by the project alone will significantly impact the following intersections. The following improvements shall be the sole responsibility of the project and be a condition for the indicated phase. Detailed striping and signal modification plans must be submitted to Public Works for review and approval.

  PHASE I

  Wolcott Way at State Route 126

  North approach: One left-turn lane, one through lane, and an exclusive right-turn lane (convert shared left-turn/through lane to through lane).

  South approach: One left-turn lane, one through lane, and an exclusive right-turn lane (add one left-turn lane, convert shared left-turn/through/right-turn lane to through lane, and add an exclusive right-turn lane).

  Modify traffic signal prior to first lift of paving on Wolcott Way or State Route 126, whichever comes first.

FILE COPY

PHASE II

Wolcott Way at State Route 126

East approach: Two left-turn lanes, two through lanes, and an exclusive right-turn lane (add second left-turn lane, convert shared through/right-turn lane to through lane, and add exclusive right-turn lane).

South approach: One left-turn lane, one through lane, and two exclusive right-turn lanes (add second exclusive right-turn lane).

West approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (convert through/right-turn lane to through lane and add exclusive right-turn lane).

Modify traffic signal prior to issuance of any building permit(s) for Phase II.

Chiquito Canyon Road and Long Canyon Road (Future) at State Route 126

North approach: One left-turn lane and one shared through/right-turn lane (convert shared left-turn/through lane to left-turn lane and exclusive right-turn lane to shared through/right-turn lane).

East approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (add one left-turn lane and convert shared left-turn/through lane to through lane).

South approach (future): One left-turn lane, one through lane, and an exclusive right-turn lane (add one left-turn lane, convert shared left-turn/through/right-turn lane to a through lane, and add an exclusive right-turn lane).

Install traffic signal prior to the first lift of paving on Chiquito Canyon Road or State Route 126, whichever comes first.

School West Driveway/N Street at A Street (TT 53108)

Design and install traffic signal to the satisfaction of Public Works prior to rough grade certification for the school lot (309).

School East Driveway/J Street at A Street (TT 53108)

The project shall be responsible for the preparation of traffic signal design plans and securing adequate funds with Public Works for the full construction of the traffic signal. The intersection will be monitored for the installation of the signal once the school is fully occupied with 750 students.

PHASE III

I-5 Freeway southbound ramps at State Route 126

East approach: Three through lanes and a free right-turn lane (add third through lane).

Modify traffic signal prior to issuance of any building permit(s) for Phase III.

Wolcott Way at State Route 126

West approach: One left-turn lane, three through lanes, and an exclusive right-turn lane (add third through lane).

Modify traffic signal prior to issuance of any building permit(s) for Phase III.

Chiquito Canyon Road and Long Canyon Road (Future) at State Route 126

North approach: One left-turn lane, one through lane, and an exclusive right-turn lane (convert shared through/right-turn lane to through lane and add exclusive right-turn lane).

East approach: Two left-turn lanes, two through lanes, and an exclusive right-turn lane (add second left-turn lane).

South approach: One left-turn lane, two through lanes, and two exclusive right-turn lanes (add second through lane and second exclusive right-turn lane).

West approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (add exclusive right-turn lane).

Modify traffic signal prior to issuance of any building permit(s) for Phase III.

Long Canyon Road at Y Street and A Street (TT53108)

North approach: Two left-turn lanes, two through lanes, and an exclusive right-turn lane.

East approach: Two left-turn lanes, one shared through/right-turn lane, and an exclusive right-turn lane.

South approach: One left-turn lane, two through lanes, and one exclusive right-turn lane.

West approach: Two left-turn lanes and one shared through/right-turn lane.

Install traffic signal prior to the issuance of the certificate of occupancy for building(s) on the fire station.

- The cumulative traffic generated by the project and other related projects will significantly impact the following intersections. The project shall contribute its proportionate share of the cost for the following mitigation measures. Detailed striping and/or signal modification plans must be prepared to determine the feasibility of the recommended mitigation measures and cost estimate of each mitigation measure.

I-5 Freeway southbound ramps at State Route 126

North approach: Two left-turn lanes, one shared left/right-turn, and an exclusive right-turn lane (add one shared left/right-turn lane).

East approach: Four through lanes and a free right-turn lane (add fourth through lane).

West approach: Four through lanes and a free right-turn lane (add two through lanes).

Modify traffic signal.

The project's total pro rata share is about 38.3 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 8.3 percent, Phase II = 8.1 percent, and Phase III = 21.9 percent.

I-5 Freeway northbound ramps at State Route 126

East approach: Three through lanes and one free right-turn lane (add third through lane).

South approach: Three left-turn lanes and an exclusive right-turn lane (add third left-turn lane).

West approach: Four through lanes and one free right-turn lane (add two through lanes).

Modify traffic signal.

The project's total pro rata share is about 20.8 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 4.7 percent, Phase II = 4 percent, and Phase III = 12.1 percent.

Wolcott Way at State Route 126

North approach: Two left-turn lanes, one through lane, and an exclusive right-turn lane (add second left-turn lane).

East approach: Two left-turn lanes, three through lanes, and an exclusive right-turn lane (add third through lane).

West approach: Two left-turn lanes, three through lanes, and an exclusive right-turn lane (add second left-turn lane).

Modify traffic signal.

The project's total pro rata share is about 62.1 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 12.2 percent, Phase II = 19.3 percent, and Phase III = 30.6 percent.

Chiquito Canyon Road and Long Canyon Road (Future) at State Route 126

North approach: Two left-turn lanes, three through lane, and an exclusive right-turn lane (add second left-turn lane and two through lanes).

East approach: Two left-turn lanes, three through lanes, and an exclusive right-turn lane (add third through lane).

South approach: Two left-turn lanes, two through lanes, and two exclusive right-turn lanes (add second left-turn lane).

West approach: Two left-turn lanes, three through lanes, and an exclusive right-turn lane (add second left-turn lane and third through lane).

The project's total pro rata share is about 62 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 3 percent, Phase II = 16 percent, and Phase III = 43 percent.

Commerce Center Drive at State Route 126 Interchange

Pay the project's total pro rata share for the construction of the interchange of 33.8 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 6.6 percent, Phase II = 9.1 percent, and Phase III = 18.1 percent.

- The developer shall coordinate with and notify the Castaic Union School District that traffic circulation plan and the drop-off/pick-up procedures shall be prepared and submitted to Traffic and Lighting Division for review and approval. We recommend a mechanism for enforcement and levying of noncompliance penalties be included in the plan. The Castaic Union School District shall prepare informational packets containing the approved drop-off/pick-up procedures and provide to the parents/guardians of students of the school. The recordation of the phase containing Lot 309 where the school is proposed shall be withheld until the student drop-off/pick-up procedures, the informational packets of brochures, and the revised school site plan have been received and approved by Public Works.

- A determination shall be made regarding whether the project has a significant impact on the adjacent I-5 Freeway. Caltrans shall be consulted to obtain their written concurrence with the California Environmental Quality Act level of significance determination. These written comments from Caltrans shall be submitted to Public Works for review and approval.

If you have any questions regarding the review of this document, please contact Jacques M. Gilbert of our Traffic Studies Section at Extension 4794.

GL:sd
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SFP

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

For information only:

1. The subdivider shall obtain a will serve letter from the Sanitation Districts of Los Angeles County that stipulates LACSD has capacity and will ensure service for the subdivision.

2. The outlet(s) for the proposed local sewer system and any Sanitation District facilities for any unit map must be accepted for public use prior to recordation, otherwise the unit map in question must have approved and secured plans for the outlet system on file with Public Works and/or the Sanitation Districts of Los Angeles County.

3. Tract 53108 shall be allowed to operate one interim pump station at any one time in accordance with the Newhall Ranch Conceptual Sewer Master Plan PC 11812AS. The location, lot size and access to the interim pump station will be to the satisfaction of the Sanitation Districts of Los Angeles County.

Prior to recordation of a Final Map:

4. The necessary improvement plans for VTTM 53108 must be prepared in conformance with the approved Newhall Ranch Conceptual Sewer Master Plan PC 11812AS. If the system appurtenances and maintenance responsibilities shown on the improvement plans do not match those detailed in the approved Newhall Ranch Conceptual Sewer Master Plan PC 11812AS, the master plan must be revised and/or improvement plans modified to the satisfaction of Public Works.

5. The subdivider shall install and dedicate main line sewers and serve each building/lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works for all facilities to be operated by the Consolidated Sewer Maintenance Districts.

6. The subdivider shall submit an area study to Public Works to determine if capacity is available in the proposed sewerage system servicing this land division. The approved sewer area study shall remain valid for two years after initial approval. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works. The sewer study shall be invalidated should there be an increase in the total number of dwelling units, an

increase in the density, dwelling units occur on previously identified building restricted lots, a change in the proposed sewer alignment, an increase in the tributary sewershed, a change in the sewer collection points, or the adoption of a land use plan or revision to the current plan.

7. Provide on-site easements to the satisfaction of Public Works.

8. The subdivider represents and warrants that subdivider has fee title to, or has acquired a sufficient interest in, all property necessary for the construction, operation and maintenance of the above-referenced main line sewers, including, but not limited to, irrevocable offers of dedication recorded in the County of Los Angeles Recorder's Office on December 14, 2010 as Numbers 1844254 and 1844255. Accordingly, the subdivider acknowledges and agrees (a) no condition of approval of Vesting Tentative Tract Map No. 53108 requires or otherwise involves the construction or installation of an offsite improvement within land that subdivider does not have sufficient title or interest to construct any such offsite improvement as referenced in Government Code Section 66462.5, (b) the provisions of Government Code Section 66462.5 are not applicable to the approval of this Vesting Tentative Tract Map, and (c) the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or interest in any land in connection with the conditions associated with this Vesting Tentative Tract Map approval. The subdivider further acknowledges that the County is relying on the foregoing representations and warranties of subdivider in approving Vesting Tentative Tract Map No. 53108. Prior to the County's approval of any final map related to Vesting Tentative Tract Map No. 53108, the subdivider shall convey, or cause to be conveyed to the Newhall Ranch Sanitation District or and the County Sanitation Districts of Los Angeles County an easement, to the satisfaction of the Newhall County Sanitation District ~~or~~ and the County Sanitation Districts of Los Angeles County for the construction, operation and maintenance of the sewer.

9. The subdivider shall provide to the Public Works an annual status report throughout the construction phase of the project, until such time the new treatment plant is complete and operational, which reports the equivalent capacity units for this subdivision and the existing capacity units originating from the Newhall Ranch Specific Plan discharging into the Santa Clarita Valley Joint Sewerage System.

10. Prior to recordation of the first unit map, the subdivider shall:

    a. provide documentation demonstrating satisfactory compliance with the provisions specified in the Agreement between County Sanitation Districts

Nos. 26 and 32 of Los Angeles County and the Newhall Land and Farming Company Regarding a Plan for the Coordination of Wastewater Management Facilities Relating to The Newhall Ranch Specific Plan Development, dated January 9, 2002, including documentation that the NRSD has become a party to both the Joint Administrative Agreement (JAA) and the modified Santa Clarita Valley Joint Sewerage System Agreement (SCVJSSA).

b. have approved regional sewer infrastructure plans on file with the Newhall Ranch Sanitation District or Sanitation Districts of Los Angeles County and furnished a bond, letter of credit or other acceptable means of guarantee satisfactory to the Newhall Ranch Sanitation District or Sanitation Districts of Los Angeles County for the sewer infrastructure system necessary to serve the subdivision.

11. Prior to obtaining the first Building Permit subdivider shall:

a. install and dedicate all required regional sewer infrastructure required for VTTM 53108 identified in the approved Newhall Ranch Conceptual Sewer Master Plan PC 11812AS. This infrastructure may exclude the Newhall Ranch WRP facility if its completion is not yet warranted per the Agreement between County Sanitation Districts Nos. 26 and 32 of Los Angeles County and the Newhall Land and Farming Company Regarding a Plan for the Coordination of Wastewater Management Facilities Relating to The Newhall Ranch Specific Plan Development, dated January 9, 2002 as determined by the Sanitation Districts of Los Angeles County.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO. 53108 (Rev.)

TENTATIVE MAP DATED 04-08-2010
EXHIBIT MAP DATED 04-08-2010

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

Prior to recordation of a Final map:

1. A "Written Verification" and supporting documents from the water supplier to indicate the availability of a "Sufficient Water Supply" as required per Section 66473.7 of the Subdivision Map Act (SB 221) shall be provided to the satisfaction of the Department of Regional Planning and Public Works prior to filing any map.

2. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings/lots in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

3. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each lot.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.

5. Depict all line of sight easements on the landscaping and grading plans.

Prior to Building Permit By Building and Safety Division:

- Prior to obtaining a building permit from the Building and Safety Office, submit landscape and irrigation plans for each commercial/multi-family/open space lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

Prepared by Julian Garcia Phone (626) 458-4921 Date 09-30-2010
tr53108w-rev11(rev'd 09-30-10).doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

May 20, 2010

Mr. Sam Dea
Supervising Regional Planner
Special Projects Section
Department of Regional Planning
320 West Temple Street, Room 1346
Los Angeles, California 90012

Dear Mr. Dea:

VESTING TENTATIVE TRACT MAP 53108
PARK CONDITIONS OF MAP APPROVAL
Regional Planning Map dated April 8, 2010

These are park conditions only; trail and Landscaping and Lighting Act District (LLAD) conditions, if any, will be submitted under separate cover.

Advisory

1. The basic Quimby park land obligation is 10.86 net acres (maximum slope 3%) of park land and will be credited as shown on the Quimby Obligation Report and Worksheet and Specific Plan Table 5.4-2 ("Park and Recreation Improvements," including sub-table for Local Park Acres Provided, Column D), attached to this letter report.

2. Provide a 9.87 net-acre (maximum slope 3%) Community Park on Lot 310 ("the park") consistent with the attached Landmark Village Community Park Concept Plan approved by the Department. The park shall include a park identity monument; a group picnic pavilion; water quality swales; two (2) lighted, full-court basketball courts with a drinking fountain; two (2) shade structures with picnic tables located on the eastern side of the park; a softball field; a pre-school age (ages 2-5) play area; a children's play area (ages 5-12); a play area shade structure with picnic tables; a comfort station (including restrooms, a drinking fountain, office and storage rooms); a trash enclosure (1-bin); one (1) bike rack; a multi-purpose field with conduit stub for future lighting; a 5-station par course, the portion located on the trunk sewer easement being paved and also serving as a maintenance access road (gated at both ends) for the Sanitation District; a paved access road for the Flood Control District's storm drain line; an internal park road, which shall be gated at the park entrance and provide a drop off zone and 25 parking (including 3 accessible) stalls; park landscaping (including plant material, grading, irrigation and drainage); and internal pathways (sidewalks).

3. Provide the park with the following "off-site" park improvements: full street improvements and utilities/utility connections, including, but not limited to curbs, gutters, relocation of existing public utility facilities if applicable, street paving, traffic control devices, public trees, public streets and sidewalks for the parks. Utility types, sizes, and locations shall be to the satisfaction of the Department. Utilities shall include water meter and utility lines (electricity, sewer, and telephone).

4. Subdivider may elect to receive Quimby credit for the park improvements, excluding "off-site" park improvements, by giving the Department written notification thirty (30) days prior to SUBDIVIDER's Notice of Construction Commencement for the park.

5. Prior to County accepting title to the park, a Landscaping and Lighting Act District (LLAD) shall be created for the mutual benefit of Subdivider and the County to maintain the park.

6. Convey the park by recordable grant deed showing the fee vested with the County of Los Angeles, and free of all encumbrances except those that do not interfere with the use of the property for park or recreational purposes. Subdivider's designated title company shall provide the County with an ALTA title policy and shall record the park deed simultaneously to County's acceptance of the park improvements, as evidenced by the County's issuance of a Certificate of Acceptance for the park, and shall deliver the recorded deed to the Chief Administrative Office Real Estate Division, Property Management Section, 222 South Hill Street, Third Floor, Los Angeles, CA 90012.

7. A carry forward of Quimby credit from Tract 53108 to any other approved subdivision within the Newhall Ranch *Specific Plan* Area shall not result in a reimbursement to Subdivider from County's Quimby funds or a return by County to Subdivider of any public park land previously conveyed to County for Subdivider's Newhall Ranch *Specific Plan* Area Quimby obligation.

8. If a shared recreational use arrangement is sought by the Castaic School District (District), the recreational improvements on the shared use area (either park property or school district property) shall be visible from 'A' Street and the parking stalls off 'A' Street in order for the Department to approve the shared use area.

Prior to Final Map Approval

9. Whenever a final map having multiple residential units on one or more lots is submitted to the Department for clearance, it shall be accompanied by a

letter/table signed by the engineer of record identifying each residential lot by the number and amount of residential units organized into the following categories:

a. Single-family (SF) detached units (includes detached condominium product);
b. Multi-family dwelling units, <5 units per building (duplex-, tri-plex, four-plex, and town-home product types, condominiums and apartments); and
c. Multi-family dwelling units, 5 or more units per building (townhomes, condominiums, apartments).

10. Prior to the Department clearing the first final (unit) map, enter into a Park Development Agreement (PDA) and post Faithful Performance and Labor and Materials bonds with the Department to cover design and construction of the public park in accordance with updated costs estimates for the park. The PDA shall be substantially similar in form and content to the PDA approved by the Board of Supervisors (Board) on August 8, 2006 or latest Board-approved version, and the content of the bonds shall be substantially similar in form and content to the bonds used by the Los Angeles County Department of Public Works (DPW).

11. Prior to the Department clearing the first final (unit) map, submit a critical path method (CPM) schedule for completing the park and conveying title to the County ("Park Delivery Schedule"). Said schedule shall include design development submittals, and submittals required for the various stages of construction document development, permits and approvals, park construction commencement and completion dates, ALTA title policy and deed preparation and review, and deed recordation. The Initial Park Delivery Schedule shall serve as the baseline for all activities. Subdivider shall update the Park Delivery Schedule on a monthly basis to show actual progress compared to planned progress and submit the updates to the Department on the first Tuesday of each month. If as a result of these monthly schedule updates it appears that the Park Delivery Schedule does not comply with the critical path, the Subdivider shall submit a Recovery Schedule as a revision to the Park Delivery Schedule showing how all work will be completed within the period for park delivery. In the event Subdivider fails to comply with this condition, the Department shall give written notice to Subdivider describing such breach. Notice shall be deemed given when deposited in the U.S. Post Office or reliable over-night courier; postage prepaid, addressed to Subdivider, or by personal delivery to Subdivider's relevant address set forth in the PDA.

12. Designate and identify a project manager who will oversee design and construction of the park. The project manager shall communicate by providing written documentation via facsimile or mail to County's representative and abide by County's requirements and direction to ensure acceptable park completion;

provide the County with reasonable access to the park site and the park improvements for inspection purposes and at a minimum initiate and coordinate the following inspections and approvals during the course of construction with not less than two County business days advanced notice of any request for inspection or approval: (1) contractor orientation/pre-construction meeting; (2) construction staking and layout; (3) progress/installation inspections to be scheduled on a weekly basis or as required to insure conformance with construction documents; (4) irrigation mainline and equipment layout; (5) irrigation pressure test; (6) irrigation coverage test; (7) weed abatement after abatement cycle, to review degree of kill; (8) plant material approval; (9) plant material/Hydroseed/pre-maintenance inspection; (10) substantial completion and commencement of maintenance period; (11) final walk through and acceptance. Continued work without inspection and approval shall make Subdivider and its subcontractors solely responsible for any and all expenses incurred for required changes or modifications. County reserves the right to reject all work not approved in conformance with this condition.

13. The covenants, conditions and restrictions (CC&Rs) shall require the private park/recreational lots to be used for park and/or recreational purposes only and to be owned, operated, and maintained by the homeowner's association ("Association") or other similar entity. The unitized map where these facilities occur shall contain a notation restricting residential construction on the private park and/or recreation center lots and each private park/recreational lot shall be clearly identified and labeled on the condominium plan and/or final unitized map. Prior to the Department clearing the first unitized map where these facilities occur, Subdivider shall deliver the final version of the CC&Rs, along with a letter stating that the CC&Rs will be recorded after the recordation of the final map and approval by the Department of Real Estate. Recorded copies of the CC&Rs shall be delivered to: County of Los Angeles Department of Parks and Recreation, 510 S. Vermont Avenue, Room 201, Attention: Chief of Planning, Los Angeles, CA, 90020. No Quimby credit will be given for improvements to private parks/recreational lots.

Prior to Approval of an Improvement Plan

14. Submit park plans and specifications to the Department for review and approval during the design development stage, fifty percent (50%), seventy five percent (75%), ninety percent (90%), and one hundred percent (100%) stages of construction document development. Specifications and a grading plan (scale 1 inch = 40 feet or as required by the Department) shall be submitted to the Department concurrent with the final grading plan submittal to DPW. The respective stage of each submittal shall be clearly labeled on the drawings. Plan submittals shall be made by giving the Department three (3) sets of drawings and a CD-ROM containing the drawings in AutoCAD 2006 format. The Department

shall have twenty-one (21) County business days from receipt of any design/construction document submittal to review and approve it. If the Department does not respond within said time period, the submittal shall be deemed approved by the Department. Any corrections or changes made by the Department during review of one stage shall be incorporated into a revision of the current drawings and specifications and resubmitted for the Department's approval of the next said stage unless it is determined that the change is significant whereas the construction document would be resubmitted prior to permission by Department for SUBDIVIDER to proceed with the next stage. The park shall be developed in accordance with the *Specific Plan* park improvement plans approved by the Department, using standard construction activities and responsible contractors licensed by the State of California to perform this type of work. Sole responsibility for completion of the park improvements, and payment of all costs incurred, lies with the Subdivider.

15. Obtain all applicable jurisdictional approvals, comply with all applicable federal, state, and local laws, rules, codes, and regulations; obtain, coordinate and pay for all studies, permits, fees and agency inspections required to design and build the park; provide one (1) copy of all studies, permits, inspection reports, and written approvals to the Department's representative; provide the County with certification that the playgrounds constructed in the park meet American Society for Testing and Materials (ASTM) standards, United States Consumer Product Safety Commission (USCPSC) standards, and all State of California accessibility playground guidelines.

Prior to Issuance of a Building Permit

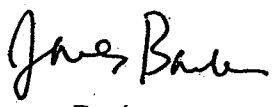
16. Subdivider shall commence park construction prior to the County issuing the 567th residential building permit and complete park construction and convey the park to the County prior to the County issuing the 1,000th residential building permit. Commencing when the first residential building permit is issued, Subdivider shall submit monthly reports to the Department that identify for each unit map the number of residential units for which building permits were issued ("permitted units") for the month and cumulative to date, and which relate permitted units to owner, building number, building type (e.g., single family home, condominium, apartment) and lot number. The monthly reports are due on the first Tuesday of each month until the park is conveyed to the County. Failure to provide the Department with a report, or to commence park construction prior to the 567th residential building permit, or to convey the park to the County prior to the 1,000th residential building permit will result in the Department requesting the Department of Public Works to withhold further issuance of residential building permits until the respective report is received or park construction is commenced, or the park is conveyed to the County.

17. Provide the Department with written Notice of Construction Commencement for the park. Construction Commencement is defined as when the Subdivider starts precise grading and/or installing utilities for the park. The Construction Phase is defined as the period of time from said notice to the date the Department issues its Notice of Acceptance of Completed Park Improvements, inclusive of the 90-day plant establishment period. Upon completing park construction, and obtaining final sign off from DPW on all code compliance issues, notify the Department in writing by submitting a Notice of Completion of Park Construction. Within thirty (30) days after receipt of said notice, Department shall inspect the park and reasonably determine whether or not the park improvements have been constructed in accordance with the construction documents, and to a level of quality and workmanship for the Department to issue its Notice of Acceptance of Completed Park Improvements. If park construction is unacceptable, within fifteen (15) County business days after inspection, Department shall provide Subdivider with a list of items that need to be corrected, after receipt of said list, in order for the Department to issue its Notice of Acceptance of Completed Park Improvements, or issuance of said notice will be delayed until the items on the list are corrected.

18. Upon Department's Notice of Acceptance of Completed Park Improvements, provide the Department with two (2) sets of record drawings, maintenance manuals, and irrigation controller charts, and contact information for utility companies and utility account codes in order for the Department to request timely transfer of utilities serving the park. These documents shall also be submitted on a CD-ROM with the drawings in AutoCAD 2006 format.

Please contact me at (213) 351-5117 if you have any questions regarding this matter.

Sincerely,



James Barber
Land Acquisition and Development Section

JB:CL 53108 DRPmd 04.08.10 scm 05.27.10

Attachments

Park Obligation Report and Worksheet and Table 5.4-2

c: Norma Garcia, Larry Hensley, Susan Pearson (DPR/Planning & Development)
Kathleen Ritner, Jim McCarthy (DPR/North Agency)
Roger Hernandez (CEO/RED)

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map #	**53108**	DRP Map Date: **04/08/2010**	SCM Date: **05/20/2010**	Report Date: **05/20/2010**
Park Planning Area #	**35A**	**NEWHALL / VALENCIA**		Map Type: **REV. (REV RECD)**

Total Units **1,444** = Proposed Units **1,444** + Exempt Units **0**

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

1) the dedication of land for public or private park purpose or,
2) the payment of in-lieu fees or,
3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	**10.86**
IN-LIEU FEES:	**$3,168,590**

Conditions of the map approval:

The park obligation for this development will be met by:

The dedication of 9.87 acres for public park purposes.
Provide 9.06 acres for private park purposes.
Conditions of approval attached to report.

Trails:

See also attached Trail Report.

*****Advisory:**

The Representative Land Values (RLVs) in Los Angeles County Code (LACC) Section 21.28.140 are used to calculate park fees and are adjusted annually, based on changes in the Consumer Price Index. The new RLVs become effective July 1st of each year and may apply to this subdivision map if first advertised for hearing before either a hearing officer or the Regional Planning Commission on or after July 1st pursuant to LACC Section 21.28.140, subsection 3. Accordingly, the park fee in this report is subject to change depending upon when the subdivision is first advertised for public hearing.

Please contact Clement Lau at (213) 351-5120 or Sheela Mathai at (213) 351-5121, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, CA 90020 for further information or to schedule an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements, please contact the Trails Coordinator at (213) 351-5134.

By: James Barber

James Barber, Land Acquisition & Development Section

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May 17, 2010 08:22:14
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LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map # **53108**	DRP Map Date: **04/08/2010**	SMC Date: **05/20/2010**	Report Date: **05/20/2010**
Park Planning Area # **35A**	**NEWHALL / VALENCIA**		Map Type: **REV. (REV RECD)**

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

(P)eople x (0.003) Ratio x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

Where:

P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Ratio = The subdivision ordinance provides a ratio of 3.0 acres of park land for each 1,000 people generated by the development. This ratio is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units **1,444** = Proposed Units **1,444** + Exempt Units **0**

	People*	Ratio 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	**3.23**	**0.0030**	**483**	**4.68**
M.F. < 5 Units	**2.29**	**0.0030**	**191**	**1.31**
M.F. >= 5 Units	**2.11**	**0.0030**	**770**	**4.87**
Mobile Units	1.74	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	**10.86**

Park Planning Area = **35A NEWHALL / VALENCIA**

Ratio	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	10.86	$291,767	**$3,168,590**

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
306	Private Rec. Center	1.13	100.00%	1.13	Private
307	Private Rec. Center	3.30	100.00%	3.30	Private
308	Private Rec. Center	1.39	100.00%	1.39	Private
310	Public Park	9.87	100.00%	9.87	Public
330 & 348	Public Trails	2.69	100.00%	2.69	Private
364	Private Park	0.55	100.00%	0.55	Private
			Total Provided Acre Credit:	**18.93**	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	**In-Lieu Fee Due**
10.86	9.87	9.06	-8.07	$291,767	**-2,354,560**

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May 17, 2010 08:22:41
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COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

May 20, 2010

Mr. Sam Dea
Supervising Regional Planner
Land Divisions Section
Department of Regional Planning
320 West Temple Street, Room 1346
Los Angeles, California 90012

Dear Mr. Dea:

TRAIL CONDITIONS OF MAP APPROVAL
Vesting Tentative Tract Map # 53108 (Landmark)
Map Dated: April 08, 2010

The Department of Parks and Recreation has completed the review of Vesting Tentative Tract Map #53108. Applicant is required to construct the Castaic Creek Trail, and Santa Clara River Trail within a 12 foot wide easement, to the satisfaction of the Department of Parks and Recreation standards. The trail alignment as shown on the map is approved with the following conditions prior to final map recordation:

Map Specific Conditions

1. Dedications and the exact following language must be shown for trail dedications on each phase of final map recordation containing said trail(s):

   a. Title Page: We hereby dedicate to the County of Los Angeles, Department of Parks and Recreation, a 12 foot wide easement for riding and hiking purposes, designated as the Castaic Creek and Santa Clara River Trails.

   b. If a waiver is filed, a Plat Map depicting the trail alignment must accompany the waiver.

2. There will also be a Santa Clara River Trail easement on sheet 5 as shown on sheet 10.

3. On sheet 12, Detail 7 "Access Road at Castaic Bridge", the intent of callout "Trail continues off-site and will connect with proposed Castaic Creek Trail on north side of SR-126 bridge" is that the Castaic Creek Trail continues off-site and will be constructed to SR-126 per this development. Future connection to PM 18108 will be completed with future projects

4. On sheet 12, Detail 7 "Access Road at Castaic Bridge", the intent of callout "Future Bike Trail Connection" is that the Bike/Trail connection will be constructed to SR-126 within this development and extend outside the development boundary with future projects.

Standard Conditions

5. Full public access shall be provided for the trail easement.

6. The Applicant shall provide the submittal of the rough grading plans, to include detailed grading information for the segment of trails the County will accept. The detailed grading information for the trail construction, shall include all pertinent information required, per Department trail standards and all applicable codes, but not limited to the following:

   a. Cross slope gradients not to exceed two percent (3%), and longitudinal (running) slope gradients not to exceed fifteen percent (15%) for more than 300 feet. The Department will review and allow slopes slightly greater than fifteen percent (15%) on a case by case basis.

   b. Typical trail section and details to include:

      - Longitudinal (running) gradients
      - Cross slope gradients
      - Name of trail
      - Width of trail or, if requested by Department of Parks and Recreation, denote as variable width.

   c. Bush Hammer (or equivalent) finish mutually acceptable to Public Works at minimum width of trail for crossings at all concrete surfaces.

   d. Appropriate retaining walls as needed.

   e. Appropriate fencing where deemed necessary, for user safety and property security, as approved by the Department.

f. Trail easement dedication must be outside of the road right-of-way.

7. The Applicant shall submit a cost estimate for the construction of the trails with the rough grading plans. An electronic copy (AutoCAD 2005 or newer version) of the rough grading plans shall also be submitted in a burned CD or DVD with the cost estimate.

8. After Department approval of the trail alignments shown on the rough grading plans, the Applicant shall post Faithful Performance and Labor and Materials (FPLM) bonds with the Department for construction of the trail.

9. The Applicant then shall submit a preliminary construction schedule showing milestones for completing the trail.

10. Prior to the start of trail construction, the Applicant's authorized representative (project manager, licensed surveyor, etc.) shall stake or flag the centerline of the trail. The Applicant's representative shall then schedule a site meeting with the Department's Trails Coordinator for the Department's inspection and approval.

11. The Applicant's representative shall provide updated trail construction schedules to the Department on a monthly basis. All schedule submittals shall provide a "Two Week Look-Ahead" schedule, to reflect any modifications to the original schedule.

12. Within five (5) business days after completing the trail, the Applicant shall notify the Department for a Final Inspection Trail Walk.

13. After the initial Final Inspection Trail Walk, any portions of the constructed trail not approved shall be corrected and brought into compliance, with the County of Los Angeles Department of Parks and Recreation Standards within thirty (30) calendar days. Applicant shall then call for another final inspection with the Department.

14. Upon Departmental approval and acceptance of the trail construction, the Applicant shall:

    a. Issue a letter to the Department requesting acceptance of the dedicated trail.

    b. Submit copies of the As-Built Trail drawings.

If you have any questions or comments, please contact Robert Ettleman, Trails Coordinator, at (213) 351-5134.

Sincerely,

Larry R. Hensley
Chief of Planning

LH:RE: G:\P & D -- Trails\MAP REVIEW-(SUBDIVISION COMMITTEE MEETINGS)\Trails Reports- CUP Map Project Review\2010DOCS

c: Fred MacMurdo, (Newhall Land)
James Barber, Frank Moreno, (Parks and Recreation)

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: TR53108 MAP DATE: April 08, 2010

THE FIRE DEPARTMENT RECOMMENDS APPROVAL OF THIS PROJECT AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

CONDITIONS OF APPROVAL - ACCESS

1. The proposed "P" Drive cross section shall provide a minimum drive lane of 20ft. The cross section as shown on the Tentative Map does not comply. The submitted "P" Drive Adjusted Typical Section dated 05-20-10 filed in our office is in compliance and will be accepted by the Fire Department. Incorporate the Adjusted Typical Section to the road improvement plans and submit a copy to the Fire Department for review and approval prior to construction.

2. All raised center medians shall provide a break or provide a rolled curb at every 300ft intervals in compliance with the Fire Department and the Department of Public Works standards. Submit road improvement plans to the Fire Department for review and approval prior to construction.

3. The proposed Fire Station, Lot 302, is approved by the Fire Department. Compliance with the following requirements and conditions by our Planning Section and/or Construction & Maintenance Division is required:
   - Applicant must enter into a Memorandum of Understanding (MOU) with the Fire District that includes a mutually agreeable operational date of the station prior to the issuance of any building permits.
   - Applicant to construct a 9,800± square foot turnkey, fully operational fire station to the Fire District's specifications. The Applicant is responsible for all on-site and off-site improvements the Fire District deems necessary for the operation of the station.
   - Applicant to equip the station with one pumper engine and one paramedic squad to the Fire District's specifications.
   - All other details to be clearly defined in the MOU between the Applicant and the Fire District.

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: TR53108 MAP DATE: April 08, 2010

4. The proposed Temporary Fire Department Emergency Access Road shows a total of 3 vehicular gates within the roadway on the Tentative Map. The Fire Department recommends the removal of 1 vehicular gate, allowing a maximum of 2 vehicular gates, within the roadway. The location of the vehicular gates shall be clearly depicted on the road improvements plans. Submit a gate detail and a copy of the road improvement plans to the Fire Department for review and approval prior to construction. The design and location of the roadway as indicated on the Tentative Map is adequate.

5. Exhibit "A" - The School and Park sites shall provide a minimum paved access width of 26' for circulation purposes. Final design shall be further reviewed for access compliance when plans are submitted to the Fire Department for review as architectural drawings or revised Exhibit A as the CUP process.

6. Exhibit "A" - All structures shall be places such that, vehicular access is provided to within 150ft of all exterior walls of the first story. This measurement shall be by an approved route around the exterior of the building or facility. Compliance of said access shall be verified when final design plans are submitted to the Fire Department for review as architectural drawings or revised Exhibit A as the CUP process.

7. Exhibit "A" (sheet 4) - The turnaround detail for the 28ft private driveway shall comply with our Ladder Truck Turnaround design standard. Compliance shall be verified when final design plans are submitted to the Fire Department for review as architectural drawings or revised Exhibit A as the CUP process.

8. Access as noted on the tentative map shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.

9. This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A preliminary "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).

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: TR53108 MAP DATE: April 08, 2010

10. The private driveways shall be indicated on the final map as "Private Driveway and Fire lane" with the widths clearly depicted.

11. Post required fire lanes with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the project's covenants, conditions and restrictions (CC&R's) or in a recorded maintenance agreement.

12. Submit a copy of the CC&R's or maintenance agreement to the Los Angeles County Fire Department for verification, prior to the clearance of the final map.

CONDITIONS OF APPROVAL - WATER

13. Install **98** public fire hydrant(s). As noted on the tentative map or the Exhibit A. Location: AS PER MAP FILED IN OUR OFFICE.

14. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.

15. The required fire flow for the public fire hydrants adjacent to residential development, single family dwellings, at this location is **1250** gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand.

16. The required fire flow for the public fire hydrants adjacent to residential development, detached condominiums, at this location is **1500** gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 2 fire hydrants flowing simultaneously may be used to achieve the required fire flow.

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: TR53108 MAP DATE: April 08, 2010

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17. All other fire hydrants are required to provide a fire flow of **5000** gallons per minute at 20 psi for a duration of 5 hours, over and above maximum daily domestic demand. 3 fire hydrants flowing simultaneously may be used to achieve the required fire flow. This fire flow may be reduced by the Fire Prevention Engineering Section as approved during the building permit review process.

18. Prior to final map clearance. Provide written verification from the Department of Public Works that the required fire hydrants have been bonded for in lieu of installation.

19. All required public fire hydrants shall be installed and tested prior to building permit issuance.

20. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.

Inspector: Juan Padilla
Date: May 20, 2010

COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

KEN HABARADAS, MS, REHS
Acting Environmental Health Staff Specialist
5050 Commerce Drive
Baldwin Park, CA 91706
TEL (626) 430-5280 • FAX (626) 960-2740

www.publichealth.lacounty.gov

BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

May 18, 2010

Tract Map No. 53108

Vicinity: Del Valle

Tentative Tract Map Date: April 8, 2010 (11th Revision)

☒ Environmental Health recommends approval of this map.

☐ Environmental Health does NOT recommend approval of this map.

The Los Angeles County Department of Public Health – Environmental Health Division has no objection to this subdivision and Tentative Tract Map 53108 is cleared for public hearing. The following conditions still apply and remain in force:

1. Potable water will be supplied by the Valencia Water Company, a public water system which guarantees water connection and service to all lots.
2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the Newhall Ranch Water Reclamation Plant and the Los Angeles County Sanitation District No. 32, as proposed.
3. Any wells designated for abandonment shall be decommissioned under permit from Environmental Health's Drinking Water Program.
4. Prior to the issuance of a building permit, the applicant shall obtain the necessary approvals from Environmental Health's Cross Connection & Water Pollution Control Program, (626) 430-5290, for the installation of recycled water infrastructure.

If you should have any other questions or require additional information, please contact me at (626) 430-5262.

Sincerely,

Ken Habaradas, MS, REHS
Bureau of Environmental Protection

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 00-196-(5)

General Conditions

1. The Landmark Village tract map site is within the boundaries of the approved Newhall Ranch Specific Plan and the permittee is required to comply with its provisions and standards.

2. This grant authorizes the use of the subject property for a maximum total of 1,444 residential units; a maximum of 1,033,000 square feet of non-residential development including mixed-use commercial, office and retail; 59.8 acres of open space within open space lots depicted on the vesting tentative tract map; an approximately 9.9-acre active/passive community park; an approximately 0.6-acre private park; approximately 5.8 acres of private recreational facilities; bike and multi-use trail systems; a trailhead;~~,~~ an elementary school; park and ride lot; recycled water booster pump station; and fire station. Six lots on the tentative map are designated as future SR-126 right-of-way and light rail reservation. This permit also authorizes on-site project grading and development of project-related infrastructure to support the proposed Landmark Village project, including domestic and reclaimed water systems; utilities (including sanitary sewers, cable, gas and fiber optics); private driveways; and public streets. **Exhibit A** depicts conceptual site development plans. Revised site plans to depict changes to the conceptual site plan shall be subject to the provisions of Section 5.2 of the approved Newhall Ranch Specific Plan.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.

4. This grant shall not be effective for any purpose until a duly authorized representative of 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 ("Regional Planning") an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 40, below, and until all required monies have been paid pursuant to Condition Nos. 41, 43 and 45, below.

5. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. 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 or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it 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.

7. 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.

8. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay Regional Planning an initial deposit of $5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the 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 of the amount of 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.

9. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map No. 53108 should expire without recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.

10. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 53108 and the conceptual site design depicted on the **Exhibit A**, subject to the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

11. All development shall comply with the requirements of the approved Newhall Ranch Specific Plan unless specifically modified by this grant, as set forth in these conditions, including the approved **Exhibit A** or revised **Exhibit A** approved by the Director of Regional Planning ("Director").

12. The mitigation measures set forth in the Landmark Village Final Environmental Impact Report (EIR) (October 2010) (SCH No. 2004021002) ("Final EIR") are incorporated by this reference and made conditions of this permit and the permittee shall comply with the project's Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director for approval as otherwise required by these conditions and on a annual basis until such time as all mitigation measures have been implemented or completed; and at such time as additional reports are required by the Director.

13. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 53108, Oak Tree Permit No. 00-196-(5), Conditional Use Permit No. 200500112-(5) and Conditional Use Permit No. 94-087-(5) as applicable.

14. All utilities shall be placed underground to the satisfaction of the Los Angeles County Department of Public Works ("Public Works").

15. All structures shall comply with the requirements of the Division of Building and Safety of Public Works.

16. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.

17. All grading and construction and appurtenant activities, including engine warm-up, shall be restricted to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00p.m on Saturday. Pile driving and drilling is prohibited on Saturdays. No Sunday, or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise

protected in a manner that will minimize noise inconvenience to adjacent residences.

18. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and Public Works.

19. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activity is completed for the day. All clearing, grading, earthmoving, or excavation shall cease during periods of high wind (*i.e.*, greater than 20 miles per hour average over one hour) to prevent excessive amounts of dust.

20. Grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, borrow sites, and other on-site and off-site improvements shown on the approved **Exhibit A**. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or revised **Exhibit A** approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.

21. Phased grading has been requested and approved to allow transporting of soil within the boundaries of the VTTM prior to or during any off-site import. Such grading may require additional interim infrastructure improvements not depicted on the tentative map but necessary to ensure compliance with the County Code such as debris basins, access roads, temporary utility lines, and other similar improvements to the satisfaction of Public Works.

22. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.

23. No construction equipment or vehicles shall be parked or stored on any existing public or private street.

24. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.

25. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.

26. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

27. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, 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.

28. The permittee shall utilize water saving devices and technology in the construction of this project consistent with the County Building and Plumbing Code and project mitigation measures.

29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project shall fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code section 17921.3, which requires low-flush toilets in all new construction; Title 24 of the California Code of Regulations sections 2-5352 (I) and (J), which requires hot water pipes to be insulated; and Government Code section 7800, which requires lavatories to have self-closing faucets in public restrooms.

30. If during construction soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board.

31. The permittee shall comply with the Newhall Ranch Stormwater Mitigation Plan requirements to the satisfaction of Public Works.

32. During construction, all large size truck trips shall be limited to off-peak commute periods.

33. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy equipment and/or materials, which requires the use of over-size transport vehicles on State highways.

34. The permittee shall provide approximately 59.8 acres of open space within the open space lots 311, 313-327,329-334, 337-339, 341-363, and 365-421 depicted on Vesting Tentative Tract Map No. 53108.

35. The permittee or its designee shall provide the Director with an annual status report throughout the construction phase of the project, which states the number of residential units constructed, the number affordable housing units constructed, the square footage of all commercial and industrial buildings completed, the dates of dedication or completion for all required infrastructure and community amenities, and the status of compliance with the project's Mitigation Monitoring Plan or other items as deemed necessary by the Director.

36. All commonly owned areas shall be preserved as permanent open space. Such reservation shall be by establishment of a homeowners association, maintenance district, or other appropriate means or methods to ensure to the satisfaction of the Director the permanent reservation and continued perpetual maintenance of required commonly owned areas.

37. As a means to further ensure the permanent reservation of commonly owned areas, no dwelling unit shall be sold, conveyed, or otherwise alienated or encumbered separately from an undivided interest in any commonly owned areas comprising a part of such development. Such undivided interest shall include either an undivided interest in the commonly owned area or a share in the corporation or voting membership in an association owning the commonly owned area.

38. No residential development shall be permitted within lots designated for parks, recreation, open space and public facility purposes (park lots 310 and 364; recreation lots 306-308; trailhead lot 312; open space lots 313-327; 344-346, 350, 352, 353, 356-361, 363, 365-371, and 374-421; multi-use trail lots 330, and 348; class 1 bike trial lots 331and 349; light rail reservation lots 334, 337 and 341; water quality and debris basin lots 311, 329, 332, 333, 338, 342, 347, 351, 354, 355, 362, 372, and 373; utility corridor lots 339 and 343; public facility lots 309, 302, 291, and 328; or future SR-126 right-of ways lots 335, 336, and 340).

39. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or a revised **Exhibit A** approved by the Director subject to Section 5.2 of the Specific Plan.

Prior to Use of the Grant

40. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the Office of the County Recorder. In addition, upon transfer or lease of all or any portion 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.

41. 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. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of **$2,000.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate Regional Planning 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 site plan on file. The fund provides for **ten (10) annual inspections**. Inspections shall be unannounced.

    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 Regional Planning 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 payment is due (currently $200.00 per inspection).

42. 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 or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.

43. This project is not de minimus in its effect on fish and wildlife. Upon completion of the appeal period, the permittee shall remit processing fees in the amount of **$2,792.25 (and a $75.00 processing fee)** 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 and Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the

California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until this fee is paid.

44. The permittee shall record a covenant with the County agreeing to comply with the approved environmental mitigation measures.

45. Upon completion of the appeal period, the permittee shall deposit the sum of $3,000.00 with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the project's Mitigation Monitoring Plan. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant, subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented as reported in the required Mitigation Monitoring Report.

    The mitigation measures set forth in the Mitigation Monitoring Plan in the Final EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the permittee shall submit Mitigation Monitoring reports to Regional Planning as frequently as may be required by the department.

46. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm the facilities that may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains, fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Bureau.

Prior to Issuance of a Grading Permit

47. As a means of ensuring the compliance with the mitigation measures found in the Final EIR, the permittee shall submit mitigation monitoring reports to the Director for approval prior to the issuance of any grading permits.

48. Prior to the issuance of any fine/precise grading permit as applicable, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:

    (a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and

(b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

49. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.

50. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site consistent with the Newhall Ranch Stormwater Mitigation Plan and approved mitigation measures to the satisfaction and approval of Public Works.

Prior to Recordation of a Final Map

51. As a means of ensuring the effectiveness of the mitigation measures found in the Final EIR, a mitigation monitoring shall be submitted to the Director for approval prior to the recordation of a final map.

52. The permittee shall include conditions in the project CC&Rs, which require continued maintenance of the planting for lots having planted slopes.

53. The permittee shall provide for the private driveway and fire lanes within the project and provide proof of guaranteed maintenance in the project CC&Rs as well as draft easement documents with exhibits, granting access to respective off-site property owners.

54. The permittee shall provide in the project CC&Rs restrictions on parking or storage of recreational vehicles as required by Condition No. 38 of Conditional Use Permit 94-087-(5) to the satisfaction of the Director.

55. The permittee shall comply with the provisions of the park development agreement with the Los Angeles County Department of Parks and Recreation, and provide evidence of compliance to the Director.

56. The permittee shall provide in the project CC&Rs for the ownership and maintenance of the private park (lot 364) by a homeowners' association.

57. The permittee shall provide in the project CC&Rs for the ownership and maintenance of recreation lots 306-308 by a homeowners' association.

58. The permittee shall provide for their ownership and maintenance of the following lots by a homeowners' association, by dedication to the County or other acceptable agency, by an alternative method or means as described in the approved Newhall Ranch Specific Plan, or as described in other conditions of approval; open space lots 313-327, 344-346, 350, 352, 353, 356-361, 363, 365-371, 374-421, 331, 349, 330, and 348; park lot 310; multi-use bike trail lots 330, and 348; class 1 bike trail lots 331, and 349; light rail reservation lots 334, 337, and 341; future SR-126 right-of-way lots 335, 336, and 340; water quality and debris basin lots 311, 329, 332, 333, 338, 342, 347, 351, 354, 355, 362, 372, and 373; utility corridor lots 339 and 343; and public facility lots 291 (park and ride) 302 (fire station) 309 (school) and 328 (recycled water booster pump station).

59. This development shall reserve at least 161 for-sale residential units and 140 for-rent units depicted on lots 274, 277 and 278 of the tentative map in accordance with the Newhall Ranch Affordable Housing Implementation Plan (the Plan) dated June 25, 2010, or dated per amendment(s) approved by the Los Angeles County Community Development Commission (CDC) to the satisfaction of the Director.

60. Concurrently with the recordation of the applicable final map, the permittee shall record a covenant and agreement, deed restriction or other document furnished by the permittee and deemed appropriate after review and approval by the County Counsel and the CDC, to effectively assure the continuing availability of the designated affordable housing for qualified persons and families for the time specified in the Plan. This document shall be in conformance with the Specific Plan and Affordable Housing Implementation Plan approved by the CDC and shall assure construction and continued occupancy of all designated affordable units identified on the tentative map. The permittee shall be responsible for the continued administration of the provisions of the Plan.

Prior to Issuance of a Building Permit

61. Prior to the issuance of any building permit for the principal use of the property, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to the Director indicating that the proposed construction:

    (a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan and the design principles referenced in the Planning Notebook date March, 2010 (attached hereto);

(b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan;

(c) has completed the Newhall Land Architectural Review Committee (ARC) Process identified in the Landmark Planning Notebook to the satisfaction of the Director. The ARC will review projects for consistency with Design Guidelines that emphasize architectural styles, colors and materials, roof type, setbacks, parking layouts, lighting standards, signage criteria, landscaping palette, etc.; and

(d) has received final approval from Regional Planning

62. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.

Three copies of a landscape plan(s), which may be incorporated into a revised site plan, shall be submitted to and approved by the Planning Director before issuance of a building permit. The landscaping plan(s) shall show compliance with the County's drought tolerant landscaping ordinance. Landscaping will include trees, shrubs, and ground covering at a mixture and density determined by the Director and the Los Angeles County Fire Departments Fuel Modification Unit. Fire retardant plants should be given first consideration.

The landscape plan(s) shall show size, type, and location of all plants, trees, percentage of native plant materials, and sprinkler facilities, including all landscaping and irrigation. Permittee is encouraged to integrate native species, including trees and shrubs, as a part of the plant palette where appropriate. Watering facilities shall consist of a permanent water-efficient irrigation system such as "bubblers" or drip irrigation, where applicable. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary.

In addition to the review and approval by the Director, the landscaping plan(s) shall be reviewed by the Los Angeles County Fire Department, and Public Works. The review will include an evaluation of the balance of structural diversity (e.g. trees, shrubs and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements and determination of compliance with water conservation requirements.

For open space lots 329, 332, 333, 347, 352, 354, 355, 362, 365, and 372 the plant palette shall include 75% native species, except for the first 20 feet from residential property lines which may be for fuel modification planting. This 20-foot exception does not apply to lots 352 and 365. However, if the permittee demonstrates to the satisfaction of the Director that compliance with this requirement is not possible due to County fire safety requirements, then staff may determine that a lower percentage of such planting is required.

63 All graded slopes (cut and fill) shall be revegetated.

64. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with the State Seismic Hazard Safety laws to the satisfaction of Public Works.

65 A determination of substantial conformance in compliance with the provisions of the approved Newhall Ranch Specific Plan has been made relative to front yard setbacks, hillside grading, shared parking, and street widths. Prior to the approval of building permits, the permittee shall submit monitoring reports to demonstrate conformance to the satisfaction of the Director. This may include submittal of a parking program if determined to be necessary.

66 As agreed, the permittee shall comply with the provisions of the project's Sustainability Plan. A covenant shall be recorded agreeing to comply with this Plan, including transferability to future owners of the property. Prior to the issuance of a building permit, a Revised **Exhibit A** and a monitoring report describing compliance shall be submitted to the Director.

67 Prior to the issuance of building permit, the permittee shall provide evidence to the Director showing compliance with the Hart High School District letter dated October 31, 2007 to execute an update to the Hart School Funding Agreement.

68 The permittee has submitted a Planning Notebook which depicts conceptual building and design standards. Prior to the issuance of building permit, the permittee shall show that the project is in substantial compliance with the Planning Notebook dated March, 2010 to the satisfaction of the Director.

69. Prior to issuance of a building permit, permittee shall submit three copies of a landscape plan, which may be incorporated into a revised site plan, shall be submitted and approved by the Director as required by Conditional Use Permit No. 00-196-(5).

70. Prior to issuance of the first building permit, permittee must enter into a Memorandum of Understanding (MOU) with the Los Angeles County Fire Department that includes a mutually agreeable operational date for the station located on lot 302. Upon completion and acceptance of the fire station improvements, lot 302 shall be conveyed by recordable deed to the Fire Department.

71. Prior to the issuance of the 1,000th residential building permit, the park on lot 310 shall be conveyed to the County. Upon completion of park improvements on lot 310, and acceptance of the improvements by the Department of Parks and Recreation, subdivider shall convey the lot by recordable grant deed free or all encumbrances, except those that do not interfere with the use of the property for park or recreational purposes, showing the fee vested with the County of Los Angeles.

DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 2005-00112-(5)
(OFF-SITE GRADING, WATER TANKS, UTILITIES CORRIDOR)

General Conditions

1. The Landmark Village tract map site is within the boundaries of the approved Newhall Ranch Specific Plan and the permittee is required to comply with its provisions and standards.

2. This grant authorizes the development of off-site project related infrastructure and the grading associated with that infrastructure to support the proposed Landmark Village project which consists of 1,444 residential units; a maximum of 1,033,000 square feet of non-residential development, including mixed-use commercial, office, and retail; 59.8 acres of open space; an approximately 9.9-acre active/passive community park; an approximately 0.6-acre private park; approximately 5.8 acres of private recreational facilities; a bike and multi-use trail system; a trailhead; park and ride lot; recycled water booster pump station; an elementary school; and fire station. Six lots on the vesting tentative tract map are designated as future SR-126 right-of-way and light rail reservation. Proposed off-site infrastructure includes domestic and reclaimed water systems; water tanks; utilities (including sanitary sewers, cable, gas and fiber optics); private driveways; and public streets. This grant also ensures the project is consistent with the provisions for development within a Significant Ecological Area (SEA). **Exhibit A** depicts conceptual site development plans. Revised site plans to depict changes to the conceptual site plan shall be subject to the provisions of Section 5.2 of the approved Newhall Ranch Specific Plan.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.

4. This grant shall not be effective for any purpose until a duly authorized representative of 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 ("Regional Planning") an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 37, below, and until all required monies have been paid pursuant to Condition Nos. 38, 40 and 42 below.

5. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. 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 or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it 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.

7. 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.

8. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the 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 of the amount of 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.

9. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map No. 53108 should expire without recordation

of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.

10. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 53108 and the conceptual site design depicted on **Exhibit A**, subject to the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

11. All development shall comply with the requirements of the approved Newhall Ranch Specific Plan unless specifically modified by this grant, as set forth in these conditions, including the approved **Exhibit A** or revised **Exhibit A** approved by the Director of Regional Planning ("Director").

12. The mitigation measures set forth in the Landmark Village Final Environmental Impact Report (EIR) (October 2010) (SCH No. 2004021002) ("Final EIR") are incorporated by this reference and made conditions of this permit and the permittee shall comply with the project's Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director for approval as otherwise required by these conditions and on a annual basis until such time as all mitigation measures have been implemented or completed; and at such time as additional reports are required by the Director.

13. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 53108, Conditional Use Permit 00-196-(5), Oak Tree Permit No. 00-196-(5) and Conditional Use Permit 94-087-(5) as applicable.

14. All utilities shall be placed underground to the satisfaction of the Los Angeles County Department of Public Works ("Public Works").

15. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.

16. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.

17. All grading and construction and appurtenant activities, including engine warm-up, shall be restricted to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00p.m on Saturday. Pile driving and drilling is prohibited on Saturdays. No Sunday, or holiday operations are permitted. All stationary construction noise sources shall be

sheltered or enclosed to minimize any adverse effect on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences.

18. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Department of Public Works.

19. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activity is completed for the day. All clearing, grading, earthmoving, or excavation shall cease during periods of high wind (*i.e.*, greater than 20 miles per hour average over one hour) to prevent excessive amounts of dust.

20. Grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, borrow sites, and other on-site and off-site improvements shown on the approved **Exhibit A**. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or revised **Exhibit A** approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.

21. Phased grading has been requested and approved to allow transportation of soil within the boundaries of the VTTM prior to or during any off-site import. Such grading may require additional interim infrastructure improvements not depicted on the tentative map but necessary to ensure compliance with the County Code such as debris basins, access roads, temporary utility lines, and other similar improvements to the satisfaction of the Department of Public Works.

22. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.

23. No construction equipment or vehicles shall be parked or stored on any existing public or private street.

24. The permittee shall obtain all necessary permits from Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.

25. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the

various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.

26. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

27. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, 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.

28. The permittee shall utilize water saving devices and technology in the construction of this project consistent with the County Building and Plumbing Code and project mitigation measures.

29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project shall fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code section 17921.3, which requires low-flush toilets in all new construction; Title 24 of the California Code of Regulations sections 2-5352 (I) and (J), which requires hot water pipes to be insulated; and Government Code section 7800, which requires lavatories to have self-closing faucets in public restrooms.

30. If during construction soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board.

31. The permittee shall comply with the Newhall Ranch Stormwater Mitigation Plan requirements to the satisfaction of the Department of Public Works.

32. During construction, all large size truck trips shall be limited to off-peak commute periods.

33. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy equipment and/or

materials, which requires the use of over-size transport vehicles on State highways.

34. The permittee shall provide approximately 59.8 acres of open space within the open space lots (311, 313-327, 329-334, 337-339, 341-363, and 365-421) depicted on Vesting Tentative Tract Map No. 53108.

35. The permittee or its designee shall provide the Director with an annual status report throughout the construction phase of the project, which states the number of residential units constructed, the number affordable housing units constructed, the square footage of all commercial and industrial buildings completed, the dates of dedication or completion for all required infrastructure and community amenities, and the status of compliance with the project's Mitigation Monitoring Plan or other items as deemed necessary by the Director.

36. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or a revised **Exhibit A** approved by the Director subject to Section 5.2 of the Specific Plan.

Prior to Use of the Grant

37. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the Office of the County Recorder. In addition, upon transfer or lease of all or any portion 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.

38. 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. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of **$2,000.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning 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 site plan on file. The fund provides for 10 annual inspections. Inspections shall be unannounced.

    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 of Regional Planning 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 payment is due (currently $200.00 per inspection).

39. 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 or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.

40. This project is not de minimus in its effect on fish and wildlife. Upon completion of the appeal period, the permittee shall remit processing fees in the amount of **$2,792.25 (and a $75.00 processing fee)** 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 and Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until this fee is paid.

41. The permittee shall record a covenant with the County agreeing to comply with the approved environmental mitigation measures.

42. Upon completion of the appeal period, the permittee shall deposit the sum of $3,000.00 with the Department of Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the project's Mitigation Monitoring Plan. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant, subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented as reported in the required Mitigation Monitoring Report.

    The mitigation measures set forth in the Mitigation Monitoring Plan in the Final EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the permittee shall submit Mitigation Monitoring reports to the Department of Regional Planning as frequently as may be required by the department.

43. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm the facilities that may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains, fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Bureau.

Prior to Issuance of a Grading Permit

44. As a means of ensuring the compliance with the mitigation measures found in the Final EIR, the permittee shall submit mitigation monitoring reports to the Director for approval prior to the issuance of any grading permits.

45. Prior to the issuance of any fine/precise grading permit as applicable, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:

    (a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan and Section 22.56.210 of the County Code; and

    (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

46. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of onsite infrastructure and other features as deemed necessary by the Director.

47. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site consistent with the Newhall Ranch Stormwater Mitigation Plan and approved mitigation measures to the satisfaction and approval of the Department of Public Works.

Prior to Recordation of a Final Map

48. As a means of ensuring the effectiveness of the mitigation measures found in the Final EIR, a mitigation monitoring plan shall be submitted to the Director for approval prior to the recordation of a final map.

Prior to Issuance of a Building Permit

49. Prior to the issuance of any building permit for off-site improvements, as applicable, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed construction:

    (a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and

    (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

50. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, transport route, preservation of natural features, landscaping of altered open space and graded slopes, and other features, as deemed necessary by the Director.

51. Prior to the issuance of any building permit for off-site improvements, as applicable, the permittee shall demonstrate compliance with the State Seismic Hazard Safety laws to the satisfaction of Public Works.

DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT NO. 00-196-(5)

General Conditions:

1. 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 ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all conditions of this grant, and the conditions of the associated entitlements and Mitigation Monitoring Program and that all the conditions of this grant have been recorded and all required monies have been paid as required by the conditions of Vesting Tentative Tract Map No. 53108.

2. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work that necessitates such removal.

3. 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 or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it 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 as to be a nuisance. If any 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.

4. The time limit for the use of this grant shall be concurrent with and consistent with that of Vesting Tentative Tract Map No. 53108. Unless this grant is used within the time specified, including any authorized extensions, the grant will expire. In the event that Vesting Tentative Tract Map No. 53108 expires prior to the use of this grant, this grant shall expire.

5. 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, including any successors in interest.

6. The permittee shall defend, indemnify and hold harmless Los Angeles County (the "County), it 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. The County shall cooperate fully in the defense. If the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify or hold harmless the County.

   In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed an deducted for the purpose of defraying the expense

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 by the department reach 80 percent of the amount on deposit 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.

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 permittee according to Section 2.170.010 of the Los Angeles County Code.

7. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Los Angeles County Fire Department ("Fire Department") a sum of $7,000. Such fee shall be used to compensate the Los Angeles County Forester ("Forester") $100.00 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval related to oak tree removal, encroachment and mitigation.

The above fees also provide for one pre-construction meeting required to determine fencing placement in order to secure the protected zone of the remaining oak trees, inspection of temporary fencing prior to commencement of any construction and subsequent five (5) year monitoring period requiring inspections until the conditions of approval have been met.

The Director of Regional Planning ("Director") and the Forester shall retain the right to make regular and unannounced site inspections.

8. The term "Oak Tree Report" refers to the document on file by Impact Sciences, Inc., the consulting arborist, dated February 2009.

9. The permittee shall retain a consulting arborist to perform or supervise the work allowed pursuant to this grant relating to removal of or encroachment on oak trees. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director and the Forester stating that he or she has been retained by the permittee to perform or supervise the work, and that her or she agrees to report to the Director and Forester any failure to fully comply with the conditions of this grant. The arborist shall prepare a schedule of construction activities wherein the arborist will be present on the project site to ensure compliance with the conditions of this grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the

exact number and location of all mitigation trees planted as well as planting dates.

10. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impacts as determined by the Forester for the life of this oak tree permit or vesting tentative tract map.

    The permittee shall install temporary chain-link fencing not less than four feet in height to secure the protected zone of the remaining oak trees on site as necessary. The fencing shall be determined at the pre-construction meeting with the retained arborist, Forester and the on-site project supervisor. The fencing shall be installed prior to grading or tree removal and shall not be removed without approval of the Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the oak tree (before pruning), or 15 feet from the trunk, whichever is greater.

11. The permittee shall keep copies of the oak tree report, oak tree map, mitigation planting plan, and conditions of approval on the project site and available for review

    All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

12. This grant allows the removal of a total of sixty-five (65) oak trees. . Fifty-six (56) are of the Oak genus(Quercus agrifolia) numbered: 51, **81***, **83***, 84, 93, 94, 95, 249, 337, **338***, 339, 340, 341, 342, 343, **344***, 345, 346, 347, 348, 351, **352***, 354, 355, 356, **357***, 396, 397, 398, 400, 401, **492***, 592, 1588, 1589, 1590, 1592, 1594, 1596, 1598, 1605, 1606, 1607, 1608, 1609, 1610, 1612, 1613, 3073, **4003***, 4018, 4019, 4021, 4022, 4054, 4056, 4080. Four (4) tress are of the genus(Quercus lobata) numbered: **87***, 1587, **1597*,** and 1591. Four (4) trees are of the genus(Quercus dumosa) numbered 594, 4016, 4017 and 4055 and one (1) oak is of the genus (Quercus macdonaldii)numbered 64 identified on the applicant's site plan and Oak tree report. A total of Ten (10) of these trees to be removed are identified as **Heritage*** (in bold with an asterisk*) having a diameter greater than 36 inches.

13. This grant allows encroachment within the protected zone of eight (8) trees of the Oak genus identified as Tree Numbers: 92, 98, 99, 498, 1614 and 4007, **503*, 585*** on the applicant's site plan map and Oak Tree Report. Two (2) of theses trees are identified as **Heritage***. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

14. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two inches in diameter or less accordance with the guidelines published by the national Arborist Association. Copies of these guidelines are available from the Forestry Division of the Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.

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

16. Except as otherwise modified herein, the permittee shall comply with all recommended conditions and requirements set forth in the attached letter from the Forester dated September 20,2010, to the satisfaction of the Forester.

Mitigation Trees

17. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for each removed and a rate of ten to one (10:1) for each Heritage tree removed for a total of 210 mitigation trees.

18. Mitigation trees shall be at a rate consistent with the species removed. There shall be one hundred seventy-six (176) Quercus argifolia, twenty-four (24) Quercus lobata, eight (8) Quercus berberidifolia and two (2) Quercus macdonaldiirequired as mitigation for the removal of a sum total of sixty-five trees. Mitigation trees shall consist of indigenous varieties grown from a local seed souce.

19. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one foot above the base.

20. In addition to the required mitigation trees, the permittee shall plant one acorn of the Quercus agrifolia variety for each mitigation tree planted for a total of 210 acrons. The acorns shall be planted at the same time as, and within the same watering zone, of each mitigation tree.

21. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) year of the death of any tree which results from permitted encroachment. Mitigation trees shall be planted either on-site or at an off-site location approved by the Forester. Alternatively, a contribution to the County of Los Angeles Oak Tree

29. Violations of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.

30. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

Attachment"
September 20, 2010 County Forester Letter

Forest Special Fund may be made in the amount equivalent to the oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".

22. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to lack of proper care and maintenance with a tree meeting the specifications set forth above. The five-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director and the Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five (5) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

    The retained Arborist shall submit at the end of each year an annual monitoring report. This report shall include all performance standards in this oak permit. The report will include a diagram showing the exact number and locations of all mitigation trees planted and describe their health, planting dates, any mortality, re-planting and mitigation timeframes relating to permit compliance.

23. All mitigation oak trees planted as a condition of this permit shall be protected in perpetuity by the County Oak Tree Ordinance, once the trees have survived the required five (5) year maintenance period.

Non-Permitted Actions and Violations

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

25. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within five (5) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the Forester according to the most current edition of the International Society of Arborculture's "Guide for Plant Appraisal".

26. No planting or irrigation system shall be installed with the dripline of any Oak tree that will be retained.

27. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.

28. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any oak tree. No temporary structures shall be placed within the protected zone of any oak.

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

SEP 23 2010

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

September 20, 2010

Samuel Dea, Principal Regional Planner
Department of Regional Planning
Zoning Permits Section I
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Fierros:

OAK TREE PERMIT #00-196, REVISED LANDMARK VILLAGE (RIVER VILLAGE) PROJECT, TM#53108

We have reviewed the revised request for Oak Tree Permit #00-196. The project is located at south of State Route 126 near the intersection of Chiquita Canyon Rd. north of the Santa Clara River and west of interstate 5 in the unincorporated area of Santa Clarita. The revised Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Impact Science, the consulting arborist, dated February 2009.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of $5000. Such fees shall be used to compensate the County Forester to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval.

   The above fees provide for one (1) pre-construction meeting required to determine fencing placement in order to secure the protected zone of all remaining trees, inspection of temporary fencing prior to the commencement of any construction and a subsequent five (5) year monitoring period requiring inspections until the conditions of approval have been met.

   The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant.

   The arborist shall submit at the end of each year an annual monitoring report. The report shall include a diagram showing the exact number and location of all mitigation trees planted a description of health, planting dates, any mortality and mitigation timeframe relating to permit compliance.

4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.

5. The permittee shall install temporary chain link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site as necessary. The fencing shall be determined and installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.

6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review.

   All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of a total of sixty-five (65) oak trees. Fifty-six (56) trees are of the Oak genus (*Quercus agrifolia*) numbered : 51, **81***, **83***, 84, 93, 95, 249, 337, **338***, 339, 340, 341, 342, 343, **344***, 345, 346, 347, 348, 351, **352***, 354, 355, 356, **357***, 396, 397, 398, 400, 401, **492***, 592, 1588, 1589, 1590, 1592, 1594, 1596, 1598, 1605, 1606, 1607, 1608, 1609, 1610, 1612, 1613, 3073, **4003***, 4018, 4019, 4021, 4022, 4054, 4056, and 4080. Four (4) trees are of the of the genus (*Quercus lobata*) numbered **87***, 1587, **1597***, and 1591 Four (4) trees are of the genus (*Quercus dumosa*) numbered 594, 4016, 4017, and 4055 and one (1) oak is of the genus (*Quercus macdonaldii*) numbered 64 identified on the applicants site plan and Oak tree report.

   A total of Ten (10) of these trees to be removed are identified as **Heritage*** (in bold with an asterisk*), having a diameter greater than 36 inches.

   This grant allows encroachment within the protected zone of eight (8) trees of the Oak genus identified as Tree Numbers: 92, 98, 99, 498, 1614, 4007, **503*, and 585***on the applicant's site plan map and Oak Tree Report. Two (2) of these trees are identified as **Heritage***. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

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

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of 2:1 trees for each tree removed and at a rate of 10:1 for each Heritage tree removed for a total of 210 mitigation trees.

11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one inch or more in diameter one foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two largest stems of such trees measure a minimum of one inch in diameter one foot above the base.

12. Mitigation trees shall be at a ratio consistent with the species of oaks removed for a total of one hundred seventy six (176) *Quercus agrifolia* and twenty four (24) *Quercus lobata* of indigenous eight (8) *Quercus berberidifolia* and two (2) *Quercus macdonaldii* varieties grown from a local seed source.

13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) year of the death of any tree, which results from its permitted encroachment. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The five (5) year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five (5) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

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

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within five (5) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.

19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.

20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.

21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.

22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,

Michael Y. Takeshita by MVK

MICHAEL Y. TAKESHITA, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

MYT: jl

Enclosure

OAK TREES:
Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or
- equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
http://planning.co.la.ca.us

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.

Valley Oak

QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 3"-4" LONG: PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS: FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERLY BY AGRICULTURE AND URBAN DEVELOPMENT.

Coast Live Oak

QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 50'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG: SPINY, ROUNDED, AND HOLLY-LIKE: BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.

Interior Live Oak

QUERCUS WISLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS:
CALIFORNIA BLACK OAK: QUERCUS KELLOGGI
CANYON LIVE OAK: QUERCUS CHRYSOLEPIS
ENGELMANN OAK: QUERCUS ENGELMANNII

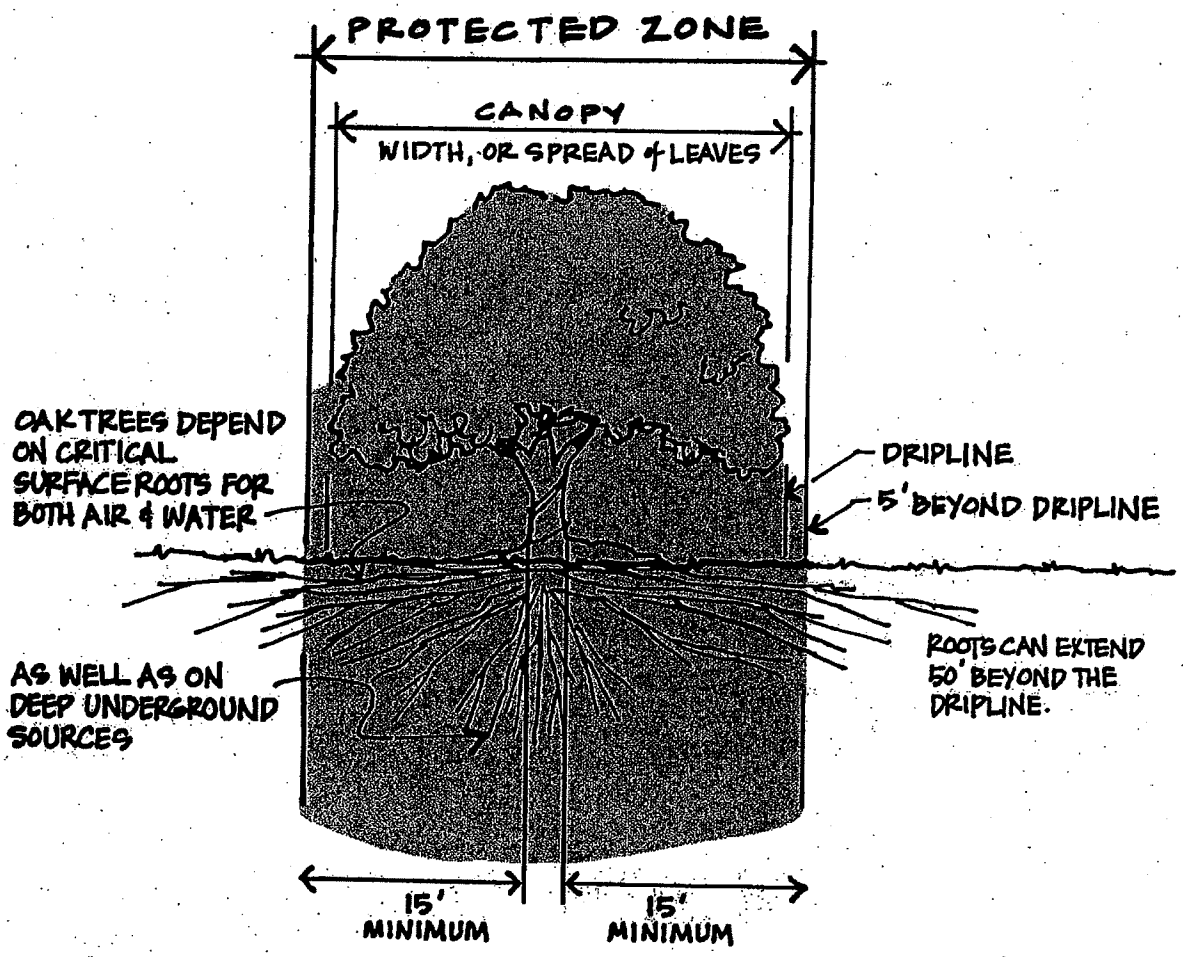
THE PROTECTED ZONE

The ***protected zone*** defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

> "The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

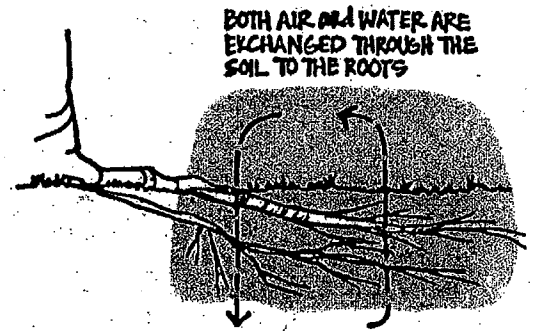
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

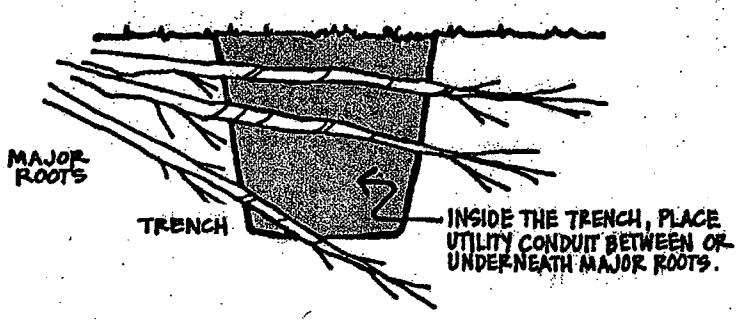
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

SOIL COMPACTION



TRENCHING



MAINTENANCE

Watering

The key is prevention – **do not over water**. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require **any** additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

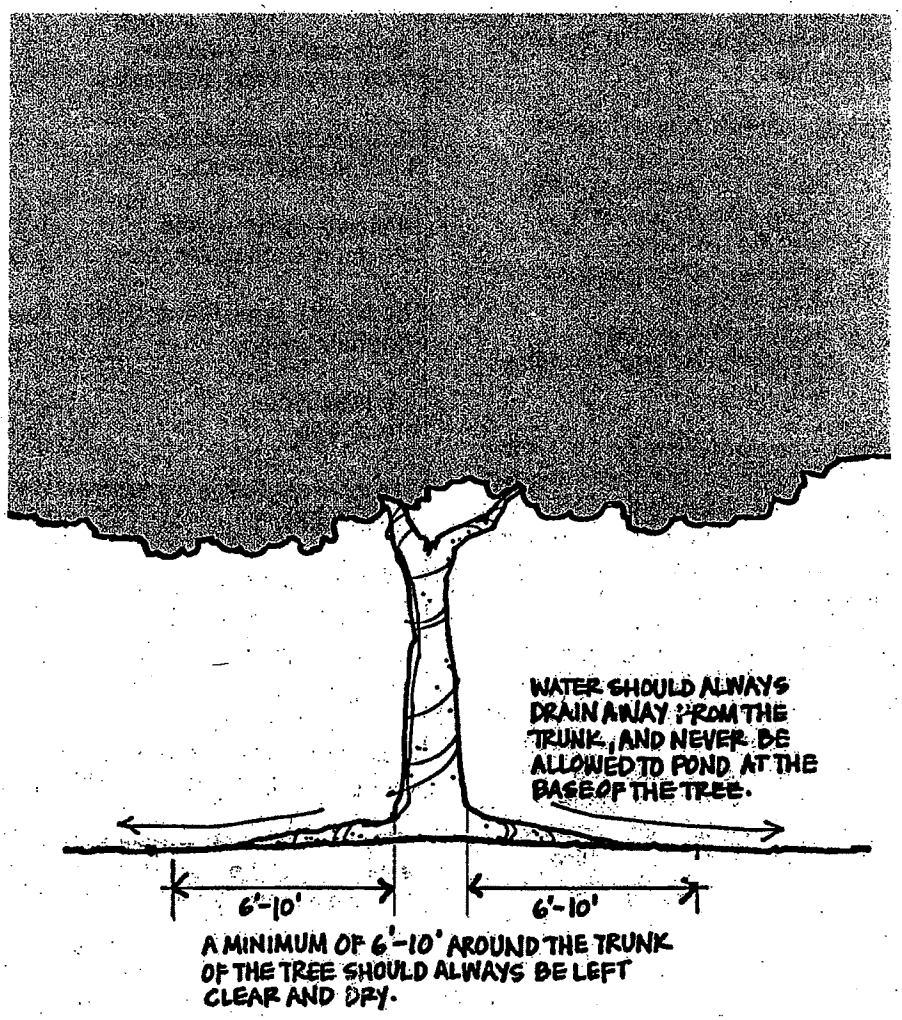
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
Arctostaphylos densiflora 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
Arctostaphylos edmundsii Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
Arctostaphylos hookeri Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
Ceanothus griseus horizontalis Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
Heuchera spp. Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
Mahonia aquifolium compacta Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
Ribes viburnifolium Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the *Sunset Western Garden Book* to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
http://lacofd.org/forestry.htm

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
http://danr.ucop.edu/ihrmp

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

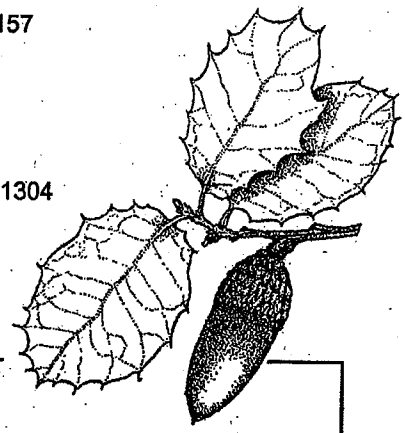
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001. Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.

County of Los Angeles Fire Department
Forestry Division

County of Los Angeles
Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

CERTIFIED-RECEIPT REQUESTED

Bruce W. McClendon FAICP
Director of Planning

January 10, 2008

Newhall Land
23823 Valencia Boulevard
Valencia, California 91355-2194
Attn: Mr. Glenn Adamick

Mr. Adamick:

SUBJECT: GENERAL PLAN AMENDMENT NO. 00-196-(5)
LOCAL PLAN AMENDMENT NO. 00-196-(5)
SPECIFIC PLAN AMENDMENT CASE NO. 00-196-(5)
VESTING TENTATIVE TRACT MAP NO. 53108-(5)
CONDITIONAL USE PERMIT CASE NOS. 00-196-(5) AND 2005-01121-(5)
OAK TREE PERMIT CASE NO. 00-196-(5)

A public hearing on Vesting Tentative Tract Map No. 53108, Conditional Use Permit Case Nos. 2005-01121 and 00-196; Oak Tree Permit No. 00-196; and General Plan Amendment No. 00-196, Local Plan Amendment No. 00-196 and Specific Plan No. 00-196 was held before the Regional Planning Commission of Los Angeles County ("Commission") on January 31 and February 28, 2007.

After considering the evidence presented, the Commission in its action on January 9, 2008, recommended that the Los Angeles County Board of Supervisors ("Board") approve the requested general, local and specific plan amendments, and re-approve the approved tentative tract map, oak tree permit and conditional use permits in accordance with the Subdivision Map Act, Titles 21 (Subdivision Ordinance) and 22 (Zoning Ordinance) of the Los Angeles County Code ("County Code"), and the recommendations and conditions of the Los Angeles County Subdivision Committee. A copy of the resolution and approved findings and conditions is attached.

The plan amendments are currently pending. The oak tree permit, conditional use permits and vesting tentative tract map are not effective until the plan amendments are approved by the Board. Pursuant to subsection C of Section 21.56.010 and subsection B.2 of Section 22.60.230 of the County Code, the vesting tentative map, oak tree permit and conditional use permits are deemed to be called for **review/appealed** by the Board and shall be considered concurrently with the recommended plan amendments at the public hearing.

The action on the tentative tract map, oak tree permit, and conditional use permits authorize:

1. The subdivision of the 292.6-acre property into 458 lots to development 1,444 dwelling units;

2. For development within an SEA/SMA, onsite and offsite project grading, and offsite utilities, including water tanks, sewer and water lines; and

3. The removal of 67 oaks and encroachment into the protected zone of 14.

Your attention is called to the following:

1. Condition No. 4 of the Conditional Use Permits and Condition No. 39 of the Oak Tree Permit provide that the permit shall not become effective for any purpose until the applicant and the owner of the property involved, or their duly authorized representative, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") the affidavit stating that they are aware of and accept all of the conditions of the permit.

2. During the 10-day period following action by the Commission **(appeal period ends January 22, 2008)**, the Regional Planning Commission's action may be appealed to the Board. If you wish to appeal this decision to the Board, you must do so in writing. Your appeal should be filed with the Office of the Clerk of the Board, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Clerk of the Board of Supervisors at (213) 974-1432 for the current appeal fee.

The tentative tract map approval shall expire two years from the date of action by the Board. If the subject tentative tract map does not record prior to the expiration date, a request in writing for an extension of the approval must be received in person by the Special Projects Section of Regional Planning prior to the expiration date. Pursuant to Section 22.56.140 (4) of the County Code, the conditional use permits and oak tree permit shall be null and void unless they are utilized prior to the expiration of the tentative tract map. Recordation of the tentative tract map shall constitute use of this permit.

Time extensions granted for the tract map shall also apply to the associated zoning permits.

The recommended plan amendments are to reclassify "A" Street within the project from a Secondary Highway to a local collector.

If you have any questions regarding this matter, please contact Samuel Dea of the Special Projects Section of the Department of Regional Planning at (213) 974-4808 between the hours of 7:30 a.m. and 5:30 p.m., Monday through Thursday. Our offices are closed Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP
Director of Planning

Samuel Z. Dea, Supervising Regional Planner
Special Projects Section

SD:sd

Enclosures: Resolution, Findings and Conditions, Environmental Document and Affidavit of Acceptance

c: Board of Supervisors
Subdivision Committee
Lynne Plambeck
Larry Mankin
Rick Waters
Eleanor Osgood
John Buse
Ron Buttorff
Jennifer Robinson

A RESOLUTION OF THE REGIONAL PLANNING COMMISSION OF THE COUNTY OF LOS ANGELES RELATING TO THE ADOPTION OF AN AMENDMENT TO THE LOS ANGELES COUNTY GENERAL PLAN, THE SANTA CLARITA VALLEY AREA PLAN, AND THE NEWHALL RANCH SPECIFIC PLAN FOR PROJECT NO. 00-196

WHEREAS, pursuant to article 8 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65450), the County of Los Angeles ("County") is authorized to adopt amendments to its general plan and Specific Plan; and

WHEREAS, the applicant, Newhall Land and Farming, has requested the approval of General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196 to amend the County's Master Plan of Highways to reclassify "A" Street/Wolcott Road from a secondary highway to a local collector street; and

WHEREAS, the Regional Planning Commission of Los Angeles County ("Commission") conducted a public hearing on January 31, and February 28, 2007 regarding the following: (i) General Plan Amendment No. 00-196-(5); (ii) Santa Clarita Valley Area Plan Amendment No. 00-196-(5); (iii) Specific Plan Amendment No. 00-196-(5); (iv) Vesting Tentative Tract Map No. 53108; (v) Conditional Use Permit No. 2005-01121-(5); (vi) Oak Tree Permit No. 00-196-(5); and (vii) CUP No. 00-196-(5), including off-site grading transport and modification of the adopted County Floodway limits (collectively, "Project"); and

WHEREAS, the Project Approvals are sought in connection with Landmark Village, located within the boundary of the Newhall Ranch Specific Plan, which was adopted by the County on May 27, 2003, to guide the long-term development of the 11,963-acre Newhall Ranch community comprised of a broad range of residential, mixed-use, and non-residential developments; and

WHEREAS, the Landmark Village project site is located in unincorporated Los Angeles County, within the Santa Clarita Valley Planning Area, immediately west of the confluence of Castaic Creek and the Santa Clara River. The Santa Clara River forms the southern boundary of the project site, while the northern project boundary is defined by State Route 126 ("SR-126"). The eastern Landmark tract map boundary abuts Castaic Creek, and the City of Santa Clarita is located further east of the project site, just beyond Interstate 5 ("I-5"); and

WHEREAS, the applicant proposes to develop the 292.6-acre Landmark Village tract map site, which includes the development of 1,444 residential dwelling units (308 single-family units, 1,136 multi-family units), up to 1,033,000 square feet of mixed-use/commercial uses, nine-acre elementary school, 16-acre community park, fire station site, public and private recreational facilities, trails, and road improvements; and

WHEREAS, the Regional Planning Commission finds as follows:

1. Within the Vesting Tentative Tract No. 53108, the circulation plan is characterized by a system of local streets that would access the site to and from a road identified as "A" Street. "A" Street traverses within the tract map site in an east-west direction. Two north/south roadways, Wolcott Road and Long Canyon Road, would connect "A" Street to the off-site highway system; and

2. The primary function of "A" Street is to provide connectivity between the Landmark Village neighborhoods and access from local streets to the arterial highway system. However, while "A" Street is an integral component of the Landmark Village circulation system, it is not critical to the overall Specific Plan and areawide circulation system; and, as a result, the applicant is requesting that the existing Secondary Highway designation be amended to a Collector Street; and

3. The forecasted traffic volumes on "A" Street support the change in designation of "A" Street from a Secondary Highway to a Collector Street. A Collector Street can typically accommodate approximately 10,000 average daily trips ("ADT") at a Level of Service ("LOS") C. "A" Street would have traffic volumes substantially less than 10,000 ADT for the entire length of the roadway, except for the short segment between future Long Canyon Road and the roundabout near the future "A" Street/Long Canyon Road intersection. For that segment, which would have volumes ranging from 16,000 ADT to 20,000 ADT, two travel lanes in each direction are proposed. Accordingly, based on the traffic volumes forecasted for "A" Street, the roadway designation can change to a Collector Street; and

General Plan, Highway Plan (see attached Exhibits 1 and 2)

4. The applicant is requesting an amendment to the County's Highway Plan, which is contained within the Transportation Element of the Los Angeles County General Plan ("General Plan"), for purposes of downgrading proposed "A" Street, located with the Landmark Village tract map site, from a four-lane Secondary Highway, as designated in the current General Plan (see attached Exhibit 1), to a two-lane Collector Street (see attached Exhibit 2); and

Area Plan, Circulation Plan (see attached Exhibits 3 and 4)

5. The applicant is requesting an amendment to the Santa Clarita Valley Area Plan, Circulation Plan, to downgrade "A" Street from a Secondary Highway (see attached Exhibit 3) to a Collector Street (see attached Exhibit 4) for the same reasons identified in paragraphs 2 and 3, above; and

Specific Plan Amendment, Circulation Plan (see attached Exhibits 5 and 6)

6. The applicant is requesting an amendment to the previously adopted Newhall Ranch Specific Plan, Master Circulation Plan, to change "A" Street from a

Secondary Highway (see attached Exhibit 5) to a Collector Street (see attached Exhibit 6) for the same reasons identified in paragraphs 2 and 3, above; and

7. Compatibility with surrounding land uses will be ensured through the related subdivision, conditional use permits, and environmental controls; and

8. There is no evidence that the proposed Landmark Village project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site; and

9. The subject property lies within an urban expansion area and is in compliance with the County's Development Monitoring System ("DMS"). The project is consistent with the infrastructure portion (Urban Services Analysis) of DMS since there is or will be adequate water service, sewage discharge capacity, schools, libraries, and fire service. These services were evaluated as part of the environmental analysis and the resultant environmental document; and

10. The project is consistent with the access/social portion of DMS since there is adequate road service, and commercial and employment facilities are located in close proximity. The road service was evaluated as part of the environmental analysis and the resultant environmental document. The proximity to commercial and employment facilities was evaluated as part of the field investigation and/or general plan evaluation and as part of the environmental analysis and the resultant environmental document; and

11. The project is consistent with the environmental portion of the DMS since there are no significant unmitigated geotechnical, flood hazard, or fire impacts, and the project does not affect publicly-held or privately-dedicated open space, as shown in the County's General Plan. Both the Landmark Village Draft and Final EIRs evaluated numerous environmental topics as part of the assessment of the project. Mitigation measures and alternatives were evaluated as part of the environmental analysis in both the Draft and Final EIRs; and

12. In summary, the project:

    (a) avoids premature conversion of undeveloped land to urban uses because it is proximate to, and a natural extension of, existing development, and because the project site is part of the previously approved Newhall Ranch Specific Plan;

    (b) promotes a distribution of population consistent with service system capacity, resource availability, environmental limitations, and accessibility;

    (c) directs urban development and revitalization efforts to protect natural and man-made amenities and to avoid severe hazard areas, such as flood prone areas, active fault zones, steep hillsides, landslide areas, and fire hazard areas;

(d) encourages the efficient use of land through a more concentrated pattern of urban development, including the focusing of new urban growth into areas of suitable development;

(e) ensures that new development in urban expansion areas will occur in a manner consistent with stated plan policies and will pay for public costs that it generates;

(f) focuses urban uses in an area that is part of the previously-approved Newhall Ranch Specific Plan, which is designed to effectively provide public services, including transportation facilities;

(g) provides for housing to meet increasing demand in areas, which will have relatively lesser environmental consequences; and

13. The proposed General Plan, Area Plan, and Specific Plan amendments will not place an undue burden on the community's ability to provide necessary facilities and services, as described in the Landmark Village Draft and Final EIRs; and

14. The proposed General Plan, Area Plan, and Specific Plan amendments are needed, proper, and appropriate because "A" Street is not critical to the overall Specific Plan and areawide circulation system, and because the forecasted traffic volumes on "A" Street support the change in designation of "A" Street from a Secondary Highway to a Collector Street; and

15. The proposed General Plan, Area Plan, and Specific Plan amendments do not change or increase the density or future population projected within the adopted Newhall Ranch Specific Plan; and

16. Approval of the proposed General Plan, Local Plan, and Specific Plan amendments is in the interest of the health, safety, and general welfare, and in conformity with good planning practices, for the reasons stated in paragraph 14, above; and

17. Based on the above findings, the proposed General Plan, Local Plan, and Specific Plan amendments are consistent with the goals, policies, and programs of the General Plan, Local Plan, and Specific Plan, and help to implement the various objectives of the Landmark Village project; and

18. The applicant in this case has satisfied the "Burden of Proof" for the requested General Plan, Local Plan, and Specific Plan amendments, which are needed and appropriate; and

19. The project site, including its inherent biological resources and characteristics, and its proposed development were reviewed by the County's Significant Ecological Technical Advisory Committee ("SEATAC") through various reports

prepared by the applicant's consultants, as required by the Los Angeles County Code for areas designated as SEAs. SEATAC's findings with respect to the above were recorded in the minutes of SEATAC's meetings, and comments were provided to the Regional Planning Commission by planning staff as well as incorporated in the environmental documentation or appendices for the proposed Landmark Village project. Many of SEATAC's recommendations were incorporated in the project design throughout the processing of the project. The Regional Planning Commission has considered the recommendations of SEATAC; and

20. The Draft and Final EIRs for the Landmark Village project have been prepared in accordance with CEQA, the CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Landmark Village Final EIR consists of the Draft EIR and the technical appendices relating thereto; the comments and responses to the Draft EIR; the revised Draft EIR pages; and revised Section 4.4, Biota. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Draft and Final EIRs has been prepared, and its requirements have been incorporated into the conditions of approval for the Landmark Village project. The Regional Planning Commission has independently reviewed the information contained in the Landmark Village Draft and Final EIRs; and

21. Implementation of the project will result in specifically identified significant effects upon the environment. However, except for significant unavoidable effects related to biota, visual qualities, noise, air quality, solid waste services, and agricultural resources, which cannot be found to be completely mitigated, such specifically identified significant effects can be reduced to acceptable levels with the mitigation measures identified in the Landmark Village Draft and Final EIRs, and incorporated into the adopted Mitigation Monitoring Plan for the Landmark Village project; and

22. With respect to the adverse effects upon biota, visual qualities, noise, air quality, solid waste services, and agricultural resources, which cannot be mitigated to below a level of significance, the Regional Planning Commission has determined that the substantial benefits resulting from implementation of the project outweigh the potential significant unavoidable effects and are acceptable based upon the overriding considerations set forth in the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan)." These findings and statement of overriding considerations, which are concurrently adopted by the Regional Planning Commission are incorporated herein by this reference, as if set forth in full; and

23. The mitigation measures set forth in the Landmark Village Draft and Final EIRs are incorporated into the conditions of approval for the Project. The Mitigation Monitoring Plan for the Landmark Village project is attached as an exhibit to the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan)," and it identifies

the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.

NOW, THEREFORE BE IT RESOLVED that the Regional Planning Commission of the County of Los Angeles hereby recommends that the Board of Supervisors:

1. Hold a public hearing to consider the above recommended general plan/specific plan/local plan amendment;

   Approve the Draft and Final EIRs (SCH No. 2004021002) prepared for the Landmark Village project and certifies that it has reviewed and considered the information contained in that documentation; and

2. Certifies that the Draft and Final EIRs (SCH No. 2004021002) concluding that they have been completed in compliance with CEQA, the CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines; and

3. Certifies that the Regional Planning Commission has reviewed and considered the information contained in the Draft and Final EIRs (SCH No. 2004021002) and that the environmental documentation reflects the independent judgment of the Regional Planning Commission as to the environmental consequences of the project; and

4. Determine that the conditions of approval and mitigation measures discussed in the Landmark Village Draft and Final EIRs, and the Mitigation Monitoring Plan for the project, are the only feasible mitigation measures for the project, and that the significant unavoidable effects of the project, after adoption of the conditions of approval and mitigation measures, are as described in the Landmark Village Draft and Final EIRs; and

5. Determine that the remaining significant unavoidable effects of the Landmark Village project have been reduced to an acceptable level and are outweighed by specific benefits of the project as identified in the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan);" and

6. Approve and adopt the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan);" and

7. Approve and adopt the Mitigation Monitoring Plan for the Landmark Village project, and, pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan, which is incorporated herein by this reference, as if set forth in full, is adequately designed to ensure compliance with the mitigation measures during project implementation; and

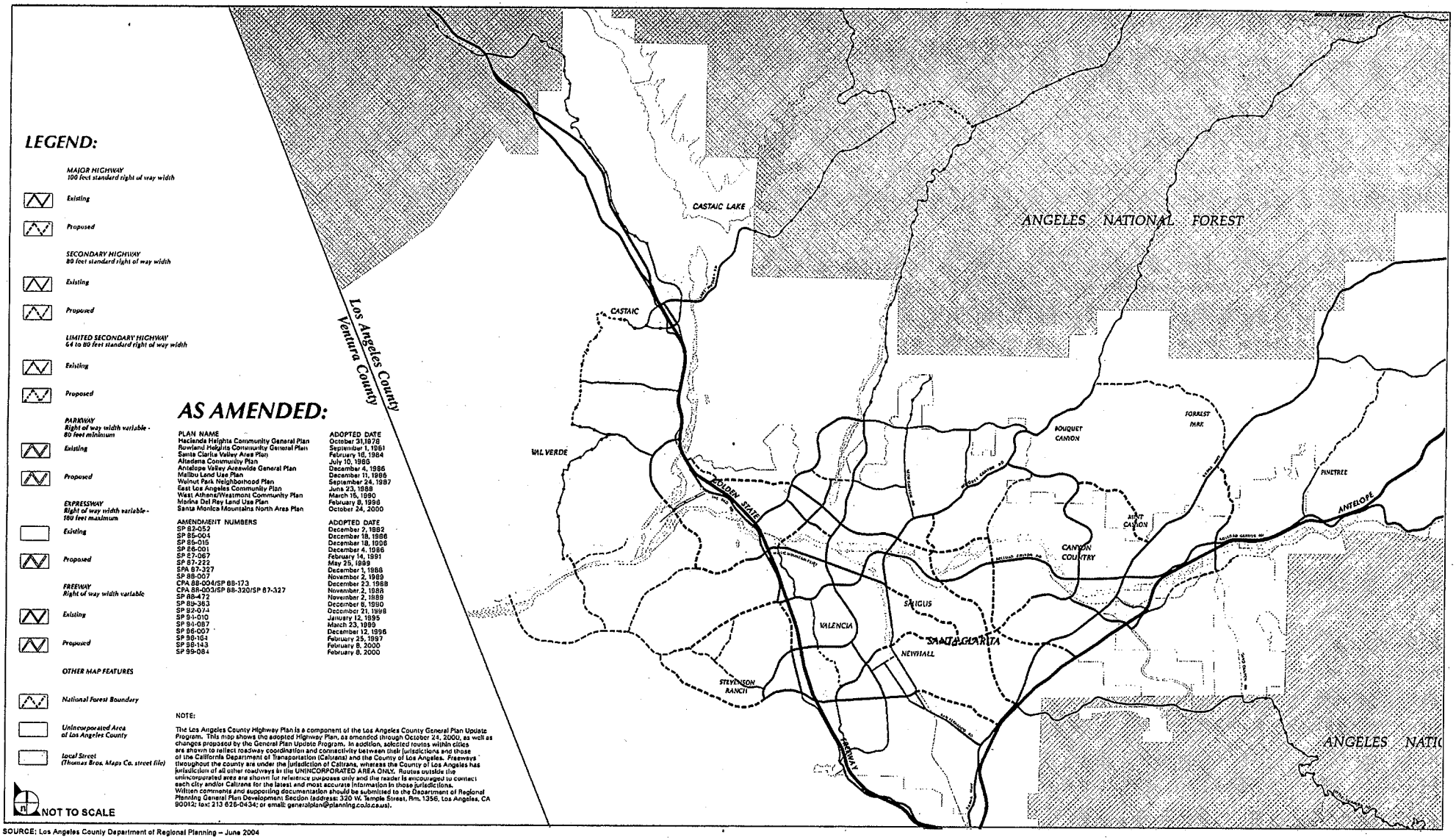
8. Find that the recommended general plan amendment is consistent with the goals, policies and programs of the Los Angeles County General Plan, Santa Clarita Valley Area Plan and Newhall Ranch Specific Plan; and

9. Approve and adopt General Plan, Area Plan, and Specific Plan Amendment Nos. 00-196-(5) amending the Highway Plan of the Los Angeles County General Plan, the Circulation Plan of the Santa Clarita Valley Area Plan, and the Circulation Plan of the adopted Newhall Ranch Specific Plan, as depicted on Exhibits 1 through 6 attached hereto and incorporated by reference.

I hereby certify that the foregoing was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on January 9, 2008.

Mary L. Mention for

Rosie O. Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

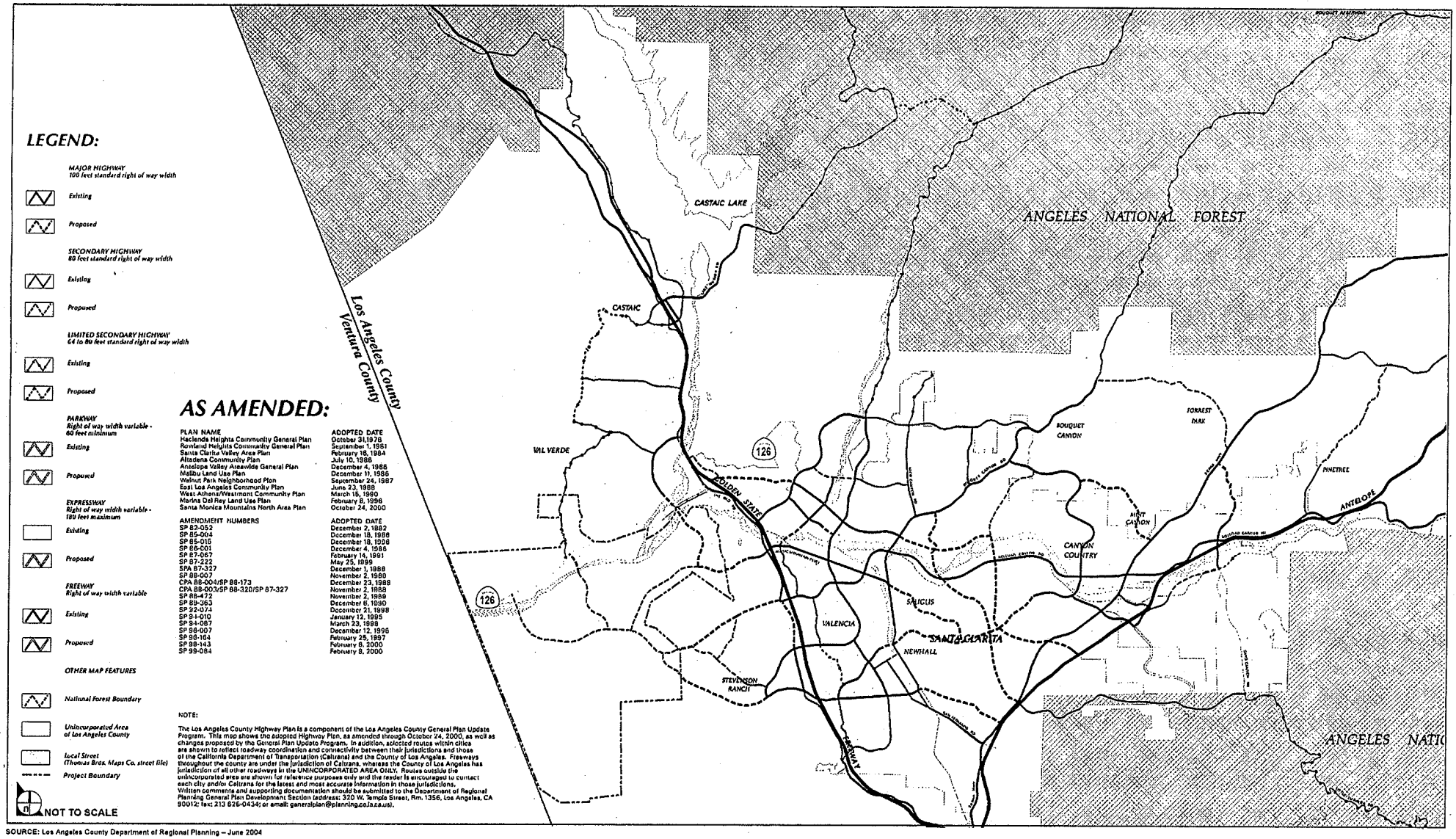


SOURCE: Los Angeles County Department of Regional Planning – June 2004

FIGURE **EXHIBIT 1**

Existing Secondary Highway Designation – General Plan

32-92A-10/07

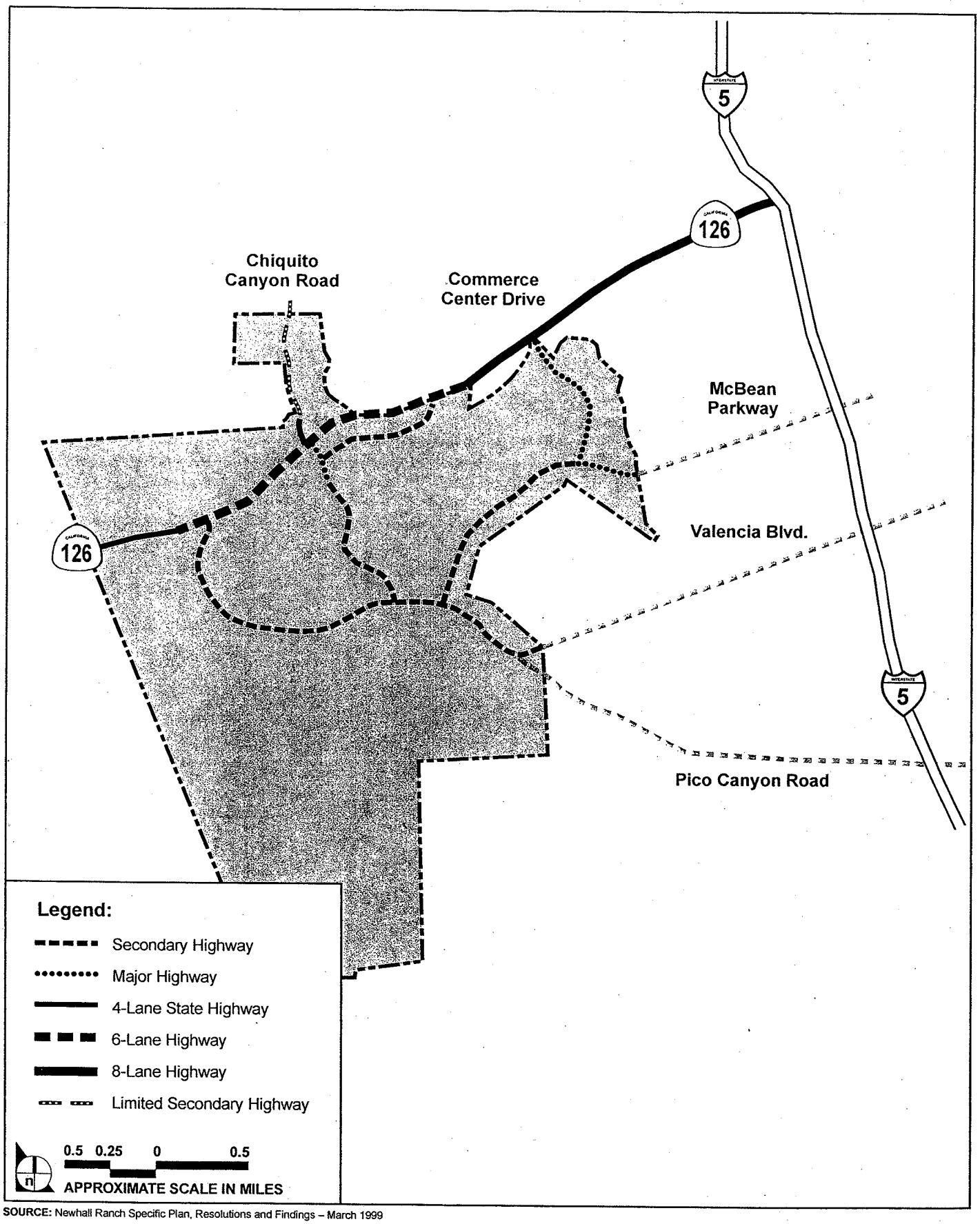


SOURCE: Los Angeles County Department of Regional Planning – June 2004

FIGURE **EXHIBIT 2**

Los Angeles County General Plan – Highway Policy Map – Proposed Amendment

32-92A-10/07

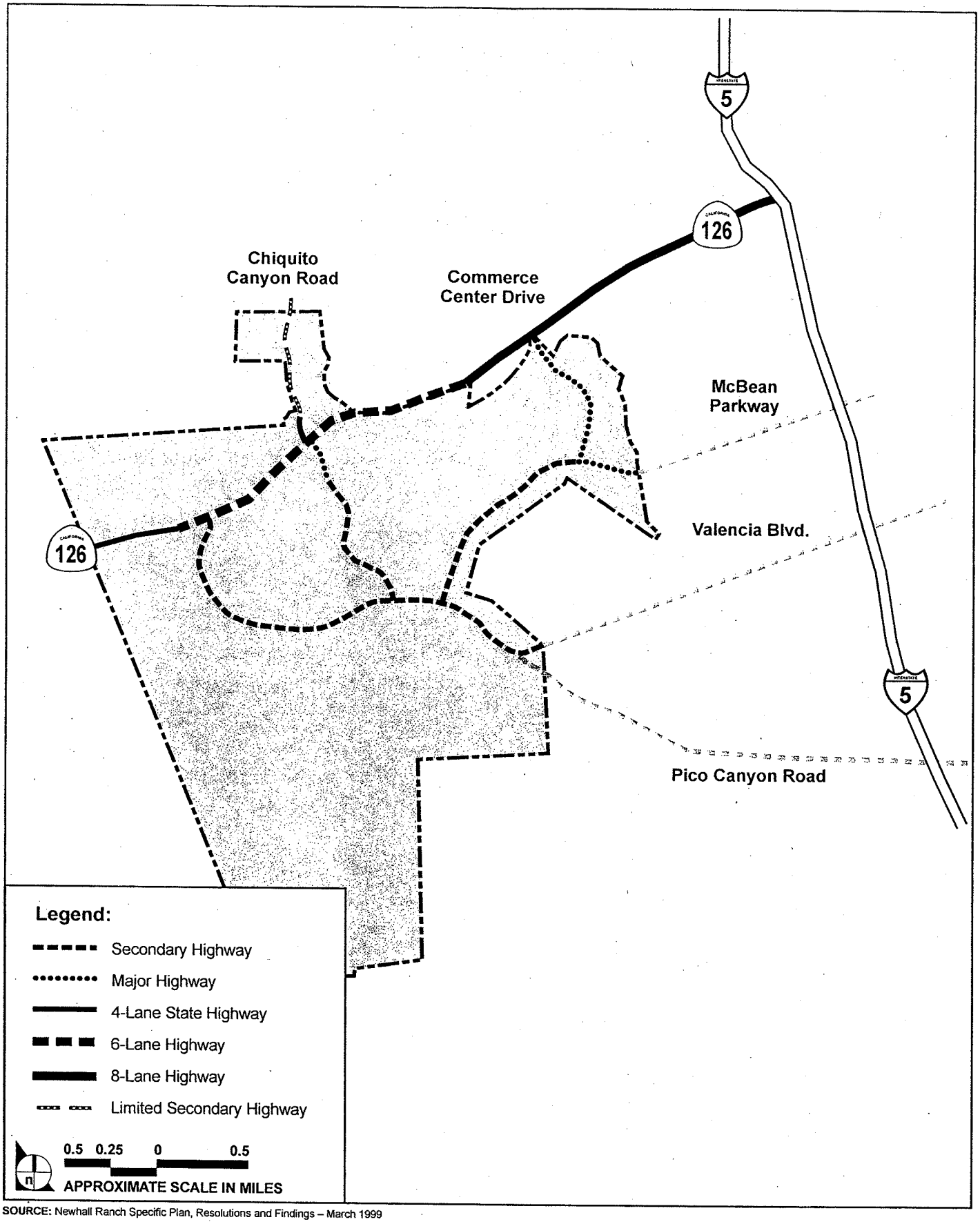


SOURCE: Newhall Ranch Specific Plan, Resolutions and Findings – March 1999

FIGURE **EXHIBIT 3**

Santa Clarita Valley Areawide Plan – Circulation Plan

32-92A-10/'07

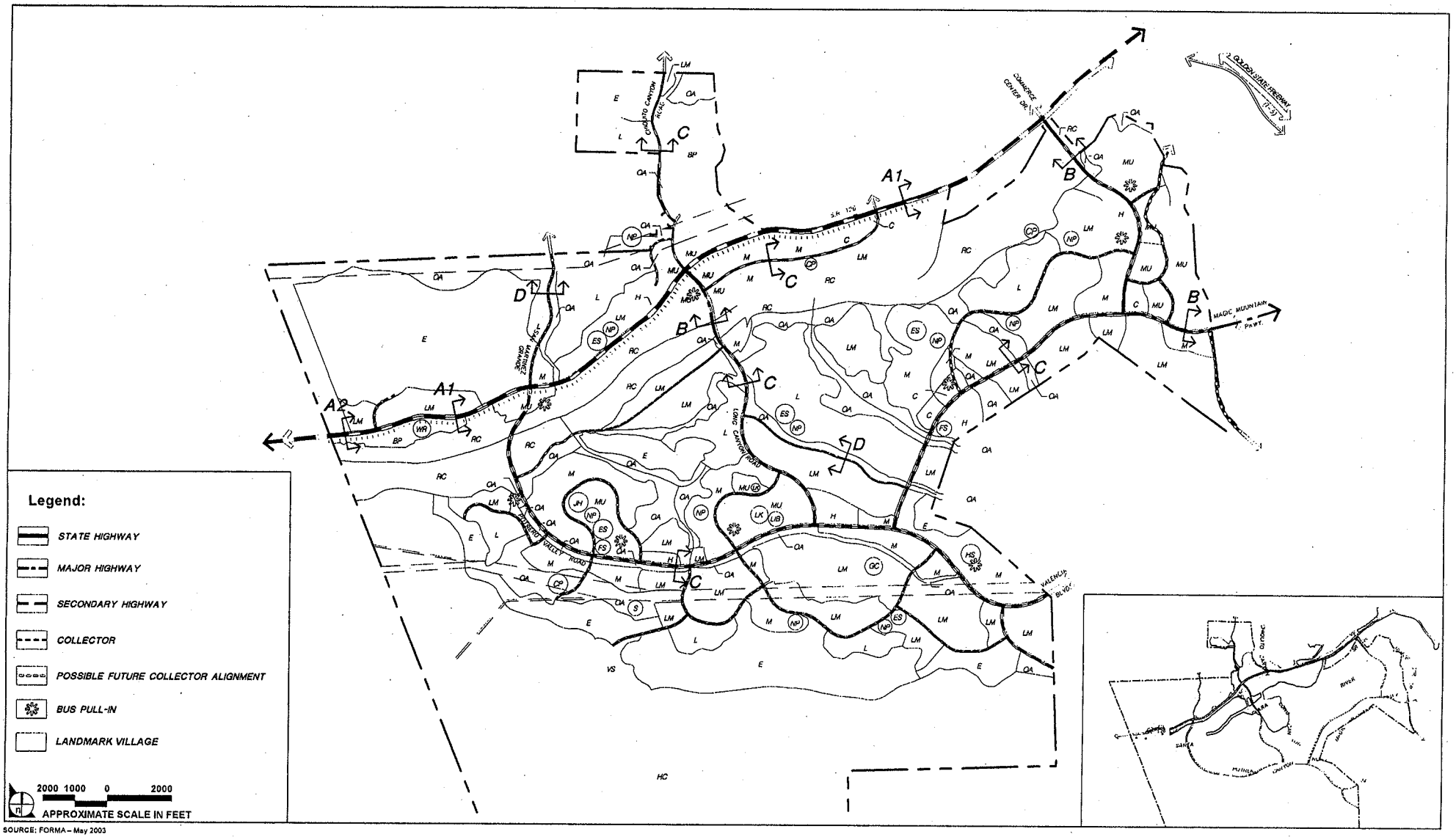


SOURCE: Newhall Ranch Specific Plan, Resolutions and Findings – March 1999

FIGURE **EXHIBIT 4**

Santa Clarita Valley Areawide Plan – Circulation Plan – Proposed Amendment

32-92A•10/07

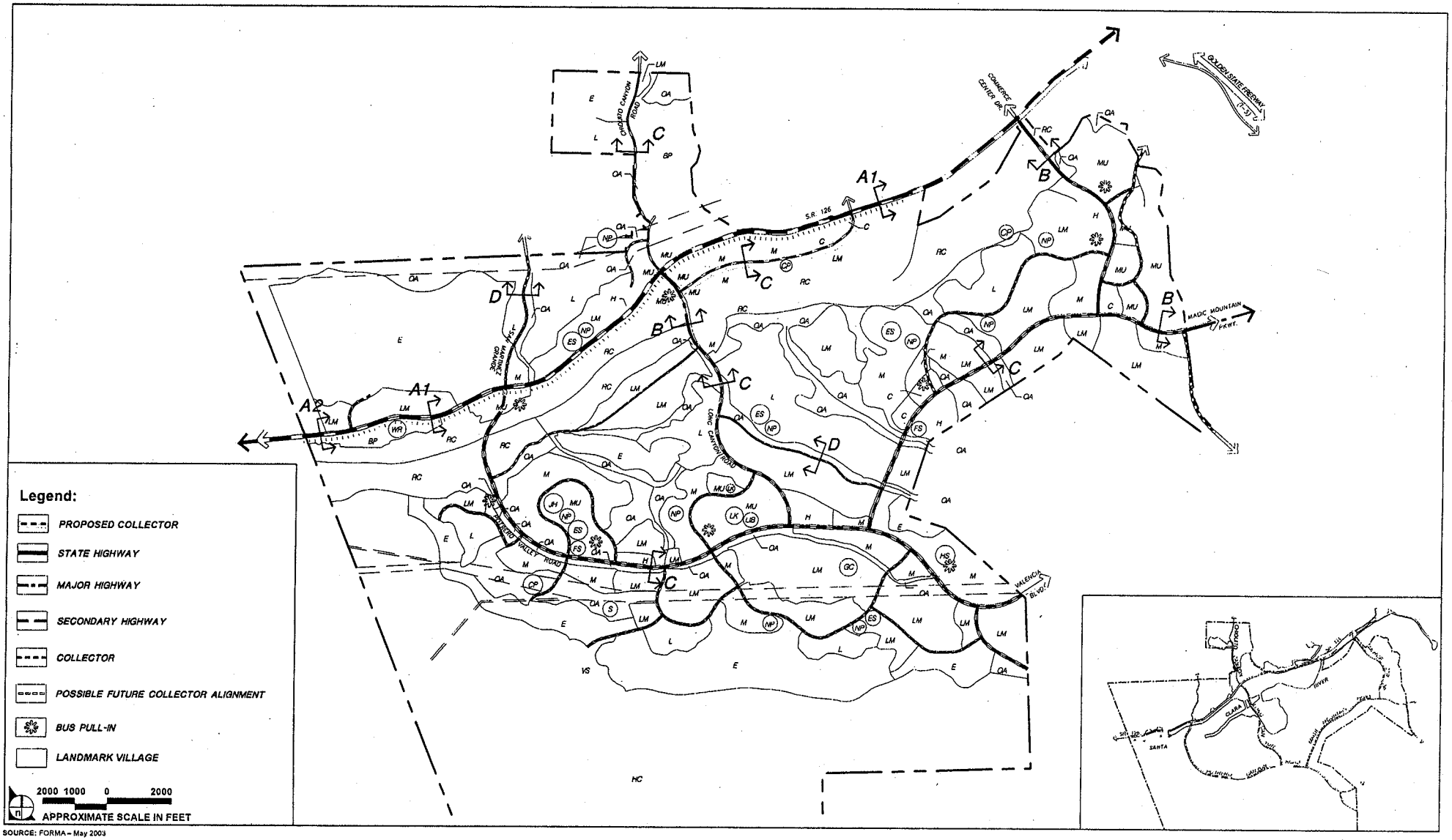


SOURCE: FORMA – May 2003

FIGURE **EXHIBIT 5**

Existing Secondary Highway Designation– Master Circulation Plan of Newhall Ranch Specific Plan

32-92A•10/07



SOURCE: FORMA – May 2003

FIGURE **EXHIBIT 6**

Proposed Collector Street Designation – Master Circulation Plan of Newhall Ranch Specific Plan

32-92A-10/07

CONDITIONAL USE PERMIT NO. 2005-01121-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATE: January 31 and February 28, 2007

SYNOPSIS:
The applicant, Newhall Land and Farming ("Newhall"), approval for a 291-acre master-planned community development (Landmark Village) for the development of maximum 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail/residential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school. This project is within the "Riverwood" village of the adopted Newhall Ranch Specific Plan ("Specific Plan") approved by the Board of Supervisors in 2003.

The proposal requires amendments to the Los Angeles Countywide General Plan ("General Plan") and Santa Clarita Valley Area Plan ("Area Plan") to amend the Master Plan of Highways and Circulation Plan to eliminate "A" Street/Wolcott Road as a secondary highway, and amendment to the Specific Plan to downgrade "A" Street from a secondary highway to a local collector street. The project also requests approval of conditional use permits for compliance with requirements of development within a Significant Ecological Area/Special Management Area ("SEA/SMA"), onsite and offsite project grading and offsite utilities, including water tanks, and transport of materials. An oak tree permit is also required for removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks). The applicant also requests a determination of substantial conformance to the development regulations and implementation procedures of the Specific Plan related to shared parking, street widths, front yard setbacks and hillside resources.

The project site is located north of the Santa Clara River, south of SR-126, east of the Ventura County boundary, and west of Interstate 5 Freeway within the Specific Plan and in the Newhall Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:
<u>January 31, 2007 Public Hearing</u>
A duly noticed public hearing was held before the Regional Planning Commission. Commissioners Valadez, Bellamy, Rew, Helsley and Modugno were present. After opening the public hearing, the Regional Planning Commission heard the staff report, received testimony from the applicant and public testimony with concerns or in opposition to the project, the public hearing was continued to allow for additional time as requested by various agencies and individual citizens, to comment on the project and EIR. The public hearing was

continued to February 28, 2007, and the public comment period for the EIR was extended to February 20, 2007 (total 90-day public comment period). An initial list of comments on the project was also provided by the Commission for the applicant to respond at the continued public hearing to include the following items: potential incorporation of wireless technology within the project, interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raised about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Castaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society.

February 28, 2007 Continued Public Hearing

At the February 28, 2007 continued public hearing, Commissioners Valadez, Bellamy, Rew, and Modugno were present; Commissioner Helsley was absent. The applicant's provided rebuttal to issues and concerns raised by members of the public and responded to the items raised by the Commission at the January 31, 2007. Additional testimony was also taken from members of the public and varies agencies regarding the project. The Commission then raised additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed.

At the conclusion of testimony and discussion, the Commission discussed various issues presented at the public hearing and voted (4-0) to closed the public hearing, directed staff to prepare the Final Environmental Impact Report and prepare findings and conditions for consideration, directed the applicant to including the additional items raised by Commission, resubmit the tentative tract map for review by the Subdivision Committee to address the necessary technical corrections to accommodated the necessary changes reflecting Commission instruction.

Findings

1. Conditions Use Permit No. 2005-01121-(5) is a request pursuant to Section 22.56.210 of the Los Angeles County Code to authorize off-site project grading, and off-site utilities, including water tanks and transport of graded materials, in association with the Landmark Village.

2. Approximately 7.3 million cubic yards of grading will take place at the Adobe Canyon borrow site. The Landmark Village project requires the import of approximately 5.4 million cubic yard of earth from the Adobe Canyon borrow site to the Landmark subdivision site and the balance will be export for the

off-site utilities. Adobe Canyon is located approximately 4,000 feet south of SR-126, which is south of Landmark Village, south of the Santa Clara River, and east of the planned future Long Canyon Road. This is proposed to raise the boundary to avoid flooding issues with proximity to the Santa Clara River, and would use two haul routes on an existing agricultural crossing. This would required an adjustment to the County Floodway Boundary is needed to account for changes to the floodplain boundary resulting from the proposed project's flood protection improvements.

3. Grading will be required for utility installation involves earthwork such as excavation of trenches and stockpiling of soils. Earthwork volume estimates for installation of the utilities along SR126 utility corridor to the Newhall Ranch Water Reclamation Plan (WRP) to the west and the Valencia District WRP to the east is approximately 2.1 million cubic yards to be imported from the Adobe borrow site.

4. The Chiquito Canyon grading site located north of SR-126 will also require grading and will occur concurrently with the grading required for the widening of SR-126. The grading for the debris basins and water storage tanks in Chiquito Canyon and the widening of SR-126 combined will involve 1,019,000 cubic yards of raw cut. The net volume (after shrinkage) of 866,000 cubic yards will be placed as fill in accordance with County Ordinance requirements in three designated locations as indicated on the exhibit.

5. Off-site grading will also occur within the Santa Clara River, as part of the project's mitigation and habitat restoration. The removal of dirt will create a new edge of the river and occur concurrently with the bank stabilization efforts.

6. Conditional Use Permit No. 2005-01121-(5) was heard concurrently with Conditional Use Permit No. 00-196, Oak Tree Permit No. 00-196, General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196. The approval of this grant will not become effective until the Board of Supervisors has approved the general plan/local plan/specific plan amendment.

7. The total project, including offsite grading sites, is approximately 1,044 gross acres in size (including the utility corridor, Chiquito Canyon and Adobe Canyon grading sites). The property is irregular in shape with slight to steeply sloping terrain in offsite areas where grading is proposed. The subject property is disturbed by historic and ongoing agricultural activity but contains existing sensitive biological resources and habitat types, including upland scrub habitat and sensitive riparian habitat. The project boundary also includes coastal sage chaparral scrub, live oak woodland, southern cottonwood willow riparian habitat; and wildlife habitat including horned lizards, sparrows, blackbirds, kites, hawks and plovers, jackrabbits,

woodrats and mountain lion. The Santa Clara River, which within and south of the subdivision boundary, is also an SEA/SMA.

8. The current SP zoning on the subject property became effective on June 26, 2003, following the adoption of Ordinance No. 2003-0031Z, which established Zone Change Case No. 94-087-(5). The zone change was associated with the Specific Plan. The Specific Plan was adopted by the Los Angeles County Board of Supervisors ("Board") on May 27, 2003, along with a general and local (sub-plan) amendments, a conditional use permit and a tentative parcel map. The Specific Plan authorized the development of the approximately 11,963-acre property for 20,885 dwelling units with 423 second units; 629 acres of mixed use development (including 4,101 of the 20,885 units approved); 67 acres of commercial uses; 249 acres of business park land use; 37 acres of visitor-serving uses; 1,010 acres of open area (including 141 acres of community parks and 869 acres of other open areas); 5,159 areas within SMAs; 50 acres within 10 neighborhood parks; a 15-acre lake; public trail system; 18-hole golf course; two fire stations; one public library; one electrical substation; reservation of five elementary schools, one junior high school and one high school site; a 6.8-million gallon per day WRP; and other associated community facilities, such as roads and bridges.

9. Conditional Use Permit No. 94-087 was approved by the Board that authorized Specific Plan development within the SEA boundary, including bridge crossings, trails, bank stabilization, and other improvements. As part of the Board of Supervisors' project approvals for the Specific Plan, adjustments was made to the existing boundary of Significant Ecological Area (SEA) 23, consistent with General Plan policies requiring protection of natural resources within SEAs, Specific Plan development within the SEA boundary, including bridge crossings (*e.g.*, Long Canyon Road Bridge), trails, bank stabilization, and other improvements. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan "Special Management Area" (SMA) designation over the adjusted SEA 23 boundary.

10. The Specific Plan area is organized in five "villages," with the Landmark project within the "Riverwood" Village. Within the approximately 2,330 acres of Riverwood, 3,210 dwelling units and 234 second units were approved as well as 2,966,000 square feet of nonresidential square footage. The Santa Clara River is also a major Open Area feature within Riverwood.

11. The surrounding properties are zoned as follows:

    North: Specific Plan, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing);

East: Specific Plan, A-2-5, M-1-½, P-R (Parking Restricted) and C-R (Commercial-Recreation);
South: Specific Plan; and
West: Specific Plan

12. The subject property is used for agricultural activity and related storage, and consists of four parcels from the previously approved Newhall Ranch Tentative Parcel Map No. 24500).

13. Surrounding land uses consist of the following uses:

North: SR-126, vacant property, scattered single-family residences, Chiquita Canyon Landfill and business parks;
East: Castaic Creek, RV park, and further east light industrial uses, agricultural land and Valencia WRP;
South: Santa Clara River and vacant land; and
West: Vacant property and agricultural land.

14. A range of housing types is provided in various clusters within Landmark Village. Traditional single-family lots (i.e. one home on each lot) are clustered in three areas along the southern portion of the subdivision: to the west, across from the proposed elementary school, and to the east. These lots have been designed for garage access from the front, and by alley from the back; and range in size from minimum 3,200 square feet to 6,000 square feet. Multi-family housing is also proposed both as for-lease apartments and for-sale condominiums, and generally in the northern portions of the subdivision and conceptual designs for site layout are depicted on the exhibit maps. Apartments, including affordable rental and for sale units, are proposed in the western portion, just east of the office and retail center identified in the Specific Plan as the Village Center. A total of 1,444 dwelling units are provided within the residential lots (308 single-family units and 1,136 multi-family units).

15. The Village Center is located east and west of Long Canyon Road on the western portion of the project. Retail and office are anticipated, with an approximate maximum of 1,033,000 square feet of office and retail space.

16. Two park sites (one public and one private) are depicted within the project site, an elementary school site and fire station are also proposed Actual site designs for the school and fire station are to be determined at a later stage. A minimum of 45 open space lots are provided, with 25 lots for open space and 20 lots for open space and utility purposes. These open space lots are depicted along the northern and southern boundaries of the project, adjacent to SR-126 and the Santa Clara River.

17. Access to the development will be served by Long Canyon Road and Wolcott Road. Both Long Canyon Road and Wolcott Road are the two points of connection from SR-126 with "A" Street as the internal main 'spine' collector road through the development. Long Canyon Road is a major highway, and provides at least 119 feet of right-of-way north of "A" Street with bike lanes in both directions of traffic as well as an eight-foot sidewalk and varying center planter widths. SR-126 is expected to be grade-separated (higher) than Long Canyon Road in the future, with the future interchange depicted as five northbound lanes (one left turn dedicated to SR-126, two for thru traffic under SR-126, and two for right turn traffic). Long Canyon Road also spans over the Santa Clara River as an 100-foot wide bridge to be constructed with this project. Wolcott Road is a secondary highway with 106 feet of right-of-way consisting of four travel lanes, a six-foot parkway and six-foot sidewalk on each side, and a 14-foot wide planter in the center. Wolcott Road is also depicted with a future interchange with SR-126.

18. "A" Street is depicted as a collector street with a 110-foot wide right-of-way, with varying widths of improvements. At its widest improvements, which is from Long Canyon Road to 200 feet east of Long Canyon Road, seven travel lanes are provided with bike lane on one side, and four feet of parkway and six feet of sidewalk on both sides; no on-street parking would be provided. At its narrowest, two travel lanes with center lane is provided, along with bike lanes on each side, 10-foot-parkway and six-foot sidewalk on one side, and 24 foot-wide swale and eight-foot trail provided on the other side. Private driveway lots are also proposed within the development, providing internal access in single-family and multi-family neighborhoods between the Village Center and the park/school, with widths ranging from 34 feet to 110 feet wide.

19. The Specific Plan locates the Landmark Village subdivision within its Riverwood Village, and identifies land uses within each Village with associated acreage, density and/or nonresidential square footage. The Specific Plan also includes exhibits for trails, circulation, resource management, drainage and water quality, water and sewer as well as its land use plan. The applicant has demonstrated the project's consistency with the provisions, goals and objectives within the Specific Plan.

20. The Specific Plan also requires affordable housing, with a total of 2,200 affordable units through the Specific Plan area (Specific Plan Section 3.10). Landmark Village proposes 301 affordable units: 161 for-sale homes for moderate income households, and 140 for-rent units for very low families.

21. Traffic studies were performed to indicate that the expected traffic volume can be accommodated with the proposed project circulation system as design. The circulation system includes features such as bike lanes and

trails along both sides of the street, roundabouts, curb extensions and rear or alley access intended to reduce design speed, eliminate cul-de-sacs, introduce traffic-calming features, reduced street widths to enhance pedestrian mobility.

22. The Master Plan of Trails within the Specific Plan is general in nature, and detailed trail locations are identified on the subdivision tentative map. These include walkways and parkways along streets, paseos, community trails and the regional river trail, in a hierarchy of trail sizes and functionality. Access points are also identified from the project to the regional river trail system as well as locations for observation and interpretive nature points. The regional river trail system is depicted in greater detail within the project site, and depict both an eight-foot wide County trail outside the subdivision boundary but on top of the bank stabilization, and a 16-foot wide riding and hiking trail that will also serve as the Los Angeles County Flood Control access road, and will be maintained by a Landscape Maintenance District ("LMD"). An interpretive trail is also depicted through private Recreation Lot No. 337 with a lookout point and interpretive nature station.

23. The Specific Plan Master Drainage Plan has been updated to reflect innovative methodologies to meet NPDES (National Pollutant Discharge Elimination System) requirements, and reflects a comprehensive system of flood control and desilting basins to maintain water quality standards. Open space that also double as open facility basins, are located adjacent to the subdivision boundary and the Santa Clara River to the south, as well as along SR-126 to the north. Additional water quality features such as grass swales and depressed roundabouts, provide additional area for water retention.

24. The Master Water Plan was designed in the Specific Plan for this portion with water main and reclaimed water lines along "A" Street. The Potable and Reclaimed Water Plan includes infrastructure lines to serve this development. A 2.7 million gallon water tank that is depicted on the Master Water Plan, is depicted within the Chiquito Canyon area. Water tanks are being proposed north of Landmark at Chiquito Canyon within the Valencia Commerce Center, and Round Mountain.

25. The Master Sewer Plan also depicts sewer infrastructure anticipated , with the sewer line system connecting to the Newhall WRP. A detailed Sewer Plan was prepared for this project that provides further refinement to the location of sewer main lines. Sewer service and connections is also proposed by two methods. Connection lines are proposed to extend east to the existing Valencia WRP near the SR-126/I-5 interchange if the Newhall WRP is not operational at the time Landmark requires connection. Eventual connection for the Landmark Village development will be Newhall WRP,

which is located further west. Connections for Landmark are shown with both options.

26. The River Corridor allows for certain uses, with mitigation required as stated in Section 2.6-2 of the Specific Plan. These mitigation requirements include restoration as well as enhancement, and establish requirements for management of this area. Access to the SMA through hiking, equestrian and biking trails is permitted as limited to the trail system itself. Adequate transition areas are provided by this development lies to the Santa Clara River. These include provision of a trail between the River Corridor and the development, ungrouted rock or buried bank stabilization where required to protect development areas, and minimum 100-foot buffers adjacent to the Santa Clara River.

27. The Commission has determine that Landmark Village is on substantial conformance with the criteria contained in the Specific Plan for shared parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria.

28. The applicant requests that reciprocal, offsite parking be included within the Joint Use or Shared Parking Plan option provided in the Specific Plan, with same requirements for making findings at such time when the uses are determined and actual parking requirements calculated.

29. The applicant has also requested a determination of substantial conformance for alternative street sections to reflect the intent of the development to be neotraditional, where emphasis is on pedestrian traffic as opposed to automobile traffic. Features in these alternative street sections include traffic calming devices, like chokers, curb extensions, roundabouts, etc. Such features have been much discussed with Public Works and the Los Angeles County Fire Department ("Fire Department") as well as Regional Planning to ensure that traffic capacity and life/safety issues are still addressed with these alternative street features. These are proposed on "A" Street and internal streets.

30. Within the development regulations of the Specific Plan, setbacks for the garage face are provided at 18 feet. The intent is for cars that are parked in the driveway, not block the sidewalk or travel lanes of the street. However, the Specific Plan did not provide in much detail, front yard setbacks for homes where the garage is oriented for a side entrance, or located in the rear of the lot for alley entrance. In these cases, the applicant has requested that a determination of substantial conformance be made that in these cases, a minimum front yard setback of 10 feet be maintained since driveways will be such that cars parked will not block the street as the intent of the 18-foot setback.

31. In approving this development, the Commission consider the following findings regarding development within an SEA:

    a. The proposed development would be consistent with the adopted General Plan and Area Plan for the Newhall Ranch Specific Plan site. The development such as bridge crossing, trails, bank stabilization, utilities, wells, mitigations sites, transport of grading materials within the SEA 23 boundary will be compatible with the existing biotic resources present, particularly when taking into account major factors influencing the realization of applicable General Plan objectives, including competing priorities between resource preservation and other General Plan policies and objectives;

    b. The development was designed to be highly compatible with biotic resources present in the existing SEA 23, including the setting aside of appropriate and sufficient undisturbed areas;

    c. The development was designed to maintain waterbodies, watercourses, and their tributaries in a natural state within the existing SEA 23;

    d. The development was designed so that wildlife movement corridors are left in a natural and undisturbed state within the existing SEA 23;

    e. The development retained sufficient natural vegetative cover and/or open spaces to buffer critical resources within the existing SEA 23 from the proposed development; and

    f. The development provided fences or walls where necessary to buffer important habitat within the existing SEA 23 from proposed development.

32. The Commission also determine the request as proposed is consistent with previously approved SEA CUP No. 94-087-(5), the Landmark Village project bank stabilization is consistent with the following objectives that were developed to balance the environment and flood control issues presented by the Santa Clara River, as required by the County General Plan. These objectives are as follows:

    a. The flood corridor must allow for the passage of Los Angeles County Capital Flood flows without the permanent removal of natural vegetation (except at bridge crossings);

    b. The bank of the river will generally be outside of the "waters of the United States" as defined by federal laws and regulations, and as

determined by the delineation completed by the United States Army Corps of Engineers ("Corps") in August 1993;

c. Where the Corps delineation width is insufficient to contain the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow without the necessity of permanently removing vegetation or significantly increasing velocity;

d. Where development is proposed within the existing Los Angeles County 50-year Capital Floodplain, the land where development is to occur will be elevated in conformance with Los Angeles County policies to remove it from the Floodplain; and

e. Bank stabilization will occur only where necessary to protect against erosion.

33. The proposed project includes community facilities such as schools, parks, utilities and fire station, which can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of Newhall Ranch Specific Plan, Area Plan, and General Plan.

34. The Landmark Village site is physically suitable for the type of development being proposed, since the project site is relatively level; has access to a County-maintained street; shall be served by public sewers; shall be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and shall have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works. Utilities planned to serve the Landmark Village project include water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics and reclaimed water lines. Much of the utility corridor within the project site is not located within the River Corridor SMA/SEA 23, however, its off-site connections will run through parts of the River Corridor SMA/SEA 23, which is consistent with the approved Newhall Ranch Specific Plan.

35. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the recommended conditions of approval.

36. Notices of public hearing were mailed to property owners within a 1,000-foot radius of the subject property as well as additional notices to those on the courtesty mailing list for projects in the Newhall and Castaic Canyon Zoned

Districts. The public hearing notice was published in The Signal and La Opinion on November 20, 2006. The Draft EIR was available for review at the Newhall Library, Valencia Library and Canyon County Jo Anne Darcy Library beginning November 20, 2006. Project materials, including a tentative tract map, site plan, and recommended conditions, were received at the Newhall Library on December 29, 2006. One large public hearing notice, eight feet wide by four feet high, was posted on the subject property along SR-126 on December 29, 2006. Public hearing materials were also posted on the Department of Regional Planning's website.

37. The applicant has also presented the project on several occasions to the Castaic Area Town Council. Comments have not yet been received from the Castaic Area Town Council regarding the project.

38. Correspondence from interested parties, environmental organizations, and responsible agencies was received in regard to the project. Many comments requested additional time to review the large volume of material associated with the EIR. The EIR comment period was extended for a total of ninety (90) days from November 20, 2006 to February 20, 2007.

39. Comments and recommendations from County departments and other agencies consulted during the environmental review process include the California Department of Fish and Game, Regional Water Quality Control Board, Native American Heritage Commission, California Highway Patrol, California Department of Transportation, Southern California Association of Governments, as well as City of Santa Clarita, County of Ventura, and United Water Conservation District. Other agencies that have provided correspondence include, among others, the Castaic Lake Water Agency, Audubon California, Sierra Club, California Water Network, Santa Clarita Organization for Planning and the Environment, Piru Neighborhood Council and Friends of the Santa Clara River. During the public hearing, much of the public testimony reiterated comments received in written correspondence on the Landmark Village Draft EIR.

    During the public hearings, the applicant was requested to provide additional information on the following: potential incorporation of wireless technology within the project, elementary school site plan, community sustainability and smart growth, ownership and maintenance of the passive park, potential revisions to elementary school and public community park design, waste-to-energy facilities, concerns raised by the Native American Tataviam Band, trailhead and trail connections, cul-de-sacs along the project's western edge, setbacks from riparian areas, comments regarding studies from the Nature Conservancy, status of perchlorate clean-up, United Water Conservation District comments, and comments from the Audubon Society. The following responses have been provided:

- It has been determined that high-speed wireless technology (WiFi or its future equivalent) can be incorporated into commercial, mixed-use, and public areas.

- Discussions were held with the Castaic School District and the Los Angeles County Parks Department, which resulted in a proposed school plan depicting a nine-acre site more centrally located and now surrounded on three sides by the community park. The revised design provides additional buffer from the elementary school to SR-126.

- The passive portion of the Community Park will be maintained by a homeowners' association, but will be open to the public.

- Discussions with the Sanitation Districts of Los Angeles County determined that waste-to-energy facilities are no longer considered to be feasible due to permitting and regulatory requirements.

- The trailhead location will generally be located west of Long Canyon Road in a final location to be determined based on discussions with Parks and Recreation.

- The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians and their concerns have been resolved.

- A 100 foot setback is provided from the Santa Clara River, as required by the adopted Newhall Ranch Specific Plan.

- The Castaic Lake Water Agency and local water purveyors are proceeding with a containment and action plan to address perchlorate contamination in portions of the Saugus and Alluvium aquifers.

- The United Water Conservation District provided comments that the EIR complies with the terms of the settlement agreement.

- Additional wintering surveys have been completed for birds cited by Audubon and those surveys are included in the Landmark Village Final EIR. Those surveys do not change the conclusions of the Final EIR. Finally, prior to site disturbance, nesting studies will be undertaken.

- The applicant has prepared a Sustainability Summary, which incorporates sustainability measures into the Landmark Village project.

40. A program-level EIR was certified with the adoption of the Newhall Ranch Specific Plan, which found that there would be significant unavoidable impacts to biological resources, agricultural resources, visual resources, air quality and solid waste disposal. A Statement of Overriding Considerations was adopted by the Board, which concluded that there were significant overriding benefits with approval of the project. Public benefits include preservation of nearly 1,000 acres of the Santa Clara River, 4,200 acres of the High Country SMA/SEA 20, 1,517 acres of the Salt Creek area and other Open Areas; preservation of the River Corridor SMA/SEA 23 to retain significant riparian vegetation and habitat; over 50 miles of trails included the Santa Clara River Trail; and provisions for improved parks, schools, fire stations and 2,200 affordable homes.

41. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et.seq.) and State and County Guidelines related thereto. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report (EIR) would be required. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: **Aesthetic/Visual Quality, Agricultural Resources, Biota, Noise, Solid Waste Disposal, Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources**.

42. In accordance with state CEQA Guidelines and County Environmental Document Reporting Procedures and Guidelines, an EIR was prepared for the project. Identified potential impacts analyzed in the EIR found to be less than significant with project mitigation, include: **Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources**. The Draft EIR concludes that the project design and/or suggested conditions will result in significant residual and/or cumulative impacts in:

Biota
Aesthetic/Visual Quality
Noise
Agricultural Resources
Solid Waste Disposal

Of these impacts which cannot be mitigated to less than significant, noise is the only category that was not previously identified and included in the Statement of Overriding Considerations adopted as part of the adopted Newhall Ranch Specific Plan Program EIR.

43. A Final EIR for the Landmark Village project has been prepared in compliance with CEQA (Public Resources Code section 21000 *et seq.*), the state CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Landmark Village Final EIR consists of the Draft EIR, the technical appendices to the Draft and Final EIR, the responses to comments, and revised Draft EIR pages.

44. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Final EIR has been prepared. The Mitigation Monitoring Plan identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project is ensured, and its requirements have been incorporated into the conditions of approval for this project.

45. Mitigation measures which have been incorporated into the project, and included in the Mitigation Monitoring Plan, are listed in the Executive Summary of the Landmark Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.

46. The Commission finds substantial benefits resulting from the implementation of the project outweigh its avoidable effects on biota, visual quality, noise, agricultural resources and solid waste disposal.

47. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission'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 is the Section Head of the Major Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;

B. With the attached conditions and restrictions, 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 and 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 Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said 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 facilities as are required;

E. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community;

F. The development has provided adequate vehicular access, parking and loading so as to prevent undue traffic congestion on local streets and highways;

G. That the proposed use with the attached conditions and restrictions will be consistent with the Newhall Ranch Specific Plan;

H. With the attached conditions and restrictions, 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 and general welfare;

I. That the proposed site is adequate in size and shape to accommodate the development features to occur within the River Corridor SMA/SEA 23 in order to integrate said use with the uses in the surrounding area;

J. 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 facilities as are required; and,

K. That the proposed project and the provisions for its design and improvement are consistent with the density, goals and policies of the General Plan and Newhall Ranch Specific Plan, including SEAs, in that:

i.. The requested development is designed to be highly compatible with the biotic resources present including the setting side of appropriate and sufficient undisturbed areas;

ii. The requested development is designed to maintain water bodies, watercourses and their tributaries in a natural state;

iii. The requested development is designed so that wildlife movement corridors are left in an undisturbed and natural state;

iv. The requested development retains sufficient natural vegetative cover and/or open space to buffer critical resource areas for said requested development is compatible with the natural biotic, cultural, scenic, and open space resources of the area;

v. Where necessary, fences or walls are provided to buffer important habitat areas from development;

vi. Roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths; and

vii. The approval of the proposed development within the River Corridor SMA/SEA 23, to include project-related improvements, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance, the General Plan, and Newhall Ranch Specific Plan.

AND THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.040 and 22.56.210, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the Final Environmental Impact Report and subject to the Board's final action, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission and determines that that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have either been reduced to an acceptable level or are outweighed by specific social, economic, legal,

technological or other considerations of the project as stated in the attached Findings of Fact and Statement of Overriding Considerations for the project, which findings and statement are incorporated herein by reference;

2. Approves and adopts the Mitigation Monitoring Program for the proposed project incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan is adequately designed to ensure compliance with the mitigation measures during project implementation; and

3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 2005-01121-(5) is approved with the attached conditions subject to the Board's final action.

VOTE: 5-0-0

Concurring: Valadez, Bellamy, Helsley, Rew, Modugno

Dissenting: None

Abstaining: None

Absent: None

Action Date: January 9, 2008

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 2005-001121-(5)
(OFF-SITE GRADING, WATER TANKS, UTILITIES CORRIDOR)

For Information Only

1. The Landmark Village tract map site is within the boundaries of the approved Newhall Ranch Specific and the permittee is required to comply with its provisions and standards.

2. This grant authorizes the use of the subject property for the associated project grading for Landmark Village consisting of 1,444 residential units, 1,033,000 square feet of non-residential development; 73 acres of open space; an approximately 16-acre active/passive community park; approximately 5 acres of private recreational facilities; trail system; elementary school; and fire station. This permit also authorizes on-site and off-site project-related infrastructure in order to support the proposed Landmark Village project, including domestic and reclaimed water systems; water tanks; utilities (including sanitary sewers, cable, gas and fiber optics), located in the designated utility corridor; private driveways; and public streets. This grant ensures the project is consistent with provisions for development within a Significant Ecological Area (SEA) and authorizes the grading for, and construction of, off-site project-related infrastructure. **Exhibit A** depicts conceptual site development plans. Revised site plans to depict changes to the conceptual site plan shall be subject to the provisions of Section 5.2 of the approved Newhall Ranch Specific Plan.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.

4. This grant shall not be effective for any purpose until a duly authorized representative of the permittee and the owner of the subject property, if other than the permittee, have filed at the Office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 41, below, and until all required monies have been paid pursuant to Condition Nos. 42 and 44, below.

5. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. 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 or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if it 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.

7. 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.

8. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the 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 of the amount of 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.

9. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map 53108 should expire without recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.

10. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 53108 and the conceptual site design depicted on the **Exhibit A**, subject to the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

11. All development shall comply with the requirements of the approved Newhall Ranch Specific Plan unless specifically modified by this grant, as set forth in these conditions, including the approved **Exhibit A** or revised **Exhibit A** approved by the Director.

12. The mitigation measures set forth in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) are incorporated by this reference and made conditions of this permit and the permittee shall comply with the project's Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval as otherwise required by these conditions and on a annual basis until such time as all mitigation measures have been implemented or completed; and at such time as additional reports are required by the Director.

13. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 53108, and Oak Tree Permit No. 00-196-(5).

14. All utilities shall be placed underground to the satisfaction of the Department of Public Works.

15. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.

16. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.

17. All grading and construction and appurtenant activities, including engine warm-up, shall be restricted to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00p.m on Saturday. Pile driving and drilling is prohibited on Saturdays. No Sunday, or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences.

18. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Department of Public Works.

19. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activity is completed for the day. All clearing, grading, earthmoving, or excavation shall cease during periods of high wind (*i.e.*, greater than 20 miles per hour average over one hour) to prevent excessive amounts of dust.

20. Grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, borrow sites, and other on-site and off-site improvements shown on the approved **Exhibit A**. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or revised **Exhibit A** approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.

21. Phased grading has been requested and approved. Such grading may require additional interim infrastructure improvements not depicted on the tentative map but necessary to ensure compliance with the County Code such as debris basins, access roads, temporary utility lines, and other similar improvements to the satisfaction of the Department of Public Works.

22. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.

23. No construction equipment or vehicles shall be parked or stored on any existing public or private street.

24. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.

25. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.

26. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the

above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

27. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, 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.

28. The permittee shall utilize water saving devices and technology in the construction of this project consistent with the County Building and Plumbing Code and project mitigation measures.

29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project shall fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code section 17921.3, which requires low-flush toilets in all new construction; Title 24 of the California Code of Regulations sections 2-5352 (I) and (J), which requires hot water pipes to be insulated; and Government Code section 7800, which requires lavatories to have self-closing faucets in public restrooms.

30. If during construction soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board.

31. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of the Department of Public Works.

32. During construction, all large size truck trips shall be limited to off-peak commute periods.

33. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy equipment and/or materials, which requires the use of over-size transport vehicles on State highways.

34. The applicant shall provide approximately 73 acres of open space within the Vesting Tentative Tract Map No. 53108.

35. The permittee or its designee shall provide the Director with an annual status report throughout the construction phase of the project, which states the number of residential units constructed, the number affordable housing units constructed, the square footage of all commercial and industrial buildings completed, the dates of dedication or completion for all required infrastructure and community amenities, and the status of compliance with the project's Mitigation Monitoring Plan or other items as deem necessary by the Director.

36. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or a revised **Exhibit A** approved by the Director subject to Section 5.2 of the Specific Plan.

Prior to Use of the Grant

41. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the Office of the County Recorder. In addition, upon transfer or lease of all or any portion 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.

42. 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. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of $1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning 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 site plan on file. The fund provides for 10 annual inspections. Inspections shall be unannounced.

    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 of Regional Planning 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 payment is due (currently $150.00 per inspection).

43. 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 or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.

44. This project is not de minimus in its effect on fish and wildlife. Upon completion of the appeal period, the permittee shall remit processing fees in the amount of $2,500.00 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 and Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until this fee is paid.

45. Record a covenant with the County agreeing to comply with the approved environmental mitigation measures.

46. Upon completion of the appeal period, the permittee shall deposit the sum of $3,000.00 with the Department of Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the project's Mitigation Monitoring Plan. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant, subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented as reported in the required Mitigation Monitoring Report.

    The mitigation measures set forth in the Mitigation Monitoring Plan in the EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the subdivider shall submit Mitigation Monitoring reports to the Department of Regional Planning as frequently as may be required by the department.

47. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm the facilities that may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains, fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Bureau.

Prior to Issuance of a Grading Permit

48. As a means of ensuring the compliance with the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002), the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval prior to the issuance of any grading permits.

49. Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:

    (a) comply with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan and Section 22.56.210 of the County Code; and

    (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

50. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of onsite infrastructure and other features as deem necessary by the Director.

51. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site consistent with the approved mitigation measures to the satisfaction and approval of the Department of Public Works.

Prior to Recordation of a Final Map

52. As a means of ensuring the effectiveness of the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) mitigation monitoring shall be submitted to the Director of Planning (Director) for approval prior to the recordation of a final map.

Prior to Issuance of a Building Permit

53. Prior to the issuance of any building permit, site plans covering the applicable development phase as identified on the phasing map for

Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed construction:

(a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and

(b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

54. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, transport route, preservation of natural features, landscaping of altered open space and graded slopes, and other features as deem necessary by the Director.

55. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with the State Seismic Hazard Safety laws to the satisfaction of the Department of Public Works.

CONDITIONAL USE PERMIT AND OAK TREE PERMIT NOS. 00-196-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATE: January 31 and February 28, 2007

SYNOPSIS:
The applicant, Newhall Land and Farming ("Newhall"), approval for a 291-acre master-planned community development (Landmark Village) for the development of maximum 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail/residential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school. This project is within the "Riverwood" village of the adopted Newhall Ranch Specific Plan ("Specific Plan") approved by the Board of Supervisors in 2003.

The proposal requires amendments to the Los Angeles Countywide General Plan ("General Plan") and Santa Clarita Valley Area Plan ("Area Plan") to amend the Master Plan of Highways and Circulation Plan to eliminate "A" Street/Wolcott Road as a secondary highway, and amendment to the Specific Plan to downgrade "A" Street from a secondary highway to a local collector street. The project also requests approval of conditional use permits for compliance with requirements of development within a Significant Ecological Area/Special Management Area ("SEA/SMA"), onsite and offsite project grading and offsite utilities, including water tanks, and transport of materials. An oak tree permit is also required for removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks). The applicant also requests a determination of substantial conformance to the development regulations and implementation procedures of the Specific Plan related to shared parking, street widths, front yard setbacks and hillside resources.

The project site is located north of the Santa Clara River, south of SR-126, east of the Ventura County boundary, and west of Interstate 5 Freeway within the Specific Plan and in the Newhall Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:
<u>January 31, 2007 Public Hearing</u>
A duly noticed public hearing was held before the Regional Planning Commission. Commissioners Valadez, Bellamy, Rew, Helsley and Modugno were present. After opening the public hearing, the Regional Planning Commission heard the staff report, received testimony from the applicant and public testimony with concerns or in opposition to the project, the public hearing was continued to allow for additional time as requested by various agencies and individual citizens, to comment on the project and EIR. The public hearing was

continued to February 28, 2007, and the public comment period for the EIR was extended to February 20, 2007 (total 90-day public comment period). An initial list of comments on the project was also provided by the Commission for the applicant to respond at the continued public hearing to include the following items: potential incorporation of wireless technology within the project, interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raised about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Castaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society.

February 28, 2007 Continued Public Hearing

At the February 28, 2007 continued public hearing, Commissioners Valadez, Bellamy, Rew, and Modugno were present; Commissioner Helsley was absent. The applicant's provided rebuttal to issues and concerns raised by members of the public and responded to the items raised by the Commission at the January 31, 2007. Additional testimony was also taken from members of the public and varies agencies regarding the project. The Commission then raised additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed.

At the conclusion of testimony and discussion, the Commission discussed various issues presented at the public hearing and voted (4-0) to closed the public hearing, directed staff to prepare the Final Environmental Impact Report and prepare findings and conditions for consideration, directed the applicant to including the additional items raised by Commission, resubmit the tentative tract map for review by the Subdivision Committee to address the necessary technical corrections to accommodated the necessary changes reflecting Commission instruction.

Findings

1. The applicant is requesting approval of Conditional Use Permit No. 00-196 is to ensure project compliance with the requirements of developments within a Significant Ecological Area and Special Management Area, on-site grading project and conformance with the Specific Plan. Major engineering features associated with the project include bridge crossing (Long Canyon Road), trails, bank stabilization along the Santa Clara River and desilting basins and swales. Approximately 5.4 million cubic yards of earth to be imported to the tract map site from a borrow site (Adobe Canyon) within the Specific Plan.

2. Oak Tree Permit No. 00-196-(5) is to authorize the removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks) located within Tentative Tract Map No. 53108.

3. Conditional Use Permit and Oak Tree Permit Nos. 00-196-(5) were heard concurrently with General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196 to amend the County's Master Plan of Highways to reclassify "A" Street/Wolcott Road from a secondary highway to a local collector streets, Vesting Tentative Tract Map No. 53108 to create 458 lots for 1,444 dwelling units on 292.6 acres and Conditional Use Permit No. 2005-01121-(5) for offsite project grading and utilities, including water tanks, and transport of materials. The approval of this grant will not become effective until the Board of Supervisors has approved the general plan/local plan/specific plan amendment.

4. The subject property is approximately 292.6 acres in size, and consists of four existing parcels. The total project site, including offsite improvements, is approximately 1,044 gross acres in size (including the utility corridor, Chiquito Canyon and Adobe Canyon grading sites). The property is irregular in shape with slight to steeply sloping terrain in offsite areas where grading is proposed. The subject property is disturbed by historic and ongoing agricultural activity but contains existing sensitive biological resources and habitat types, including upland scrub habitat and sensitive riparian habitat. The project boundary also includes coastal sage chaparral scrub, live oak woodland, southern cottonwood willow riparian habitat; and wildlife habitat including horned lizards, sparrows, blackbirds, kites, hawks and plovers, jackrabbits, woodrats and mountain lion. The Santa Clara River, which within and south of the subdivision boundary, is also an SEA/SMA.

5. The current SP zoning on the subject property became effective on June 26, 2003, following the adoption of Ordinance No. 2003-0031Z, which established Zone Change Case No. 94-087-(5). The zone change was associated with the Specific Plan. The Specific Plan was adopted by the Los Angeles County Board of Supervisors ("Board") on May 27, 2003, along with a general and local (sub-plan) amendments, a conditional use permit and a tentative parcel map. The Specific Plan authorized the development of the approximately 11,963-acre property for 20,885 dwelling units with 423 second units; 629 acres of mixed use development (including 4,101 of the 20,885 units approved); 67 acres of commercial uses; 249 acres of business park land use; 37 acres of visitor-serving uses; 1,010 acres of open area (including 141 acres of community parks and 869 acres of other open areas); 5,159 areas within SMAs; 50 acres within 10 neighborhood parks; a 15-acre lake; public trail system; 18-hole golf course; two fire stations; one public library; one electrical substation; reservation of five

elementary schools, one junior high school and one high school site; a 6.8-million gallon per day WRP; and other associated community facilities, such as roads and bridges.

6. Conditional Use Permit No. 94-087 was approved by the Board that authorized Specific Plan development within the SEA boundary, including bridge crossings, trails, bank stabilization, and other improvements. As part of the Board of Supervisors' project approvals for the Specific Plan, adjustments was made to the existing boundary of Significant Ecological Area (SEA) 23, consistent with General Plan policies requiring protection of natural resources within SEAs, Specific Plan development within the SEA boundary, including bridge crossings (*e.g.*, Long Canyon Road Bridge), trails, bank stabilization, and other improvements. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan "Special Management Area" (SMA) designation over the adjusted SEA 23 boundary.

7. The Specific Plan area is organized in five "villages," with the Landmark project within the "Riverwood" Village. Within the approximately 2,330 acres of Riverwood, 3,210 dwelling units and 234 second units were approved as well as 2,966,000 square feet of nonresidential square footage. The Santa Clara River is also a major Open Area feature within Riverwood.

8. The Land Use Plan of the Specific Plan depict development by various land uses, and within the Riverwood Village for this property, is designated for Low-Medium Density, Medium Density, Mixed Use and Commercial as well as River Corridor. Flexibility was built into the Specific Plan to allow for adjustments, transfers and conversions of uses, boundaries and square footage. The Landmark Village project proposes conversions as well as boundary adjustments. The Medium Density was adjusted with reduction of 1.3 acres, and the adjacent Low-Medium Density area increased by 12.1 acres. The Commercial area was reduced by 4.2 acres, while 5.8 acres of the Low-Medium Density was converted to Mixed Use. The proposal to development 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail uses on the project site is consistent with the parameter established by the Specific Plan.

9. The surrounding properties are zoned as follows:

North: Specific Plan, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing);
East: Specific Plan, A-2-5, M-1-½, P-R (Parking Restricted) and C-R (Commercial-Recreation);
South: Specific Plan; and
West: Specific Plan

10. The subject property is used for agricultural activity and related storage, and consists of four parcels from the previously approved Newhall Ranch Tentative Parcel Map No. 24500).

11. Surrounding land uses consist of the following uses:

    North: SR-126, vacant property, scattered single-family residences, Chiquita Canyon Landfill and business parks;
    East: Castaic Creek, RV park, and further east light industrial uses, agricultural land and Valencia WRP;
    South: Santa Clara River and vacant land; and
    West: Vacant property and agricultural land.

12. Pursuant to Section 22.56.2050 of the County Code, an oak tree report was submitted by Impact Sciences, Inc. Of the 201 oak trees associated with the project and subject to the Oak Tree ordinance as identified in the June 2006 and updated September 2006 report, 82 trees are included in the associated Oak Tree Permit. Sixty-seven (67) oak trees, including 10 heritage oaks are proposed to be removed as part of onsite and offsite improvements. Fourteen (14) oak trees, including three heritage oaks are proposed to be encroached within its protected zone due to potential impacts from construction.

13. Mitigation measures recommended by the County Forester/Fire Warden include replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 214 mitigation trees. A contribution to the Los Angeles County Oak Forest Special Fund would also be required for any tree that dies within two years as a result of a permitted encroachment. The oak tree report also identified 26 trees which would be candidates for relocation within the Specific Plan boundaries.

14. The applicant has submitted an oak tree report prepared by a certified arborist, dated June, 2006. The Los Angeles County Forester and Fire Warden, Forestry Division, has reviewed the oak tree report with the addendum and determined that the document is accurate and complete as to the location, size, condition and species of the oak trees on the site. The County Forester has recommended approval of the requested removals and encroachments, subject to recommended conditions of approval.

15. Vesting Tentative Tract Map No. 53108 and Conditional Use Permit Case Nos. 00-196-(5) and 2005-01121-(5) Exhibit "A", dated May 2, 2007, depict a subdivision of 458 lots consisting of single-family, multi-family, commercial, recreation, park, school, open space and open space/public facility lots on 292.6 gross acres. The housing types range from single-family detached and attached homes as well as live-work units.

16. A range of housing types is provided in various clusters within the project. Traditional single-family lots (i.e. one home on each lot) are clustered in three areas along the southern portion of the subdivision: to the west, across from the proposed elementary school, and to the east. These lots have been designed for garage access from the front, and by alley from the back; and range in size from minimum 3,200 square feet to 6,000 square feet. Multi-family housing is also proposed both as for-lease apartments and for-sale condominiums, and generally in the northern portions of the subdivision and conceptual designs for site layout are depicted on the exhibit maps. Apartments, including affordable rental and for sale units, are proposed in the western portion, just east of the office and retail center identified in the Specific Plan as the Village Center. A total of 1,444 dwelling units are provided within the residential lots (308 single-family units and 1,136 multi-family units).

17. The Village Center is located east and west of Long Canyon Road on the western portion of the project. Retail and office are anticipated, with an approximate maximum of 1,033,000 square feet of office and retail space.

18. Two park sites (one public and one private) are depicted within the project site, an elementary school site and fire station are also proposed Actual site designs for the school and fire station are to be determined at a later stage. A minimum of 45 open space lots are provided, with 25 lots for open space and 20 lots for open space and utility purposes. These open space lots are depicted along the northern and southern boundaries of the project, adjacent to SR-126 and the Santa Clara River.

19. Access to the development will be served by Long Canyon Road and Wolcott Road. Both Long Canyon Road and Wolcott Road are the two points of connection from SR-126 with "A" Street as the internal main 'spine' collector road through the development. Long Canyon Road is a major highway, and provides at least 119 feet of right-of-way north of "A" Street with bike lanes in both directions of traffic as well as an eight-foot sidewalk and varying center planter widths. SR-126 is expected to be grade-separated (higher) than Long Canyon Road in the future, with the future interchange depicted as five northbound lanes (one left turn dedicated to SR-126, two for thru traffic under SR-126, and two for right turn traffic). Long Canyon Road also spans over the Santa Clara River as a 100-foot wide bridge to be constructed with this project. Wolcott Road is a secondary highway with 106 feet of right-of-way consisting of four travel lanes, a six-foot parkway and six-foot sidewalk on each side, and a 14-foot wide planter in the center. Wolcott Road is also depicted with a future interchange with SR-126.

20. "A" Street is depicted as a collector street with a 110-foot wide right-of-way, with varying widths of improvements. At its widest improvements, which is from Long Canyon Road to 200 feet east of Long Canyon Road, seven travel lanes are provided with bike lane on one side, and four feet of parkway and six feet of sidewalk on both sides; no on-street parking would be provided. At its narrowest, two travel lanes with center lane is provided, along with bike lanes on each side, 10-foot-parkway and six-foot sidewalk on one side, and 24 foot-wide swale and eight-foot trail provided on the other side. Private driveway lots are also proposed within the development, providing internal access in single-family and multi-family neighborhoods between the Village Center and the park/school, with widths ranging from 34 feet to 110 feet wide.

21. The Specific Plan locates the Landmark Village subdivision within its Riverwood Village, and identifies land uses within each Village with associated acreage, density and/or nonresidential square footage. The Specific Plan also includes exhibits for trails, circulation, resource management, drainage and water quality, water and sewer as well as its land use plan. The applicant has demonstrated the project's consistency with the provisions, goals and objectives within the Specific Plan.

22. The Specific Plan also requires affordable housing, with a total of 2,200 affordable units through the Specific Plan area (Specific Plan Section 3.10). Landmark Village proposes 301 affordable units: 161 for-sale homes for moderate income households, and 140 for-rent units for very low families.

23. Traffic studies were performed to indicate that the expected traffic volume can be accommodated with the proposed project circulation system as design. The circulation system includes features such as bike lanes and trails along both sides of the street, roundabouts, curb extensions and rear or alley access intended to reduce design speed, eliminate cul-de-sacs, introduce traffic-calming features, reduced street widths to enhance pedestrian mobility.

24. The Master Plan of Trails within the Specific Plan is general in nature, and detailed trail locations are identified on the subdivision tentative map. These include walkways and parkways along streets, paseos, community trails and the regional river trail, in a hierarchy of trail sizes and functionality. Access points are also identified from the project to the regional river trail system as well as locations for observation and interpretive nature points. The regional river trail system is depicted in greater detail within the project site, and depict both an eight-foot wide County trail outside the subdivision boundary but on top of the bank stabilization, and a 16-foot wide riding and hiking trail that will also serve as the Los Angeles County Flood Control access road, and will be maintained by a Landscape Maintenance District

("LMD"). An interpretive trail is also depicted through private Recreation Lot No. 337 with a lookout point and interpretive nature station.

25. The Specific Plan Master Drainage Plan has been updated to reflect innovative methodologies to meet NPDES (National Pollutant Discharge Elimination System) requirements, and reflects a comprehensive system of flood control and desilting basins to maintain water quality standards. Open space that also double as open facility basins, are located adjacent to the subdivision boundary and the Santa Clara River to the south, as well as along SR-126 to the north. Additional water quality features such as grass swales and depressed roundabouts, provide additional area for water retention.

26. The Master Water Plan was designed in the Specific Plan for this portion with water main and reclaimed water lines along "A" Street. The Potable and Reclaimed Water Plan includes infrastructure lines to serve this development. A 2.7 million gallon water tank that is depicted on the Master Water Plan is depicted within the Chiquito Canyon area. Water tanks are being proposed north of Landmark at Chiquito Canyon within the Valencia Commerce Center, and Round Mountain.

27. The Master Sewer Plan also depicts sewer infrastructure anticipated, with the sewer line system connecting to the Newhall WRP. A detailed Sewer Plan was prepared for this project that provides further refinement to the location of sewer main lines. Sewer service and connections is also proposed by two methods. Connection lines are proposed to extend east to the existing Valencia WRP near the SR-126/I-5 interchange if the Newhall WRP is not operational at the time Landmark requires connection. Eventual connection for the Landmark Village development will be Newhall WRP, which is located further west. Connections for Landmark are shown with both options.

28. The River Corridor allows for certain uses, with mitigation required as stated in Section 2.6-2 of the Specific Plan. These mitigation requirements include restoration as well as enhancement, and establish requirements for management of this area. Access to the SMA through hiking, equestrian and biking trails is permitted as limited to the trail system itself. Adequate transition areas are provided by this development lies to the Santa Clara River. These include provision of a trail between the River Corridor and the development, ungrouted rock or buried bank stabilization where required to protect development areas, and minimum 100-foot buffers adjacent to the Santa Clara River.

29. The Commission has determine that Landmark Village is on substantial conformance with the criteria contained in the Specific Plan for shared

parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria.

30. The applicant requests that reciprocal, offsite parking be included within the Joint Use or Shared Parking Plan option provided in the Specific Plan, with same requirements for making findings at such time when the uses are determined and actual parking requirements calculated.

31. The applicant has also requested a determination of substantial conformance for alternative street sections to reflect the intent of the development to be neotraditional, where emphasis is on pedestrian traffic as opposed to automobile traffic. Features in these alternative street sections include traffic calming devices, like chokers, curb extensions, roundabouts, etc. Such features have been much discussed with Public Works and the Los Angeles County Fire Department ("Fire Department") as well as Regional Planning to ensure that traffic capacity and life/safety issues are still addressed with these alternative street features. These are proposed on "A" Street and internal streets.

32. Within the development regulations of the Specific Plan, setbacks for the garage face are provided at 18 feet. The intent is for cars that are parked in the driveway, not block the sidewalk or travel lanes of the street. However, the Specific Plan did not provide in much detail, front yard setbacks for homes where the garage is oriented for a side entrance, or located in the rear of the lot for alley entrance. In these cases, the applicant has requested that a determination of substantial conformance be made that in these cases, a minimum front yard setback of 10 feet be maintained since driveways will be such that cars parked will not block the street as the intent of the 18-foot setback.

33. In approving this development, the Commission consider the following findings regarding development within a SEA:

    a. The proposed development would be consistent with the adopted General Plan and Area Plan for the Newhall Ranch Specific Plan site. The development such as bridge crossing, trails, bank stabilization, utilities, wells, mitigations sites, transport of grading materials within the SEA 23 boundary will be compatible with the existing biotic resources present, particularly when taking into account major factors influencing the realization of applicable General Plan objectives, including competing priorities between resource preservation and other General Plan policies and objectives;

    b. The development was designed to be highly compatible with biotic resources present in the existing SEA 23, including the setting aside of appropriate and sufficient undisturbed areas;

c. The development was designed to maintain waterbodies, watercourses, and their tributaries in a natural state within the existing SEA 23;

d. The development was designed so that wildlife movement corridors are left in a natural and undisturbed state within the existing SEA 23;

e. The development retained sufficient natural vegetative cover and/or open spaces to buffer critical resources within the existing SEA 23 from the proposed development; and

f. The development provided fences or walls where necessary to buffer important habitat within the existing SEA 23 from proposed development.

34. The Commission also determine the project as proposed is consistent with previously approved SEA CUP No. 94-087-(5), the Landmark Village project bank stabilization is consistent with the following objectives that were developed to balance the environment and flood control issues presented by the Santa Clara River, as required by the County General Plan. These objectives are as follows:

a. The flood corridor must allow for the passage of Los Angeles County Capital Flood flows without the permanent removal of natural vegetation (except at bridge crossings);

b. The bank of the river will generally be outside of the "waters of the United States" as defined by federal laws and regulations, and as determined by the delineation completed by the United States Army Corps of Engineers ("Corps") in August 1993;

c. Where the Corps delineation width is insufficient to contain the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow without the necessity of permanently removing vegetation or significantly increasing velocity;

d. Where development is proposed within the existing Los Angeles County 50-year Capital Floodplain, the land where development is to occur will be elevated in conformance with Los Angeles County policies to remove it from the Floodplain; and

e. Bank stabilization will occur only where necessary to protect against erosion.

35. The Commission finds that the requested oak tree permit is necessary to allow the construction of the single-family residence as proposed due to site constraints such as topography and drainage. The applicant has re-designed the project to reduce the project's impact on oak trees, and the placement of the trees on the subject property precludes the reasonable and efficient use of the subject site for a single-family residence.

36. The proposed oak tree removals and encroachments will not result in soil erosion through the diversion or increased flow of surface waters. All areas disturbed by the proposed grading will be replanted in accordance with County grading and landscaping requirements.

37. The proposed project includes community facilities such as schools, parks, utilities and fire station, which can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of Newhall Ranch Specific Plan, Area Plan, and General Plan.

38. The site is physically suitable for the type of development being proposed, since the project site is relatively level; has access to a County-maintained street; shall be served by public sewers; shall be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and shall have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works. Utilities planned to serve the Landmark Village project include water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics and reclaimed water lines. Much of the utility corridor within the project site is not located within the River Corridor SMA/SEA 23, however, its off-site connections will run through parts of the River Corridor SMA/SEA 23, which is consistent with the approved Newhall Ranch Specific Plan.

39. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the recommended conditions of approval.

40. Notices of public hearing were mailed to property owners within a 1,000-foot radius of the subject property as well as additional notices to those on the courtesty mailing list for projects in the Newhall and Castaic Canyon Zoned Districts. The public hearing notice was published in The Signal and La Opinion on November 20, 2006. The Draft EIR was available for review at the Newhall Library, Valencia Library and Canyon County Jo Anne Darcy Library beginning November 20, 2006. Project materials, including a tentative tract map, site plan, and recommended conditions,

were received at the Newhall Library on December 29, 2006. One large public hearing notice, eight feet wide by four feet high, was posted on the subject property along SR-126 on December 29, 2006. Public hearing materials were also posted on the Department of Regional Planning's website.

41. The applicant has also presented the project on several occasions to the Castaic Area Town Council. Comments and recommendations have been received from the Castaic Area Town Council and considered by the Commission.

42. Correspondence from interested parties, environmental organizations, and responsible agencies was received in regard to the project. Many comments requested additional time to review the large volume of material associated with the EIR. The EIR comment period was extended for a total of ninety (90) days from November 20, 2006 to February 20, 2007.

43. Comments and recommendations from County departments and other agencies consulted during the environmental review process include the California Department of Fish and Game, Regional Water Quality Control Board, Native American Heritage Commission, California Highway Patrol, California Department of Transportation, Southern California Association of Governments, as well as City of Santa Clarita, County of Ventura, and United Water Conservation District. Other agencies that have provided correspondence include, among others, the Castaic Lake Water Agency, Audubon California, Sierra Club, California Water Network, Santa Clarita Organization for Planning and the Environment, Piru Neighborhood Council and Friends of the Santa Clara River. During the public hearing, much of the public testimony reiterated comments received in written correspondence on the Landmark Village Draft EIR.

    During the public hearings, the applicant was requested to provide additional information on the following: potential incorporation of wireless technology within the project, elementary school site plan, community sustainability and smart growth, ownership and maintenance of the passive park, potential revisions to elementary school and public community park design, waste-to-energy facilities, concerns raised by the Native American Tataviam Band, trailhead and trail connections, cul-de-sacs along the project's western edge, setbacks from riparian areas, comments regarding studies from the Nature Conservancy, status of perchlorate clean-up, United Water Conservation District comments, and comments from the Audubon Society. The following responses have been provided:

- It has been determined that high-speed wireless technology (WiFi or its future equivalent) can be incorporated into commercial, mixed-use, and public areas.

- Discussions were held with the Castaic School District and the Los Angeles County Parks Department, which resulted in a proposed school plan depicting a nine-acre site more centrally located and now surrounded on three sides by the community park. The revised design provides additional buffer from the elementary school to SR-126.

- The passive portion of the Community Park will be maintained by a homeowners' association, but will be open to the public.

- Discussions with the Sanitation Districts of Los Angeles County determined that waste-to-energy facilities are no longer considered to be feasible due to permitting and regulatory requirements.

- The trailhead location will generally be located west of Long Canyon Road in a final location to be determined based on discussions with Parks and Recreation.

- The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians and their concerns have been resolved.

- A 100 foot setback is provided from the Santa Clara River, as required by the adopted Newhall Ranch Specific Plan.

- The Castaic Lake Water Agency and local water purveyors are proceeding with a containment and action plan to address perchlorate contamination in portions of the Saugus and Alluvium aquifers.

- The United Water Conservation District provided comments that the EIR complies with the terms of the settlement agreement.

- Additional wintering surveys have been completed for birds cited by Audubon and those surveys are included in the Landmark Village Final EIR. Those surveys do not change the conclusions of the Final EIR. Finally, prior to site disturbance, nesting studies will be undertaken.

- The applicant has prepared a Sustainability Summary, which incorporates sustainability measures into the Landmark Village project.

44. A program-level EIR was certified with the adoption of the Newhall Ranch Specific Plan, which found that there would be significant unavoidable impacts to biological resources, agricultural resources, visual resources, air quality and solid waste disposal. A Statement of Overriding Considerations was adopted by the Board, which concluded that there were significant overriding benefits with approval of the project. Public benefits include preservation of nearly 1,000 acres of the Santa Clara River, 4,200 acres of the High Country SMA/SEA 20, 1,517 acres of the Salt Creek area and other Open Areas; preservation of the River Corridor SMA/SEA 23 to retain significant riparian vegetation and habitat; over 50 miles of trails included the Santa Clara River Trail; and provisions for improved parks, schools, fire stations and 2,200 affordable homes.

45. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et.seq.) and State and County Guidelines related thereto. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report (EIR) would be required. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: **Aesthetic/Visual Quality, Agricultural Resources, Biota, Noise, Solid Waste Disposal, Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources**.

46. In accordance with state CEQA Guidelines and County Environmental Document Reporting Procedures and Guidelines, an EIR was prepared for the project. Identified potential impacts analyzed in the EIR found to be less than significant with project mitigation, include: **Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources**. The Draft EIR concludes that the project design and/or suggested conditions will result in significant residual and/or cumulative impacts in:

Biota
Aesthetic/Visual Quality
Noise
Agricultural Resources

Solid Waste Disposal

Of these impacts which cannot be mitigated to less than significant, noise is the only category that was not previously identified and included in the Statement of Overriding Considerations adopted as part of the adopted Newhall Ranch Specific Plan Program EIR.

47. A Final EIR for the Landmark Village project has been prepared in compliance with CEQA (Public Resources Code section 21000 *et seq.*), the state CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Landmark Village Final EIR consists of the Draft EIR, the technical appendices to the Draft and Final EIR, the responses to comments, and revised Draft EIR pages.

48. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Final EIR has been prepared. The Mitigation Monitoring Plan identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project is ensured, and its requirements have been incorporated into the conditions of approval for this project.

49. Mitigation measures which have been incorporated into the project, and included in the Mitigation Monitoring Plan, are listed in the Executive Summary of the Landmark Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.

50. The Commission finds substantial benefits resulting from the implementation of the project outweigh its avoidable effects on biota, visual quality, noise, agricultural resources and solid waste disposal.

51. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission'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 is the Section Head of the Major Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;

B. With the attached conditions and restrictions, 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 and 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 Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said 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 facilities as are required;

E. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community;

F. The development has provided adequate vehicular access, parking and loading so as to prevent undue traffic congestion on local streets and highways;

G. That the proposed use with the attached conditions and restrictions will be consistent with the Newhall Ranch Specific Plan;

H. With the attached conditions and restrictions, 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 and general welfare;

I. That the proposed site is adequate in size and shape to accommodate the development features to occur within the River Corridor SMA/SEA 23 in order to integrate said use with the uses in the surrounding area;

J. 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 facilities as are required; and,

K. That the proposed project and the provisions for its design and improvement are consistent with the density, goals and policies of the General Plan and Newhall Ranch Specific Plan, including SEAs, in that:

i.. The requested development is designed to be highly compatible with the biotic resources present including the setting side of appropriate and sufficient undisturbed areas;

ii. The requested development is designed to maintain water bodies, watercourses and their tributaries in a natural state;

iii. The requested development is designed so that wildlife movement corridors are left in an undisturbed and natural state;

iv. The requested development retains sufficient natural vegetative cover and/or open space to buffer critical resource areas for said requested development is compatible with the natural biotic, cultural, scenic, and open space resources of the area;

v. Where necessary, fences or walls are provided to buffer important habitat areas from development;

vi. Roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths; and

vii. The approval of the proposed development within the River Corridor SMA/SEA 23, to include project-related improvements, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance, the General Plan, and Newhall Ranch Specific Plan.

L. The proposed development will be accomplished without endangering the health of the remaining oak trees on the subject property that are subject to Part 16 of Title 22 of the Los Angeles County Code, if any;

M. The proposed removal of sixty-seven (67) oak trees and the encroachment into the protected zones of fourteen (14) oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactory mitigated;

N. The proposed removal of the oak trees is necessary as continued existence at their present locations frustrates the proposed use of the subject property to such extent that placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized; and

O. The removal and encroachment into the protected zones of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure;

AND THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for an Oak Tree Permit and Conditional Use Permit as set forth in Sections 22.56.040, 22.56.210, 22.56.2100, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the Final Environmental Impact Report and subject to the Board's final action, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission and determines that that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have either been reduced to an acceptable level or are outweighed by specific social, economic, legal, technological or other considerations of the project as stated in the attached Findings of Fact and Statement of Overriding Considerations for the project, which findings and statement are incorporated herein by reference;

2. Approves and adopts the Mitigation Monitoring Program for the proposed project incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan is adequately designed to ensure compliance with the mitigation measures during project implementation; and

3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 00-196-(5) and Oak tree Permit are approved with the attached conditions subject to the Board's final action.

VOTE: 5-0-0

Concurring: Valadez, Bellamy, Helsley, Rew, Modugno

Dissenting: None

Abstaining: None

Absent: None

Action Date: January 9, 2008

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 00-196-(5)

For Information Only

1. The Landmark Village tract map site is within the boundaries of the approved Newhall Ranch Specific and the permittee is required to comply with its provisions and standards.

2. This grant authorizes the use of the subject property for a maximum total of 1,444 residential units; 1,033,000 square feet of non-residential development; 73 acres of open space; an approximately 16-acre active/passive community park; approximately 5 acres of private recreational facilities; trail system; elementary school; and fire station. This permit also authorizes on-site and off-site project-related infrastructure in order to support the proposed Landmark Village project, including domestic and reclaimed water systems; water tanks; utilities (including sanitary sewers, cable, gas and fiber optics), located in the designated utility corridor; private driveways; and public streets, and authorizes the grading for, and construction of, off-site project-related infrastructure. **Exhibit A** depicts conceptual site development plans. Revised site plans to depict changes to the conceptual site plan shall be subject to the provisions of Section 5.2 of the approved Newhall Ranch Specific Plan.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.

4. This grant shall not be effective for any purpose until a duly authorized representative of the permittee and the owner of the subject property, if other than the permittee, have filed at the Office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 41, below, and until all required monies have been paid pursuant to Condition Nos. 42 and 44, below.

5. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. 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 or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if it 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.

7. 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.

8. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the 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 of the amount of 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.

9. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map 53108 should expire without recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.

10. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 53108 and the conceptual site design depicted on the **Exhibit A**, subject to the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

11. All development shall comply with the requirements of the approved Newhall Ranch Specific Plan unless specifically modified by this grant, as set forth in these conditions, including the approved **Exhibit A** or revised **Exhibit A** approved by the Director.

12. The mitigation measures set forth in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) are incorporated by this reference and made conditions of this permit and the permittee shall comply with the project's Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval as otherwise required by these conditions and on a annual basis until such time as all mitigation measures have been implemented or completed; and at such time as additional reports are required by the Director.

13. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 53108, Oak Tree Permit No. 00-196-(5), and Conditional Use Permit No. 94-087-(5).

14. All utilities shall be placed underground to the satisfaction of the Department of Public Works.

15. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.

16. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.

17. All grading and construction and appurtenant activities, including engine warm-up, shall be restricted to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00p.m on Saturday. Pile driving and drilling is prohibited on Saturdays. No Sunday, or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences.

18. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Department of Public Works.

19. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activity is completed for the day. All clearing, grading, earthmoving, or excavation shall cease during periods of high wind (*i.e.*, greater than 20 miles per hour average over one hour) to prevent excessive amounts of dust.

20. Grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, borrow sites, and other on-site and off-site improvements shown on the approved **Exhibit A**. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or revised **Exhibit A** approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.

21. Phased grading has been requested and approved. Such grading may require additional interim infrastructure improvements not depicted on the tentative map but necessary to ensure compliance with the County Code such as debris basins, access roads, temporary utility lines, and other similar improvements to the satisfaction of the Department of Public Works.

22. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.

23. No construction equipment or vehicles shall be parked or stored on any existing public or private street.

24. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.

25. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.

26. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

27. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, 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.

28. The permittee shall utilize water saving devices and technology in the construction of this project consistent with the County Building and Plumbing Code and project mitigation measures.

29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project shall fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code section 17921.3, which requires low-flush toilets in all new construction; Title 24 of the California Code of Regulations sections 2-5352 (I) and (J), which requires hot water pipes to be insulated; and Government Code section 7800, which requires lavatories to have self-closing faucets in public restrooms.

30. If during construction soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board.

31. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of the Department of Public Works.

32. During construction, all large size truck trips shall be limited to off-peak commute periods.

33. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy equipment and/or materials, which requires the use of over-size transport vehicles on State highways.

34. The applicant shall provide approximately 73 acres of open space within the Vesting Tentative Tract Map No. 53108.

35. The permittee or its designee shall provide the Director with an annual status report throughout the construction phase of the project, which states the number of residential units constructed, the number affordable housing units constructed, the square footage of all commercial and

industrial buildings completed, the dates of dedication or completion for all required infrastructure and community amenities, and the status of compliance with the project's Mitigation Monitoring Plan or other items as deem necessary by the Director.

36. All commonly owned areas shall be preserved as permanent open space. Such reservation shall be by establishment of a homeowners association, maintenance district, or other appropriate means or methods to ensure to the satisfaction of the Director the permanent reservation and continued perpetual maintenance of required commonly owned areas.

37. As a means to further ensure the permanent reservation of commonly owned areas, no dwelling unit shall be sold, conveyed, or otherwise alienated or encumbered separately from an undivided interest in any commonly owned areas comprising a part of such development. Such undivided interest shall include either an undivided interest in the commonly owned area or a share in the corporation or voting membership in an association owning the commonly owned area.

38. No residential development shall be permitted within lots designated for parks, recreation, open space and public facility purposes (park lots 337 and 344, recreation lots 330, 336 and 340, open space lots 295, 317-324, 348, 355, 356, 362-366, 378-381, 386, 387, 391, 392, 398, 416-419, 422-434, 436-453, 455-458, or debris basin lots 310-316, 382, 383, 390, 393-397, 399-402.

39. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or a revised **Exhibit A** approved by the Director subject to Section 5.2 of the Specific Plan.

Prior to Use of the Grant

41. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the Office of the County Recorder. In addition, upon transfer or lease of all or any portion 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.

42. 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. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of $1,500.00. These monies shall be

placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning 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 site plan on file. The fund provides for ten (10) annual inspections. Inspections shall be unannounced.

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 of Regional Planning 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 payment is due (currently $150.00 per inspection).

43. 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 or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.

44. This project is not de minimus in its effect on fish and wildlife. Upon completion of the appeal period, the permittee shall remit processing fees in the amount of $2,500.00 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 and Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until this fee is paid.

45. Record a covenant with the County agreeing to comply with the approved environmental mitigation measures.

46. Upon completion of the appeal period, the permittee shall deposit the sum of $3,000.00 with the Department of Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the project's Mitigation Monitoring Plan. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant, subject to the approval of the Director, to ensure that all applicable mitigation

measures are implemented as reported in the required Mitigation Monitoring Report.

The mitigation measures set forth in the Mitigation Monitoring Plan in the EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the subdivider shall submit Mitigation Monitoring reports to the Department of Regional Planning as frequently as may be required by the department.

47. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm the facilities that may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains, fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Bureau.

Prior to Issuance of a Grading Permit

48. As a means of ensuring the compliance with the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002), the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval prior to the issuance of any grading permits.

49. Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:

    (a) comply with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and

    (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

50. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.

51. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site consistent with the approved mitigation measures to the satisfaction and approval of the Department of Public Works.

Prior to Recordation of a Final Map

52. As a means of ensuring the effectiveness of the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) mitigation monitoring shall be submitted to the Director of Planning (Director) for approval prior to the recordation of a final map.

53. Include conditions in the project CC&Rs, which require continued maintenance of the planting for lots having planted slopes.

54. Provide for the private driveway and fire lanes within the project and provide proof of guaranteed maintenance in the project CC&Rs as well as draft easement documents with exhibits, granting access to respective off-site property owners.

55. Provide in the project CC&Rs restrictions on parking or storage of recreational vehicles as required by Condition No. 38 of Conditional Use Permit 94-087-(5) to the satisfaction of the Director.

56. The permittee shall comply with the provisions of the park development agreement with the Department of Parks and Recreation, including dedication of lot 337 to the County for park purposes. Provide evidence of compliance.

57. Provide in the project CC&Rs for the ownership and maintenance of the passive park (lot 344) by a homeowners' association.

58. Provide in the project CC&Rs for the ownership and maintenance of recreation lots 330, 336, and 340 by a homeowners' association.

59. Dedicate all open space lots (295, 317-324, 348, 355, 356, 362-366, 378-381, 386, 387, 391, 392, 398, 416-419, 422-434, 436-453, 455-458, and debris basin lots 310-316, 382, 383, 390, 393-397, 399-402) to the County or other acceptable agency or provide for their ownership and maintenance by a homeowners' association or by an alternative method, or means, as described in the approved Newhall Ranch Specific Plan.

60. This development shall reserve at least 161 for-sale residential units for moderate-income households or homebuyers and 140 for-rent units for very low income households or renters in accordance with the Newhall

Ranch Affordable Housing Implementation Plan dated **September 18, 2007** to the satisfaction of the Director. The applicant shall record and continually administer a covenant and agreement or other mechanism furnished by the applicant deemed appropriate and subject to prior approval by the County Counsel and the Community Development Commission to effectively insure the continuing availability of the designated affordable housing for qualified persons and families for the time specified in the Plan.

61. The applicant shall submit a form of security such as, but not limited to, letters of credit in an amount sufficient to assure completion of all designated affordable housing units to the satisfaction of the Department of Regional Planning.

Prior to Issuance of a Building Permit

62. Prior to the issuance of any building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed construction:

    (a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and

    (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

63. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.

64. Prior to the issuance of building permits for any construction, the applicant shall submit a landscaping plan(s) for the landscaping associated with the construction to be approved by the Director. All graded slopes (cut and fill) shall be revegetated. Three copies of a landscape plan(s), which may be incorporated into a revised site plan, shall be submitted to and approved by the Planning Director before issuance of a building permit. The landscape plan(s) shall show size, type, and location of all plants, trees, and sprinkler facilities, including all landscaping and irrigation. Watering facilities shall consist of a permanent water-efficient irrigation system such as "bubblers" or drip irrigation. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper

pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary.

In addition to the review and approval by the Director of Planning, the landscaping plan(s) shall be reviewed by the staff biologist of the Department of Regional Planning, the Los Angeles County Fire Department, and the Department of Public Works. The review will include an evaluation of the balance of structural diversity (*e.g.*, trees, shrubs and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements and determination of compliance with water conservation requirements.

The landscaping plan(s) must show that landscaped areas must contain 50 percent locally indigenous species, including trees, shrubs, and ground covering. However, if the permittee demonstrates to the satisfaction of the Director that compliance with this requirement is not possible due to County fire safety requirements, then staff may determine that a lower percentage of such planting is required. In those areas where staff approves a reduction to less than 50 percent locally indigenous vegetation, the amount of such planting required shall be at least 30 percent. The landscaping will include trees, shrubs, and ground covering at a mixture and density determined by the Director and the Forester and Fire Warden. Fire retardant plants should be given first consideration.

63. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with the State Seismic Hazard Safety laws to the satisfaction of the Department of Public Works.

64. A determination of substantial conformance in compliance with the provisions of the approved Newhall Ranch Specific Plan has been made relative to front yard setbacks, hillside grading, shared parking, and street widths. Prior to the approval of building permits, the applicant shall submit monitoring reports to demonstrate conformance to the satisfaction of the Director. This may include submittal of a parking program if determined to be necessary.

65. As agreed, the permittee shall comply with the provisions of the project's Sustainability Plan. A covenant shall be recorded agreeing to comply with this Plan, including transferability to future owners of the property. Prior to the issuance of a building permit, a Revised **Exhibit A** and a monitoring report describing compliance shall be submitted to the Director.

66. Prior to the issuance of building permit, the permittee shall provide evidence to the Director of Planning showing compliance with the Hart High School District letter dated October 31, 2007 to execute an update to the Hart School Funding Agreement.

67. The applicant has submitted a Planning Notebook which depicts conceptual building and design standards. Prior to the issuance of building permit, the applicant shall show that the project is substantial compliance with the Planning Notebook date October, 2007 to the satisfaction of the Director of Planning.

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT NO. 00-196

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the County Forester and Fire Warden at either 818-890-5719 or 323-881-2481)

For Information Only

1. This grant authorizes the removal of 67 oak trees and encroachment into the protected zone of 14 trees as shown in the Oak Tree Report and subject to all the following conditions of approval.

2. This grant allows removal of a total of 67 trees in including 63 trees of the Oak genus (Quercus agrifolia) identified as Tree Numbers: 8, 9, 10, 51, 60, 61, 63, 64, **83***, 84, 248, 249, 250, 335, 336, 337, **338***, 339, 340, 341, 342, 343, **344***, 345, 346, 347, 348, **349***, 350, 351, **352***, 354, 355, 356, **357***, 396, 397, 398, 400, 401, **492***, 594, 1588, 1589, 1590, 1592, 1594, 1596, 1598, 3073, **4003***, 4016, 4017, 4018, 4019, 4022, 4025, 4026, 4027, 4028, 4055, 4056 and 4057, and four (4) trees of the Oak genus (Quercus lobata) numbered **87***, 1587, **1597*** and 1591 on the applicant's site plan and Oak tree report. A total of ten (10) of these trees to be removed are identified as **Heritage*** (in bold with an asterisk*) having a diameter greater than 36 inches.

3. This grant allows encroachment within the protected zone of 14 trees of the Oak genus identified as Tree numbers: 92, 93, 98, 99, 100, 439, 448, **488***, **489***, 498, **503***, 592, 1605, 4007 on the applicant's site plan and Oak Tree Report. Three (3) of these trees are identified as **Heritage***. Trenching, excavation or clearance of vegetation within the protected zone of an oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

4. 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.

5. The subject property shall be developed, 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.

6. 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.

7. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.

8. The term "Oak Tree Report" refers to the updated document on file at the Department of Regional Planning by Impact Sciences, Inc. the consulting arborist, dated June, 2006.

9. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Tentative Tract Map No. 53108.

10. The permittee shall keep copies of the Oak Tree Report, Oak Tree Map, Mitigation Planting Plan and Conditions of Approval on the project site and available for review. All Individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, and conditions of approval.

11. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two inches in diameter or less accordance with the guidelines published by the national Arborist Association. Copies of these guidelines are available from the Forestry Division of the County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.

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

13. The permittee shall provide mitigation trees of the Oak genus at a rate of 2:1 for each tree removed and at a rate of 10:1 for each Heritage tree removed for a total of **214** mitigation trees.

14. Each mitigation tree shall be at least a fifteen-gallon specimen in size and measure one inch or more in diameter one foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees shall measure a minimum of one inch in diameter one foot above the base.

15. Mitigation trees shall be at a ratio consistent with the species of Oaks removed for a total of one-hundred ninety (190) Quercus agrifolia and twenty-four (24) Quercus lobata of indigenous varieties grown from a local seed source.

16. The permittee shall plant one acorn of the Quercus agrifolia variety for each mitigation tree planted. The acorns shall be planted in the same watering zone as each mitigation.

17. Mitigation trees shall be planted within one year of the permitted oak tree removals. Additional mitigation trees shall be planted within one year of the death of any tree which results from permitted encroachment. Mitigation trees shall be planted on-site or within the Specific Plan boundaries in locations approved by the project arborist in consultation with the County Forester. In circumstances where on-site planting is shown to be infeasible, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resources loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".

18. If the replacement trees are to be planted on the subject property, the permittee shall plant one acorn of the *Quercus agrifolia* variety for each replacement tree planted. The acorns shall be planted at the same time as and within the watering zone of each replacement tree.

19. All replacement trees shall be planted on native undisturbed soil. The first two irrigations or watering of planted trees shall incorporate the addition of a mycorrhizae product (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopies of removed trees shall also be applied to the area beneath the canopies of replacement trees to further promote the establishment of mycorrhizae within their rooting zones. The seed source for the replacement trees shall be local to the project site.

20. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to lack of proper care and maintenance with a tree meeting the specifications set forth above. The five-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

21. The project arborist shall inspect all mitigation trees on a quarterly basis for two years after completion of construction. The arborist's observations shall be reported to the County Forrester, including any loss of trees.

22. All mitigation oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance, once the trees have survived the required maintenance period.

23. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

24. Trenching, excavation or clearance of vegetation within the protected zone of an oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

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

26. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/ loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forrester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

27. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.

28. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.

29. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any oak tree. No temporary structures shall be placed within the protected zone of any oak.

30. Violations of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.

31. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance.

32. 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 or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it 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 as to be a nuisance.

33. The permittee shall defend, indemnify and hold harmless Los Angeles County (the "County), it 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 such claim, action, or proceeding and the County shall reasonably cooperate in the defense.

34. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed an deducted for the purpose of defraying the expense 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 by the department reach 80 percent of the amount on deposit 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.

    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 permittee according to Section 2.170.010 of the Los Angeles County Code.

35. As a means of ensuring the effectiveness of the mitigation monitoring measures set forth in the attached Mitigation Monitoring Program, the permitee shall submit mitigation monitoring reports to the Director. The reports shall describe the status of compliance with the mitigation measures adopted as conditions of this grant. The reports shall be submitted and approved in the following sequence:

    a) Prior to the submittal of a Revised Exhibit A to be approved by Regional Planning prior to the issuance of grading permits;

    b) Prior to the recordation of a final map;

    c) Prior to issuance of building permits;

    d) On an annual basis until such time as all mitigation measures have been implemented or completed; and

    e) Additional reports as required by the Director.

36. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map No. 53108 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map.

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.

37. This grant shall terminate upon the completion of all authorized oak tree removals and the completion of all required mitigation and monitoring to the satisfaction of the Department of Regional Planning and County of Los Angeles Forester and Fire Warden, Forestry Division.

38. Except as otherwise modified herein, the permittee shall comply with all recommended conditions and requirements set forth in the attached County of Los Angeles Forester and Fire Warden letter dated December 4, 2006, to the satisfaction of the Forester and Fire Warden.

Prior to Use of Permit

39. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and that the conditions have been recorded as required by Condition No. 40 and until all required monies have been paid pursuant to Condition No. 41 and 42.

40. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the terms of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.

41. Within five (5) days of 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 $ 2,500.

42. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of $5000.00. Such fees shall be used to compensate the County Forester to cover expenses incurred while inspecting the project to determine the permittee's compliance with these conditions of approval.

    The above fees provide for one (1) pre-construction meeting required to determine fencing placement in order to secure the protected zone of all remaining Oak trees, inspection of temporary fencing prior to the commencement of any construction and a subsequent five (5) year monitoring period requiring inspections until the conditions of approval have been met.

The Director of Planning and the County Forester shall retain the right to make regular and unannounced site visits.

43. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Planning and County Forester any failure to fully comply with the conditions of this grant. The arborist shall submit at the end of each year an annual monitoring report. The report shall include a diagram showing the exact number and location of all migration trees planted and describe the health, planting dates, any mortality and mitigation timeframe relating to permit compliance.

Prior to Issuance of a Grading Permit

41. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site to be determined prior to any grading. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester or the Director of Planning. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak Tree (before pruning) or 15 feet from the trunk, whichever is greater.

42. Prior to the planting of the trees, and before issuance of a grading permit the biologist/ arborist for the permittee shall determine planting sites, prepare planting plans and specifications, and a monitoring program, all of which shall be approved by the County Forester and the Department of Regional Planning.

43. Installation of fencing around the perimeter of the properties shall be of wrought iron or wood post type construction wherever the fencing passes within 10 feet of any oak trunk. No block walls or other type of fence or wall construction which requires substantial trenching for foundations shall be located within ten feet of any Oak tree in order to limit damage caused by such types of construction.

Attachments:
December 4, 2006: Letter from County Forester

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

RECEIVED
DEC 07 2006

December 4, 2006

Daniel Fierros, Regional Planning Assistant
Los Angeles County Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Fierros:

OAK TREE PERMIT #00-196, LANDMARK VILLAGE (RIVER VILLAGE) PROJECT, TM #53108

We have reviewed the "Request for Oak Tree Permit #00-196. The project is located south of State Route 126 near the intersection of Chiquito Canyon Rd., north of the Santa Clara River and west of Interstate 5. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on site. The term "Oak Tree Report" refers to the document on file by Impact Sciences the consulting arborist, dated June, 2006.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant.

   Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of $5000. Such fees shall be used to compensate the County Forester to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval.

   The above fees provide for one (1) pre-construction meeting required to determine fencing placement in order to secure the protected zone of all remaining Oak trees, inspection of temporary fencing prior to the commencement of any construction and a subsequent five (5) year monitoring period requiring inspections until the conditions of approval have been met.

   The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant.

   The arborist shall submit at the end of each year an annual monitoring report. The report shall include a diagram showing the exact number and locations of all mitigation trees planted and describe their health, planting dates, any mortality and mitigation timeframe relating to permit compliance.

4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.

5. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site to be determined prior to any grading. The fencing shall be determined and installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.

6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of a total of sixty-seven (67) Oak trees. Sixty-three (63) trees are of the Oak genus (*Quercus agrifolia*) numbered : 8, 9, 10, 51, 60, 61, 63, 64, **83***, 84, 248, 249, 250, 335, 336, 337, **338***, 339, 340, 341, 342, 343, **344***, 345, 346, 347, 348, **349***, 350, 351, **352***, 354, 355, 356, **357***, 396, 397, 398, 400, 401, **492***, 594, 1588, 1589, 1590, 1592, 1594, 1596, 1598, 3073, **4003***, 4016, 4017, 4018, 4019, 4022, 4025, 4026, 4027, 4028, 4055, 4056, 4057. Four (4) trees are of the of the genus (*Quercus lobata*) numbered **87***, 1587, **1597***, and 1591 on the applicants site plan and Oak tree report. A total of ten (10) of these trees to be removed are identified as **Heritage*** (in bold with an asterisk*), having a diameter greater than 36 inches.

   This grant allows encroachment within the protected zone of fourteen (14) trees of the Oak genus identified as Tree Numbers: 92, 93, 98, 99, 100, 439, 448, **488***, **489***, 498, **503***, 592, 1605, 4007 on the applicant's site plan map and Oak Tree Report. Three (3) of these trees are identified as **Heritage***. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two (2) inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one (1) tree be removed.

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

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for each tree removed and at a rate of ten to one (10:1) for each Heritage tree removed for a total of 214 mitigation trees.

11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base.

12. Mitigation trees shall be at a ratio consistent with the species of Oaks removed for a total of one hundred ninety (190) *Quercus agrifolia* and twenty four (24) *Quercus lobata* of indigenous varieties grown from a local seed source.

13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) year of the death of any tree, which results from its permitted encroachment. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The five-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five (5) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

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

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.

19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.

20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.

21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.

22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

If you have any additional questions, please contact this office at (323) 890-4330.

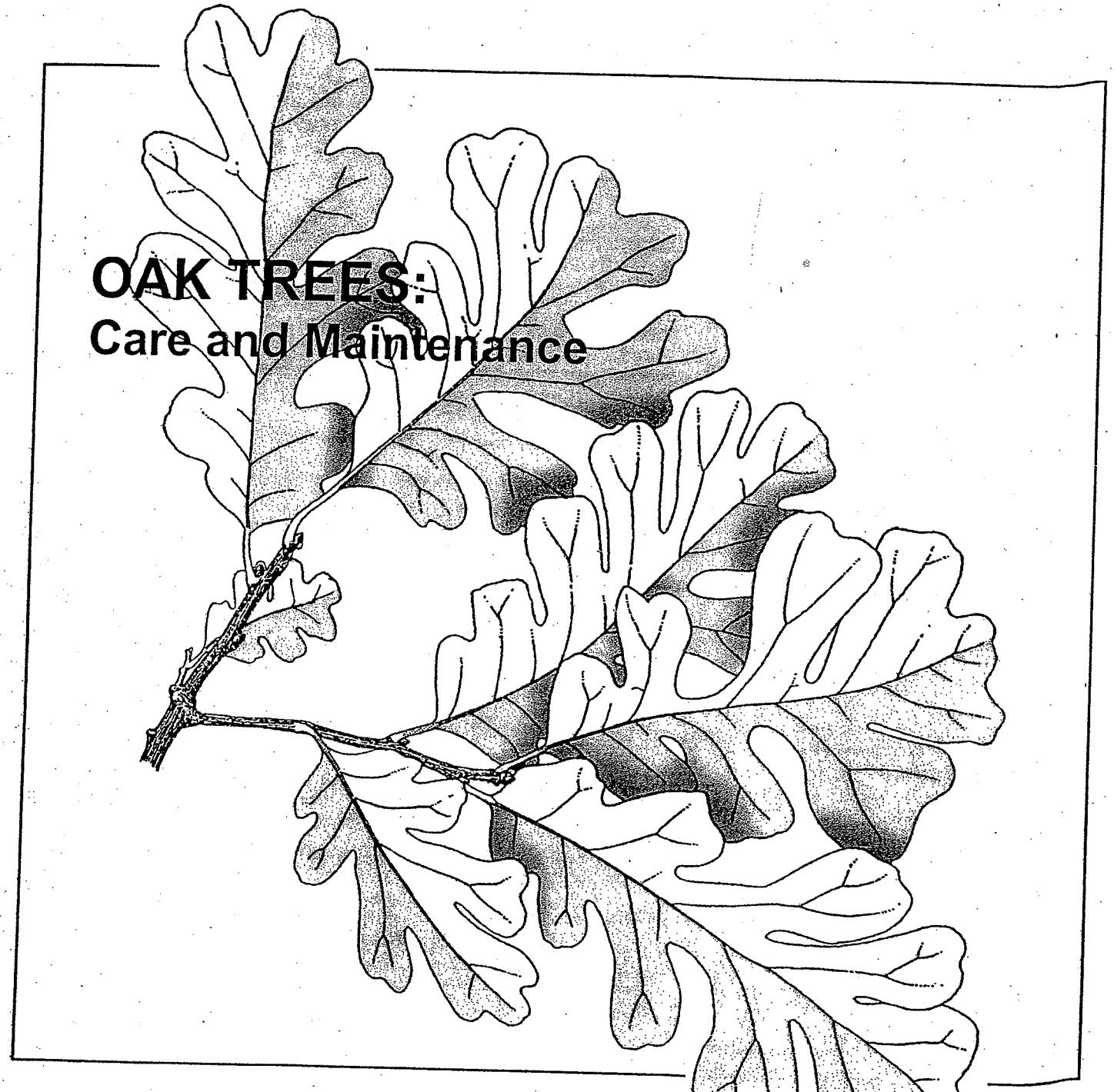
Very truly yours,

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:es

Enclosure

OAK TREES:
Care and Maintenance



This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or
- equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
http://planning.co.la.ca.us

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.

Valley Oak

QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 3"-4" LONG: PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS: FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERLY BY AGRICULTURE and URBAN DEVELOPMENT.

Coast Live Oak

QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG: SPINY, ROUNDED, AND HOLLY-LIKE: BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.

Interior Live Oak

QUERCUS WISLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD or WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS:
CALIFORNIA BLACK OAK: QUERCUS KELLOGGI
CANYON LIVE OAK: QUERCUS CHRYSOLEPIS
ENGELMANN OAK: QUERCUS ENGELMANNII

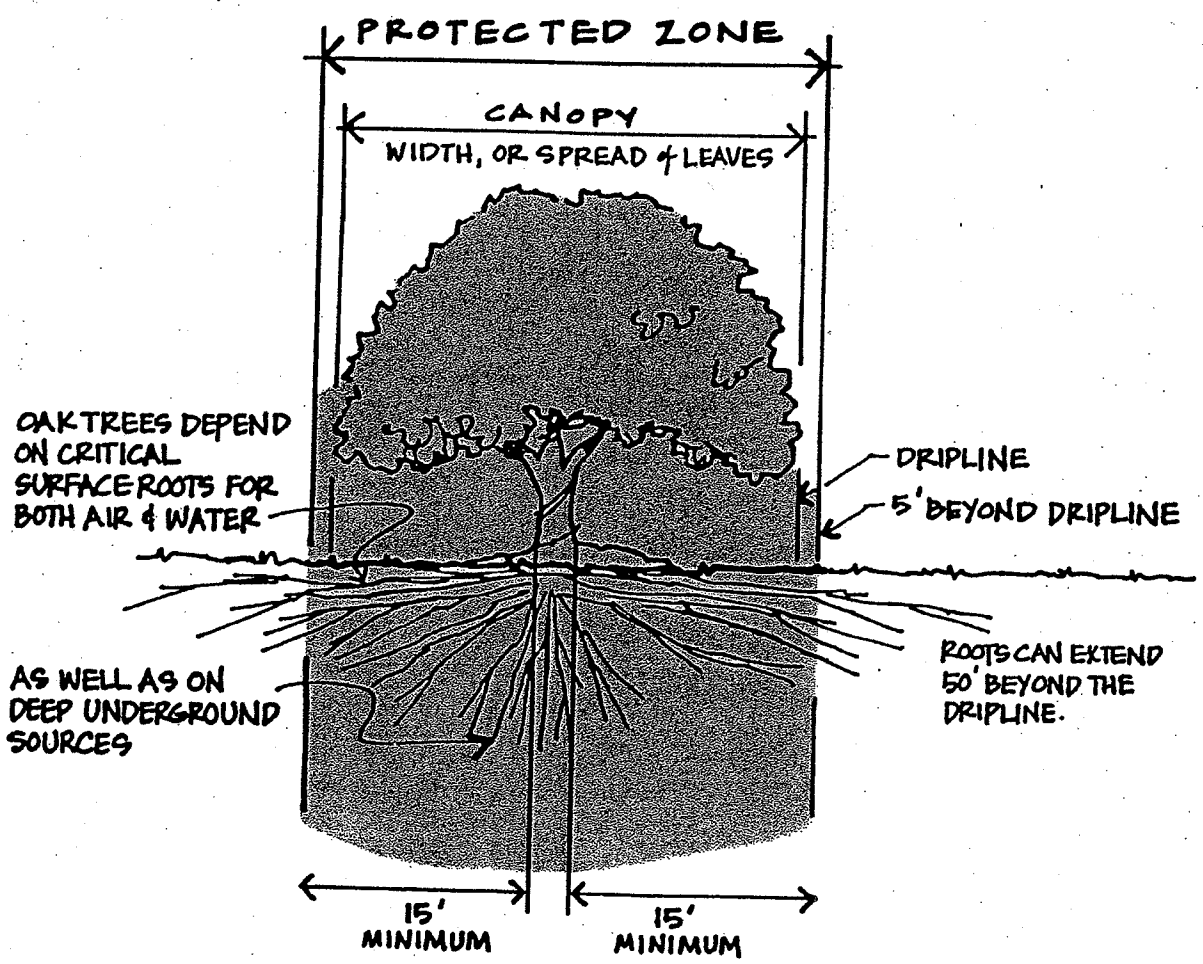
THE PROTECTED ZONE

The ***protected zone*** defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

> "The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

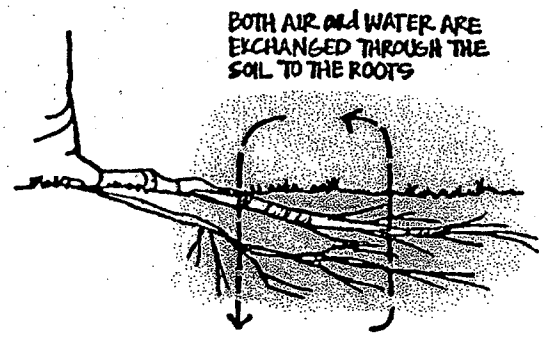
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

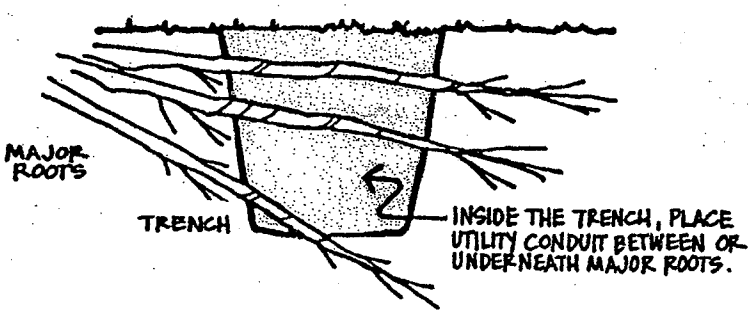
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

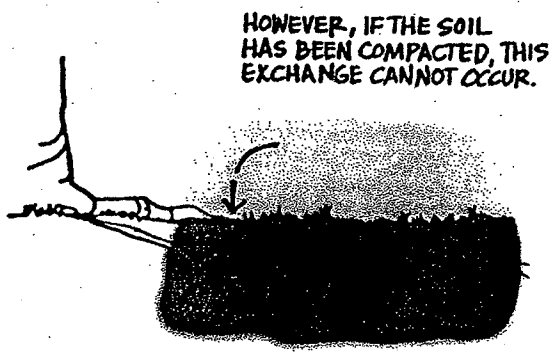
If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

SOIL COMPACTION



TRENCHING





MAINTENANCE

Watering

The key is prevention – **do not over water.** Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require **any** additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

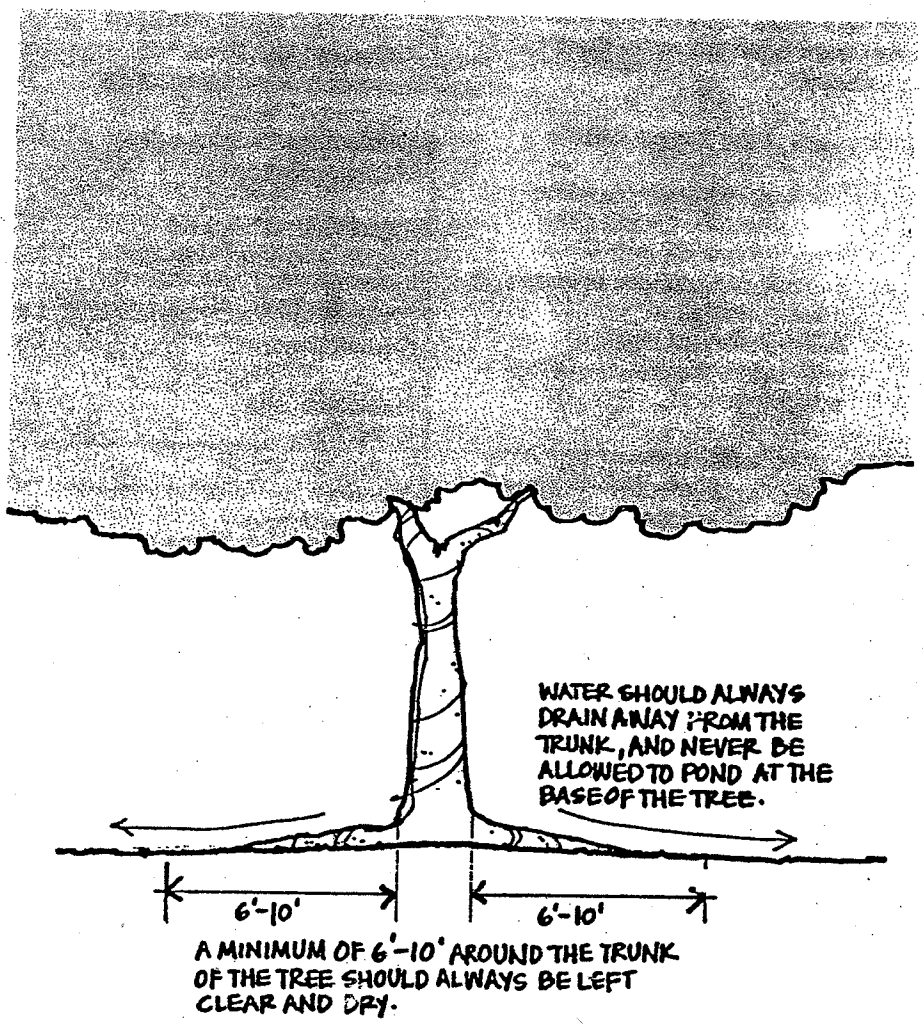
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
Arctostaphylos densiflora 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
Arctostaphylos edmundsii Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
Arctostaphylos hookeri Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
Ceanothus griseus horizontalis Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
Heuchera spp. Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
Mahonia aquifolium compacta Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
Ribes viburnifolium Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the *Sunset Western Garden Book* to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
http://lacofd.org/forestry.htm

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
http://danr.ucop.edu/ihrmp

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

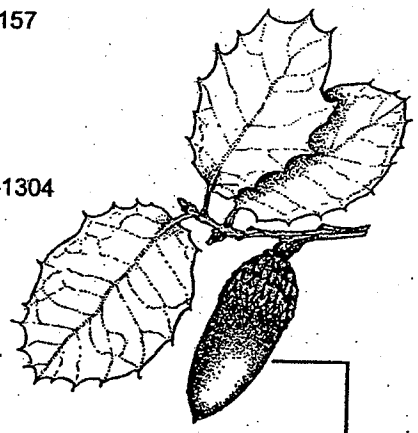
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



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Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001. Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.

County of Los Angeles Fire Department
Forestry Division

County of Los Angeles
Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

CONDITIONAL USE PERMIT NO. 2005-01121-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATE: January 31 and February 28, 2007

SYNOPSIS:
The applicant, Newhall Land and Farming ("Newhall"), approval for a 291-acre master-planned community development (Landmark Village) for the development of maximum 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail/residential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school. This project is within the "Riverwood" village of the adopted Newhall Ranch Specific Plan ("Specific Plan") approved by the Board of Supervisors in 2003.

The proposal requires amendments to the Los Angeles Countywide General Plan ("General Plan") and Santa Clarita Valley Area Plan ("Area Plan") to amend the Master Plan of Highways and Circulation Plan to eliminate "A" Street/Wolcott Road as a secondary highway, and amendment to the Specific Plan to downgrade "A" Street from a secondary highway to a local collector street. The project also requests approval of conditional use permits for compliance with requirements of development within a Significant Ecological Area/Special Management Area ("SEA/SMA"), onsite and offsite project grading and offsite utilities, including water tanks, and transport of materials. An oak tree permit is also required for removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks). The applicant also requests a determination of substantial conformance to the development regulations and implementation procedures of the Specific Plan related to shared parking, street widths, front yard setbacks and hillside resources.

The project site is located north of the Santa Clara River, south of SR-126, east of the Ventura County boundary, and west of Interstate 5 Freeway within the Specific Plan and in the Newhall Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:
<u>January 31, 2007 Public Hearing</u>
A duly noticed public hearing was held before the Regional Planning Commission. Commissioners Valadez, Bellamy, Rew, Helsley and Modugno were present. After opening the public hearing, the Regional Planning Commission heard the staff report, received testimony from the applicant and public testimony with concerns or in opposition to the project, the public hearing was continued to allow for additional time as requested by various agencies and individual citizens, to comment on the project and EIR. The public hearing was

continued to February 28, 2007, and the public comment period for the EIR was extended to February 20, 2007 (total 90-day public comment period). An initial list of comments on the project was also provided by the Commission for the applicant to respond at the continued public hearing to include the following items: potential incorporation of wireless technology within the project, interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raised about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Castaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society.

February 28, 2007 Continued Public Hearing

At the February 28, 2007 continued public hearing, Commissioners Valadez, Bellamy, Rew, and Modugno were present; Commissioner Helsley was absent. The applicant's provided rebuttal to issues and concerns raised by members of the public and responded to the items raised by the Commission at the January 31, 2007. Additional testimony was also taken from members of the public and varies agencies regarding the project. The Commission then raise additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed.

At the conclusion of testimony and discussion, the Commission discussed various issues presented at the public hearing and voted (4-0) to closed the public hearing, directed staff to prepare the Final Environmental Impact Report and prepare findings and conditions for consideration, directed the applicant to including the additional items raised by Commission, resubmit the tentative tract map for review by the Subdivision Committee to address the necessary technical corrections to accommodated the necessary changes reflecting Commission instruction.

Findings

1. Conditions Use Permit No. 2005-01121-(5) is a request pursuant to Section 22.56.210 of the Los Angeles County Code to authorize off-site project grading, and off-site utilities, including water tanks and transport of graded materials, in association with the Landmark Village.

2. Approximately 7.3 million cubic yards of grading will take place at the Adobe Canyon borrow site. The Landmark Village project requires the import of approximately 5.4 million cubic yard of earth from the Adobe Canyon borrow site to the Landmark subdivision site and the balance will be export for the

off-site utilities. Adobe Canyon is located approximately 4,000 feet south of SR-126, which is south of Landmark Village, south of the Santa Clara River, and east of the planned future Long Canyon Road. This is proposed to raise the boundary to avoid flooding issues with proximity to the Santa Clara River, and would use two haul routes on an existing agricultural crossing. This would required an adjustment to the County Floodway Boundary is needed to account for changes to the floodplain boundary resulting from the proposed project's flood protection improvements.

3. Grading will be required for utility installation involves earthwork such as excavation of trenches and stockpiling of soils. Earthwork volume estimates for installation of the utilities along SR126 utility corridor to the Newhall Ranch Water Reclamation Plan (WRP) to the west and the Valencia District WRP to the east is approximately 2.1 million cubic yards to be imported from the Adobe borrow site.

4. The Chiquito Canyon grading site located north of SR-126 will also require grading and will occur concurrently with the grading required for the widening of SR-126. The grading for the debris basins and water storage tanks in Chiquito Canyon and the widening of SR-126 combined will involve 1,019,000 cubic yards of raw cut. The net volume (after shrinkage) of 866,000 cubic yards will be placed as fill in accordance with County Ordinance requirements in three designated locations as indicated on the exhibit.

5. Off-site grading will also occur within the Santa Clara River, as part of the project's mitigation and habitat restoration. The removal of dirt will create a new edge of the river and occur concurrently with the bank stabilization efforts.

6. Conditional Use Permit No. 2005-01121-(5) was heard concurrently with Conditional Use Permit No. 00-196, Oak Tree Permit No. 00-196, General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196. The approval of this grant will not become effective until the Board of Supervisors has approved the general plan/local plan/specific plan amendment.

7. The total project, including offsite grading sites, is approximately 1,044 gross acres in size (including the utility corridor, Chiquito Canyon and Adobe Canyon grading sites). The property is irregular in shape with slight to steeply sloping terrain in offsite areas where grading is proposed. The subject property is disturbed by historic and ongoing agricultural activity but contains existing sensitive biological resources and habitat types, including upland scrub habitat and sensitive riparian habitat. The project boundary also includes coastal sage chaparral scrub, live oak woodland, southern cottonwood willow riparian habitat; and wildlife habitat including horned lizards, sparrows, blackbirds, kites, hawks and plovers, jackrabbits,

woodrats and mountain lion. The Santa Clara River, which within and south of the subdivision boundary, is also an SEA/SMA.

8. The current SP zoning on the subject property became effective on June 26, 2003, following the adoption of Ordinance No. 2003-0031Z, which established Zone Change Case No. 94-087-(5). The zone change was associated with the Specific Plan. The Specific Plan was adopted by the Los Angeles County Board of Supervisors ("Board") on May 27, 2003, along with a general and local (sub-plan) amendments, a conditional use permit and a tentative parcel map. The Specific Plan authorized the development of the approximately 11,963-acre property for 20,885 dwelling units with 423 second units; 629 acres of mixed use development (including 4,101 of the 20,885 units approved); 67 acres of commercial uses; 249 acres of business park land use; 37 acres of visitor-serving uses; 1,010 acres of open area (including 141 acres of community parks and 869 acres of other open areas); 5,159 areas within SMAs; 50 acres within 10 neighborhood parks; a 15-acre lake; public trail system; 18-hole golf course; two fire stations; one public library; one electrical substation; reservation of five elementary schools, one junior high school and one high school site; a 6.8-million gallon per day WRP; and other associated community facilities, such as roads and bridges.

9. Conditional Use Permit No. 94-087 was approved by the Board that authorized Specific Plan development within the SEA boundary, including bridge crossings, trails, bank stabilization, and other improvements. As part of the Board of Supervisors' project approvals for the Specific Plan, adjustments was made to the existing boundary of Significant Ecological Area (SEA) 23, consistent with General Plan policies requiring protection of natural resources within SEAs, Specific Plan development within the SEA boundary, including bridge crossings (*e.g.*, Long Canyon Road Bridge), trails, bank stabilization, and other improvements. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan "Special Management Area" (SMA) designation over the adjusted SEA 23 boundary.

10. The Specific Plan area is organized in five "villages," with the Landmark project within the "Riverwood" Village. Within the approximately 2,330 acres of Riverwood, 3,210 dwelling units and 234 second units were approved as well as 2,966,000 square feet of nonresidential square footage. The Santa Clara River is also a major Open Area feature within Riverwood.

11. The surrounding properties are zoned as follows:

North: Specific Plan, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing);

East: Specific Plan, A-2-5, M-1-½, P-R (Parking Restricted) and C-R (Commercial-Recreation);
South: Specific Plan; and
West: Specific Plan

12. The subject property is used for agricultural activity and related storage, and consists of four parcels from the previously approved Newhall Ranch Tentative Parcel Map No. 24500).

13. Surrounding land uses consist of the following uses:

North: SR-126, vacant property, scattered single-family residences, Chiquita Canyon Landfill and business parks;
East: Castaic Creek, RV park, and further east light industrial uses, agricultural land and Valencia WRP;
South: Santa Clara River and vacant land; and
West: Vacant property and agricultural land.

14. A range of housing types is provided in various clusters within Landmark Village. Traditional single-family lots (i.e. one home on each lot) are clustered in three areas along the southern portion of the subdivision: to the west, across from the proposed elementary school, and to the east. These lots have been designed for garage access from the front, and by alley from the back; and range in size from minimum 3,200 square feet to 6,000 square feet. Multi-family housing is also proposed both as for-lease apartments and for-sale condominiums, and generally in the northern portions of the subdivision and conceptual designs for site layout are depicted on the exhibit maps. Apartments, including affordable rental and for sale units, are proposed in the western portion, just east of the office and retail center identified in the Specific Plan as the Village Center. A total of 1,444 dwelling units are provided within the residential lots (308 single-family units and 1,136 multi-family units).

15. The Village Center is located east and west of Long Canyon Road on the western portion of the project. Retail and office are anticipated, with an approximate maximum of 1,033,000 square feet of office and retail space.

16. Two park sites (one public and one private) are depicted within the project site, an elementary school site and fire station are also proposed Actual site designs for the school and fire station are to be determined at a later stage. A minimum of 45 open space lots are provided, with 25 lots for open space and 20 lots for open space and utility purposes. These open space lots are depicted along the northern and southern boundaries of the project, adjacent to SR-126 and the Santa Clara River.

17. Access to the development will be served by Long Canyon Road and Wolcott Road. Both Long Canyon Road and Wolcott Road are the two points of connection from SR-126 with "A" Street as the internal main 'spine' collector road through the development. Long Canyon Road is a major highway, and provides at least 119 feet of right-of-way north of "A" Street with bike lanes in both directions of traffic as well as an eight-foot sidewalk and varying center planter widths. SR-126 is expected to be grade-separated (higher) than Long Canyon Road in the future, with the future interchange depicted as five northbound lanes (one left turn dedicated to SR-126, two for thru traffic under SR-126, and two for right turn traffic). Long Canyon Road also spans over the Santa Clara River as an 100-foot wide bridge to be constructed with this project. Wolcott Road is a secondary highway with 106 feet of right-of-way consisting of four travel lanes, a six-foot parkway and six-foot sidewalk on each side, and a 14-foot wide planter in the center. Wolcott Road is also depicted with a future interchange with SR-126.

18. "A" Street is depicted as a collector street with a 110-foot wide right-of-way, with varying widths of improvements. At its widest improvements, which is from Long Canyon Road to 200 feet east of Long Canyon Road, seven travel lanes are provided with bike lane on one side, and four feet of parkway and six feet of sidewalk on both sides; no on-street parking would be provided. At its narrowest, two travel lanes with center lane is provided, along with bike lanes on each side, 10-foot-parkway and six-foot sidewalk on one side, and 24 foot-wide swale and eight-foot trail provided on the other side. Private driveway lots are also proposed within the development, providing internal access in single-family and multi-family neighborhoods between the Village Center and the park/school, with widths ranging from 34 feet to 110 feet wide.

19. The Specific Plan locates the Landmark Village subdivision within its Riverwood Village, and identifies land uses within each Village with associated acreage, density and/or nonresidential square footage. The Specific Plan also includes exhibits for trails, circulation, resource management, drainage and water quality, water and sewer as well as its land use plan. The applicant has demonstrated the project's consistency with the provisions, goals and objectives within the Specific Plan.

20. The Specific Plan also requires affordable housing, with a total of 2,200 affordable units through the Specific Plan area (Specific Plan Section 3.10). Landmark Village proposes 301 affordable units: 161 for-sale homes for moderate income households, and 140 for-rent units for very low families.

21. Traffic studies were performed to indicate that the expected traffic volume can be accommodated with the proposed project circulation system as design. The circulation system includes features such as bike lanes and

trails along both sides of the street, roundabouts, curb extensions and rear or alley access intended to reduce design speed, eliminate cul-de-sacs, introduce traffic-calming features, reduced street widths to enhance pedestrian mobility.

22. The Master Plan of Trails within the Specific Plan is general in nature, and detailed trail locations are identified on the subdivision tentative map. These include walkways and parkways along streets, paseos, community trails and the regional river trail, in a hierarchy of trail sizes and functionality. Access points are also identified from the project to the regional river trail system as well as locations for observation and interpretive nature points. The regional river trail system is depicted in greater detail within the project site, and depict both an eight-foot wide County trail outside the subdivision boundary but on top of the bank stabilization, and a 16-foot wide riding and hiking trail that will also serve as the Los Angeles County Flood Control access road, and will be maintained by a Landscape Maintenance District ("LMD"). An interpretive trail is also depicted through private Recreation Lot No. 337 with a lookout point and interpretive nature station.

23. The Specific Plan Master Drainage Plan has been updated to reflect innovative methodologies to meet NPDES (National Pollutant Discharge Elimination System) requirements, and reflects a comprehensive system of flood control and desilting basins to maintain water quality standards. Open space that also double as open facility basins, are located adjacent to the subdivision boundary and the Santa Clara River to the south, as well as along SR-126 to the north. Additional water quality features such as grass swales and depressed roundabouts, provide additional area for water retention.

24. The Master Water Plan was designed in the Specific Plan for this portion with water main and reclaimed water lines along "A" Street. The Potable and Reclaimed Water Plan includes infrastructure lines to serve this development. A 2.7 million gallon water tank that is depicted on the Master Water Plan, is depicted within the Chiquito Canyon area. Water tanks are being proposed north of Landmark at Chiquito Canyon within the Valencia Commerce Center, and Round Mountain.

25. The Master Sewer Plan also depicts sewer infrastructure anticipated , with the sewer line system connecting to the Newhall WRP. A detailed Sewer Plan was prepared for this project that provides further refinement to the location of sewer main lines. Sewer service and connections is also proposed by two methods. Connection lines are proposed to extend east to the existing Valencia WRP near the SR-126/I-5 interchange if the Newhall WRP is not operational at the time Landmark requires connection. Eventual connection for the Landmark Village development will be Newhall WRP,

which is located further west. Connections for Landmark are shown with both options.

26. The River Corridor allows for certain uses, with mitigation required as stated in Section 2.6-2 of the Specific Plan. These mitigation requirements include restoration as well as enhancement, and establish requirements for management of this area. Access to the SMA through hiking, equestrian and biking trails is permitted as limited to the trail system itself. Adequate transition areas are provided by this development lies to the Santa Clara River. These include provision of a trail between the River Corridor and the development, ungrouted rock or buried bank stabilization where required to protect development areas, and minimum 100-foot buffers adjacent to the Santa Clara River.

27. The Commission has determine that Landmark Village is on substantial conformance with the criteria contained in the Specific Plan for shared parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria.

28. The applicant requests that reciprocal, offsite parking be included within the Joint Use or Shared Parking Plan option provided in the Specific Plan, with same requirements for making findings at such time when the uses are determined and actual parking requirements calculated.

29. The applicant has also requested a determination of substantial conformance for alternative street sections to reflect the intent of the development to be neotraditional, where emphasis is on pedestrian traffic as opposed to automobile traffic. Features in these alternative street sections include traffic calming devices, like chokers, curb extensions, roundabouts, etc. Such features have been much discussed with Public Works and the Los Angeles County Fire Department ("Fire Department") as well as Regional Planning to ensure that traffic capacity and life/safety issues are still addressed with these alternative street features. These are proposed on "A" Street and internal streets.

30. Within the development regulations of the Specific Plan, setbacks for the garage face are provided at 18 feet. The intent is for cars that are parked in the driveway, not block the sidewalk or travel lanes of the street. However, the Specific Plan did not provide in much detail, front yard setbacks for homes where the garage is oriented for a side entrance, or located in the rear of the lot for alley entrance. In these cases, the applicant has requested that a determination of substantial conformance be made that in these cases, a minimum front yard setback of 10 feet be maintained since driveways will be such that cars parked will not block the street as the intent of the 18-foot setback.

31. In approving this development, the Commission consider the following findings regarding development within an SEA:

    a. The proposed development would be consistent with the adopted General Plan and Area Plan for the Newhall Ranch Specific Plan site. The development such as bridge crossing, trails, bank stabilization, utilities, wells, mitigations sites, transport of grading materials within the SEA 23 boundary will be compatible with the existing biotic resources present, particularly when taking into account major factors influencing the realization of applicable General Plan objectives, including competing priorities between resource preservation and other General Plan policies and objectives;

    b. The development was designed to be highly compatible with biotic resources present in the existing SEA 23, including the setting aside of appropriate and sufficient undisturbed areas;

    c. The development was designed to maintain waterbodies, watercourses, and their tributaries in a natural state within the existing SEA 23;

    d. The development was designed so that wildlife movement corridors are left in a natural and undisturbed state within the existing SEA 23;

    e. The development retained sufficient natural vegetative cover and/or open spaces to buffer critical resources within the existing SEA 23 from the proposed development; and

    f. The development provided fences or walls where necessary to buffer important habitat within the existing SEA 23 from proposed development.

32. The Commission also determine the request as proposed is consistent with previously approved SEA CUP No. 94-087-(5), the Landmark Village project bank stabilization is consistent with the following objectives that were developed to balance the environment and flood control issues presented by the Santa Clara River, as required by the County General Plan. These objectives are as follows:

    a. The flood corridor must allow for the passage of Los Angeles County Capital Flood flows without the permanent removal of natural vegetation (except at bridge crossings);

    b. The bank of the river will generally be outside of the "waters of the United States" as defined by federal laws and regulations, and as

determined by the delineation completed by the United States Army Corps of Engineers ("Corps") in August 1993;

c. Where the Corps delineation width is insufficient to contain the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow without the necessity of permanently removing vegetation or significantly increasing velocity;

d. Where development is proposed within the existing Los Angeles County 50-year Capital Floodplain, the land where development is to occur will be elevated in conformance with Los Angeles County policies to remove it from the Floodplain; and

e. Bank stabilization will occur only where necessary to protect against erosion.

33. The proposed project includes community facilities such as schools, parks, utilities and fire station, which can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of Newhall Ranch Specific Plan, Area Plan, and General Plan.

34. The Landmark Village site is physically suitable for the type of development being proposed, since the project site is relatively level; has access to a County-maintained street; shall be served by public sewers; shall be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and shall have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works. Utilities planned to serve the Landmark Village project include water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics and reclaimed water lines. Much of the utility corridor within the project site is not located within the River Corridor SMA/SEA 23, however, its off-site connections will run through parts of the River Corridor SMA/SEA 23, which is consistent with the approved Newhall Ranch Specific Plan.

35. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the recommended conditions of approval.

36. Notices of public hearing were mailed to property owners within a 1,000-foot radius of the subject property as well as additional notices to those on the courtesty mailing list for projects in the Newhall and Castaic Canyon Zoned

Districts. The public hearing notice was published in The Signal and La Opinion on November 20, 2006. The Draft EIR was available for review at the Newhall Library, Valencia Library and Canyon County Jo Anne Darcy Library beginning November 20, 2006. Project materials, including a tentative tract map, site plan, and recommended conditions, were received at the Newhall Library on December 29, 2006. One large public hearing notice, eight feet wide by four feet high, was posted on the subject property along SR-126 on December 29, 2006. Public hearing materials were also posted on the Department of Regional Planning's website.

37. The applicant has also presented the project on several occasions to the Castaic Area Town Council. Comments have not yet been received from the Castaic Area Town Council regarding the project.

38. Correspondence from interested parties, environmental organizations, and responsible agencies was received in regard to the project. Many comments requested additional time to review the large volume of material associated with the EIR. The EIR comment period was extended for a total of ninety (90) days from November 20, 2006 to February 20, 2007.

39. Comments and recommendations from County departments and other agencies consulted during the environmental review process include the California Department of Fish and Game, Regional Water Quality Control Board, Native American Heritage Commission, California Highway Patrol, California Department of Transportation, Southern California Association of Governments, as well as City of Santa Clarita, County of Ventura, and United Water Conservation District. Other agencies that have provided correspondence include, among others, the Castaic Lake Water Agency, Audubon California, Sierra Club, California Water Network, Santa Clarita Organization for Planning and the Environment, Piru Neighborhood Council and Friends of the Santa Clara River. During the public hearing, much of the public testimony reiterated comments received in written correspondence on the Landmark Village Draft EIR.

During the public hearings, the applicant was requested to provide additional information on the following: potential incorporation of wireless technology within the project, elementary school site plan, community sustainability and smart growth, ownership and maintenance of the passive park, potential revisions to elementary school and public community park design, waste-to-energy facilities, concerns raised by the Native American Tataviam Band, trailhead and trail connections, cul-de-sacs along the project's western edge, setbacks from riparian areas, comments regarding studies from the Nature Conservancy, status of perchlorate clean-up, United Water Conservation District comments, and comments from the Audubon Society. The following responses have been provided:

- It has been determined that high-speed wireless technology (WiFi or its future equivalent) can be incorporated into commercial, mixed-use, and public areas.

- Discussions were held with the Castaic School District and the Los Angeles County Parks Department, which resulted in a proposed school plan depicting a nine-acre site more centrally located and now surrounded on three sides by the community park. The revised design provides additional buffer from the elementary school to SR-126.

- The passive portion of the Community Park will be maintained by a homeowners' association, but will be open to the public.

- Discussions with the Sanitation Districts of Los Angeles County determined that waste-to-energy facilities are no longer considered to be feasible due to permitting and regulatory requirements.

- The trailhead location will generally be located west of Long Canyon Road in a final location to be determined based on discussions with Parks and Recreation.

- The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians and their concerns have been resolved.

- A 100 foot setback is provided from the Santa Clara River, as required by the adopted Newhall Ranch Specific Plan.

- The Castaic Lake Water Agency and local water purveyors are proceeding with a containment and action plan to address perchlorate contamination in portions of the Saugus and Alluvium aquifers.

- The United Water Conservation District provided comments that the EIR complies with the terms of the settlement agreement.

- Additional wintering surveys have been completed for birds cited by Audubon and those surveys are included in the Landmark Village Final EIR. Those surveys do not change the conclusions of the Final EIR. Finally, prior to site disturbance, nesting studies will be undertaken.

- The applicant has prepared a Sustainability Summary, which incorporates sustainability measures into the Landmark Village project.

40. A program-level EIR was certified with the adoption of the Newhall Ranch Specific Plan, which found that there would be significant unavoidable impacts to biological resources, agricultural resources, visual resources, air quality and solid waste disposal. A Statement of Overriding Considerations was adopted by the Board, which concluded that there were significant overriding benefits with approval of the project. Public benefits include preservation of nearly 1,000 acres of the Santa Clara River, 4,200 acres of the High Country SMA/SEA 20, 1,517 acres of the Salt Creek area and other Open Areas; preservation of the River Corridor SMA/SEA 23 to retain significant riparian vegetation and habitat; over 50 miles of trails included the Santa Clara River Trail; and provisions for improved parks, schools, fire stations and 2,200 affordable homes.

41. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et.seq.) and State and County Guidelines related thereto. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report (EIR) would be required. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: **Aesthetic/Visual Quality, Agricultural Resources, Biota, Noise, Solid Waste Disposal, Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources**.

42. In accordance with state CEQA Guidelines and County Environmental Document Reporting Procedures and Guidelines, an EIR was prepared for the project. Identified potential impacts analyzed in the EIR found to be less than significant with project mitigation, include: **Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources**. The Draft EIR concludes that the project design and/or suggested conditions will result in significant residual and/or cumulative impacts in:

Biota
Aesthetic/Visual Quality
Noise
Agricultural Resources
Solid Waste Disposal

Of these impacts which cannot be mitigated to less than significant, noise is the only category that was not previously identified and included in the Statement of Overriding Considerations adopted as part of the adopted Newhall Ranch Specific Plan Program EIR.

43. A Final EIR for the Landmark Village project has been prepared in compliance with CEQA (Public Resources Code section 21000 *et seq.*), the state CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Landmark Village Final EIR consists of the Draft EIR, the technical appendices to the Draft and Final EIR, the responses to comments, and revised Draft EIR pages.

44. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Final EIR has been prepared. The Mitigation Monitoring Plan identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project is ensured, and its requirements have been incorporated into the conditions of approval for this project.

45. Mitigation measures which have been incorporated into the project, and included in the Mitigation Monitoring Plan, are listed in the Executive Summary of the Landmark Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.

46. The Commission finds substantial benefits resulting from the implementation of the project outweigh its avoidable effects on biota, visual quality, noise, agricultural resources and solid waste disposal.

47. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission'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 is the Section Head of the Major Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;

B. With the attached conditions and restrictions, 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 and 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 Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said 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 facilities as are required;

E. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community;

F. The development has provided adequate vehicular access, parking and loading so as to prevent undue traffic congestion on local streets and highways;

G. That the proposed use with the attached conditions and restrictions will be consistent with the Newhall Ranch Specific Plan;

H. With the attached conditions and restrictions, 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 and general welfare;

I. That the proposed site is adequate in size and shape to accommodate the development features to occur within the River Corridor SMA/SEA 23 in order to integrate said use with the uses in the surrounding area;

J. 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 facilities as are required; and,

K. That the proposed project and the provisions for its design and improvement are consistent with the density, goals and policies of the General Plan and Newhall Ranch Specific Plan, including SEAs, in that:

i.. The requested development is designed to be highly compatible with the biotic resources present including the setting side of appropriate and sufficient undisturbed areas;

ii. The requested development is designed to maintain water bodies, watercourses and their tributaries in a natural state;

iii. The requested development is designed so that wildlife movement corridors are left in an undisturbed and natural state;

iv. The requested development retains sufficient natural vegetative cover and/or open space to buffer critical resource areas for said requested development is compatible with the natural biotic, cultural, scenic, and open space resources of the area;

v. Where necessary, fences or walls are provided to buffer important habitat areas from development;

vi. Roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths; and

vii. The approval of the proposed development within the River Corridor SMA/SEA 23, to include project-related improvements, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance, the General Plan, and Newhall Ranch Specific Plan.

AND THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.040 and 22.56.210, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the Final Environmental Impact Report and subject to the Board's final action, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission and determines that that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have either been reduced to an acceptable level or are outweighed by specific social, economic, legal,

technological or other considerations of the project as stated in the attached Findings of Fact and Statement of Overriding Considerations for the project, which findings and statement are incorporated herein by reference;

2. Approves and adopts the Mitigation Monitoring Program for the proposed project incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan is adequately designed to ensure compliance with the mitigation measures during project implementation; and

3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 2005-01121-(5) is approved with the attached conditions subject to the Board's final action.

VOTE: 5-0-0

Concurring: Valadez, Bellamy, Helsley, Rew, Modugno

Dissenting: None

Abstaining: None

Absent: None

Action Date: January 9, 2008

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 2005-001121-(5)
(OFF-SITE GRADING, WATER TANKS, UTILITIES CORRIDOR)

For Information Only

1. The Landmark Village tract map site is within the boundaries of the approved Newhall Ranch Specific and the permittee is required to comply with its provisions and standards.

2. This grant authorizes the use of the subject property for the associated project grading for Landmark Village consisting of 1,444 residential units, 1,033,000 square feet of non-residential development; 73 acres of open space; an approximately 16-acre active/passive community park; approximately 5 acres of private recreational facilities; trail system; elementary school; and fire station. This permit also authorizes on-site and off-site project-related infrastructure in order to support the proposed Landmark Village project, including domestic and reclaimed water systems; water tanks; utilities (including sanitary sewers, cable, gas and fiber optics), located in the designated utility corridor; private driveways; and public streets. This grant ensures the project is consistent with provisions for development within a Significant Ecological Area (SEA) and authorizes the grading for, and construction of, off-site project-related infrastructure. **Exhibit A** depicts conceptual site development plans. Revised site plans to depict changes to the conceptual site plan shall be subject to the provisions of Section 5.2 of the approved Newhall Ranch Specific Plan.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.

4. This grant shall not be effective for any purpose until a duly authorized representative of the permittee and the owner of the subject property, if other than the permittee, have filed at the Office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 41, below, and until all required monies have been paid pursuant to Condition Nos. 42 and 44, below.

5. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. 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 or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if it 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.

7. 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.

8. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the 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 of the amount of 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.

9. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map 53108 should expire without recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.

10. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 53108 and the conceptual site design depicted on the **Exhibit A**, subject to the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

11. All development shall comply with the requirements of the approved Newhall Ranch Specific Plan unless specifically modified by this grant, as set forth in these conditions, including the approved **Exhibit A** or revised **Exhibit A** approved by the Director.

12. The mitigation measures set forth in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) are incorporated by this reference and made conditions of this permit and the permittee shall comply with the project's Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval as otherwise required by these conditions and on a annual basis until such time as all mitigation measures have been implemented or completed; and at such time as additional reports are required by the Director.

13. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 53108, and Oak Tree Permit No. 00-196-(5).

14. All utilities shall be placed underground to the satisfaction of the Department of Public Works.

15. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.

16. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.

17. All grading and construction and appurtenant activities, including engine warm-up, shall be restricted to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00p.m on Saturday. Pile driving and drilling is prohibited on Saturdays. No Sunday, or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences.

18. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Department of Public Works.

19. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activity is completed for the day. All clearing, grading, earthmoving, or excavation shall cease during periods of high wind (*i.e.*, greater than 20 miles per hour average over one hour) to prevent excessive amounts of dust.

20. Grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, borrow sites, and other on-site and off-site improvements shown on the approved **Exhibit A**. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or revised **Exhibit A** approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.

21. Phased grading has been requested and approved. Such grading may require additional interim infrastructure improvements not depicted on the tentative map but necessary to ensure compliance with the County Code such as debris basins, access roads, temporary utility lines, and other similar improvements to the satisfaction of the Department of Public Works.

22. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.

23. No construction equipment or vehicles shall be parked or stored on any existing public or private street.

24. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.

25. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.

26. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the

above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

27. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, 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.

28. The permittee shall utilize water saving devices and technology in the construction of this project consistent with the County Building and Plumbing Code and project mitigation measures.

29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project shall fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code section 17921.3, which requires low-flush toilets in all new construction; Title 24 of the California Code of Regulations sections 2-5352 (I) and (J), which requires hot water pipes to be insulated; and Government Code section 7800, which requires lavatories to have self-closing faucets in public restrooms.

30. If during construction soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board.

31. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of the Department of Public Works.

32. During construction, all large size truck trips shall be limited to off-peak commute periods.

33. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy equipment and/or materials, which requires the use of over-size transport vehicles on State highways.

34. The applicant shall provide approximately 73 acres of open space within the Vesting Tentative Tract Map No. 53108.

35. The permittee or its designee shall provide the Director with an annual status report throughout the construction phase of the project, which states the number of residential units constructed, the number affordable housing units constructed, the square footage of all commercial and industrial buildings completed, the dates of dedication or completion for all required infrastructure and community amenities, and the status of compliance with the project's Mitigation Monitoring Plan or other items as deem necessary by the Director.

36. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or a revised **Exhibit A** approved by the Director subject to Section 5.2 of the Specific Plan.

Prior to Use of the Grant

41. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the Office of the County Recorder. In addition, upon transfer or lease of all or any portion 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.

42. 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. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of $1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning 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 site plan on file. The fund provides for 10 annual inspections. Inspections shall be unannounced.

    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 of Regional Planning 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 payment is due (currently $150.00 per inspection).

43. 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 or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.

44. This project is not de minimus in its effect on fish and wildlife. Upon completion of the appeal period, the permittee shall remit processing fees in the amount of $2,500.00 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 and Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until this fee is paid.

45. Record a covenant with the County agreeing to comply with the approved environmental mitigation measures.

46. Upon completion of the appeal period, the permittee shall deposit the sum of $3,000.00 with the Department of Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the project's Mitigation Monitoring Plan. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant, subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented as reported in the required Mitigation Monitoring Report.

    The mitigation measures set forth in the Mitigation Monitoring Plan in the EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the subdivider shall submit Mitigation Monitoring reports to the Department of Regional Planning as frequently as may be required by the department.

47. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm the facilities that may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains, fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Bureau.

Prior to Issuance of a Grading Permit

48. As a means of ensuring the compliance with the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002), the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval prior to the issuance of any grading permits.

49. Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:

    (a) comply with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan and Section 22.56.210 of the County Code; and

    (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

50. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of onsite infrastructure and other features as deem necessary by the Director.

51. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site consistent with the approved mitigation measures to the satisfaction and approval of the Department of Public Works.

Prior to Recordation of a Final Map

52. As a means of ensuring the effectiveness of the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) mitigation monitoring shall be submitted to the Director of Planning (Director) for approval prior to the recordation of a final map.

Prior to Issuance of a Building Permit

53. Prior to the issuance of any building permit, site plans covering the applicable development phase as identified on the phasing map for

Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed construction:

(a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and

(b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

54. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, transport route, preservation of natural features, landscaping of altered open space and graded slopes, and other features as deem necessary by the Director.

55. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with the State Seismic Hazard Safety laws to the satisfaction of the Department of Public Works.

FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE TRACT MAP NO. 53108-(5)

1. The Regional Planning Commission ("Commission") of the County of Los Angeles has conducted a duly noticed public hearing in the matter of Vesting Tentative Tract Map No. 53108 on January 31, and February 28, 2007. Vesting Tentative Tract Map No. 53108 was heard concurrently heard with General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196-(5), Conditional Use Permit No. 00-196-(5), Oak Tree Permit No. 00-196-(5) and Conditional Use Permit No. 2005-01121-(5).

2. The proposed project ("Landmark Village") is located within the boundary of the approved Newhall Ranch Specific Plan. Landmark Village is the first phase of the approved Specific Plan.

3. Vesting Tentative Tract Map No. 53108 is a proposal to create 458 lots, including 308 single family lots, 21 multi-family lots for development of 282 detached condominiums, 347 attached condominiums, 451 for lease apartments and 56 additional dwelling units, which will be either for sale or for lease; 24 commercial lots for development of up to 1,033,000 square feet of office, retail and service uses, 12 private driveway lots, 3 recreation lots, 2 park lots, 1 school lot, 1 fire station lot, 1 trailhead lot, 1 park and ride lot and 84 open space lots (65 open space and 19 open space/public facility lots) on approximately 292.6 acres.

4. The subject property is located north of the Santa Clara River, south of State Route 126 (SR-126), east of the Ventura County boundary and west of Interstate 5 (I-5) within the boundaries of the adopted Newhall Ranch Specific Plan in the Newhall Zoned District.

5. The subject property is approximately 292.6 acres in size, and consists of four existing parcels. The total project site, including offsite improvements, is approximately 1,044 gross acres in size (including the utility corridor, Chiquito Canyon and Adobe Canyon grading sites). The property is irregular in shape with slight to steeply sloping terrain in offsite areas where grading is proposed. The subject property is disturbed by historic and ongoing agricultural activity but contains existing sensitive biological resources and habitat types. The Santa Clara River, which within and south of the subdivision boundary, is also an SEA/SMA.

6. Access to the development will be served by Long Canyon Road and Wolcott Road. Both Long Canyon Road and Wolcott Road are the two points of connection from SR-126 with "A" Street as the internal main 'spine' collector road through the development. Long Canyon Road is a major highway, and provides at least 119 feet of right-of-way north of "A" Street with bike lanes in both directions of traffic as well as an eight-foot sidewalk and varying center planter widths. Long Canyon Road also spans over the Santa Clara River as a 100-foot wide bridge to be

constructed with this project. Wolcott Road is a secondary highway with 106 feet of right-of-way.

7. The subject property is zoned "Specific Plan" (SP). The SP zoning of the property became effective on June 26, 2003, following the adoption of Ordinance No. 2003-0031Z, which established Zone Case No. 94-087-(5). The zone change was associated with the approval of the Newhall Ranch Specific Plan.

8. The Specific Plan area is organized in five "villages," with the Landmark project within the "Riverwood" Village. Within the approximately 2,330 acres of Riverwood, 3,210 dwelling units and 234 second units were approved as well as 2,966,000 square feet of nonresidential square footage. The proposal to development 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail uses on the project site is consistent with the parameter established by the Specific Plan.

9. Surrounding land uses include vacant property, scattered residential uses, Chiquita Canyon landfill, and Valencia Commerce Center to the north, Castaic Creek and Travel Village RV park, light industrial uses, agricultural land, and the Valencia WRP to the east, the Santa Clara River and vacant land to the south of the site, and vacant property and agricultural land to the west.

10. Surrounding zoning includes A-2-2 (Heavy Agriculture, 2-acre minimum lot area), A-2-5 (Heavy Agriculture, 5 acre minimum lot area), M-1.5-DP (Restricted Heavy Agriculture, Development Program), and SP (Specific Plan) to the north; A-2-5 (Heavy Agriculture, 5 acre minimum lot area), M-1.5(Restricted Heavy Agriculture), P-R (Parking Restriction), C-R (Commercial Recreation) and SP (Specific Plan) to the east; and the Newhall Ranch Specific Plan to the south and west.

11. Tentative Tract Map No. 53108-(5) was heard concurrently with CUP No. 2005-00012-(5), General/Local/Specific Plan Amendment No. 00-196-(5), CUP No. 00-196- (5), and Oak Tree Permit No. 00-196-(5). Approval of Tentative Tract Map No. 53108-(5) will not become effective until the Board of Supervisors has approved the general/local/specific plan amendment.

12. General/Area-Local/Specific Plan Amendment No. 00-196-(5) is a related request to remove "A" street from the County Masterplan of Highways, SCVAP Circulation Plan and the Newhall Ranch Specific Plan and redesignate it from a secondary highway to a local collector street.

13. Conditions Use Permit No. 2005-01121-(5) is a request pursuant to Section 22.56.210 of the Los Angeles County Code to authorize off-site project grading, and off-site utilities, including water tanks and transport of graded materials, in association with Landmark Village.

14. CUP No. 00-196-(5) is a related request to ensure that project-level SEA improvements are consistent with the Board's previously approved CUP No. 94-087 (SEA).

15. Oak Tree Permit No. 00-196-(5) is a related request to authorize the removal of 67 oak trees, including 10 heritage oaks. The request is also to permit encroachment within the protected zone, due to potential impacts from construction, of 14 oak trees, including three (3) heritage oaks.

16. In conformance with Section 5.2.2 of the Newhall Ranch Specific Plan, the applicant requested a determination of substantial conformance for the following: shared parking to allow off-site, reciprocal parking; street widths to allow "neotraditional" traffic calming features, including chokers, curb extensions and roundabouts; 10-foot front yard setbacks for side-oriented or alley loaded residences; and off-site transport of materials and hillside grading related to the grading operations at the Adobe Canyon and Chiquita Canyon borrow sites.

17. The proposed project includes community facilities, which can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of Newhall Ranch Specific Plan, Area Plan, and General Plan.

18. With the Specific Plan, the Board of Supervisors adopted the Newhall Ranch Master Trails Plan, which encompasses a comprehensive system of trails throughout the Specific Plan area, and provides potential connection points to regional trail systems within the Santa Clarita Valley. Proposed trails and paths within Landmark Village are located within the River Corridor SMA/SEA 23, which is consistent with the approved Newhall Ranch Specific Plan. These trails include a portion of the Regional River Trail (an improved pedestrian and bicycle route), and an equestrian trail.

19. Utilities planned to serve the Landmark Village project include water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics, and reclaimed water lines.

20. There are two transport routes that are proposed to cross through the River Corridor SMA/SEA 23, both of which generally coincide with operational agricultural river crossings already permitted by the California Department of Fish and Game. Off-site transport of materials shall comply with all applicable requirements of other County departments and other governmental agencies.

21. In order to provide future residents in the Santa Clarita Valley (including Newhall Ranch) with alternative modes transportation, reservation of a light rail right-of-way is proposed in conjunction with Landmark Village as well as the remainder of Newhall Ranch. The right-of-way will run parallel to SR-126 extending east and west from the project. The right-of-way will cross through the River Corridor SMA/SEA 23 at two points beyond the geographic limits of Landmark Village: both east and west of the project directly south of the SR-126 right-of-way. Furthermore, Landmark Village will have transit service from Santa Clarita Transit; and bus stops, pads and turnouts have been incorporated into the project. Finally, a park and ride lot/future transit station has also been incorporated into the project.

22. The project was presented to the Commission on January 31, 2007. The Commission heard the staff report. The applicant presented testimony regarding the project. Testimony was heard from 17 persons and representative from various agencies with concerns or in opposition to the project. At the conclusion of public testimony, the Commission discussed a number of issues. The public hearing was continued to allow for additional time as requested by various agencies and individual citizens, to comment on the project and EIR. The public hearing was continued to February 28, 2007, and the public comment period for the EIR was extended to February 20, 2007 (total 90-day public comment period).

23. At the January 31, 2007 hearing, an initial list of comments on the project was provided by the Commission for the applicant to respond at the continued public hearing to include the following items: potential incorporation of wireless technology within the project, interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raise about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Castaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society.

24. At the February 28, 2007 continued public hearing, the applicant's provided rebuttal to issues and concerns raised by members of the public and responded to the items raised by the Commission at the January 31, 2007 Public Hearing. Additional testimony was also taken from 18 members of the public and agency representatives regarding the project. The Commission then raised additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed. At the conclusion of testimony and discussion, the Commission discussed various issues presented at the public hearing and voted (4-0) to closed the public hearing,

directed staff to prepare the Final Environmental Impact Report and prepare findings and conditions for consideration, directed the applicant to including the additional items raised by Commission, resubmit the tentative tract map for review by the Subdivision Committee to address the necessary technical corrections to accommodated the necessary changes reflecting Commission instruction. The following responses have been provided:

- It has been determined that high-speed wireless technology (WiFi or its future equivalent) can be incorporated into commercial, mixed-use, and public areas.

- Discussions were held with the Castaic School District and the Los Angeles County Parks Department, which resulted in a proposed school plan depicting a nine-acre site more centrally located and now surrounded on three sides by the community park. The revised design provides additional buffer from the elementary school to SR-126.

- The passive portion of the Community Park will be maintained by a homeowners' association, but will be open to the public.

- Discussions with the Sanitation Districts of Los Angeles County determined that waste-to-energy facilities are no longer considered to be feasible due to permitting and regulatory requirements.

- The trailhead location will generally be located west of Long Canyon Road in a final location to be determined based on discussions with Parks and Recreation.

- The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians and their concerns have been resolved.

- A 100 foot setback is provided from the Santa Clara River, as required by the adopted Newhall Ranch Specific Plan.

- The Castaic Lake Water Agency and local water purveyors are proceeding with a containment and action plan to address perchlorate contamination in portions of the Saugus and Alluvium aquifers.

- The United Water Conservation District provided comments that the EIR complies with the terms of the settlement agreement.

- Additional wintering surveys have been completed for birds cited by Audubon and those surveys are included in the Landmark Village Final EIR. Those

surveys do not change the conclusions of the Final EIR. Finally, prior to site disturbance, nesting studies will be undertaken.

- The applicant has prepared a Sustainability Summary, which incorporates sustainability measures into the Landmark Village project.

25. The Regional Planning Commission finds the proposed subdivision and the provisions for its design and improvement are consistent with the density, goals and policies of the Newhall Ranch Specific Plan, as amended by General Plan/Local Plan/Specific Plan Amendment Case No. 00-196-(5).

26. The Newhall Ranch Specific Plan was adopted by the Board on May 27, 2003 as a comprehensive document to guide future development, with plans, development regulations, design guidelines and implementation procedures for a maximum of 21,308 dwelling units as well as approximately 5.5 million square feet of nonresidential uses over 11,963.9 gross acres. An EIR was prepared for the Specific Plan, which indicated that certain impacts could not be mitigated to less than significant, and with adoption of the Specific Plan, the Board also adopted a Statement of Overriding Considerations as there were overriding public benefits to approval of the project. These included that the project was designed to preserve over nine square miles, including the Santa Clara River; 'buried bank stabilization', has been incorporated into the project which is above and beyond the requirements of the County's General and Area Plan; the project uses 'livable community' concepts, including the mixed use category to combine commercial with residential and recreational, provide over 50 miles of pedestrian and bicycle trails, provide bus pull-ins, and a park-and-ride facility is planned; and new Water Reclamation Plant will be constructed.

27. Landmark Village is the first subdivision within the Specific Plan, and proposes a maximum of 1,444 dwelling units and 1,033,000 square feet of nonresidential uses on 292 acres. The property proposes single-family, for sale and lease attached and detached multi-family units, mixed use, office and retail commercial, and open space, including trails, parks and neighborhood recreation areas. An elementary school is also proposed as well as fire station.

28. The site is physically suitable for the type of development being proposed, since the property is relatively level and has adequate building sites to be developed in accordance with the grading ordinance; has access to a County-maintained street; will be served by public sewers; will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and will have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works.

29. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geologic and soils factors are addressed in the conditions of approval.

30. The design of the subdivision provides to the extent feasible, for future passive or natural heating or cooling opportunities therein, since the lots are of sufficient size so as to permit orientation of structures in an east-west alignment for southern exposure or to take advantage of shade or prevailing breezes. The design of the project is based upon the size and shape of the property.

31. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and on the tentative map, provide adequate protection for any such easements.

32. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Code.

33. The housing needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources.

34. This tract map has been submitted as a "Vesting" Tentative Map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the Los Angeles County Code (Subdivision Ordinance).

35. A program-level EIR was certified with the adoption of the Newhall Ranch Specific Plan, which found that there would be significant unavoidable impacts to biological resources, agricultural resources, visual resources, air quality and solid waste disposal. A Statement of Overriding Considerations was adopted by the Board, which concluded that there were significant overriding benefits with approval of the project. Public benefits include preservation of nearly 1,000 acres of the Santa Clara River, 4,200 acres of the High Country SMA/SEA 20, 1,517 acres of the Salt Creek area and other Open Areas; preservation of the River Corridor SMA/SEA 23 to retain significant riparian vegetation and habitat; over 50 miles of trails included the Santa Clara River Trail; and provisions for improved parks, schools, fire stations and 2,200 affordable homes.

36. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et.seq.) and State and County Guidelines related thereto. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the

environment and determined that an Environmental Impact Report (EIR) would be required. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: **Aesthetic/Visual Quality, Agricultural Resources, Biota, Noise, Solid Waste Disposal, Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources**.

37. In accordance with state CEQA Guidelines and County Environmental Document Reporting Procedures and Guidelines, an EIR was prepared for the project. Identified potential impacts analyzed in the EIR found to be less than significant with project mitigation, include: **Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources**. The Draft EIR concludes that the project design and/or suggested conditions will result in significant residual and/or cumulative impacts in:

Biota
Aesthetic/Visual Quality
Noise
Agricultural Resources
Solid Waste Disposal

Of these impacts which cannot be mitigated to less than significant, **noise** is the only category that was not previously identified and included in the Statement of Overriding Considerations adopted as part of the adopted Newhall Ranch Specific Plan Program EIR.

38. A Final EIR for the Landmark Village project has been prepared in compliance with CEQA (Public Resources Code section 21000 *et seq.*), the state CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Landmark Village Final EIR consists of the Draft EIR, the technical appendices to the Draft and Final EIR, the responses to comments, and revised Draft EIR pages.

39. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Final EIR has been prepared. The Mitigation Monitoring Plan identifies in detail the manner in which compliance with the measures adopted

to mitigate or avoid potential adverse impacts of the project is ensured, and its requirements have been incorporated into the conditions of approval for this project.

40. Mitigation measures which have been incorporated into the project, and included in the Mitigation Monitoring Plan, are listed in the Executive Summary of the Landmark Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.

41. The Commission finds substantial benefits resulting from the implementation of the project outweigh its avoidable effects on biota, visual quality, noise, agricultural resources and solid waste disposal.

42. This project is not *de minimus* in its effect on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.

43. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for Condition Use Permit No. 2005-01121-(5), Conditional Use Permit Case No. 00-196-(5), Oak Tree Permit Case No. 00-196-(5) and the Mitigation Monitoring Program.

44. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission'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 is the Section Head of the Major Projects Section, Los Angeles County Department of Regional Planning.

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the Final Environmental Impact Report and subject to the Board's final action, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission and determines that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have either been reduced to an acceptable level or are outweighed by specific social, economic, legal, technological or other considerations of the project as stated in the attached Findings of Fact and Statement of Overriding Considerations for the project, which findings and statement are incorporated herein by reference.

2. The Mitigation Monitoring Program for the proposed project incorporated in the Final EIR is approved and adopted and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the Mitigation Monitoring Plan is adequately designed to ensure compliance with the mitigation measures during project implementation.

3. In view of the findings of fact and conclusions presented above, Vesting Tentative Tract Map No. 53108 is **APPROVED** subject to the attached conditions and recommendations of the Subdivision Committee and further subject to the final action the Board of Supervisors.

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
VESTING TENTATIVE TRACT MAP NO. 53108
(TEMTATIVE AND EXHIBIT MAP DATE: MAY 2, 2007)

DRAFT CONDITIONS

For Information Only

1. Conform to the applicable requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance) and the requirements of the Newhall Ranch Specific Plan. Also, conform to the requirements of Conditional Use Permits No. 00-196-(5) and No. 2005-001121-(5), Oak Tree Permit No. 00-196-(5) and the Mitigation Monitoring Plan.

2. Except as otherwise specified in these conditions or by Conditional Use Permits No. 00-196-(5) and No. 2005-00112-(5), or by a determination of Substantial Conformance as established by the Specific Plan, conform to the applicable requirements of the Newhall Ranch Specific Plan ("Specific Plan").

3. The subdivider 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 tentative approval which action is brought within the applicable time period of Government Code section 66499.37 or any applicable limitation period. The County shall promptly notify the applicant of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

4. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000.00, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the subdivider or the subdivider's counsel. The subdivider 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 of the amount deposit, the subdivider shall deposit additional funds 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;

(b) At the sole discretion of the subdivider, 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 permittee according to Los Angeles County Code section 2.170.010.

5. Except as expressly modified hereinabove, this approval is subject to all those conditions set forth in Conditional Use Permits No. 00-196-(5) and 2005-001121-(5), Oak Tree Permit No. 00-196-(5), the Mitigation Monitoring Program, which is incorporated by this reference, and the attached reports recommended by the Los Angeles County Subdivision Committee, consisting of the Department of Public Works, Fire Department, Department of Parks and Recreation and Department of Health Services.

6. Permission is granted to adjust lot lines to the satisfaction of the Department of Regional Planning and Department of Public Works.

7. Permission is granted to use modified street sections as shown on Vesting Tentative Tract Map No. 53108 to the satisfaction of the Department of Public Works.

8. Permission is granted to create additional open space lots to the satisfaction of the Department of Regional Planning.

9. Permission is granted to record a large lot parcel map as the first unit, without improvements, subject to the following:

   (a) The lots shall conform to those shown on the tentative map or as approved by the Department of Regional Planning;

   (b) Each lot shall be numbered on the final map and shall have a minimum gross area of 20 acres;

   (c) Access to each lot shall be provided to the satisfaction of the Department of Regional Planning and the Department of Public Works; and

   (d) All Department of Public Works conditions have been met to its satisfaction.

Prior to Use

10. This project is not de minimus in its effect on fish and wildlife, upon termination of the appeal period, remit processing fees (currently $2,550) 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 California Public Resources Code and section 711 of the California Fish and Game Code to defray the costs of fish and wildlife protection and

management incurred by the California Department of Fish and Game. No project subject to this requirement is final, vested or operative until the fee is paid.

11. Upon termination of the appeal period, deposit the sum of $3,000.00 with the Department of Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports require by the Mitigation Monitoring Plan. The mitigation measures set forth in the Mitigation Monitoring Plan in the EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the subdivider shall submit Mitigation Monitoring Reports to the Department of Regional Planning as frequently as may be requested by the department.

Prior to Recordation of a Final Map

12. Submit a copy of the project Conditions, Covenants and Restrictions ("CC&Rs") and any maintenance agreements and covenants to the Los Angeles County Department of Regional Planning ("Regional Planning") for review and approval.

13. Submit evidence that the conditions of the associated Conditional Use Permits No.00-196-(5) and No. 2005-00112-(5) and Oak Tree Permit No. 00-196-(5) have been recorded with the office of the County Recorder.

14. In order to ensure compliance with previously approved SEA Conditional Use Permit No. 94-087-(5), approved with the Newhall Ranch Specific Plan, the permittee shall submit a report, prior to recordation of the first unit map, describing how the conditions of approval of that permit have been or are being met.

15. Concurrent with recordation of the first unit map, record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures set forth in the approved Mitigation Monitoring Plan of the Environmental Impact Report ("EIR"). Prior to recordation, submit a copy of the covenant to the Director of Regional Planning ("Director") for review and approval.

16. Except for flag lots, provide at least 40 feet of street frontage at the property line for all lots fronting on a cul-de-sac and knuckles, and at least 50 feet of street frontage for all lots with a net area greater than 5,000 square feet. Lots with a minimum net area between 4,500 and 4,999 square feet may provide 40 feet of street frontage. No more than 114 single-family lots may have a minimum net area of 4,500 square feet (Lots 8-31, 115-158 and 210-255). Provide approximately radial lot lines for each lot.

17. Show "A" Street, Long Canyon Road, Wolcott Road, "Y" Street, "B" Street, "C" Street, "D" Street, "E" Street, "F" Street, "G" Street, "H" Street, "I"

Street, "J" Street, "K" Street, "L" Street, "M" Street, "N" Street, "O" Street, "Q" Street and "Z" Street as dedicated streets on the final map.

18. Dedicate access rights and construct or bond for a wall to the design standards depicted in the Newhall Ranch Specific Plan (Planning Notebook dated October 2007) and the Landmark Village EIR, on SR-126 to the satisfaction of the Department of Public Works and Department of Regional Planning.

19. Dedicate vehicular access rights on the final map from all lots abutting SR-126, Wolcott Road and Long Canyon Road and right to restrict access for lots fronting "A" Street.

20. Construct or bond with the Los Angeles County Department of Public Works for driveway paving associated with private drives and fire lanes.

21. Provide for the ownership and maintenance of the common driveways through a maintenance agreement by the owners of the lots served or a homeowners' association. Submit a copy of the agreement to be recorded to the Department of Regional Planning for approval.

22. Post all common driveways with less than 26' with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the project's CC&Rs or in a maintenance agreement. Submit a copy of the CC&Rs or maintenance agreement to the Department of Regional Planning for approval.

23. Provide reciprocal easements for ingress and egress over shared or common driveways.

24. Dedicate to the County of Los Angeles on the final map the right to prohibit any development on the open space lots (Lot Nos. 295, 317-324, 348, 355, 356, 362-366, 378-381, 386, 387, 391, 392, 398, 416-419, 422-434, 436-453, 455-458); and residential construction rights on debris basin lots 310-316, 382, 383, 390, 393-397 and 399-402. Record an open space building restriction area over the above listed lots on the final map.

25. Provide for the ownership and maintenance of the open space lots by the homeowners' association or dedicate the open space lots to a public agency or other entity consistent with the provisions of the Newhall Ranch Specific Plan.

26. Number all open space lots on the final map and provide access, a minimum of 15 feet in width, to each open space lot to the satisfaction of Regional Planning.

27. Place a note on the applicable final map to allow reservation of the right to develop the commercial lots shown on Vesting Tentative Tract Map No. 53108 within the future light rail right-of-way if the right-of-way is deemed unnecessary after that map records.

28. Dedicate lot 344 (park) to the County of Los Angeles.

29. Provide for the maintenance of the private park lot 377 and private recreation lots 330, 336 and 340 in the project CC&Rs.

30. Dedicate the trails to the County of Los Angeles concurrent with recordation of the final map. Submit evidence to the Department of Regional Planning that conditions related to trail dedication have been met to the satisfaction of the Department of Parks and Recreation.

31. Dedicate lot 420 (fire station) to the County of Los Angeles Consolidated Fire District.

32. Prior to recordation, the permittee shall submit a copy of the recorded affordability covenant ensuring that 301 affordable housing units are provided. This development shall reserve at least 161 for-sale residential units for moderate-income households or homebuyers and 140 for-rent units for very low income households or renters in accordance with the Newhall Ranch Affordable Housing Implementation Plan dated **September 18, 2007** to the satisfaction of the Director. The applicant shall record and continually administer a covenant and agreement or other mechanism furnished by the applicant deemed appropriate and subject to prior approval by the County Counsel and the Community Development Commission to effectively insure the continuing availability of the designated affordable housing for qualified persons and families for the time specified in the Plan.

33. Lots designated for apartment or condominium uses on Vesting Tentative Tract Map No. 53108 are approved for either use. Use the standard lease project or condominium note on the final map. Prior to final map recordation, the subdivider shall submit an Exhibit Map for lots designated for apartment or condominium uses for approval by the Subdivision Committee pursuant to Section 21.60.015 of the County Code to ensure substantial conformance with the Specific Plan and the Zoning Ordinance (Title 22).

34. As agreed, the applicant shall comply with the provision of the Sustainability Summary submitted for the project. Prior to recordation of the first unit map, the subdivider shall submit a report which details how the project complies with that summary.

35. The applicant has entered into an agreement with the Hart School District to ensure adequate service to this project. Submit a copy of an executed agreement to ensure adequate school facilities will be provided to the satisfaction of the William S. Hart Union High School District prior to recordation of the first unit map.

36. Include conditions in the project CC&Rs, which require continued maintenance of the planting for lots having planted slopes.

37. Per Section 21.32.195 of the County Code, plant or cause to be planted at least one tree of a non-invasive species within the front yard of each residential lot. The location and the species of said trees shall be

incorporated into a site plan or landscape plan. Post bond with the Department of Public Works to ensure the planting of the required trees to the satisfaction of Department of Regional Planning.

38. Permission is granted to record multiple final maps, including the recordation of unit maps over previously recorded lots approved for multi-family and commercial development. The boundaries of the unit final maps shall be to the satisfaction of the Los Angeles County Subdivision Committee. Each final map to record shall comply on its own, or in combination with previously recorded maps, with the open space and lot area requirements of the Specific Plan. Prior to clearance of each final map, submit the following:

    (a) A phasing map, indicating the boundaries of the current final map, the boundaries and status of all previously filed final unit maps, and the expected boundaries and phasing of all future final maps; and

    (b) A summary sheet on the phasing map, indicating the number and type of all lots shown, including open space breakdown by acreage and type, on the current and all previous final maps.

    Multiple copies of the phasing map shall be submitted to the Department of Regional Planning for circulation and approval by the Subdivision Committee.

39. The mitigation measures set forth in the project mitigation measures in the Landmark Village Final EIR are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 53108. Comply with all such mitigation measures in accordance with the Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to the Director of Regional Planning for approval prior to recordation of the final unit map.

Prior to Issuance of a Grading Permit

40. No grading permit shall be issued prior to the recordation of a final map unless the Director determines that the proposed grading conforms to the conditions of this grant and the conditions of Vesting Tentative Tract Map No. 53108, SEA Conditional Use Permit No. 00-196-(5), Conditional Use Permit No. 2005-00112-(5) and Oak Tree Permit No. 00-196.

Prior to Issuance of a Building Permit

41. Prior to issuance of a building permit, three copies of a landscape plan, which may be incorporated into a revised site plan, shall be submitted and approved by the Director as required by Conditional Use Permit No. 2005-00112-(5).

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53108 (Rev.)

TENTATIVE MAP DATED 05-02-2007
EXHIBIT MAP DATED 05-02-2007

The following reports consisting of 32 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

For information only:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.

2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.

3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.

Prior to recordation of a Final Map:

5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

DGR

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.

7. Prior to final approval of the tract map submit a notarized affidavit to the Director of Public Works, signed by all owners of record at the time of filing of the map with the Registrar-Recorder/County Clerk's Office, stating that any proposed condominium building has not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the Registrar-Recorder/County Clerk's Office.

8. Place standard condominium/residential planned development/commercial planned development/Landscape Maintenance District notes on the final map to the satisfaction of Public Works. The formation of the Landscape Maintenance District for all median and parkway landscaping must be approved by the Department of Parks and Recreation.

9. Place standard lease purpose only notes on the final map to the satisfaction of Public Works.

10. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

11. Reserve reciprocal easements for drainage, ingress/egress, utilities, and maintenance purposes, etc., in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.

12. If unit filing occurs, reserve reciprocal ingress and egress easements in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.

13. Furnish Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.

14. A Mapping & Property Management Division house numbering clearance is required prior to approval of the final map.

15. Design the boundaries of the unit final maps to the satisfaction of the Departments of Regional Planning and Public Works.

16. The first unit of this subdivision shall be filed as Tract No. 53108-01, the second unit, Tract No. 53108-02, ... and the last unit, Tract No. 53108.

17. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

18. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.

19. Quitclaim or relocate easements running through proposed structures.

20. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

21. Show open space note and dedicate residential construction rights over the open space lots.

22. If ~~all~~ possible, modify the boundaries of the open space lots or add additional open space lots to include the airspace easements for sight distance to the satisfaction of the Department of Regional Planning and Public Works.

23. Permission is granted to record large lots (20-acre or more) parcel map as shown on the insert map provided full street right of way and slope easements are dedicated along the latest IEC approved alignments on Route 126 (Henry Mayo Drive) and Long Canyon Road to the satisfaction of the Department of Public Works. In addition, make an offer of private and future right of way and dedicate slope easements along all remaining interior streets on alignments to the satisfaction of Public Works. This permission is contingent on deletion of the secondary highway south of and parallel to SR 126 from the County Highway Plan.

24. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of $2,000 (Minor Land Divisions) or $5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HW

Prepared by Henry Wong Phone (626) 458-4915 Date 06-18-2007

tr53108L-rev10.doc

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
WWW.LADPW.ORG

TRACT NO: 53108

TENTATIVE MAP DATE: 05/02/07
EXHIBIT MAP DATE: 05/02/07

DRAINAGE & GRADING CONDITIONS OF APPROVAL, PHONE: (626) 458-4921

Prior to Hydrology/Storm Drain Approval/Issuance of Grading Permit:

1. Provide drainage facilities to remove the flood hazard. A hydrology study for design of drainage facilities is required. Hydrology study must be submitted and approved prior to submittal of improvement plans. This is required to the satisfaction of the Department of Public Works.

2. Final pad elevations for buildings shown on the Exhibit Map sheets shall be within +/- 5 feet of the proposed contours, which cross the approximate center of each individual building pad, depicted on the Vesting Tentative Tract Map.

3. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).

4. Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.

5. Contact the Corps of Engineers to determine if a permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).

6. A maintenance permit is required from the State Department of Fish and Game, the Corps of Engineers, and the State Water Resources Control Board for debris basins with a minimum capacity of 5,000 cubic yards. This is required to the satisfaction of the Department of Public Works.

7. This site is located in Zone "A" per the Federal Flood Insurance Rate Map. Public Works, Watershed Management Division (626) 458-4322, should be contacted to obtain procedures for revising the flood insurance rate map once the storm drain facilities are constructed. Encroachment into FEMA Zone "A" is not permitted prior to obtaining a Conditional Letter of Map Revision (CLOMR) from FEMA.

8. Comply with the requirements of the Drainage Concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 07/05/07 (revised onsite drainage concept) and 11/29/06 (offsite hydraulics only) to the satisfaction of Public Works.

9. The location of the alternative onsite debris basin as shown on the approved drainage concept is not necessarily approved. The location of the basin shall be determined in the hydrology study to

the satisfaction of Public Works. Modification of the existing Caltrans culvert may be required. This may require a lot configuration change, a change in the number of lots, a revised drainage concept, a revised environmental document, and/or a revised tentative map.

10. The overflow of the existing Chiquito Landfill basin for the alternative onsite debris basin is not fully addressed in the approved drainage concept. This issue must be addressed in the hydrology study to the satisfaction of Public Works. This may require a lot configuration change, a change in the number of lots, a revised drainage concept, a revised environmental document, and/or a revised tentative map.

11. The sizing and design of the proposed non-structural SUSMP system is not fully addressed in the approved drainage concept. Centralized water treatment devices or equivalent may be used as an alternative to the proposed non-structural SUSMP. The sizing, design, and final locations of the proposed SUSMP mitigation shall be addressed in the hydrology study to the satisfaction of Public Works. This may require a lot configuration change, a change in the number of lots, a revised drainage concept, a revised environmental document, and/or a revised tentative map.

12. The top and toe elevations for the levee-lining will require further analysis of the Newhall Ranch Development within the tributary drainage areas and the evaluation of the resulting fluvial impacts (if any) to the Santa Clara River as related to changes in tributary sediment delivery pre- versus post-development condition. The final design and permitting for this tract development requiring bank protection will be based upon the final results as concluded in the "HEC-RAS AND PHASE 1 FLUVIAL ANALYSIS" approved on 04/18/06 and the Phase 2 Fluvial Studies under process and yet to be finished.

13. Locations of trails as shown on the approved drainage concept are not approved.

14. Maintenance of the trail/fill over buried bank stabilization is not a responsibility of L.A. County or LACFCD. An agreement memorializing the maintenance responsibilities must be in place to the satisfaction of Public Works.

15. The non-structural utility corridor embankment is not to be maintained by LACFCD. An agreement memorializing the maintenance responsibilities must be in place to the satisfaction of Public Works.

16. Comply with the requirements of "Newhall Ranch Santa Clara River HEC-RAS Modeling Report dated December 2005 (I-5 to Ventura County Line)" and "Newhall Ranch-Santa Clara River Phase 1 Fluvial Study dated March 6, 2006 (final date pending)" approved on 04/18/06 and the approval letter from Land Development Division of LACDPW.

17. Portions of the County Adopted Floodway (maps 43-ML23, 43-ML24, 43-ML25, and 43-ML26) must be revised and/or rescinded by the Board of Supervisors. The project will involve placement of earth fill within the existing Santa Clara River and result in relocating the River through the construction of the improvements. The proposed flood control improvements for this project affecting the County Adopted Floodways include (1) soil cement levee-lining for the fill associated with the development, (2) offsite soil cement levee-lining at south bank of the River, (3) WRP Utility Corridor soil cement levee-lining, (4) SR 126 Utility Corridor non-structural bank erosion protection with Turf Reinforced Mats, and (5) Long Canyon Bridge. The improvements within the existing river will result in relocating the floodplain and require revising the existing County Ordinanced Floodways.

18. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.

Prior to recordation of a Final Map or Parcel map Waiver:

1. Provide fee title lot for debris basins/inlets to the satisfaction of the Department of Public Works.

2. Dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works.

3. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This is required to the satisfaction of the Department of Public Works.

4. Form an assessment district to finance the future ongoing maintenance and capital replacement of all SUSMP devices/systems. The developer shall cooperate fully with Public Works in the formation of the assessment district. SUSMP devices/systems may include, but are not limited to, catch basin inserts, debris excluders, biotreatment basins, vortex separation type systems, and other devices/systems for stormwater quality.

5. The developer shall deposit the first year's total assessment based on the engineers estimate as approved by Public Works. This will fund the first year's maintenance after the facilities are accepted. The second and subsequent years assessment will be collected through the property tax bill.

6. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map.

Name Yong Guo DS Date 07/31/07 Phone (626) 458-4921
YONG GUO

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
1 Geologist
__ Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT MAP 53108
SUBDIVIDER Newhall Land & Farming Co. / Newhall Ranch Co.
ENGINEER Psomas
GEOLOGIST & SOILS ENGINEER Allan Seward

TENTATIVE MAP DATED 5/2/07 (Revision)
LOCATION Newhall Ranch
REPORT DATE 2/10/01, 9/27/00 (00-1702R-4)

[X] **TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:**

[X] The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the GMED. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. Reports must address grading shown on sheet 5 of the Tentative Map. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.

[X] All geologic hazards associated with this proposed development must be eliminated,
or
delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.

[ ] A statement entitled: "Geotechnical Note(s), Potential Building Site: For grading and corrective work requirements for access and building areas for Lot(s) No(s). _____ refer to the Soils Report(s) by _____ ,dated _____."

[X] The Soils Engineering review dated 6/5/07 is attached.

[ ] **TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:**

[ ] This project may not qualify for a waiver of final map under section 21.48.140 of the Los Angeles County Title 21 Subdivision Code.

[ ] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.

[ ] Geology and/or soils engineering reports may be required prior to approval of building or grading plans.

[ ] Groundwater is less than 10 feet from the ground surface on lots _____

[ ] The Soils Engineering review dated _____ is attached.

Prepared by _____ Reviewed by _____ Date 6/5/07
Geir Mathisen

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COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 8.2
Job Number LX001129
Sheet 1 of 1

DISTRIBUTION:
___ Drainage
___ Grading
___ Geo/Soils Central File
___ District Engineer
___ Geologist
___ Soils Engineer
___ Engineer/Architect

Tentative Tract Map	53108
Location	Newhall Ranch
Developer/Owner	Newhall Land and Farming Company/Newhall Ranch Co.
Engineer/Architect	Psomas
Soils Engineer	Allen E. Seward Engineering Geology, Inc. (03-1702R-4)
Geologist	Allen E. Seward Engineering Geology, Inc.

Review of:

Revised Tentative Tract Map and Exhibit Dated By Regional Planning 5/2/07
Soils Engineering and Geologic Report and Addenda Dated 10/29/03, 2/10/01, 9/27/00
Previous Review Sheet Dated 12/28/05

ACTION:

Tentative Map feasibility is recommended for approval, subject to conditions below:.

REMARKS:

At the grading plan stage:

1. Provide geotechnical report addressing all the offsite grading shown on the Tentative Map.
2. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

NOTE TO PLAN CHECKER / APPLICANT:

ANY EXTENSIVE REVISIONS TO THE PROPOSED GRADING DETERMINED TO BE REQUIRED AT THE GRADING STAGE FOR THE OFFSITE AREA MAY REQUIRE A REVISED TENTATIVE TRACT MAP.

REGISTERED PROFESSIONAL ENGINEER
JEREMY WAN
NO. C67563
EXP. 6/30/07
STATE OF CALIFORNIA

Prepared by Jeremy Wan Date 6/5/07

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.

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For Your Information

1. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets. Reversing curves of local streets need not exceed a radius of 1,500 feet, and any curve need not exceed a radius of 3,000 feet.

2. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way and on all the streets where grades exceed 10 percent.

3. Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent (1,000 feet for multi-lane highways or industrial collectors). If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate.

4. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection.

5. Reversing curves and compound curves through intersections should be avoided when possible. If unavoidable, the minimum centerline radius of reversing curves and compound curves through intersections shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

6. The minimum centerline radius on a local street with an intersection street on the concave side shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

7. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

8. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.

9. At tee intersections involving local streets, the maximum permissible grade of the through street across the intersection is 10 percent. For intersections involving multi-lane highways, the maximum permissible grade of the through street is three percent. For 4-legged intersections, the maximum permissible grade of the through street is 8 percent.

10. Permission is granted to use the 58-foot modified local street section with 34 feet in roadway width with parking allowed on both sides of the street.

11. Permission is granted to use modified street cross-sections as shown on the tentative map to the satisfaction of Public Works. However, the subdivider may elect to construct standard and/or alternate street cross section to the satisfaction of Public Works. If alternate street cross sections are proposed, construct additional sidewalk pop-out along the property frontage on all applicable streets in the vicinity of any above ground utilities to meet current ADA requirements to the satisfaction of Public Works.

Prior to Approval of the Road Improvement Plan:

12. Permission is granted to use a minimum longitudinal grade of 0.70% on public streets where engineered fill is proposed. The preparation of the subgrade shall conform with the soils report prepared by Allan E. Seward dated August 27, 2007, which shall then be reflected on the grading plan.

13. Provide minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections.

14. Access for "U" Drive (see lot 342 adjacent to the westerly school/park driveway entrance) shall be limited to right in/out only. The median configuration shown on the tentative map is not approved; median geometrics shall conform with the approved signing and striping plan.

15. Obtain an encroachment permit from Caltrans for all improvements along Henry Mayo Drive (SR-126)

16. Prepare detailed 1" = 40' scaled signing and striping plans for all multi-lane streets /highways including Henry Mayo Drive (SR-126), Long Canyon Road, Wolcott Road, "Y" Street, and "A" Street within or abutting this subdivision to the satisfaction of Public Works and Caltrans.

17. Prepare detailed 1" = 40' scaled signing and striping plans for all off-site intersections affected by this subdivision as indicated in the attached letter dated December 9, 2004 from our Traffic and Lighting Division to the satisfaction of Public Works and Caltrans.

18. Setback the raised median nose a minimum of 20 feet from the right of way within all private driveway and fire lanes and streets (where applicable) to the satisfaction of Public Works.

19. Provide intersection sight distance for a design speed of:

    a. 70 mph or to the satisfaction of Public Works and Caltrans on SR-126 (westerly direction) from Long Canyon Road;

    b. 60 mph (650 feet) on Long Canyon Road from the commercial driveway serving Lot 351/353 (northerly direction) and from the commercial driveway serving Lot 367/368(southerly direction);

    c. 45 mph (465 feet) on "A" Street from the commercial driveway serving lot 352 (easterly direction, looking towards the center of the through lane on the northerly side of "A" Street east of Long Canyon Road); from the commercial driveway serving lots 367/375 (easterly direction); from the commercial driveway serving lots 374/375 (westerly direction), if a left-turn movement is proposed; from the park driveway serving lot 344 (easterly direction); from the school driveway lot 345 (easterly direction); from "L" Street (westerly direction); from "N" Street (both directions);

    d. 30 mph (310 feet) on "C' Street from "D" Street (southwesterly direction); on "F' Street from "D" Street (easterly direction); on "J" Street from "K" Street (westerly direction); on "N" Street from the westerly intersection with "Q" Street (easterly direction); on "O" Street from "N" Street (southerly direction); on "O" Street from the easterly intersection with "Q" Street (southwesterly direction); on "Q" Street from the westerly intersection with "N" Street

(northerly direction); and on "Q" Street from the easterly intersection with "N" Street (northwesterly direction).

Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional grading may be required. With respect to the position of the vehicle at the minor road, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the top of curb (TC) or flow line (FL) prolongation. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. We use 6 feet from TC as a conservative rule, in the case of pop outs we use 6 feet from TC of the travel lane. When looking right, the target is the center of the lane nearest to the centerline or from the median TC (when present). We use 6 feet from centerline or from the median TC as a conservative rule.

20. Comply with the following street lighting requirements:

a. Provide street lights on concrete poles with underground wiring within the tract boundaries on all streets and highways including Henry Mayo Drive (SR-126) to the satisfaction of Public Works and Caltrans. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.

b. The proposed development or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.

(1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

(2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.

(3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300 4726.

c. The annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

d For acceptance of street light transfer of billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.

21. Design all affected intersections and driveway entrances along Long Canyon Road and Wolcott Road to be compatible with vertical approaches to the future grade separations at the Henry Mayo Drive (SR-126) interchanges and at the Santa Clara River to the satisfaction of Public Works.

22. Additional comments/requirements: The street profiles along Long Canyon Road and Wolcott Road showing the vertical approach to the proposed interchanges, the at-grade intersections at SR-126 (Henry Mayo Drive), and at the Santa Clara River (Long Canyon Road only) as shown on the tentative map are not necessarily approved. The design and construction on Long Canyon Road and Wolcott Road must be compatible with the ultimate improvements on SR-126 and the Santa Clara River (Long Canyon Road only) to the satisfaction of Public Works.

Prior to Recordation of the Final Map (Or By a Separate Agreement)

23. Provide property line return radii of 13 feet at all local street intersections, and 27 feet at the intersection of local streets with planned highways (those on the County Highway Plan) and where all planned highways intersect or where one of the roads serves a commercial or industrial development plus additional right of way for corner cut off to meet current guidelines of the Americans with Disabilities Act (ADA) to the satisfaction of Public Works.

24. Dedicate vehicular access rights on SR-126, unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.

25. Dedicate right of way to the satisfaction of Public Works and Caltrans a minimum of 70 feet from the latest approved centerline on Henry Mayo Drive (SR-126). The proposed 140-foot typical section of Henry Mayo Drive (SR-126) is conditionally approved. Approval is contingent on the traffic study demonstrating that the projected traffic volumes do not exceed the capacity of this roadway. If so, provide additional right of way for additional lanes, exclusive left-turn lanes, exclusive right-turn lanes, and transition improvements to the satisfaction of Public Works and Caltrans. The cross sections and lane configurations as shown are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

26. Make an offer of future right of way and provide slope easements at the future Henry Mayo Drive (SR-126) / Long Canyon Road Interchange and Henry Mayo Drive (SR-126) / Wolcott Road Interchange to the satisfaction of Public Works.

27. Dedicate variable width right of way on Long Canyon Road as shown on the tentative map, or as necessary to satisfy the geometrics per the approved signing and striping plan to the satisfaction of Public Works. The alignment on Long Canyon Road shall conform with the latest approved centerline, per P-265(PW).

a. Long Canyon Road within this tract is a major highway added to the County Highway Plan through the adoption of the Newhall Ranch Specific Plan. The applicant shall prepare an alignment for Long Canyon Road and obtain Public Works approval. An exception for a 60 mph design speed for Long Canyon Road within Tract 53108 must be approved by Public Works. For more information, please contact Barry Witler or appropriate representative at (626) 458-4351.

b. Approval is contingent on the traffic study demonstrating that the projected traffic volumes do not exceed the capacity of this roadway. If so, provide additional right of way for exclusive left-turn lanes, exclusive right-turn lanes, and transition improvements on Long Canyon Road.

c. The cross sections and lane configurations as shown are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

d. Permission is granted to use modified street sections on Long Canyon Road subject to review and approval to the satisfaction of Public Works. The proposed 124 – 135 foot typical sections are conditionally approved with a median width of 14 feet and pavement on each side of the raised median at least 42 feet wide between curbs.

e. Dedicate additional right of way on Long Canyon Road in the vicinity of the bridge to provide full-width sidewalk with 8 feet of clearance on the bridge."

f. Maintain a minimum of 8 feet wide parkway on Long Canyon Road.

g. Establish a landscape maintenance district, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways (if applicable) on Long Canyon Road.

28. Dedicate variable width right of way (100 -116 feet) along "A" Street (from Long Canyon Road to Wolcott Road) as shown on the tentative map (for design speed of 45 mph) or as necessary to satisfy the geometrics per the approved signing and striping plan to the satisfaction of Public Works.

a. Approval is contingent on the traffic study demonstrating that the projected traffic volumes do not exceed the capacity of this two-lane roadway. If so, provide additional right of way for additional lanes, exclusive left-turn lanes, exclusive right-turn lanes, and transition improvements.

b. The cross sections and lane configurations as shown are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

c. Permission is granted to use modified street sections along "A" Street from Long Canyon Road to Wolcott Road subject to review and approval to the satisfaction of Public Works. The proposed 116-foot typical sections of "A" Street are conditionally approved with a median width of 14 feet and pavement on each side of the raised median at least 30 feet wide between curbs to accommodate one travel lane, a striped bike lane, and a parking lane.

d. Maintain a minimum of 12 feet wide parkway on "A" Street.

e. The details of the sidewalks, landscaping, and swales in the parkway are not necessarily approved. Establish a landscape maintenance district, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways on "A" Street.

29. Dedicate variable width right of way (98 – 108 feet) along Wolcott Road from Henry Mayo Drive (SR-126) to "A" Street as shown on the tentative map (for design speed of 45 mph) or as necessary to satisfy the geometrics per the approved signing and striping plan to the satisfaction of Public Works.

a. Approval is contingent on the traffic study demonstrating that the projected traffic volumes do not exceed the capacity of this two-lane roadway. If so, provide additional right of way for exclusive left-turn lanes, exclusive right-turn lanes, and transition improvements.

b. The cross sections and lane configurations as shown are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

c. Permission is granted to use modified street sections on Wolcott Road. The proposed 108-foot street section on Wolcott Road is conditionally approved. Design the cross sections for Wolcott Road to provide lane configurations: with a median width of 14 feet and pavement on each side of the raised median at least 26 feet curb to curb (no parking, no bike lane), 32 feet curb to curb (on street parking, no bike lane), or 31 feet curb to curb (no parking, on street bike lane) and parkway width to the satisfaction of Public Works. Provide standard lane configurations based on cross sections for a secondary highway in accordance with Section 21.24.065 of the Subdivision Ordinance proposed cross sections and/or based on the approved traffic study to the satisfaction of Public Works.

d. The details of the sidewalks and landscaping in the parkway are not necessarily approved. Establish a landscape maintenance district, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways on Wolcott Road.

30. Dedicate right of way at all proposed roundabout location as prescribed by the approved signing and striping plan to the satisfaction of Public Works. Roundabout configuration shown on the tentative map are not necessary approved

31. Dedicate the right to restrict vehicular access on Long Canyon Road, Wolcott Road and "A" Street. All proposed driveway locations, driveway widths, median setbacks, and median openings as shown on the tentative map are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

32. Dedicate right of way 40 feet from centerline including a standard cul-de-sac bulb on "Y" Street for a design speed of 45 mph to the satisfaction of Public Works. If required, provide additional right of way at the intersection with Long Canyon Road to the satisfaction of Public Works.

33. Dedicate right of way 32 feet from centerline on "A" Street from Wolcott Road to "D" Street.

34. Dedicate right of way 29 feet from centerline on "A" Street from "D" Street to "C" Street, "B" Street, "C" Street, " D" Street, " E" Street, " F" Street, "G" Street, "H" Street, "I" Street, "J" Street, "K" Street, "L" Street, "M" Street, "N" Street, "O" Street, "Q" Street, and "Z" Street.

35. Dedicate additional right of way for standard knuckles and standard cul-de-sac bulbs to the satisfaction of Public Works.

36. All site plans shall be reviewed and approved by Public Works prior to final approval.

37. The Newhall Ranch Specific Plan also included a secondary highway through this tract (south of and parallel to SR-126). The deletion of this future highway requires the approval of a highway plan amendment to the Specific Plan.

38. Permission is granted to record large lots (20 acre or more) parcel map as shown on the insert map provided full street right of way and slope easements are dedicated along the latest approved alignments on Henry Mayo Drive (SR-126) and Long Canyon Road to the satisfaction of Public Works. In addition, make an offer of private and future right of way and dedicate slope easements along all remaining interior streets (including Wolcott Road) on alignments to the satisfaction of Public Works. This permission is contingent on deletion of the secondary highway south of and parallel to SR-126 from the County Highway Plan.

39. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works, or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

40. Construct curb, gutter, base, pavement, and sidewalk on all streets and highways (except SR-126) to the satisfaction of Public Works.

41. Construct improvements along the property frontage on Henry Mayo Drive (SR-126) to the satisfaction of Caltrans.

42. Construct additional pavement on Henry Mayo Drive (SR-126) as may be determined necessary to mitigate project impacts to provide exclusive right-turn lanes, left-turn lanes, and transitions at entrance street intersections to the satisfaction of Public Works and Caltrans.

43. Construct drainage improvements (and parkway drains, if needed) and offer easements needed for street drainage or slopes to the satisfaction of Public Works. Where streets or highways are located within flood hazard areas or subject to inundation, provide adequate freeboard and slope protection to the satisfaction of Public Works. Construct adequate embankment protection along any sections of highways or streets located within flood plain boundaries or subject to inundation. Adequate freeboard shall also be provided.

44. As indicated in the attached letter dated December 9, 2004 from our Traffic and Lighting Division, install traffic signals (both on-site and off-site) for all signalized intersections and prepare 1" = 20' scaled traffic signal plans to the satisfaction of Public Works. If required, provide additional right of way to the satisfaction of Public Works.

45. Comply with the mitigation measures (including off-site improvements) identified in the attached December 9, 2004 letter from our Traffic and Lighting Division to the satisfaction of Public Works. It shall be the sole responsibility of the subdivider to acquire the necessary off-site right of way and/or easements.

46. If needed, the location of the driveway to Lot 352 and the southerly driveway to Lot 354 on "Y" Street shall be relocated to reflect the conceptual plan to the satisfaction of Public Works.

47. Provide adequate spacing (minimum of 50 feet) on the northerly driveway to Lot 354 between the right of way and the first curb opening to the parking area for buildings A and B (shown on Exhibit Map Sheet 7 of 12) to the satisfaction of Public Works.

48. Plant street trees on all local streets and highways (except SR-126).

49. Construct the pedestrian bridge over Henry Mayo Drive (SR-126) to the satisfaction of Public Works and Caltrans. The foundation of the pedestrian bridge shall be located outside of the road right of way. Provide ADA access to the pedestrian bridge from public street. Easement is tentatively required.

50. Construct a slough wall outside the street right of way when the height of the slope is greater than five feet above the sidewalk and the sidewalk is adjacent to the street right of way. The wall shall not impede any required line of sight.

51. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway

52. Install postal delivery receptacles in groups to serve two or more residential lots.

53. Provide and install street name signs prior to occupancy of buildings.

Prepared by Joseph Nguyen Phone (626) 458-4921 Date 12-11-2007
tr53108r-rev10 (Revised 12-11-07).doc

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
www.ladpw.org

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

IN REPLY PLEASE
REFER TO FILE: T-4

December 9, 2004

Mr. Daryl Zerfass
Austin-Foust Associates, Inc.
2020 North Tustin Avenue
Santa Ana, CA 92705-7827

Dear Mr. Zerfass:

RIVER VILLAGE
TENTATIVE TRACT NO. 53108
TRAFFIC IMPACT ANALYSIS (SEPTEMBER 28, 2004)
CASTAIC JUNCTION AREA

As requested, we have reviewed the above-mentioned document. The project is located in the unincorporated County of Los Angeles area of Castaic Junction. The project site is bounded by State Route (SR) 126 to the north, the Santa Clarita River to the south, and the Castaic Creek to the east.

The proposed project, River Village, is the first phase of the Newhall Ranch Specific Plan (NRSP). The NRSP has been approved for approximately 21,000 residential dwelling units. River Village consists of the development of 591 single-family detached dwelling units, 398 condominium units and 455 apartments units for a total of 1,444 residential dwelling units; a 750 student elementary school; a 20.9-acre public park; and 1,040,000 square feet of commercial uses. The project is estimated to generate approximately 41,880 vehicle trips daily, with 2,910 and 4,160 vehicle trips during the a.m. and p.m. peak hours, respectively. The document addresses the project in three development phases: 2007 for Phase I, 2008 for Phase II, and 2010 for Phase III. Phase I consists of 500 residential units. Phase II consists of the remaining residential units, the elementary school, 100,000 feet of commercial uses, and the public park. Phase III consists of the balance of the commercial uses for 940,000 square feet.

FILE COPY

We have received a separate technical report for the proposed west and east roundabouts for the intersections of Driveway – Tentative Tract No. 53018, Lots 373 and 374; and Wolcott Road; both at "A" Street – Tentative Tract No. 53108, respectively. We will provide additional comment on the roundabouts, as we complete our review of the submitted report.

We generally agree with the traffic impact analysis and require the following traffic impact mitigation measures with the project approval. The traffic impact analysis shall be revised to be consistent with mitigation measures contained in this letter.

- The main access for River Village will be provided from SR-126 via the existing intersections of Wolcott Way and Chiquito Canyon Road. Future phases of the NRSP will provide access to and from south via Long Canyon Road. Unless an updated long range study is prepared which demonstrates that the intersections will adequately handle the area buildout traffic as at grade intersections, adequate road right of way shall be reserved for future grade separated interchanges at these two locations, as approved in the NRSP.

- The study is based on the Santa Clarita Valley Consolidated Traffic Model and assumes the following roadway improvements will be in place with Phase I of the project. In accordance with our Traffic Impact Analysis Report Guidelines (TIARG), these improvements shall be made a condition of approval for the project to be in place prior to issuance of any building permit(s) for Phase I of the project.

  - Reconstruct the Golden State (I-5) Freeway/SR-126 Freeway interchange by adding access to eastbound SR-126 from southbound I-5, access to southbound I-5 from westbound SR-126, direct access to northbound I-5 from westbound SR-126, and widening bridge to 8 lanes.

  - Construct Newhall Ranch Road segment between Vanderbilt Way and Copper Hill Drive/Rye Canyon Road.

- The traffic signals shall be installed at the following intersections. The design and the construction of the traffic signals shall be the sole responsibility of the project. The signals shall be in place at their ultimate design locations prior to the issuance of any building permit(s) for the indicated phase of the project to the satisfaction of Public Works.

Phase I: Wolcott Way at Henry Mayo Drive (SR-126)

Phase II: Chiquito Canyon Road and Long Canyon Road (Future) at Henry Mayo Drive (SR-126)

Phase III: Long Canyon Road at "Y" Street and "A" Street (TT 53108)

- The traffic generated by the project alone will significantly impact the following intersections. The following improvements shall be the sole responsibility of the project and be a condition of approval to be in place prior to the issuance of any building permit(s) for the indicated phase. Detailed striping and signal modification plans must be submitted for review and approval.

PHASE I

Wolcott Way at Henry Mayo Drive (SR-126)

North approach: One left-turn lane, one through lane, and an exclusive right-turn lane (convert shared left-turn/through lane to through lane).

South approach (future): One left-turn lane, one through lane, and an exclusive right-turn lane (add one left-turn lane, convert shared left-turn/through/right-turn lane to through lane and add an exclusive right-turn lane).

Design and install traffic signals to the satisfaction of Public Works.

School Middle Driveway/"Y" Street at "A" Street (TT 53108)

The projects shall be responsible for the preparation of traffic signal design plans and securing adequate funds with Public Works for the full construction of the signals. The intersection will be monitored for the installation of the signals once the school is fully occupied with 750 students.

Chiquito Canyon Road and Long Canyon Road (Future) at Henry Mayo Drive (SR-126)

North approach: One left-turn lane and one shared through/right-turn lane (convert shared left-turn/through lane to left-turn lane and exclusive right-turn lane to shared through/right-turn lane).

East approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (add one left-turn lane and convert shared left-turn/through lane to through lane).

South approach (future): One left-turn lane, one through lane, and an exclusive right-turn lane (add one left-turn lane, convert shared left-turn/through/right-turn lane to through lane and add an exclusive right-turn lane).

PHASE II

Wolcott Way at Henry Mayo Drive (SR-126)

East approach: Two left-turn lanes, two through lanes, and an exclusive right-turn lane (add second left-turn lane, convert shared through/right-turn lane to through lane and add an exclusive right-turn lane).

South approach (future): One left-turn lane, one through lane, and two exclusive right-turn lanes (add second exclusive right-turn lane from Phase I).

West approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (convert through/right-tune to through lane and add an exclusive right-turn lane).

Modify traffic signals to the satisfaction of Public Works.

PHASE III

Golden State (I-5) Freeway Southbound Ramps at Henry Mayo Drive (SR-26)

East approach: Three through lanes and a free right-turn lane (add third through lane).

Modify traffic signals to the satisfaction of Public Works.

Wolcott Way at Henry Mayo Drive (SR-126)

West approach: One left-turn lane, three through lanes, and an exclusive right-turn lane (add third through lane).

Modify traffic signals to the satisfaction of Public Works.

Chiquito Canyon Road and Long Canyon Road (Future) at Henry Mayo Drive (SR-126)

North approach: One left-turn lane, one through lane, and an exclusive right-turn lane (convert shared through/right-turn lane to through lane and add an exclusive right-turn lane).

East approach: Two left-turn lanes, two through lanes, and an exclusive right-turn lane (add second left-turn lane).

South approach (future): One left-turn lane, two through lanes, and two exclusive right-turn lanes (add second through lane and second exclusive right-turn lane).

Modify traffic signals to the satisfaction of Public Works.

- The cumulative traffic generated by the project and other related projects will significantly impact the following intersections. The project shall contribute its proportionate share of the cost for the following mitigation measures. Detailed striping and/or signal modification plans must be prepared to determine the feasibility of the recommended mitigation measures and cost estimate of each mitigation measure.

Golden State (I-5) Freeway Southbound Ramps at Henry Mayo Drive (SR-126)

North approach: Two left-turn lanes, one shared left-turn/through lane, and an exclusive right-turn lane (add one shared left/right-turn lane).

East approach: Four through lanes and one free right-turn lane (add fourth through lane).

West approach: Four through lanes and one free right-turn lane (add third and fourth through lanes).

Modify traffic signals to the satisfaction of Public Works.

The project's total pro-rata share is 38.3 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 8.3 percent, Phase II = 8.1 percent and Phase III = 21.9 percent.

Golden State (I-5) Freeway Northbound Ramps at Henry Mayo Drive (SR-126)

East approach: Three through lanes and one free right-turn lane (add third through lane).

South approach: Three left-turn lanes and an exclusive right-turn lane (add third left-turn lane).

West approach: Four through lanes and one free right-turn lane (add third and fourth through lanes).

Modify traffic signals to the satisfaction of Public Works.

The project's total pro-rata share is 20.8 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 4.7 percent, Phase II = 4.0 percent, and Phase III = 12.1 percent.

Wolcott Way at Henry Mayo Drive (SR-126)

North approach: Two left-turn lanes, one through lane, and an exclusive right-turn lane (add second left-turn lane).

East approach: Two left-turn lanes, three through lanes, and an exclusive right-turn lane (add third through lane).

West approach: Two left-turn lanes, three through lanes, and an exclusive right-turn lane (add second left-turn lane).

Modify traffic signals to the satisfaction of Public Works.

The project's total pro-rata share is 62.1 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 12.2 percent, Phase II = 19.3 percent, and Phase III = 30.6 percent.

Commerce Center Drive at Henry Mayo Drive (SR-126) Interchange

Pay the project's total pro-rata share for the construction of interchange of 33.8 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 6.6 percent, Phase II = 9.1 percent, and Phase III = 18.1 percent.

- The developer shall coordinate with and notify the Castaic Union School District (CUSD) that traffic circulation plan and the drop-off/pick-up procedures shall be prepared and submitted to Traffic and Lighting Division for review and approval. We recommend a mechanism for enforcement and levying of noncompliance penalties be included in the plan. The CUSD shall prepare informational packets containing the approved drop-off/pick-up procedures and provide to the parents/guardians of students of the school. The recordation of the phase containing Lot 345 where the school is proposed shall be withheld until the student drop-off/pick-up procedures, the informational packets or brochures, and the revised school site plan have been received and approved by Public Works.

- A determination shall be made regarding whether the project has a significant impact on the adjacent I-5 Freeway. Caltrans shall be consulted to obtain their written concurrence with the California Environmental Quality Act level of significance determination. These written comments from Caltrans shall be submitted to Public Works for review and approval.

If you have any questions regarding the traffic analysis and mitigation measures, please contact Mr. Suen Fei Lau of our Land Development Review Section at (626) 300-4820; for questions regarding striping and signing plans, please contact Mr. Sam Richards of our Land Development Review Section at (626) 300-4842; for questions regarding parking restrictions and drop-off/pick-up procedures/program/plan, please contact Ms. Guita Sheik of our Traffic Investigation Section at (626) 300-4712.

Very truly yours,

DONALD L. WOLFE
Interim Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

SFL:cn
EIR04297.doc

cc: Castaic Union School District (Beverly W. Silsbee)
Department of Regional Planning (Daryl Koutuik)

bc: Building and Safety
Land Development (Witler)
Traffic and Lighting (Richards, Sheik)

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SEWER
TRACT NO. 53108 (Rev.)

TENTATIVE MAP DATED 05-02-2007
EXHIBIT MAP DATED 05-02-2007

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

For information only:

1. The tentative map must conform with the approved master sewer area study PC 11812AS (currently in plancheck with Public Works). If the system appurtenances and maintenance responsibilities shown on the tentative map do not match those detailed in the approved study, a revised map is required to the satisfaction of Public Works.

2. The outlet for the proposed sewer system for any unit map must be accepted for public use prior to recordation, otherwise the unit map in question must have approved and bonded sewer plans for the outlet system extending downstream to public sewer on file with Public Works.

3. If the proposed sewer system shown on the tentative map is found to have insufficient capacity, upgrade the proposed sewerage system (both on and off-site) to the satisfaction of Public Works.

4. Easements are required, subject to review by Public Works to determine the final locations and requirements.

Prior to recordation of a Final Map:

5. The subdivider shall install and dedicate main line sewers and serve each building/lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.

6. Prior to recordation of the first unit map a new sanitation district must be formed to operate and maintain all regional sewer facilities associated with this project including but not limited to pump stations, forcemain and gravity trunk lines, and treatments plants. The subdivider shall provide the initial funding for the setup and operation of this district to the satisfaction of Public Works.

7. Prior to recordation of the first unit map the subdivider shall install and dedicate required regional sewer infrastructure or have approved and bonded sewer plans on file with the Newhall Ranch Sanitation District to the satisfaction of Public Works.

8. Obtain will serve letters from all necessary regulatory agencies indicating a permit will be issued to the satisfaction of Public Works.

9. The subdivider shall submit an area study to Public Works to determine if capacity is available in the proposed sewerage system servicing this land division. The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.

10. Construct regional sewer pump stations to the satisfaction of the Newhall Ranch Sanitation District.

11. Provide on-site easements to the satisfaction of Public Works.

12. Provide any necessary off-site easements to construct the off-site sewer improvements to the satisfaction of the Newhall Ranch Sanitation District. It shall be the sole responsibility of the subdivider to acquire the necessary easements.

HW

Prepared by Allen Ma Phone (626) 458-4921 Date Rev'd 07-26-2007

tr53108s-rev10 (rev'd 07-26-07).doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO. 53108 (Rev.)

TENTATIVE MAP DATED 05-02-2007
EXHIBIT MAP DATED 05-02-2007

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

Prior to recordation of a Final map:

1. A "Written Verification" and supporting documents from the water supplier to indicate the availability of a "Sufficient Water Supply" as required per Section 66473.7 of the Subdivision Map Act (SB 221) shall be provided to the satisfaction of the Department of Regional Planning and Public Works prior to filing any map.

2. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings/lots in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

3. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each building/lot.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.

5. Depict all line of sight easements on the landscaping and grading plans.

Prior to Building Permit:

- Prior to obtaining the grading permit from the Building and Safety Office, submit landscape and irrigation plans for each commercial/multi-family/open space lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

HW

Prepared by Lana Radle Phone (626) 458-4921 Date Rev. 08-13-2007

tr53108w-rev10(rev'd 08-13-07).doc

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

CITY: COUNTY OF LOS ANGELES

PROJECT: TR53108 MAP DATE: 05/02/2007

GRID MAP: 3178C

FIRE ZONE: YES-CO FIRE STATION: 076

APPLICANT/OWNER: Newhall Land And Farming Company

E-MAIL: PHONE:

ENGINEER: Psomas And Associates

E-MAIL: PHONE: 310-954-9755

TENTATIVE MAP CONDITIONS

1. Tentative Map (page 1) - A second means of vehicular access shall be provided to Highway 126 prior to the building permit issuance of the 150 unit.

2. The proposed Fire Station, Lot 420, shall comply with all future requirements by our Planning Section and/or Construction & Maintainance Division.

3. Exhibit "A" (sheet 9) - The School and Park sites shall provide a minimum paved access width of 26' for circulation purposes. Final design shall be further reviewed for access compliance when plans are submitted to Fire Prevention Engineering for building permit clearances or Land Development Unit for C.U.P. review.

4. Post required fire lanes with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the project's covenants, conditions and restrictions (CC&R's) or in a recorded maintenance agreement.

5. All required public fire hydrants shall be installed and tested prior to building permit issuance.

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

CITY: COUNTY OF LOS ANGELES PROJECT: TR53108

6. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.

FINAL MAP CONDITIONS

1. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.

2. Install 98 public fire hydrant(s). As noted on the tentative map or the Exhibit A. Location: AS PER MAP FILED IN OUR OFFICE.

3. The required fire flow for the public fire hydrants adjacent to residential development, single family dwellings, at this location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand.

4. The required fire flow for the public fire hydrants adjacent to residential development, detached condominiums, at this location is 1500 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 2 fire hydrants flowing simultaneously may be used to achieve the required fire flow.

5. All other fire hydrants are required to provide a fire flow of 5000 gpm, for a minimum duration of 5 hours shall be over and above the daily demand, at a minimum of 20 psi. This fire flow may be reduced by the Fire Prevention Engineering Section as approved during the building permit review process.

6. Prior to final map clearance. Provide written verification from the Department of Public Works that the required fire hydrants have been bonded for in lieu of installation.

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Land Development Unit
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CITY: COUNTY OF LOS ANGELES PROJECT: TR53108

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7. All private access roads shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building, exclusive of accessory buildings less than 1,000 square feet. This measurement shall be by an approved route around the exterior of the building or facility. (Section 902.2.1 Fire Code).

8. The private driveways shall be indicated on the final map as "Private Driveway and Fire lane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Uniform Fire Code.

9. Submit a copy of the CC&R's or maintenance agreement to the Los Angeles County Fire Department for verification, prior to the clearance of the final map.

10. This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A preliminary "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).

11. Access as noted on the tentative map shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.

12. Exhibit "A" - All structures shall be places such that, vehicular access is provided to within 150' of all exterior walls. Said access shall be verified during further design review and / or architectural plan review for building permit clearance.

13. Exhibit "A" (sheet 4) - The retail / commercial associated with the Village Green access shall not exceed a maximum height of 35', as measured to the top of the roof structure.

Inspector: Juan Padilla
Date: June 28, 2007

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

August 22, 2007

Ms. Susan Tae, AICP
Subdivision Committee Chair
Department of Regional Planning
320 West Temple Street, Room 1346
Los Angeles, California 90012

Dear Ms. Tae:

VESTING TENTATIVE TRACT MAP 53108
PARK CONDITIONS OF MAP APPROVAL
Regional Planning Map dated May 2, 2007

These are park conditions only; trail and Landscaping and Lighting Act District (LLAD) conditions, if any, will be submitted under separate cover.

Advisory

1. The basic Quimby park land obligation is 11.34 net acres (maximum slope 3%) of park land and will be credited as shown on the Quimby Obligation Report and Worksheet and Specific Plan Table 5.4-2 ("Park and Recreation Improvements," including sub-table for Local Park Acres Provided, Column D), attached to this letter report.

2. Provide a 9.80 net-acre (maximum slope 3%) Community Park on Lot 344 ("the park") consistent with the attached Landmark Village Community Park Concept Plan approved by the Department. The park shall include a park identity monument; a group picnic pavilion; water quality swales; two (2) lighted, full-court basketball courts with a drinking fountain; two (2) shade structures with picnic tables located on the eastern side of the park; a softball field; a pre-school age (ages 2-5) play area; a children's play area (ages 5-12); a play area shade structure with picnic tables; a comfort station (including restrooms, a drinking fountain, office and storage rooms); a trash enclosure (1-bin); one (1) bike rack; a multi-purpose field with conduit stub for future lighting; a 5-station par course, the portion located on the trunk sewer easement being paved and also serving as a maintenance access road (gated at both ends) for the Sanitation District; a paved access road for the Flood Control District's storm drain line; an internal park road, which shall be gated at the park entrance and provide a drop off zone and 25 parking (including 3 accessible) stalls; park landscaping (including plant material, grading, irrigation and drainage); and internal pathways (sidewalks).

3. Provide the park with the following "off-site" park improvements: full street improvements and utilities/utility connections, including, but not limited to curbs, gutters, relocation of existing public utility facilities if applicable, street paving, traffic control devices, public trees, public streets and sidewalks for the parks. Utility types, sizes, and locations shall be to the satisfaction of the Department. Utilities shall include water meter and utility lines (electricity, sewer, and telephone).

4. Subdivider may elect to receive Quimby credit for the park improvements, excluding "off-site" park improvements, by giving the Department written notification thirty (30) days prior to SUBDIVIDER's Notice of Construction Commencement for the park.

5. Prior to County accepting title to the park, a Landscaping and Lighting Act District (LLAD) shall be created for the mutual benefit of Subdivider and the County to maintain and operate the park.

6. Convey the park by recordable grant deed showing the fee vested with the County of Los Angeles, and free of all encumbrances except those that do not interfere with the use of the property for park or recreational purposes. Subdivider's designated title company shall provide the County with an ALTA title policy and shall record the park deed simultaneously to County's acceptance of the park improvements, as evidenced by the County's issuance of a Certificate of Acceptance for the park, and shall deliver the recorded deed to the Chief Administrative Office Real Estate Division, Property Management Section, 222 South Hill Street, Third Floor, Los Angeles, CA 90012.

7. A carry forward of Quimby credit from Tract 53108 to any other approved subdivision within the Newhall Ranch *Specific Plan* Area shall not result in a reimbursement to Subdivider from County's Quimby funds or a return by County to Subdivider of any public park land previously conveyed to County for Subdivider's Newhall Ranch *Specific Plan* Area Quimby obligation.

8. If a shared recreational use arrangement is sought by the Castaic School District (District), the recreational improvements on the shared use area (either park property or school district property) shall be visible from 'A' Street and the parking stalls off 'A' Street in order for the Department to approve the shared use area.

Prior to Final Map Approval

9. Prior to the Department clearing the first final (unit) map, enter into a Park Development Agreement (PDA) and post Faithful Performance and Labor and Materials bonds with the Department to cover design and construction of the

public park in accordance with updated costs estimates for the park. The PDA shall be substantially similar in form and content to the PDA approved by the Board of Supervisors (Board) on August 8, 2006 or latest Board-approved version, and the content of the bonds shall be substantially similar in form and content to the bonds used by the Los Angeles County Department of Public Works (DPW).

10. Prior to the Department clearing the first final (unit) map, submit a critical path method (CPM) schedule for completing the park and conveying title to the County ("Park Delivery Schedule"). Said schedule shall include design development submittals, and submittals required for the various stages of construction document development, permits and approvals, park construction commencement and completion dates, ALTA title policy and deed preparation and review, and deed recordation. The Initial Park Delivery Schedule shall serve as the baseline for all activities. Subdivider shall update the Park Delivery Schedule on a monthly basis to show actual progress compared to planned progress and submit the updates to the Department on the first Tuesday of each month. If as a result of these monthly schedule updates it appears that the Park Delivery Schedule does not comply with the critical path, the Subdivider shall submit a Recovery Schedule as a revision to the Park Delivery Schedule showing how all work will be completed within the period for park delivery. In the event Subdivider fails to comply with this condition, the Department shall give written notice to Subdivider describing such breach. Notice shall be deemed given when deposited in the U.S. Post Office or reliable over-night courier; postage prepaid, addressed to Subdivider, or by personal delivery to Subdivider's relevant address set forth in the PDA.

11. Designate and identify a project manager who will oversee design and construction of the park. The project manager shall communicate by providing written documentation via facsimile or mail to County's representative and abide by County's requirements and direction to ensure acceptable park completion; provide the County with reasonable access to the park site and the park improvements for inspection purposes and at a minimum initiate and coordinate the following inspections and approvals during the course of construction with not less than two County business days advanced notice of any request for inspection or approval: (1) contractor orientation/pre-construction meeting; (2) construction staking and layout; (3) progress/installation inspections to be scheduled on a weekly basis or as required to insure conformance with construction documents; (4) irrigation mainline and equipment layout; (5) irrigation pressure test; (6) irrigation coverage test; (7) weed abatement after abatement cycle, to review degree of kill; (8) plant material approval; (9) plant material/Hydroseed/pre-maintenance inspection; (10) substantial completion and commencement of maintenance period; (11) final walk through and acceptance. Continued work without inspection and approval shall make Subdivider and its

subcontractors solely responsible for any and all expenses incurred for required changes or modifications. County reserves the right to reject all work not approved in conformance with this condition.

12. The covenants, conditions and restrictions (CC&Rs) shall require the private park/recreational lots to be used for park and/or recreational purposes only and to be owned, operated, and maintained by the homeowner's association ("Association") or other similar entity. The unitized map where these facilities occur shall contain a notation restricting residential construction on the private park and/or recreation center lots and each private park/recreational lot shall be clearly identified and labeled on the condominium plan and/or final unitized map. Prior to the Department clearing the first unitized map where these facilities occur, Subdivider shall deliver the final version of the CC&Rs, along with a letter stating that the CC&Rs will be recorded after the recordation of the final map and approval by the Department of Real Estate. Recorded copies of the CC&Rs shall be delivered to: County of Los Angeles Department of Parks and Recreation, 510 S. Vermont Avenue, Room 201, Attention: Chief of Planning, Los Angeles, CA, 90020. No Quimby credit will be given for improvements to private parks/recreational lots.

Prior to Approval of an Improvement Plan

13. Submit park plans and specifications to the Department for review and approval during the design development stage, fifty percent (50%), seventy five percent (75%), ninety percent (90%), and one hundred percent (100%) stages of construction document development. Specifications and a grading plan (scale 1 inch = 40 feet or as required by the Department) shall be submitted to the Department concurrent with the final grading plan submittal to DPW. The respective stage of each submittal shall be clearly labeled on the drawings. Plan submittals shall be made by giving the Department three (3) sets of drawings and a CD-ROM containing the drawings in AutoCAD 2000 format. The Department shall have twenty-one (21) County business days from receipt of any design/construction document submittal to review and approve it. If the Department does not respond within said time period, the submittal shall be deemed approved by the Department. Any corrections or changes made by the Department during review of one stage shall be incorporated into a revision of the current drawings and specifications and resubmitted for the Department's approval of the next said stage unless it is determined that the change is significant whereas the construction document would be resubmitted prior to permission by Department for SUBDIVIDER to proceed with the next stage. The park shall be developed in accordance with the *Specific Plan* park improvement plans approved by the Department, using standard construction activities and responsible contractors licensed by the State of California to perform this type of

work. Sole responsibility for completion of the park improvements, and payment of all costs incurred, lies with the Subdivider.

14. Obtain all applicable jurisdictional approvals, comply with all applicable federal, state, and local laws, rules, codes, and regulations; obtain, coordinate and pay for all studies, permits, fees and agency inspections required to design and build the park; provide one (1) copy of all studies, permits, inspection reports, and written approvals to the Department's representative; provide the County with certification that the playgrounds constructed in the park meet American Society for Testing and Materials (ASTM) standards, United States Consumer Product Safety Commission (USCPSC) standards, and all State of California accessibility playground guidelines.

Prior to Issuance of a Building Permit

15. Subdivider shall commence park construction prior to the County issuing the 567th residential building permit and complete park construction and convey the park to the County prior to the County issuing the 1,000th residential building permit. Commencing when the first residential building permit is issued, Subdivider shall submit monthly reports to the Department that identify for each unit map the number of residential units for which building permits were issued ("permitted units") for the month and cumulative to date, and which relate permitted units to owner, building number, building type (e.g., single family home, condominium, apartment) and lot number. The monthly reports are due on the first Tuesday of each month until the park is conveyed to the County. Failure to provide the Department with a report, or to commence park construction prior to the 567th residential building permit, or to convey the park to the County prior to the 1,000th residential building permit will result in the Department requesting the Department of Public Works to withhold further issuance of residential building permits until the respective report is received or park construction is commenced, or the park is conveyed to the County.

16. Provide the Department with written Notice of Construction Commencement for the park. Construction Commencement is defined as when the Subdivider starts precise grading and/or installing utilities for the park. The Construction Phase is defined as the period of time from said notice to the date the Department issues its Notice of Acceptance of Completed Park Improvements, inclusive of the 90-day plant establishment period. Upon completing park construction, and obtaining final sign off from DPW on all code compliance issues, notify the Department in writing by submitting a Notice of Completion of Park Construction. Within thirty (30) days after receipt of said notice, Department shall inspect the park and reasonably determine whether or not the park improvements have been constructed in accordance with the construction documents, and to a level of quality and workmanship for the Department to issue its Notice of Acceptance of

Completed Park Improvements. If park construction is unacceptable, within fifteen (15) County business days after inspection, Department shall provide Subdivider with a list of items that need to be corrected, after receipt of said list, in order for the Department to issue its Notice of Acceptance of Completed Park Improvements, or issuance of said notice will be delayed until the items on the list are corrected.

17. Upon Department's Notice of Acceptance of Completed Park Improvements, provide the Department with two (2) sets of record drawings, maintenance manuals, and irrigation controller charts, and contact information for utility companies and utility account codes in order for the Department to request timely transfer of utilities serving the park. These documents shall also be submitted on a CD-ROM with the drawings in AutoCAD 2000 format.

Please contact me at (213) 351-5117 if you have any questions regarding this matter.

Sincerely,

James Barber
Land Acquisition/Developer Obligations Section

JB: 53108 DRPmd 5.02.07

Attachments

Park Obligation Report and Worksheet and Table 5.4-2
Landmark Village Community Park Concept Plan

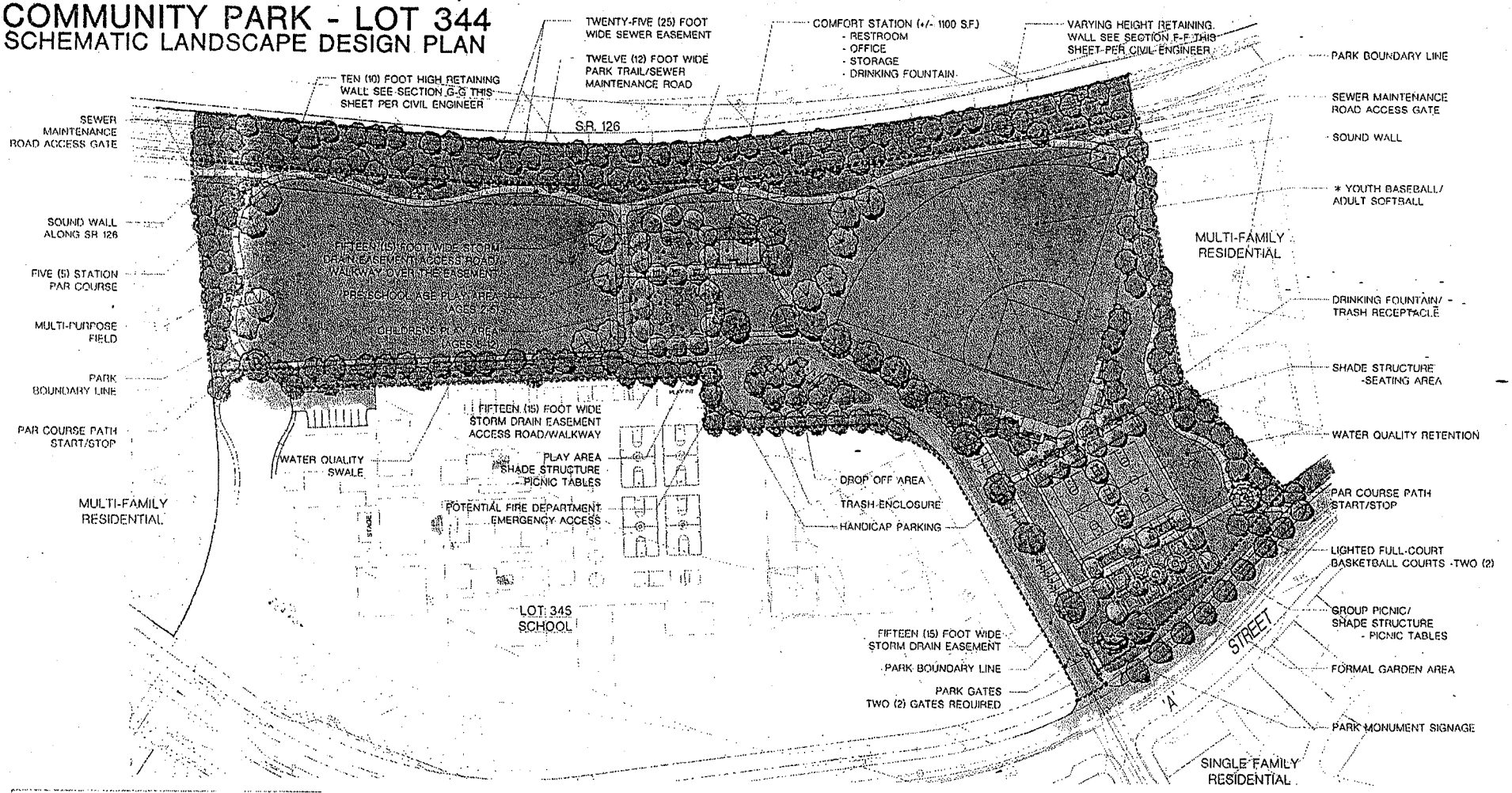
c: Norma Garcia, Larry Hensley, Susan Pearson (DPR/Planning & Development)
Kathleen Ritner, Jim McCarthy (DPR/North Agency)
Patrick Malekian (Special Districts)
Roger Hernandez (CEO/RED)

NEWHALL LAND

LANDMARK VILLAGE (VTTM 53108)

COMMUNITY PARK - LOT 344

SCHEMATIC LANDSCAPE DESIGN PLAN

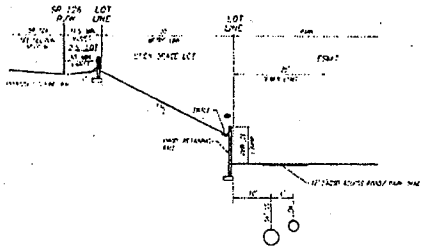


L.A. COUNTY - TITLE 22 PLANNING AND ZONING ORDINANCE
22.52.1175 PUBLIC PARKS
PARKING MATRIX

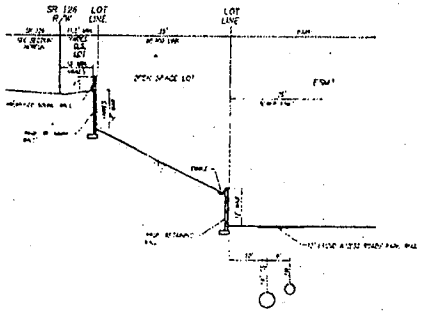
A. Every publicly owned park shall have automobile parking spaces plus adequate access thereto, calculated as follows:
1. For parks of not more than 50 acres:
One automobile parking space for each one-half acre of developed park area up to 15 acres; plus
One automobile parking space for each additional acre of developed park area in excess of 15 acres.

PARKING SUMMARY:
PARK AREA: [illegible] ACRES
REQUIRED PARKING:
[illegible] SPACE (PER 1/2 AC.) UP TO 15 AC
TOTAL REQUIRED PARKING: [illegible] SPACES
TOTAL PROVIDED PARKING: [illegible] SPACES

HANDICAP PARKING
[illegible] SPACE PER 40 REQUIRED SPACES
TOTAL REQUIRED PARKING: [illegible] SPACE
TOTAL PROVIDED PARKING: [illegible] SPACES



TYPICAL SECTION F-F
NOT TO SCALE



TYPICAL SECTION G-G
NOT TO SCALE

* NOTE: BASEBALL/SOFTBALL FIELD TO HAVE CONDUIT STUB FOR FUTURE LIGHTING

NET ACREAGE
9.8 AC

HRPStudio

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # 53108	DRP Map Date:05/02/2007	SCM Date: / /	Report Date: 06/13/2007
Park Planning Area # 35A	NEWHALL / VALENCIA		Map Type:REV. (REV RECD)

Total Units **1,444** = Proposed Units **1,444** + Exempt Units **0**

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

1) the dedication of land for public or private park purpose or,
2) the payment of in-lieu fees or,
3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	11.13
IN-LIEU FEES:	$3,058,546

Conditions of the map approval:

The park obligation for this development will be met by:

The dedication of 9.80 acres for public park purposes.
Provide 11.49 acres for private park purposes.

Trails:

See also attached Trail Report. CASTAIC CREEK AND SANTA CLARA RIVER TRAILS - For trail requirements, please contact Sylvia Simpson, Trails Coordinator at (213) 351-5135.

Contact Patrocenia T. Sobrepeña, Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

By: James Barber
James Barber, Developer Obligations/Land Acquisitions

Supv D 5th
August 08, 2007 07:14:45
QMB02F.FRX

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map # 53108	DRP Map Date: 05/02/2007	SMC Date: / /	Report Date: 06/13/2007
Park Planning Area # 35A	NEWHALL / VALENCIA		Map Type: REV. (REV RECD)

The formula for calculating the acreage obligation and or in-lieu fee is as follows:

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

Where:

P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units 1,444 = Proposed Units 1,444 + Exempt Units 0

	People	Goal	Units	Acre Obligation
Detached S.F. Units	3.23	0.0030	590	5.72
M.F. < 5 Units	2.29	0.0030	18	0.12
M.F. >= 5 Units	2.11	0.0030	836	5.29
Mobile Units	1.74	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	11.13

Park Planning Area = 35A NEWHALL / VALENCIA

Goal	Acre Obligation	RLV/Acre	In-Lieu Base Fee
@(0.0030)	11.13	$274,802	$3,058,546

Park No.	Provided Space	Acre Credit	Credit %	Acre Credit	Ownership
330	River Rec. Center	0.82	100.00%	0.82	Private
336	Private Rec. Center	3.44	100.00%	3.44	Private
337	Private Park	6.29	100.00%	6.29	Private
340	Private Rec. Center	0.94	100.00%	0.94	Private
344	Park Area	9.80	100.00%	9.80	Public
		Total Provided Acre Credit:		21.29	

Acre Obligation	Acre Credit	Net Acre Obligation	Net Acre Credit	In-Lieu Base Fee	Total Fee Credit
11.13	9.80	11.49	-10.16	$274,802	-2,731,532

Supv D 5th
August 08, 2007 07:14:50
QMB01F.FRX

TABLE 5.4-2
PARK AND RECREATION IMPROVEMENTS

	Dedication Requirements				Local Park Improvements			
Landmark Village	A Total Units	B Population Factor	C Local Park Requirement (AXBX.003)		D Local Park Acres Provided	E Local Park Improvements	F Total Acres Provided. D+(E/274,802) -	Surplus (Deficit) (F-C)
1. Tract No. 53108								
A. Single-Family Detached Residences	590	3.23	5.72			-		-
B. Single-Family Attached Residences and Multi-Family with less than 5 Units/Building	18	2.29	0.12			-		N/A
C. Multi-Family with 5 or more Units/Building	836	2.11	5.29					N/A
Village Total	1,444		11.13		24.09	2,940,000.00	34.79	23.66

Tract No. 53108 (Landmark Village) Columns "D and E" Detail

Lot No.	Unit Map	Phase No.	Category	Local Parks Acres	Percent Credit	Local Parks Acres Provided	Local Park Improvements ($)	
344			Community Park	9.80	100%	9.80	2,940,000	($300,000/acre)
			Private Recreational Area Total	5.20	100%	5.20		
336			Recreation Center	3.44				
340			Recreation Center	0.94				
330			Recreation Center	0.82				
337			Private Park	6.29	100%	6.29		
N/A			Trail Total	2.80	100%	2.80		
					Total	24.09	2,940,000.00	

6/1/07
Revised 6/21/07
Revised 6/25/07
Revised 8/8/07

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

June 18, 2007

Ms. Susan Tae
Supervising Regional Planner
Land Divisions Section
Department of Regional Planning
320 West Temple Street, Room 1346
Los Angeles, California 90012

Dear Ms. Tae:

TRAIL CONDITIONS OF MAP APPROVAL
Vesting Tentative Tract Map # 53108 (Landmark)
Map Dated: June 14, 2007

The Department of Parks and Recreation has completed the review of Vesting Tentative Tract Map #53108. We are releasing the hold previously placed upon this tentative tract map. Applicant is required to construct the Castaic Creek Trail and Santa Clara River Trail within a 12 foot wide easement, to the satisfaction of the Department of Parks and Recreation standards. The trail alignment as shown on the map is approved with the following conditions prior to final map recordation:

Map Specific Conditions

1. Dedications and the exact following language must be shown for trail dedications on the first phase of final map recordation:

   a. Title Page: We hereby dedicate to the County of Los Angeles, Department of Parks and Recreation, a 12 foot wide easement for riding and hiking purposes, designated as the Castaic Creek and Santa Clara River Trails.

   b. If a waiver is filed, a Plat Map depicting the trail alignment must accompany the waiver.

2. The alignment of the equestrian trail within the Castaic Creek streambed under SR 126 is being approved by the Parks & Recreation Department subject to the Applicant securing the necessary approvals and/or permits, from both the California Department of Fish & Game, and the Army Corp of Engineers, prior to final map clearance.

Standard Conditions

3. Full public access shall be provided for the trail easement.

4. The Applicant shall provide the submittal of the rough grading plans, to include detailed grading information for the segment of trails the County will accept. The detailed grading information for the trail construction, shall include all pertinent information required, per Department trail standards and all applicable codes, but not limited to the following:

   a. Cross slope gradients not to exceed two percent (3%), and longitudinal (running) slope gradients not to exceed fifteen percent (15%) for more than 300 feet. The Department will review and allow slopes slightly greater than fifteen percent (15%) on a case by case basis.

   b. Typical trail section and details to include:

      - Longitudinal (running) gradients
      - Cross slope gradients
      - Name of trail
      - Width of trail or, if requested by Department of Parks and Recreation, denote as variable width.

   c. Bush Hammer (or equivalent) finishes at minimum width of trail for crossings at all concrete surfaces.

   d. Appropriate retaining walls as needed.

   e. Appropriate fencing where deemed necessary, for user safety and property security, as approved by the Department.

   f. Trail easement must be outside of the road right-of-way.

5. The Applicant shall submit a cost estimate for the construction of the trails with the rough grading plans. An electronic copy (AutoCAD 2005 or newer version) of the rough grading plans shall also be submitted in a burned CD or DVD with the cost estimate.

6. After Department approval of the trail alignments shown on the rough grading plans, the Applicant shall post Faithful Performance and Labor and Materials (FPLM) bonds with the Department for construction of the trail.

7. The Applicant then shall submit a preliminary construction schedule showing milestones for completing the trail.

8. Prior to the start of trail construction, the Applicant's authorized representative (project manager, licensed surveyor, etc.) shall stake or flag the centerline of the trail. The Applicant's representative shall then schedule a site meeting with the Department's Trails Coordinator for the Department's inspection and approval.

9. The Applicant's representative shall provide updated trail construction schedules to the Department on a monthly basis. All schedule submittals shall provide a "Two Week Look-Ahead" schedule, to reflect any modifications to the original schedule.

10. Within five (5) business days after completing the trail, the Applicant shall notify the Department for a Final Inspection Trail Walk.

11. After the initial Final Inspection Trail Walk, any portions of the constructed trail not approved shall be corrected and brought into compliance, with the County of Los Angeles Department of Parks and Recreation Standards within thirty (30) calendar days. Applicant shall then call for another final inspection with the Department.

12. Upon Departmental approval and acceptance of the trail construction, the Applicant shall:

    a. Issue a letter to the Department requesting acceptance of the dedicated trail.

    b. Submit copies of the As-Built Trail drawings.

If you have any questions or comments, please contact Robert Ettleman, Trails Coordinator, at (213) 351-5134.

Sincerely,

Larry R. Hensley
Chief of Planning

LH:RE:Z:Trails:VTTM53108_07d

c: Fred MacMurdo, (Newhall Land)
James Barber, Frank Moreno, (Parks and Recreation)

COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JOHN F. SCHUNHOFF, Ph.D.
Chief Deputy

Environmental Health
TERRANCE POWELL, R.E.H.S.
Acting Director of Environmental Health

Bureau of Environmental Protection
Land Use Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm

BOARD OF SUPERVISORS
Gloria Molina
First District
Yvonne B. Burke
Second District
Zev Yaroslavsky
Third District
Don Knabe
Fourth District
Michael D. Antonovich
Fifth District

June 12, 2007

RFS No. 07-0012845

Tract Map No: 53108

Vicinity: Del Valle

Tentative Tract Map Date: May 2, 2007 (10th Revision)

The County of Los Angeles Department of Public Health's approval for **Vesting Tentative Tract Map 53108** is contingent upon the following conditions:

1. Potable water will be supplied by the **Valencia Water Company**, a public water system, which guarantees water connection and service to all lots.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Newhall Ranch Water Treatment Plant** as proposed.

3. Water wells to be decommissioned shall be submitted to this Department for permit, in accordance with applicable law and program policy.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Valente, E.H.S. IV
Land Use Program

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES			
SP 4.1-1. The standard building setbacks from ascending and descending man-made slopes are to be followed in accordance with Section 1806.4 of the Los Angeles County Building Code, unless superseded by specific geologic and/or soils engineering evaluations. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 44)	Applicant (Civil Engineer, Geotechnical Engineer, Engineering Geologist)	Building and Grading Plan Check	1. Los Angeles County Department of Public Works (LACDPW), Geology/Soils Section, and Building and Safety 2. LACDPW, Building and Safety and Geology/Soils Section 3. Prior to Issuance of Building Permits
SP 4.1-2. The existing Grading Ordinance for planting and irrigation of cut-slopes and fill slopes is to be adhered to for grading operations within the project site. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 44)	Applicant (Civil Engineer)	Field Verification	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permits
SP 4.1-3. In order to safeguard against major seismic-related structural failures, all buildings within the project boundaries are to be constructed in conformance with the Los Angeles County Uniform Building Code, as applicable.	Applicant (Project Structural Engineer)	Building Plan Check	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permits
SP 4.1-4. The location and dimensions of the exploratory trenches and borings undertaken by Allan E. Seward Engineering Geology, Inc. and R.T. Frankian & Associates are to be noted on all grading plans relative to future building plans, unless the trenches and/or borings are removed by future grading operations. If future foundations traverse the trenches or borings, they are to be reviewed and approved by the project Geotechnical Engineer. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 45)	Applicant (Geotechnical Engineer)	Grading Plan Check Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to Approval of Final Grading Plans; grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
SP 4.1-5. Wherever the Pacoima Formation is exposed, it may be potentially expansive; therefore, it is to be tested by the project Soils Engineer at the grading plan stage to determine its engineering characteristics and mitigation requirements, as necessary.	Applicant (Geotechnical Engineer)	Grading Plan Check	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to Approval of Final Grading Plans
SP 4.1-6. Should any expansive soils be encountered during grading operations, they are not to be placed nearer the finished surface than 8 feet below the bottom of the subgrade elevation. This depth is subject to revision depending upon the expansive potential measured during grading. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer) Grading Contractor	Field Investigation	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. During Grading
SP 4.1-7. If expansive materials are encountered at subgrade elevation in cut areas, the soils are to be removed to a depth of 8 feet below the "finished" or "subgrade" surface and the excavated area backfilled with nonexpansive, properly compacted soils. This depth is subject to revision depending upon the expansive potential measured during grading. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Investigation	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. During Grading
SP 4.1-8. At the time of subdivision, which allows construction, areas subject to liquefaction are to be mitigated to the satisfaction of the project Geotechnical Engineer prior to site development. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Grading Plan Check Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to Issuance of Grading Permit(s)

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
SP 4.1-9. Subdrains are to be placed in areas of high ground water conditions (Potrero Canyon, in particular) or wherever extensive irrigation is planned. The systems are to be designed to the specifications of the Newhall Ranch Specific Plan Geotechnical Engineer.	Applicant (Geotechnical Engineer and Engineering Geologist)	Grading Plan Check Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to Issuance of Grading Permit and Verify During Grading
SP 4.1-10. Subdrains are to be placed in the major and minor canyon fills, behind stabilization blankets, buttress fills, and retaining walls, and as required by the Geotechnical Engineer during grading operations. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer and Engineering Geologist)	Grading Plan Check Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to Issuance of Grading Permit and Verify During Grading
SP 4.1-12. The vertical spacing of subdrains behind buttress fills, stabilization blankets, etc., are to be a maximum of 15 feet. The gradient is to be at least 2 percent to the discharge end. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Grading Plan Check Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to Issuance of Grading Permit and Verify During Grading
SP 4.1-13. Geological materials subject to hydroconsolidation (containing significant void space) are to be removed prior to the placement of fill. Specific recommendations relative to hydroconsolidation are to be provided by the project Geotechnical Engineer at the subdivision stage. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 44)	Applicant (Geotechnical Engineer and Engineering Geologist)	Receipt of Specific Hydro-consolidation Recommend-ations Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to Approval of Final Grading Plans and Verify During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
SP 4.1-15. Subsurface exploration is required to delineate the depth and lateral extent of the landslides shown on the geologic map. This work shall be undertaken at the subdivision stage. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 15) Landslides must be mitigated through stabilization, removal, and/or building setbacks as determined by the Newhall Ranch Specific Plan Geotechnical Engineer, and to the satisfaction of the Los Angeles County Department of Public Works.	Applicant (Geotechnical Engineer and Engineering Geologist)	Receipt of Exploratory Data and Mitigation Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to Approval of Final Grading Plan and Verify During Grading
SP 4.1-19. Remove debris from surficial failures during grading operations prior to the placement of fill. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 16)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. During Grading Operations
SP 4.1-20. All soils and/or unconsolidated slopewash and landslide debris is to be removed prior to the placement of compacted fills. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 45)	Applicant (Geotechnical Engineer and Engineering Geologist)	Grading Plan Check Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to approval of Final Grading Plan and During Grading
SP 4.1-29. Orientations of the bedrock attitudes are to be evaluated by the Newhall Ranch Specific Plan Engineering Geologist to identify locations of required buttress fills. Buttress fill design and recommendations, if necessary, are to be presented as mitigation during the grading plan stage. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer and Engineering Geologist)	Grading Plan Check Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. Prior to Approval of Final Grading Plans

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
SP 4.1-30. All fills, unless otherwise specifically designed, are to be compacted to at least 90 percent of the maximum dry unit weight as determined by ASTM Designation D 1557-91 Method of Soil Compaction. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section 2. LACDPW, Geology/Soils Section 3. During Grading
SP 4.1-31. No fill is to be placed until the area to receive the fill has been adequately prepared and approved by the Geotechnical Engineer. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-32. Fill soils are to be kept free of all debris and organic material. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-33. Rocks or hard fragments larger than 8 inches are not to be placed in the fill without approval of the Geotechnical Engineer, and in a manner specified for each occurrence. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-34. Rock fragments larger than 8 inches are not to be placed within 10 feet of finished pad grade or the subgrade of roadways or within 15 feet of a slope face. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
SP 4.1-35. Rock fragments larger than 8 inches may be placed in windrows, below the limits given above, provided the windrows are spaced at least 5 feet vertically and 15 feet horizontally. Granular soil must be flooded around windrows to fill voids between the rock fragments. The granular soil is to be wheel rolled to assure compaction. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-36. The fill material is to be placed in layers which, when compacted, is not to exceed 8 inches per layer. Each layer is to be spread evenly and is to be thoroughly mixed during the spreading to insure uniformity of material and moisture. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-37. When moisture content of the fill material is too low to obtain adequate compaction, water is to be added and thoroughly dispersed until the soil is approximately 2 percent over optimum moisture content. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-38. When the moisture content of the fill material is too high to obtain adequate compaction, the fill material is to be aerated by blading or other satisfactory methods until the soil is approximately two percent over optimum moisture content. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-39. Where fills toe out on a natural slope or surface, a keyway, with a minimum width of 16 feet and extending at least 3 feet into firm, natural soil, is to be cut at the toe of the fill. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
SP 4.1-40. Where the fills toe out on a natural or cut slope and the natural or cut slope is steeper than 5 horizontal to 1 vertical, a drainage bench with a width of at least 8 feet is to be established at the toe of the fill. Fills may be placed over cut slopes if the visible contact between the fill and cut is steeper than 45 degrees. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-41. When placing fills over slopes, sidewall benching is to extend into competent material, approved by the Geotechnical Engineer, with vertical benches not less than 4 feet. (R.T. Frankian & Associates, 19 September 1994, Appendix I) Competent material is defined as being free of loose soil, heavy fracturing or compressive soils.	Applicant (Geotechnical Engineer and Engineering Geologist)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-42. When constructing fill slopes, the grading contractor is to avoid spillage of loose material down the face of the slope during the dumping and compacting operations. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-43. The outer faces of fill slopes are to be compacted by backing a sheepsfoot compactor over the top of the slope, and thoroughly covering all of the slope surface with overlapping passes of the compactor. Compaction of the slope is to be repeated after each 4 feet of fill has been placed. The required compaction must be obtained prior to placement of additional fill. As an alternate, the slope can be overbuilt and cut back to expose a compacted core. (R.T. Frankian & Associates, 19 September 1994, Appendix I)	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
SP 4.1-44. All artificial fill associated with past petroleum activities as well as other existing artificial fill, are to be evaluated by the Newhall Ranch Specific Plan Geotechnical Engineer at the subdivision and/or Grading Plan Stage. (Allan E. Seward Engineering Geology, 19 September 1994, Inc., p. 45) Unstable fills are to be mitigated through removal, stabilization, or other means as determined by the Newhall Ranch Specific Plan Geotechnical Engineer.	Applicant (Geotechnical Engineer and Engineering Geologist)	Receipt of Geotechnical Evaluation Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Approval of Final Subdivision Maps or Grading Plans, and Verify - During Grading
SP 4.1-45. Surface runoff from the future graded areas is not to run over any natural, cut, or fill slopes. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 20)	Applicant (Civil Engineer and Construction Superintendent)	Include this Measure in Specifications Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-46. Runoff from future pads and structures is to be collected and channeled to the street and/or natural drainage courses via non-erosive drainage devices. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 20)	Applicant (Civil Engineer and Construction Superintendent)	Include this Measure in Specifications Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
SP 4.1-47. Water is not to stand or pond anywhere on the graded pads. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 20)	Applicant (Civil Engineer and Construction Superintendent)	Include this Measure in Specifications Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
SP 4.1-48. Oil and water wells that might occur on site are to be abandoned in accordance with state and local regulations. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 45)	Applicant (Well abandonment Specialist)	Receipt of Confirmation of Abandonment	1. California Department of Conservation, Division of Oil and Gas, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permits
SP 4.1-49. If any leaking or undocumented oil wells are encountered during grading operations, their locations are to be surveyed and the current well conditions evaluated immediately. (Allan E. Seward Engineering Geology, Inc., 19 September 1994, p. 21) Measures are to be taken to document the wells, abandonment, and remediate the well sites (if necessary) in accordance with state and local regulations.)	Applicant (Civil Engineer and Well Abandonment Specialist)	Include Measure in Specifications Field Documentation	1. California Department of Conservation, Division of Oil and Gas, Building and Safety 2. California Department of Conservation, Division of Oil and Gas, Building and Safety 3. During Grading
SP 4.1-50. The exact status and location of the Exxon (Newhall Land & Farming) oil well #31 will be evaluated at the subdivision stage. If necessary, the well will be abandoned in accordance with state and local regulations. (Allan E. Seward Engineering Geology, Inc., 13 December 1995, p. 12)	Applicant (Civil Engineer and Well Abandonment Specialist)	Locate Well #31 on Tract Map Documentation of Abandonment, if applicable	1. California Department of Conservation, Division of Oil and Gas, Building and Safety 2. California Department of Conservation, Division of Oil and Gas, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-1. Prior to placing compacted fill, the ground surface shall be prepared by removing non-compacted artificial fill (af), disturbed compacted fill soils (Caf), loose alluvium, and other unsuitable materials. The geotechnical engineer and/or his representatives shall observe the excavated areas prior to placing compacted fill.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-2. After the ground surface to receive fill has been exposed, it shall be ripped to a minimum depth of 6 inches, brought to optimum moisture content or above and thoroughly mixed to obtain a near uniform moisture condition and uniform blend of materials, and then compacted to 90 percent per the latest American Society for Testing and Materials (ASTM) D1557 laboratory maximum density.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-3. Removal depths for alluvium, older alluvium, and overlying soil/plow pan materials range from 4 to 16 feet and shall be as indicated on the approved Geologic/Geotechnical Map.	Applicant (Geotechnical Engineer)	Receipt and Review of Geologic/ Geotechnical Map Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-4. Soil removals on the southwestern portion of the site shall be scheduled if possible during the summer or fall months, to minimize impacts to Grading from shallow groundwater. The contractor shall be prepared to implement dewatering systems, if necessary.	Applicant (Geotechnical Engineer)	Grading Plan Check	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-5. Pico and Saugus Formation bedrock shall be over-excavated 5 feet below proposed grade to eliminate cut-fill or bedrock-alluvium transitions in building pads. Expansive materials in the bedrock shall be over excavated 8 feet in building pad areas.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-6. Slopewash that is locally present on the site adjacent to slope areas on the northern margin of the site shall be removed and recompacted prior to the placement of compacted fill.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-7. Compacted artificial fill along the northern margin of the site shall be assessed for building suitability at the grading plan stage.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-8. Concrete, asphalt concrete and other debris stockpiled on the site shall be removed, and either ground up for use as sub-base material, or reduced into fragments small enough to be buried in the deeper portions of the fill.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-9. Where recommended removals encounter ground water, water levels shall be controlled by providing an adequate excavation bottom/slope and sumps for pumping water out as the excavation proceeds, or ground water may be lowered by installing shallow dewatering well points prior to grading. Partial removals of soils above the water table and soil improvement below the water table may be another option. Dewatering may be needed depending on the season when the removals are performed and the actual removal depths are determined. Contractors shall use piezometric data for planning dewatering measures.	Applicant (Geotechnical Engineer and Civil Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-10. On-site soils, except any debris or organic matter, may be used as sources for compacted fills. Rock or similar irreducible material with a maximum dimension greater than 8 inches shall not be placed in the fill without approval of the geotechnical engineer. Rocks or hard fragments larger than 4 inches shall not compose more than 25 percent of the fill and/or lift. Any large rock fragments over 8 inches in size may be incorporated into the fill as rockfill in windrows after being reduced to the specific maximum rock fill size. Where fill depths are too shallow to allow large rock disposal, special handling or removal may be required. Much of the on-site alluvium and older alluvium is coarse-grained and lacks sufficient cohesion for surficial stability in fill slopes. Selective grading of fill materials with sufficient cohesion derived from on site or imported fill shall be necessary for use in fill slopes.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-11. The engineering characteristics of imported fill material shall be evaluated when the source area has been identified.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-12. Most of the slopes proposed on the site are fill slopes. Stability fills are recommended for all of the cut-slopes on the site; therefore, no cut-slopes will remain after the completion of grading. All fill slopes shall be constructed on firm material where the slope receiving fill exceeds a ratio of 5 to 1 horizontal to vertical (h:v). Fill slope inclination shall not be steeper than 2:1 (h:v). The fill material within approximately one equipment width (typically 15 feet) of the slope face shall be constructed with cohesive material selectively graded from on-site or import fills. Stability fills are recommended where cut-slope faces will expose fill-over-bedrock or alluvium-over-bedrock conditions. These fills shall be constructed with a keyway at the toe of the fill slope with a minimum equipment width but not less than 15 feet, and a minimum depth of 3 feet into the firm undisturbed earth. Following completion of the keyway excavations, backfilling with certified engineered fill shall not proceed prior to the approval of the keyway by the project engineering geologist.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-13. Backcut slopes for Stability fills shall be no steeper than the final face of the proposed fill.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-14. Areas that are to receive compacted fill shall be observed by the geotechnical engineer prior to the placement of fill.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-15. All drainage devices shall be properly installed and observed by the geotechnical engineer and/or owner's representative(s) prior to placement of backfill.	Applicant (Geotechnical Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-16. Fill soils shall consist of imported soils or on-site soils free of organics, cobbles, and deleterious material, provided each material is approved by the geotechnical engineer. The geotechnical engineer shall evaluate and/or test the import material for its conformance with the report recommendations prior to its delivery to the site. The contractor shall notify the geotechnical engineer 72 hours prior to importing material to the site.	Applicant (Geotechnical Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-17. Fill shall be placed in controlled layers (lifts), the thickness of which is compatible with the type of compaction equipment used. The fill materials shall be brought to optimum moisture content or above, thoroughly mixed during spreading to obtain a near uniform moisture condition and uniform blend of materials, and then placed in layers with a thickness (loose) not exceeding 8 inches. Each layer shall be compacted to a minimum compaction of 90 percent relative to the maximum dry density determined per the latest ASTM D1557 test. Density testing shall be performed by the geotechnical engineer to verify relative compaction. The contractor shall provide proper access and level areas for testing.	Applicant (Geotechnical Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-18. Rocks or rock fragments less than 8 inches in the largest dimension may be utilized in the fill, provided they are not placed in concentrated pockets. However, rocks larger than 4 inches shall not be placed within 3 feet of finish grade.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-19. Rocks greater than 8 inches in largest dimension shall be taken off site, or placed in accordance with the recommendation of the soils engineer in areas designated as suitable for rock disposal.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-20. Where space limitations do not allow for conventional fill compaction operations, special backfill materials and procedures may be required. Pea gravel or other select fill can be used in areas of limited space. A sand and portland cement slurry (two sacks per cubic-yard mix) shall be used in limited space areas for shallow backfill near final pad grade, and pea gravel shall be placed in deeper backfill near drainage systems.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-21. The geotechnical engineer shall observe the placement of fill and conduct in-place field density tests on the compacted fill to check for adequate moisture content and the required relative compaction. Where less than specified relative compaction is indicated, additional compacting effort shall be applied and the soil moisture conditioned as necessary until adequate relative compaction is attained.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-22. The Contractor shall comply with the minimum relative compaction out to the finish slope face of fill slopes, buttresses, and stabilization fills as set forth in the specifications for compacted fill. This may be achieved by either overbuilding the slope and cutting back as necessary, or by direct compaction of the slope face with suitable equipment, or by any other procedure that produces the required result.	Applicant (Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-23. Any abandoned underground structures, such as cesspools, cisterns, mining shafts, tunnels, septic tanks, wells, pipelines or other structures not discovered prior to grading shall be removed or treated to the satisfaction of the soils engineer and/or the controlling agency for the project.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-24. The Contractor shall have suitable and sufficient equipment during a particular operation to handle the volume of fill being placed. When necessary, fill placement equipment shall be shut down temporarily in order to permit proper compaction of fills, correction of deficient areas, or to facilitate required field testing.	Applicant (Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-25. The Contractor shall be responsible for the satisfactory completion of all earthwork in accordance with the project plans and specifications.	Applicant (Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-26. Trench excavations to receive backfill shall be free of trash, debris or other unsatisfactory materials prior to backfill placement, and shall be observed by the geotechnical engineer.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-27. Except as stipulated herein, soils obtained from the trench excavation may be used as backfill if they are essentially free of organics and deleterious materials.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-28. Rocks generated from the trench excavation not exceeding 3 inches in largest dimension may be used as backfill material. However, such material shall not be placed within 12 inches of the top of the pipeline. No more than 30 percent of the backfill volume shall contain particles larger than 1 inch in diameter, and rocks shall be well mixed with finer soil.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-29. Soils (other than aggregates) with a Sand Equivalent (SE) greater than or equal to 30, as determined by ASTM D 2419 Standard Test Method or at the discretion of the engineer or representative in the field, may be used for bedding and shading material in the pipe zone areas. These soils are considered satisfactory for compaction by jetting procedures.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-30. No jetting shall occur in utility trenches within the top 2 feet of the subgrade of concrete slabs-on-grade.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-31. Trench backfill other than bedding and shading shall be compacted by mechanical methods such as tamping sheepsfoot, vibrating or pneumatic rollers or other mechanical tampers to achieve the density specified herein. The backfill materials shall be brought to optimum moisture content or above, thoroughly mixed during spreading to obtain a near uniform moisture condition and uniform blend of materials, and then placed in horizontal layers with a thickness (loose) not exceeding 8 inches. Trench backfills shall be compacted to a minimum compaction of 90 percent relative to the maximum dry density determined per the latest ASTM D1557 test.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-32. The contractor shall select the equipment and process to be used to achieve the specified density within a trench without damage to the pipeline, the adjacent ground, existing improvements, or completed work.	Applicant (Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-33. Observations and field tests shall be carried on during construction by the geotechnical engineer to confirm that the required degree of compaction within a trench has been obtained. Where compaction within a trench is less than that specified, additional compaction effort shall be made with adjustment of the moisture content as necessary until the specified compaction is obtained. Field density tests may be omitted at the discretion of the engineer or his representative in the field.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-34. Whenever, in the opinion of the geotechnical engineer, an unstable condition is being created within a trench, either by cutting or filling, the work shall not proceed until an investigation has been made and the excavation plan revised, if deemed necessary.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-35. Fill material within a trench shall not be placed, spread, or rolled during unfavorable weather conditions. When the work is interrupted by heavy rain, fill operations shall not be resumed until field tests by the geotechnical engineer indicate the moisture content and density of the fill are as specified.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-36. Water shall never be allowed to stand or pond on building pads, nor should it be allowed to run over constructed slopes, but is to be conducted to the driveways or natural waterways via non-erodible drainage devices. In addition, it is recommended that all drainage devices be inspected periodically and be kept clear of all debris. Drainage and erosion control shall be in accordance with the standards set forth in Sections 7018 and 7019 of the 1997 Los Angeles County Uniform Building Code.	Applicant (Civil Engineer and Construction Superintendent)	Include this Measure in Specifications Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-37. Modification of the existing pad grades after approval of Fine Grading by the project supervising civil engineer can adversely affect the drainage of the lots. Lot drainage shall not be modified by future landscaping, construction of pools, spas, walkways, garden walls, etc., unless additional remedial measures (area drains, additional grading, etc.) are in compliance with Los Angeles County Codes.	Applicant (Civil Engineer and Construction Superintendent)	Include this Measure in Specifications Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. After Approval of Fine Grading
LV 4.1-38. Positive surface drainage shall be maintained away from buildings. The recommended drainage patterns shall be established at the time of Fine Grading. Roof drainage shall be collected in gutters and downspouts, which terminate at approved discharge points.	Applicant (Civil Engineer and Construction Superintendent)	Include this Measure in Specifications Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-39. Permanent erosion control measures shall be initiated immediately following completion of grading.	Applicant (Civil Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Immediately Following Completion of Grading
LV 4.1-40. All interceptor ditches, drainage terraces, down-drains and any other drainage devices shall be maintained and kept clear of debris. A qualified engineer shall review any proposed additions or revisions to these systems, to evaluate their impact on slope erosion.	Applicant (Civil Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Immediately Following Completion of Grading
LV 4.1-41. Retaining walls shall have adequate freeboard to provide a catchment area for minor slope erosion. Periodic inspection, and if necessary, cleanout of deposited soil and debris shall be performed, particularly during and after periods of rainfall.	Applicant (Civil Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Immediately Following Completion of Grading
LV 4.1-42. The future developers shall be made aware of the potential problems, which may develop when drainage is altered through landscaping and/or construction of retaining walls, and paved walkways. Ponded water, water directed over slope faces, leaking irrigation systems, over-watering or other conditions that could lead to excessive soil moisture, shall be avoided.	Applicant (Civil Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Immediately Following Completion of Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-43. Slope surficial soils may be subject to water-induced mass erosion. Therefore, a suitable proportion of slope planting shall have root systems, which will develop well below 3 feet. Drought-resistant shrubs and low trees for this purpose shall be considered. Intervening areas can then be planted with lightweight surface plants with shallower root systems. All plants shall be lightweight and require low moisture. Any loose slough generated during the process of planting shall be properly removed from the slope face(s).	Applicant (Landscape Architect)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Occupancy Permits
LV 4.1-44. Short-term, non-plant erosion control measures shall be implemented during construction delays, adverse climate/weather conditions, and when plant growth rates do not permit rapid vegetation of graded areas. Examples of short-term, non-plant erosion control measures include matting, netting, plastic sheets, deep (5 feet) staking, etc.	Applicant (Civil Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Delays in All Construction Phases
LV 4.1-45. All possible precautions shall be taken to maintain a moderate and uniform soil moisture to avoid high and/or fluctuating water content in slope materials. Slope irrigation systems shall be properly operated and maintained and system controls shall be placed under strict control.	Applicant (Landscape Architect)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Occupancy Permits
LV 4.1-46. A program of aggressive rodent control shall be implemented to control burrowing on slope areas.	Applicant (Civil Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During All Construction Phases

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-47. Bank protection is proposed to consist of a soil cement, gunite or rip-rap liner, which is buried/concealed behind a 4:1 (h:v) fill slope. Construction of the liner will involve the excavation of a 20-foot-deep slot as shown in the details on the tentative map. Where the toe of the 4:1 slope extends beyond the removals for the slot, the alluvium shall be overexcavated 3 feet prior to placement of overlying fill.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Slope Protection Activities
LV 4.1-48. Ground water will likely be encountered between a depth of 5 and 10 feet; therefore dewatering shall be undertaken to complete the lower 10 to 15 feet of the proposed slot excavation.	Applicant (Civil Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Slope Protection Activities
LV 4.1-49. All final grades shall be sloped away from the building foundations to allow rapid removal of surface water runoff. No ponding of water shall be allowed adjacent to the foundations. Plants and other landscape vegetation requiring excessive watering shall be avoided adjacent to the building foundations. Should landscaping be constructed, an effective water-tight barrier shall be provided to prevent water from affecting the building foundations.	Applicant (Civil Engineer, Construction Superintendent and Landscape Architect)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading and Landscape Installation
LV 4.1-50. Future structures shall be designed according to standards applicable to Seismic Zone 4 of the Uniform Building Code.	Applicant	Building Plan Check	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Building Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-51. Lots underlain by transitions between different material types (e.g., bedrock to fill, bedrock to alluvium, etc.) shall be over-excavated 5 feet to minimize potential adverse impacts associated with differential materials response.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-52. Over-excavation of clay-rich bedding planes of the Saugus Formation or Pico Formation and subsequent placement of a certified fill cap is recommended to mitigate potential hazards from expansive material, and to reduce potential hazards from potential secondary seismogenic movement along bedding planes.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-53. Stability Fills shall be analyzed at the grading plan stage based on testing of the actual materials proposed for the fill.	Applicant (Geotechnical Engineer)	Grading Plan Check	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-54. Most of the alluvium and older Alluvium on the site are coarse-grained and have low cohesion. These materials shall not be used within the outer 4 feet of fill slopes and Stability Fills.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-55. Excavations deeper than 3 feet shall conform to safety requirements for excavations as set forth in the State Construction Safety Orders enforced by the State Division of Industrial Safety, California occupational Safety and Health Administration (CAL OSHA). Temporary excavations no higher than 12 feet shall be no steeper than 1:1 (h:v). For excavations to 20 feet in height, the bottom 3.5 feet may be vertical and the upper portion between 3.5 and 20 feet shall be no steeper than 1.5:1 (h:v). Excavations not complying with these requirements shall be shored. It is strongly recommended that excavation walls in sands and dry soils be kept moist, but not saturated at all times.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-56. Parameters for design of cantilever and braced shoring shall be provided at the grading plan stage.	Applicant (Geotechnical Engineer)	Grading Plan Check	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-57. The bases of excavations or trenches shall be firm and unyielding prior to foundations or utility construction. On-site materials other than topsoil or soils with roots or deleterious materials may be used for backfilling excavations. Densification (compaction) by jetting may be used for on-site clean sands or imported equivalent of coarser sand provided they have a Sand Equivalent greater than or equal to 30 as determined by ASTM D2419 test method. Recommended specifications for placement of trench backfill are presented in Appendix C of the September 27, 2000 geologic and geotechnical report.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-58. The structural design shall include seismic geotechnical parameters in accordance with Uniform Building Code (UBC) requirements for Seismic Zone 4. These parameters shall be provided at the grading plan stage.	Applicant	Building Plan Check	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-59. Shallow spread footings for foundation support of up to three-story residential, commercial or light industrial developments can adequately be derived from non-organic native soils, processed as necessary, and bedrock or engineered fill compacted as previously recommended. The composition of footings for heavier structures, if applicable, shall be addressed at the grading plan stage. Tentatively, an allowable bearing capacity of 2,500 pounds per square foot can be used for shallow foundations constructed in certified compacted fill originated from existing, near-surface soils (except vegetative soils). Lateral resistance of footing walls shall be provided at the grading plan stage.	Applicant	Building Plan Check	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-60. Figure C4 (Appendix C), "Cut Lot (Transitional)" and "Cut-Fill Lot (Transitional") of the September 27, 2000 geologic and geotechnical report provides a foundation grading detail for locations where foundations will straddle transition zones between cut and fill materials. If the remaining cut-fill transition is steep at depth below the building area, the geometry of the transition shall be reviewed during grading operations by the soils engineer on a site-specific basis to evaluate the need for additional over-excavation removals and/or additional foundation reinforcement. Based on this review, appropriate action shall be taken as deemed necessary by the engineer. As a general guideline, steep cut/fill transitions would include slope gradients steeper than 4:1 (h:v) and overall variations in fill thickness of greater than 15 feet, which occur within 20 feet of final pad grade. Transitions between differing material types, such as bedrock and alluvium, also shall be overexcavated 5 feet as recommended in Section 1.2 of Appendix E of the September 27, 2000, Geologic and Geotechnical Report.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-61. To minimize significant settlements, upper soils in areas to receive fills shall be removed and recompacted to competent materials. Specific foundation design loads shall be provided at the grading plan stage.	Applicant (Geotechnical Engineer)	Grading Plan Check Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit and During Grading
LV 4.1-62. Whenever seepage of groundwater is observed, the condition shall be evaluated by the engineering geologist and geotechnical engineer prior to covering with fill material.	Applicant (Engineering Geologist and Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading
LV 4.1-63. Surface drainage control design shall include provisions for positive surface gradients to ensure that surface runoff is not permitted to pond, particularly above slopes or adjacent to building foundations or slabs. Surface runoff shall be directed away from slopes and foundations and collected in lined ditches or drainage swales, via non-erodible drainage devices, which is to discharge to paved roadways, or existing watercourses. If these facilities discharge onto natural ground, means shall be provided to control erosion and to create sheet flow.	Applicant (Civil Engineer and Construction Superintendent)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Occupancy Permit
LV 4.1-64. Fill slopes and stability fills, as applicable, shall be provided with subsurface drainage as necessary for stability.	Applicant (Geotechnical Engineer)	Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. During Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-65. Additional testing for expansive soils shall be performed at the grading plan stage and during finish grading so that appropriate foundation design recommendations for expansive soils, if applicable, can be made.	Applicant (Geotechnical Engineer)	Grading Plan Check Field Verification	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit and During Grading
LV 4.1-66. Testing for soil corrosivity shall be undertaken at additional locations within the project site at the grading plan stage. Final recommendations for concrete shall be in accordance with the latest UBC requirements, and a corrosion specialist shall provide mitigating recommendations for potential corrosion of metals.	Applicant (Geotechnical Engineer)	Receipt of Test Results	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-67. Retaining wall geotechnical design parameters and pavement design(s) shall be provided at the grading plan stage.	Applicant (Geotechnical Engineer)	Grading Plan Check	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-68. If the proposed fills over alluvium and slopewash at either the Adobe Canyon or Chiquito Canyon sites are to be considered "structural fill," subsurface studies shall be performed to determine actual liquefaction potential of these soils. If this potential exists, it shall be addressed by removal and recompaction of the alluvium above groundwater, in order to provide a cap to bridge effects.	Applicant (Geotechnical Engineer)	Receipt and Review of Subsurface Study Report	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.1 GEOTECHNICAL AND SOIL RESOURCES (cont.)			
LV 4.1-69. Where possible, removals that impact the mapped landslides shall be completed so as to not remove the existing landslide stability. If this is not possible, the conditions shall be geotechnically evaluated on a case-by-case basis at the Grading Plan stage in order to safely complete the necessary removals.	Applicant (Geotechnical Engineer)	Grading Plan Check	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
LV 4.1-70. Slope stability analysis shall be performed for the 186-foot-high cut slope along the base of the existing Edison tower within the Chiquito Canyon grading site. Corrective measures, such as construction of a buttress or stability fills, shall be implemented if the proposed cut slope does not comply with the required minimum factor of safety.	Applicant (Geotechnical Engineer)	Grading Plan Check	1. LACDPW, Geology/Soils Section, Building and Safety 2. LACDPW, Geology/Soils Section, Building and Safety 3. Prior to Issuance of Grading Permit
4.2 HYDROLOGY			
Please refer to **Section 4.3, Water Quality**, of this Mitigation Monitoring Program (MMP) for a listing of Program Environmental Impact Report (EIR) mitigation measures pertaining to hydrology.			
LV 4.2-1. The on-site storm drains (pipes and reinforced concrete boxes) and open channels shall be designed and constructed for either the 25-year or 50-year capital storm.	Applicant (Civil Engineer)	Approval of Drainage Plans Field Verification	1. LACDPW, Flood Control District (FCD) 2. LACDPW, FCD 3. Prior to Issuance of Occupancy Permit(s)
LV 4.2-2. Debris basins shall be constructed pursuant to LACDPW requirements to intercept flows from undeveloped areas entering into the developed portions of the site.	Applicant (Civil Engineer)	Approval of Drainage Plans Field Verification	1. LACDPW, FCD 2. LACDPW, FCD 3. Prior to Issuance of Occupancy Permit(s)

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.2 HYDROLOGY (cont.)			
LV 4.2-3. Energy dissipaters consisting of either rip-rap or larger standard impact-type energy dissipaters shall be installed as required by LACDPW at outlet locations to reduce velocities of runoff into the channel where necessary to prevent erosion.	Applicant (Civil Engineer)	Approval of Drainage Plans Field Verification	1. LACDPW, FCD 2. LACDPW, FCD 3. Prior to Issuance of Occupancy Permit(s)
LV 4.2-4. The project is required to comply with the Regional Water Quality Control Board (RWQCB) Municipal Permit (General MS4 Permit) Order No. 01-182, National Pollutant Discharge Elimination System (NPDES) No. CAS004001 (adopted December 13, 2001), and with the state's General Construction Activity Storm Water Permit, California State Water Resources Control Board Order No. 99-08-DWQ, National Pollutant Discharge Elimination System (NPDES) No. CAS000002, reissued on April 17, 1997, as amended.	Applicant (Construction Superintendent)	Submittal of Urban Storm Water management Plan (USWMP) and Storm Water Pollution Prevention Plan (SWPPP) to Regional Water Quality Control Board for the Los Angeles Region (RWQCBLAR) Field Verification	1. RWQCBLAR 2. LACDPW, Building and Safety 3. Prior to Grading and During Grading Operations

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.2 HYDROLOGY (cont.)			
LV 4.2-5. During all construction phases, temporary erosion control shall be implemented to retain soil and sediment on the tract map site, within the Adobe Canyon borrow site, the Chiquito Canyon grading site, the utility corridor right-of-way, and the bank stabilization areas, as follows: • Re-vegetate exposed areas as quickly as possible; • Minimize disturbed areas; • Divert runoff from downstream drainages with earth dikes, temporary drains, slope drains, etc.; • Reduce velocity through outlet protection, check dams, and slope roughening/terracing; • Implement dust control measures, such as sand fences, watering, etc.; • Stabilize all disturbed areas with blankets, reinforced channel liners, soil cement, fiber matrices, geotextiles, and/or other erosion resistant soil coverings or treatments; • Stabilize construction entrances/exits with aggregate underdrain with filter cloth or other comparable method; • Place sediment control BMPs at appropriate locations along the site perimeter and at all operational internal inlets to the storm drain system at all times during the rainy season (sediment control BMPs may include filtration devices and barriers, such as fiber rolls, silt fence, straw bale barriers, and gravel inlet filters, and/or with settling devices, such as sediment traps or basins); and/or • Eliminate or reduce, to the extent feasible, non-stormwater discharges (e.g., pipe flushing, and fire hydrant flushing, over-watering during dust control, vehicle and equipment wash down) from the construction site through the use of appropriate sediment control BMPs.	Applicant (Construction Superintendent)	Field Verification	1. LACDPW, FCD 2. LACDPW, FCD 3. During All Construction Phases
LV 4.2-6. All necessary permits, agreements, letters of exemption from the Army Corps of Engineers (ACOE) and/or the California Department of Fish and Game (CDFG) for project-related development within their respective jurisdictions must be obtained prior to the issuance of grading permits.	Applicant	Receipt of Necessary Documents	1. Los Angeles County Department of Regional Planning (LACDRP) 2. LACDRP 3. Prior to Issuance of Grading Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.2 HYDROLOGY (cont.)			
LV 4.2-7. By October 1st of each year, a separate erosion control plan for construction activities shall be submitted to the local municipality describing the erosion control measures that will be implemented during the rainy season (October 1 through April 15).	Applicant (Construction Superintendent)	Receipt and Review of Annual Erosion Control Plan	1. LACDPW, FCD 2. LACDPW, FCD 3. By October 1 of Each Year During Construction Activities
LV 4.2-8. A final developed condition hydrology analysis shall be prepared in conjunction with final project design when precise engineering occurs. This final analysis will be done to confirm that the final project design is consistent with this analysis. Those final calculations shall establish design features for the project that satisfy the criterion that post-development peak stormwater runoff discharge rates, velocities, and duration in natural drainage systems mimic pre-development conditions. All elements of the storm drain system shall conform to the policies and standards of the LACDPW, Flood Control Division, as applicable.	Applicant (Project Hydrologist)	Receipt and Review of Final Hydrology Analysis	1. LACDPW, FCD 2. LACDPW, FCD 3. Prior to Approval of Final Design Plans
LV 4.2-9. Ultimate project hydrology and debris production calculations shall be prepared by a project engineer to verify the requirements for debris basins and/or desilting inlets.	Applicant (Civil Engineer)	Review of Calculations	1. LACDPW, FCD 2. LACDPW, FCD 3. Prior to Approval of Final Design Plans
LV 4.2-10. To reduce debris being discharged from the site, debris basins shall be designed and constructed pursuant to LACDPW Flood Control to intercept flows from undeveloped areas entering into the developed portions of the site.	Applicant (Civil Engineer)	Approval of Drainage Plans Field Verification	1. LACDPW, FCD 2. LACDPW, FCD 3. Prior to Issuance of Occupancy Permit(s)

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.3 WATER QUALITY			
SP 4.2-1. All on- and off-site flood control improvements necessary to serve the Newhall Ranch Specific Plan are to be constructed to the satisfaction of the County of Los Angeles Department of Public Works Flood Control Division.	Applicant (Civil Engineer)	Approval of Drainage Plans Field Verification	1. LACDPW, FCD 2. LACDPW, FCD 3. Prior to Issuance of Occupancy Permit(s)
SP 4.2-2. All necessary permits or letters of exemption from the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, California Department of Fish and Game, and the Regional Water Quality Control Board for Specific Plan-related development are to be obtained prior to construction of drainage improvements. The performance criteria to be used in conjunction with 1603 agreements and/or 404 permits are described in Section 4.6, Biological Resources, Mitigation Measures 4.6-1 through 4.6-10 (restoration) and 4.6-11 through 4.6-16 (enhancement).	Applicant	Receipt of all Necessary Permit(s)	1. ACOE, US Fish and Wildlife Service (USFWS), CDFG, RWQCBLAR 2. ACOE, USFWS, CDFG, RWQCBLAR 3. Prior to Grading
SP 4.2-3. All necessary streambed agreement(s) are to be obtained from the California Department of Fish and Game wherever grading activities alter the flow of streams under CDFG jurisdiction. The performance criteria to be used in conjunction with 1603 agreements and/or 404 permits are described in Section 4.6, Biological Resources, Mitigation Measures 4.6-1 through 4.6-10 (restoration) and 4.6-11 through 4.6-16 (enhancement).	Applicant	Receipt of Streambed Agreements	1. CDFG 2. LACDPW, FCD 3. Prior to Grading
SP 4.2-4. Conditional Letters of Map Revision (CLOMR) relative to adjustments to the 100-year Federal Insurance Administration (FIA) flood plain are to be obtained by the applicant after the proposed drainage facilities are constructed.	Applicant (Civil Engineer)	Receipt of CLOMR(s)	1. Federal Insurance Administration 2. LACDPW 3. Upon Completion of Facilities

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.3 WATER QUALITY (cont.)			
SP 4.2-5. Prior to the approval and recordation of each subdivision map, a Hydrology Plan, Drainage Plan, and Grading Plan (including an Erosion Control Plan if required) for each subdivision must be prepared by the applicant of the subdivision map to ensure that no significant erosion, sedimentation, or flooding impacts would occur during or after site development. These plans shall be prepared to the satisfaction of the County of Los Angeles Department of Public Works.	Applicant (Project Engineer)	Approval of Final Hydrology Plan, Final Drainage Plan, and Final Grading Plan	1. LACDPW, FCD and Geology/Soils Section 2. LACDPW, FCD and Geology/Soils Section 3. Prior to Recording of Each Subdivision Map
SP 4.2-6. Install permanent erosion control measures, such as desilting and debris basins, drainage swales, slope drains, storm drain inlet/outlet protection, and sediment traps in order to prevent sediment and debris from the upper reaches of the drainage areas which occur on the Newhall Ranch site from entering storm drainage improvements. These erosion control measures shall be installed to the satisfaction of the County of Los Angeles Department of Public Works.	Applicant (Project Engineer)	Field Verification	1. LACDPW, FCD 2. LACDPW, FCD 3. Prior to Issuance of Occupancy Permits
SP 4.2-7. The applicant for any subdivision map permitting construction shall satisfy all applicable requirements of the NPDES Program in effect in Los Angeles County to the satisfaction of the County of Los Angeles Department of Public Works. These requirements currently include preparation of an USWMP containing design features and Best Management Practices (BMPs) appropriate and applicable to the subdivision. In addition, the requirements currently include preparation of a Storm Water Management Pollution Prevention Plan (SWPPP) containing design features and BMPs appropriate and applicable to the subdivision. The County of Los Angeles Department of Public Works shall monitor compliance with those NPDES requirements.	Applicant (Construction Superintendent)	Submittal of USWMP and SWPPP to RWQCBLAR Field Verification	1. RWQCBLAR 2. LACDPW, Building and Safety 3. Prior to Grading and During Grading Operations

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.3 WATER QUALITY (cont.)				
SP 4.2-8.	The applicant for any subdivision map permitting construction shall comply with all appropriate requirements of the County of Los Angeles Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, and comply with the State Water Resources Control Board (SWRCB) issued General Permit for Construction Activity Storm Water (SWRCB Order 99-08-DWQ), as it may be amended from time to time or replaced by other applicable stormwater permits.	Applicant (Construction Superintendent)	Submittal of SUSMP to LACDPW Field Verification	1. LACDPW, FCD 2. LACDPW, FCD 3. Prior to Issuance of Occupancy Permits
LV 4.3-1.	Prior to issuance of a building permit, and as a part of the design level hydrology study and facilities plan, the project applicant shall submit to planning staff for review drainage plans showing the incorporation into the project of those water quality and hydrologic control project design features (i.e., the post-development water quality and hydrologic control BMPs)(the "PDFs"), identified in this **Section 4.3**, which PDFs shall be designed to meet the standards set forth in this **Section 4.3**, including the sizing, capacity, and volume reduction performance standards set forth herein, all as summarized in **Table 4.3-17**.	Applicant	Review of Drainage Plans	1. LACDRP 2. LACDRP 3. Prior to Issuance of Building Permits
4.4 BIOTA				
SP 4.6-1.	The restoration mitigation areas located within the River Corridor Special Management Area (SMA) shall be in areas that have been disturbed by previous uses or activities. Mitigation shall be conducted only on sites where soils, hydrology, and microclimate conditions are suitable for riparian habitat. First priority will be given to those restorable areas that occur adjacent to existing patches (areas) of native habitat that support sensitive species, particularly endangered or threatened species. The goal is to increase habitat patch size and connectivity with other existing habitat patches while restoring habitat values that will benefit sensitive species.	Applicant (Project Biologist)	Field Verification	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plans

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-2. A qualified biologist shall prepare or review revegetation plans. The biologist shall also monitor the restoration effort from its inception through the establishment phase.	Applicant (Project Biologist)	Revegetation Plan Comments and Documentation of Restoration Monitoring from Qualified Biologist Field Verification	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plans and Monitor During Restoration Effort
SP 4.6-3. Revegetation Plans may be prepared as part of a California Department of Fish and Game 1603 Streambed Alteration Agreement and/or an U.S. Army Corps of Engineers Section 404 Permit, and shall include: • Input from both the Project proponent and resource agencies to assure that the Project objectives applicable to the River Corridor SMA and the criteria of this RMP are met; and • The identification of restoration/mitigation sites to be used. This effort shall involve an analysis of the suitability of potential sites to support the desired habitat, including a description of the existing conditions at the site(s) and such base line data information deemed necessary by the permitting agency.	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan
SP 4.6-4. The revegetation effort shall involve an analysis of the site conditions such as soils and hydrology so that site preparation needs can be evaluated. The revegetation plan shall include the details and procedures required to prepare the restoration site for planting (i.e., grading, soil preparation, soil stockpiling, soil amendments, etc.), including the need for a supplemental irrigation system, if any.	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-5. Restoration of riparian habitats within the River Corridor SMA shall use plant species native to the Santa Clara River. Cuttings or seeds of native plants shall be gathered within the River Corridor SMA or purchased from nurseries with local supplies to provide good genetic stock for the replacement habitats. Plant species used in the restoration of riparian habitat shall be listed on the approved project plant palette (Specific Plan Table 2.6-1, Recommended Plant Species for Habitat Restoration in the River Corridor SMA) or as approved by the permitting state and federal agencies.	Applicant (Project Biologist)	Revegetation Plan Review Field Verification	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan and Monitor During Restoration Effort
SP 4.6-6. The final revegetation plans shall include notes that outline the methods and procedures for the installation of the plant materials. Plant protection measures identified by the project biologist shall be incorporated into the planting design/layout.	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan
SP 4.6-7. The revegetation plan shall include guidelines for the maintenance of the mitigation site during the establishment phase of the plantings. The maintenance program shall contain guidelines for the control of non-native plant species, the maintenance of the irrigation system, and the replacement of plant species.	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan
SP 4.6-8. The revegetation plan shall provide for monitoring to evaluate the growth of the developing habitat. Specific performance goals for the restored habitat shall be defined by qualitative and quantitative characteristics of similar habitats on the river (e.g., density, cover, species composition, structural development). The monitoring effort shall include an evaluation of not only the plant material installed, but the use of the site by wildlife. The length of the monitoring period shall be determined by the permitting state and/or federal agency.	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan
SP 4.6-9. Monitoring reports for the mitigation site shall be reviewed by the permitting state and/or federal agency.	Applicant (Project Biologist)	Review of Monitoring Reports	1. ACOE and CDFG 2. ACOE and CDFG 3. During Revegetation Activities

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-10. Contingency plans and appropriate remedial measures shall also be outlined in the revegetation plan.	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan
SP 4.6-11. Habitat enhancement as referred to in this document means the rehabilitation of areas of native habitat that have been moderately disturbed by past activities (e.g., grazing, roads, oil and natural gas operations, etc.) or have been invaded by non-native plant species such as giant cane (*Arundo donax*) and tamarisk (*Tamarix* sp.).	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan
SP 4.6-12. Removal of grazing is an important means of enhancement of habitat values. Without ongoing disturbance from cattle, many riparian areas will recover naturally. Grazing except as permitted as a long-term resource management activity will be removed from the River Corridor SMA pursuant to the Long-Term Management Plan set forth in Section 4.6 of the Specific Plan EIR.	Land Owner/SMA Manager	Mitigation Monitoring Reports	1. LACDRP 2. LACDRP 3. Mitigation Monitoring Reports under Conditional Use Permit (CUP) Condition No. 8
SP 4.6-13. To provide guidelines for the installation of supplemental plantings of native species within enhancement areas, a revegetation plan shall be prepared prior to implementation of mitigation (see guidelines for revegetation plans above). These supplemental plantings will be composed of plant species similar to those growing in the existing habitat patch (see Specific Plan Table 2.6-1).	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan
SP 4.6-14. Not all enhancement areas will necessarily require supplemental plantings of native species. Some areas may support conditions conducive for rapid "natural" re-establishment of native species. The revegetation plan may incorporate means of enhancement to areas of compacted soils, poor soil fertility, trash or flood debris, and roads as a way of enhancing riparian habitat values.	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-15. Removal of non-native species such as giant cane (*Arundo donax*), salt cedar or tamarisk (*Tamarix* sp.), tree tobacco (*Nicotiana glauca*), castor bean (*Ricans communis*), if included in a revegetation plan to mitigate impacts, shall be subject to the following standards: • First priority shall be given to those habitat patches that support or have a high potential for supporting sensitive species, particularly endangered or threatened species; • All non-native species removals shall be conducted according to a resource agency approved exotics removal program; and • Removal of non-native species in patches of native habitat shall be conducted in such a way as to minimize impacts to the existing native riparian plant species.	Applicant (Project Biologist)	Revegetation Plan Review	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Revegetation Plan
SP 4.6-16. Mitigation banking activities for riparian habitats will be subject to state and federal regulations and permits. Mitigation banking for oak resources shall be conducted pursuant to the Oak Resources Replacement Program. Mitigation banking for elderberry scrub shall be subject to approval of plans by the County Forester.	Applicant (Project Biologist)	State and Federal Permits; Submittal of Permits	1. ACOE, CDFG 2. ACOE, CDFG, 3. Prior to Approval of Mitigation Banking Program
		Oak Resources; Review of Oak Tree Permit	1. LACDRP 2. LACDRP 3. Approval of Oak Tree Permit
		Elderberry Scrub; Review of Initial Study	1. LACDRP 2. LACDRP 3. Prior to Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-17. Access to the River Corridor SMA for hiking and biking shall be limited to the river trail system (including the Regional River Trail and various Local Trails) as set forth in this Specific Plan. • The River trail system shall be designed to avoid impacts to existing native riparian habitat, especially habitat areas known to support sensitive species. Where impacts to riparian habitat are unavoidable, disturbance shall be minimized and mitigated as outlined above under Mitigation Measures 4.6-1 through 4.6-8.	Applicant (Design)	Review of Trails Plans, Tract Maps, and/or Site Plans (Design)	1. LA County Department of Parks and Recreation 2. LA County Department of Parks and Recreation 3. Prior to Approval of Trails Plans, Tract Maps, and/or Site Plans, as applicable.
• Access to the River Corridor SMA will be limited to daytime use of the designated trail system. • Signs indicating that no pets of any kind will be allowed within the River Corridor SMA, with the exception that equestrian use is permitted on established trails, shall be posted along the River Corridor SMA. • No hunting, fishing, or motor or off-trail bike riding shall be permitted. • The trail system shall be designed and constructed to minimize impacts on native habitats.	SMA Manager (Access)	Field Verification (Access)	1. LACDRP 2. LACDRP 3. Upon Complaint
SP 4.6-18. Where development lies adjacent to the boundary of the River Corridor SMA a transition area shall be designed to lessen the impact of the development on the conserved area. Transition areas may be comprised of Open Area, natural or revegetated manufactured slopes, other planted areas, bank areas, and trails. Exhibits 2.6-4, 2.6-5, and 2.6-6 indicate the relationship between the River Corridor SMA and the development (disturbed) areas of the Specific Plan. The SMAs and the Open Area as well as the undisturbed portions of the development areas are shown in green. As indicated on the exhibits, on the south side of the River Corridor SMA is separated from development by the river bluffs, except in one location. The Regional River Trail will serve as transition area on the north side of the river where development areas adjoin the River Corridor SMA (excluding Travel Village).	Applicant	Review of Trails Plans, Tract Maps, and/or Site Plans	1. LACDRP 2. LACDRP 3. Prior to Approval of Trails Plans, Tract Maps, and/or Site Plans, as applicable.

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-19. The following are the standards for design of transition areas: • In all locations where there is no steep grade separation between the River Corridor and development, a trail shall be provided along this edge; • Native riparian plants shall be incorporated into the landscaping of the transition areas between the River Corridor SMA and adjacent development areas where feasible for their long-term survival. Plants used in these areas shall be those listed on the approved plant palette (Specific Plan Table 2.6-2 of the Resource Management Plan [Recommended Plants for Transition Areas Adjacent to the River Corridor SMA]); • Roads and bridges that cross the River Corridor SMA shall have adequate barriers at their perimeters to discourage access to the River Corridor SMA adjacent to the structures; • Where bank stabilization is required to protect development areas, it shall be composed of ungrouted rock, or buried bank stabilization as described in subsection 2.5.2.a., except at bridge crossings and other locations where public health and safety requirements necessitate concrete or other bank protection; and • A minimum 100-foot-wide buffer adjacent to the Santa Clara River should be required between the top river side of bank stabilization and development within the Land Use Designations Residential Low Medium, Residential Medium, Mixed-Use and Business Park unless, through Planning Director review in consultation with the staff biologist, it is determined that a lesser buffer would adequately protect the riparian resources within the River Corridor or that a 100-foot-wide buffer is infeasible for physical infrastructure planning. The buffer area may be used for public infrastructure, such as flood control access; sewer, water and utility easements; abutments; trails and parks, subject to findings of consistency with the Specific Plan and applicable County policies.	Applicant	Review of Trails Plans, Tract Maps, and/or Site Plans	1. LACDRP and LACDPW for Bank Stabilization 2. LACDRP and LACDPW for Bank Stabilization 3. Prior to Approval of Trails Plans, Tract Maps, and/or Site Plans, as applicable

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-20. The following guidelines shall be followed during any grading activities that take place within the River Corridor SMA: • Grading perimeters shall be clearly marked and inspected by the project biologist prior to grading occurring within or immediately adjacent to the River Corridor SMA. • The project biologist shall work with the grading contractor to avoid inadvertent impacts to riparian resources.	Applicant (Project Biologist)	Field Verification	1. LACDPW 2. LACDPW 3. Prior to and During Grading Activities
SP 4.6-21. Upon final approval of the Newhall Ranch Specific Plan, the Special Management Area designation for the River Corridor SMA shall become effective. The permitted uses and development standards for the SMA are governed by the Development Regulations, Chapter 3 of the Specific Plan.	Los Angeles County	None Required	1. Los Angeles County 2. Los Angeles County 3. Upon Effective Date of Zoning Ordinance
SP 4.6-22. Upon completion of development of all land uses, utilities, roads, flood control improvements, bridges, trails, and other improvements necessary for implementation of the Specific Plan within the River Corridor in each subdivision allowing construction within or adjacent to the River Corridor, a permanent, non-revocable *conservation and public access easement* shall be offered to the County of Los Angeles pursuant to Mitigation Measure 4.6-23 below over the portion of the River Corridor SMA within that subdivision.	Land Owner	Offer of Dedication of Easement	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Submittal of Monitoring Report(s) Under CUP Condition No. 8
SP 4.6-23. The River Corridor SMA *Conservation and Public Access Easement* shall be offered to the County of Los Angeles prior to the transfer of the River Corridor SMA ownership, or portion thereof to the management entity described in Mitigation Measure 4.6-26 below.	Land Owner	Offer of Dedication of Easement	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Transfer of River Corridor Ownership Under 4.6-26

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-24. The River Corridor SMA *Conservation and Public Access Easement* shall prohibit grazing, except as a long-term resource management activity, and agriculture within the River Corridor and shall restrict recreation use to the established trail system. Agricultural land uses and grazing for purposes other than long-term resource management activities within the River Corridor shall be extended in the event of the filing of any legal action against Los Angeles County challenging final approval of the Newhall Ranch Specific Plan and any related project approvals or certification of the Final EIR for Newhall Ranch. Agricultural land uses and grazing for purposes other than long-term resource management activities within the River Corridor shall be extended by the time period between the filing of any such legal action and the entry of a final judgment by a court with appropriate jurisdiction, after exhausting all rights of appeal, or execution of a final settlement agreement between all parties to the legal action, whichever occurs first.	Land Owner	Review of Easement Document	1. LACDRP 2. LACDRP 3. Prior to Acceptance of Easement by County
SP 4.6-25. The River Corridor SMA conservation and public access easement shall be consistent in its provisions with any other conservation easements to state or federal resource agencies which may have been granted as part of mitigation or mitigation banking activities.	Land Owner	Review of Conservation Easement /and Resource Permits	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Recordation of River Corridor SMA Conservation Easement

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-26. Prior to the recordation of the River Corridor SMA *Conservation and Public Access Easement* as specified in Mitigation Measure 4.6-23 above, the land owner shall provide a plan to the County for the permanent ownership and management of the River Corridor SMA, including any necessary financing. This plan shall include the transfer of ownership of the River Corridor SMA to the Center for Natural Lands Management, or if the Center for Natural Lands Management is declared bankrupt or dissolved, ownership will transfer or revert to a *joint powers authority* consisting of Los Angeles County (4 members), the City of Santa Clarita (2 members), and the Santa Monica Mountains Conservancy (2 members).	Land Owner	Approval of Management Plan by County	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Recordation of River Corridor SMA Conservation Easement
SP 4.6-26a. Two types of habitat restoration may occur in the High Country SMA: 1) riparian revegetation activities principally in Salt Creek Canyon and 2) oak tree replacement in, or adjacent to, existing oak woodlands and savannahs. • Mitigation requirements for riparian revegetation activities within the High Country SMA are the same as those for the River Corridor SMA and are set forth in Mitigation Measures 4.6-1 through 4.6-11 and 4.6-13 through 4.6-16 above. • Mitigation requirements for oak tree replacement are set forth in Mitigation Measure 4.6-48 below.	Land Owner (Project Biologist)	Field Verification	1. ACOE, CDFG (Riparian) 2. ACOE, CDFG (Riparian) 3. Approval of Revegetation Plans
SP 4.6-27. Removal of grazing from the High Country SMA except for those grazing activities associated with long-term resource management programs, is a principal means of enhancing habitat values in the creeks, brushland and woodland areas of the SMA. The removal of grazing in the High Country SMA is discussed below under (b) 4. Long Term Management. All enhancement activities for riparian habitat within the High Country SMA shall be governed by the same provisions as set forth for enhancement in the River Corridor SMA. Specific Plan Table 2.6-3 of the Resource Management Plan provides a list of appropriate plant species for use in enhancement areas in the High Country SMA.	Land Owner/Center for Natural land Management (CNLM)	Enhancement Plans and Field Verification	1. LACDRP 2. – CNLM 3. During Enhancement Activities

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-29. Access to the High Country SMA will be limited to daytime use of the designated trail system.	Manager of High Country SMA	Field Verification	1. JPA as described in 4.6-41 2. JPA 3. In Perpetuity
SP 4.6-30. No pets of any kind will be allowed within the High Country SMA, with the exception that equestrian use is permitted on established trails.	Manager of High Country SMA	Field Verification	1. JPA 2. JPA 3. In Perpetuity
SP 4.6-31. No hunting, fishing, or motor or trail bike riding shall be permitted.	Manager of High Country SMA	Field Verification	1. JPA 2. JPA 3. In Perpetuity
SP 4.6-34. Grading perimeters shall be clearly marked and inspected by the project biologist prior to impacts occurring within or adjacent to the High Country SMA.	Applicant (Project Biologist)	Field Verification	1. LACDPW 2. LACDPW 3. Prior To and During Grading
SP 4.6-35. The project biologist shall work with the grading contractor to avoid inadvertent impacts to biological resources outside of the grading area.	Applicant (Project Biologist)	Field Verification	1. LACDPW 2. LACDPW 3. During Grading
SP 4.6-37. The High Country SMA shall be offered for dedication in three approximately equal phases of approximately 1,400 acres each proceeding from north to south, as follows: 1) The first offer of dedication will take place with the issuance of the 2,000th residential building permit of Newhall Ranch; 2) The second offer of dedication will take place with the issuance of the 6,000th residential building permit of Newhall Ranch; 3) The remaining offer of dedication will be completed by the 11,000th residential building permit of Newhall Ranch; and 4) The Specific Plan applicant shall provide a quarterly report to the Departments of Public Works and Regional Planning which indicates the number of residential building permits issued in the Specific Plan area by subdivision map number.	Land Owner	Offer of Dedication	1. LA County Department of Regional Planning 2. LA County Department of Building and Safety 3. Upon Issuance of Building Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-38. Prior to dedication of the High Country SMA, a *conservation and public access easement* shall be offered to the County of Los Angeles and a conservation and management easement offered to the Center for Natural Lands Management. The High Country SMA *Conservation and Public Access Easement* shall be consistent in its provisions with any other *conservation easements* to state or federal resource agencies which may have been granted as part of mitigation or mitigation banking activities.	Land Owner	Review of Easement Document	1. LA County Department of Regional Planning 2. LA County Department of Building and Safety 3. Upon Issuance of Building Permits
SP 4.6-39. The High Country SMA conservation and public access easement shall prohibit grazing within the High Country, except for those grazing activities associated with the long-term resource management programs, and shall restrict recreation to the established trail system.	Land Owner	Review of Easement Document	1. LACDRP 2. LACDRP 3. Prior to Acceptance of Easement by Los Angeles County
SP 4.6-40. The High Country SMA conservation and public access easement shall be consistent in its provisions with any other conservation easements to state or federal resource agencies which may have been granted as part of mitigation or mitigation banking activities.	Land Owner	Review of Conservation Easement and Resource Permits	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Recordation of High Country SMA Conservation Easement
SP 4.6-41. The High Country SMA shall be offered for dedication in fee to a *joint powers authority* consisting of Los Angeles County (4 members), the City of Santa Clarita (2 members), and the Santa Monica Mountains Conservancy (2 members). The *joint powers authority* will have overall responsibility for recreation within and conservation of the High Country.	Land Owner	Offer of Dedication	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Issuance of Building Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-42. An appropriate type of service or assessment district shall be formed under the authority of the Los Angeles County Board of Supervisors for the collection of up to $24 per single family detached dwelling unit per year and $15 per single family attached dwelling unit per year, excluding any units designated as Low and Very Low affordable housing units pursuant to Section 3.10, Affordable Housing Program of the Specific Plan. This revenue would be assessed to the homeowner beginning with the occupancy of each dwelling unit and distributed to the *joint powers authority* for the purposes of recreation, maintenance, construction, conservation and related activities within the *High Country Special Management Area*.	Land Owner	Approval of Assessment District Report by County	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Issuance of First Residential Occupancy Permit
SP 4.6-43. Suitable portions of *Open Area* may be used for mitigation of riparian, *oak resources*, or elderberry scrub. Mitigation activities within *Open Area* shall be subject to the following requirements, as applicable: • River Corridor SMA Mitigation Requirements, including: Mitigation Measures 4.6-1 through 4.6-11 and 4.6-13 through 4.6-16; and • High Country SMA Mitigation Requirements, including: Mitigation Measures 4.6-27, 4.6-29 through 4.6-42; and • Mitigation Banking – Mitigation Measure 4.6-16.	Manager of Open Area	Review of Mitigation Plans/Field Verification	1. ACOE; CDFG or Los Angeles County as applicable 2. ACOE; CDFG or Los Angeles County as applicable 3. During Mitigation
SP 4.6-47a. Mitigation Banking will be permitted within the River Corridor SMA, the High Country SMA, and the *Open Area land use designations*, subject to the following requirements: • Mitigation banking activities for riparian habitats will be subject to state and federal regulations, and shall be conducted pursuant to the mitigation requirements set forth in Mitigation Measure 4.6-1 through 4.6-15 above; • Mitigation banking for oak resources shall be conducted pursuant to 4.6-48 below; and • Mitigation banking for elderberry scrub shall be subject to approval of plans by the County Forester.	Applicant (Project Biologist)	State and Federal Permits; Submittal of Permits Oak Resources; Review of Oak Tree Permit Elderberry Scrub; Review of Initial Study	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Approval of Mitigation Banking Program 1. LACDRP 2. LACDRP 3. Approval of Oak Tree Permit 1. LACDRP 2. LACDRP 3. Prior to Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-48. Standards for the restoration and enhancement of oak resources within the High Country SMA and the Open Area include the following (oak resources include oak trees of the sizes regulated under the County Oak Tree Ordinance, southern California black walnut trees, Mainland cherry trees, and Mainland cherry shrubs): • To mitigate the impacts to oak resources which may be removed as development occurs in the Specific Plan Area, replacement trees shall be planted in conformance with the oak tree ordinance in effect at that time; • Oak resource species obtained from the local gene pool shall be used in restoration or enhancement; • Prior to recordation of construction-level final subdivision maps, an oak resource replacement plan shall be prepared that provides the guidelines for the oak tree planting and/or replanting. The Plan shall be reviewed by the Los Angeles Department of Regional Planning and the County Forester and shall include the following: site selection and preparation, selection of proper species including sizes and planting densities, protection from herbivores, site maintenance, performance standards, remedial actions, and a monitoring program; and • All plans and specifications shall follow County oak tree guidelines, as specified in the County Oak Tree Ordinance.	Applicant (Project Biologist)	Oak Tree Permit(s)	1. LA County Forester 2. LA County Forester 3. Prior to Final Subdivision Map Recordation
SP 4.6-49. To minimize the potential exposure of the development areas, Open Area, and the SMAs to fire hazards, the Specific Plan is subject to the requirements of the Los Angeles County Fire Protection District (LACFPD), which provides fire protection for the area. At the time of final subdivision maps permitting construction in development areas that are adjacent to Open Area and the High Country SMA, a wildfire fuel modification plan shall be prepared in accordance with the fuel modification ordinance standards in effect at that time and shall be submitted for approval to the County Fire Department.	Applicant	Review of Wildfire Fuel Modification Plan	1. LA County Forester 2. LA County Forester 3. Prior to Recordation of Final Subdivision Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-50. The wildfire fuel modification plan shall depict a fuel modification zone the size of which shall be consistent with the County fuel modification ordinance requirements. Within the zone, tree pruning, removal of dead plant material and weed and grass cutting shall take place as required by the fuel modification ordinance.	Applicant (Project Biologist)	Review of Wildfire Fuel Modification Plan	1. LA County Forester 2. LA County Forester 3. Prior to Recordation of Final Subdivision Maps
SP 4.6-51. In order to enhance the habitat value of plant communities which require fuel modification, fire retardant plant species containing habitat value may be planted within the fuel modification zone. Typical plant species suitable for Fuel Modification Zones are indicated in Specific Plan Table 2. 6-5 of the Resource Management Plan. Fuel modification zones adjacent to SMAs and Open Areas containing habitat of high value such as oak woodland and savannas shall utilize a more restrictive plant list which shall be reviewed by the County Forester.	Applicant (Project Biologist)	Review of Wildfire Fuel Modification Plan	1. LA County Forester 2. LA County Forester 3. Prior to Recordation of Final Subdivision Maps
SP 4.6-52. The wildfire fuel modification plan shall include the following construction period requirements: (a) a fire watch during welding operations; (b) spark arresters on all equipment or vehicles operating in a high fire hazard area; (c) designated smoking and non-smoking areas; and (d) water availability pursuant to the County Fire Department requirements.	Applicant (Project Biologist)	Review of Wildfire Fuel Modification Plan	1. LA County Forester 2. LA County Forester 3. Prior to Recordation of Final Subdivision Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-53. If, at the time any subdivision map proposing construction is submitted, the County determines through an Initial Study, or otherwise, that there may be rare, threatened or endangered, plant or animal species on the property to be subdivided, then, in addition to the prior surveys conducted on the Specific Plan site to define the presence or absence of sensitive habitat and associated species, current, updated site-specific surveys for all such animal or plant species shall be conducted in accordance with the consultation requirements set forth in Mitigation Measure 4.6-59 within those areas of the Specific Plan where such animal or plant species occur or are likely to occur. The site-specific surveys shall include the unarmored three-spine stickleback, the arroyo toad, the Southwestern pond turtle, the California red-legged frog, the southwestern willow flycatcher, the least Bell's vireo, the San Fernando Valley spineflower and any other rare, sensitive, threatened, or endangered plant or animal species occurring, or likely to occur, on the property to be subdivided. All site-specific surveys shall be conducted during appropriate seasons by qualified botanists or qualified wildlife biologists in a manner that will locate any rare, sensitive, threatened, or endangered animal or plant species that may be present. To the extent there are applicable protocols published by either the United States Fish and Wildlife Service or the California Department of Fish and Game, all such protocols shall be followed in preparing the updated site-specific surveys.	Applicant (Project Biologist)	Review of Initial Study	1. LACDRP 2. LACDRP 3. Prior to Approval of Subdivision Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-53. (cont.) All site-specific survey work shall be documented in a separate report containing at least the following information: (a) project description, including a detailed map of the project location and study area; (b) a description of the biological setting, including references to the nomenclature used and updated vegetation mapping; (c) detailed description of survey methodologies; (d) dates of field surveys and total person-hours spent on the field surveys; (e) results of field surveys, including detailed maps and location data; (f) an assessment of potential impacts; (g) discussion of the significance of the rare, threatened or endangered animal or plant populations found in the project area, with consideration given to nearby populations and species distribution; (h) mitigation measures, including avoiding impacts altogether, minimizing or reducing impacts, rectifying or reducing impacts through habitat restoration, replacement or enhancement, or compensating for impacts by replacing or providing substitute resources or environments, consistent with *California Environmental Quality Act (CEQA) Guidelines* §15370); (i) references cited and persons contacted; and (j) other pertinent information, which is designed to disclose impacts and mitigate for such impacts.			
SP 4.6-54. Prior to development within or disturbance to occupied Unarmored threespine stickleback habitat, a formal consultation with the USFWS shall occur.	Applicant (Project Biologist)	Section 7 Consultation	1. USFWS 2. USFWS 3. Prior to Grading
SP 4.6-55. Prior to development or disturbance within wetlands or other sensitive habitats, permits shall be obtained from pertinent federal and state agencies and the Specific Plan shall conform with the specific provisions of said permits. Performance criteria shall include that described in Mitigation Measures 4.6-1 through 4.6-16 and 4.6-42 through 4.6-47 for wetlands, and Mitigation Measures 4.6-27, 4.6-28, and 4.6-42 through 4.6-48 for other sensitive habitats.	Applicant (Project Biologist)	Receipt of Appropriate Permit applications	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-56. All lighting along the perimeter of natural areas shall be downcast luminaries with light patterns directed away from natural areas.	Applicant	Building Permit Plot Plan Review	1. LACDRP 2. LACDRP 3. Prior to Issuance of Building Permits
SP 4.6-57. Where bridge construction is proposed and water flow would be diverted, blocking nets and seines shall be used to control and remove fish from the area of activity. All fish captured during this operation would be stored in tubs and returned unharmed back to the river after construction activities were complete.	Applicant (Project Biologist)	Field Verification	1. ACOE, CDFG 2. ACOE, CDFG 3. Prior to Construction
SP 4.6-58. To limit impacts to water quality the Specific Plan shall conform with all provisions of required NPDES permits and water quality permits that would be required by the California Regional Water Quality Control Board.	Project Engineer	Approval of a Storm Water Management Plan (SWMP	1. LACDPW 2. LACDPW 3. Prior to Issuance of Grading Permit(s)

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-59. Consultation shall occur with the County of Los Angeles (County) and California Department of Fish and Game (CDFG) at each of the following milestones: 1) Before Surveys. Prior to conducting sensitive plant or animal surveys at the Newhall Ranch subdivision map level, the applicant, or its designee, shall consult with the County and CDFG for purposes of establishing and/or confirming the appropriate survey methodology to be used; 2) After Surveys. After completion of sensitive plant or animal surveys at the subdivision map level, draft survey results shall be made available to the County and CDFG within 60 calendar days after completion of the field survey work; 3) Subdivision Map Submittal. Within 30 calendar days after the applicant, or its designee, submits its application to the County for processing of a subdivision map in the Mesas Village or Riverwood Village, a copy of the submittal shall be provided to CDFG. In addition, the applicant, or its designee, shall schedule a consultation meeting with the County and CDFG for purposes of obtaining comments and input on the proposed subdivision map submittal. The consultation meeting shall take place at least thirty (30) days prior to the submittal of the proposed subdivision map to the County; and	Applicant (Project Biologist)	Section 2081 Permit	1. USFWS and CDFG 2. USFWS and CDFG 3. Prior to Grading

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-59. (cont.) 4) Development/Disturbance and Further Mitigation. Prior to any development within, or disturbance to, habitat occupied by rare, threatened, or endangered plant or animal species, or to any portion of the Spineflower Mitigation Area Overlay, as defined below, all required permits shall be obtained from both USFWS and CDFG, as applicable. It is further anticipated that the federal and state permits will impose conditions and mitigation measures required by federal and state law that are beyond those identified in the Newhall Ranch Final EIR (March 1999), the Newhall Ranch DAA (April 2001) and the Newhall Ranch Revised DAA (2002). It is also anticipated that conditions and mitigation measures required by federal and state law for project-related impacts on endangered, rare or threatened species and their habitat will likely require changes and revisions to Specific Plan development footprints, roadway alignments, and the limits, patterns and techniques associated with project-specific grading at the subdivision map level. Indirect impacts associated with the interface between the preserved spineflower populations and planned development within the Newhall Ranch Specific Plan shall be avoided or minimized by establishing open space connections with Open Area, River Corridor, or High Country land use designations. In addition, buffers (i.e., setbacks from developed, landscaped or other use areas) shall be established around portions of the delineated preserve(s) not connected to Open Area, the River Corridor or the High Country land use designations. The open space connections and buffer configurations shall take into account local hydrology, soils, existing and proposed adjacent land uses, the presence of non-native invasive plant species, and seed dispersal vectors.			

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-67. Open space connections shall be configured such that the spineflower preserves are connected to Open Area, River Corridor, or High Country land use designations to the extent practicable. Open space connections shall be of adequate size and configuration to achieve a moderate to high likelihood of effectiveness in avoiding or minimizing indirect impacts (e.g., invasive plants, increased fire frequency, trampling, chemicals, etc.) to the spineflower preserve(s). Open space connections for the spineflower preserve(s) shall be configured in consultation with the County and CDFG. Open space connections for the spineflower preserve(s) shall be established for the entire Specific Plan area in conjunction with approval of the first Newhall Ranch subdivision map filed in either the Mesa Village, or that portion of the Riverwood Village in which the San Martinez spineflower location occurs. For preserves and/or those portions of preserves not connected to Open Area, River Corridor, or High Country land use designations, buffers shall be established at variable distances of between 80 and 200 feet from the edge of development to achieve a moderate to high likelihood of effectiveness in avoiding or minimizing indirect impacts (e.g., invasive plants, increased fire frequency, trampling, chemicals, etc.) to the spineflower preserve(s). The buffer size/configuration shall be guided by the analysis set forth in the "*Review of Potential Edge Effects on the San Fernando Valley Spineflower*," prepared by Conservation Biology Institute, January 19, 2000, and other sources of scientific information and analysis, which are available at the time the preserve(s) and buffers are established. Buffers for the spineflower preserve(s) shall be configured in consultation with the County and CDFG for the entire Specific Plan area. Buffers for the spineflower preserve(s) shall be established in conjunction with approval of the first Newhall Ranch subdivision map filed in either the Mesa Village, or that portion of the Riverwood Village in which the San Martinez spineflower location occurs.	Applicant	Review of Initial Study and Subdivision	1. LACDRP/CDFG 2. LACDRP/CDFG 3. Prior to Approval of Subdivision Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-67. (cont.) Roadways and road rights-of-way shall not be constructed in any spineflower preserve(s) and buffer locations on Newhall Ranch unless constructing the road(s) in such location is found to be the environmentally superior alternative in subsequently required tiered EIRs in connection with the Newhall Ranch subdivision map(s) process. No other development or disturbance of native habitat shall be allowed within the spineflower preserve(s) or buffer(s).	Applicant	Review of Initial Study and subdivision	1. LACDRP/CDFG 2. LACDRP/CDFG 3. Prior to Approval of Subdivision Maps
The project applicant, or its designee, shall be responsible for revegetating open space connections and buffer areas of the Newhall Ranch spineflower preserve(s) to mitigate temporary impacts due to grading that will occur within portions of those open space connections and buffer areas. The impacted areas shall be reseeded with a native seed mix to prevent erosion, reduce the potential for invasive non-native plants, and maintain functioning habitat areas within the buffer area. Revegetation seed mix shall be reviewed and approved by the County and CDFG.	Applicant	Review of Initial Study and subdivision	1. LACDRP/CDFG 2. LACDRP/CDFG 3. Prior to Approval of Subdivision Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-68. To protect the preserved Newhall Ranch spineflower populations, and to further reduce potential direct impacts to such populations due to unrestricted access, the project applicant, or its designee, shall erect and maintain temporary orange fencing and prohibitive signage around the Newhall Ranch preserve(s), open space connections and buffer areas, which are adjacent to areas impacted by proposed development prior to and during all phases of construction. The areas behind the temporary fencing shall not be used for the storage of any equipment, materials, construction debris or anything associated with construction activities. Following the final phase of construction of any Newhall Ranch subdivision map adjacent to the Newhall Ranch spineflower preserve(s), the project applicant, or its designee, shall install and maintain permanent fencing along the subdivision tract bordering the preserve(s). Permanent signage shall be installed on the fencing along the preservation boundary to indicate that the fenced area is a biological preserve, which contains protected species and habitat, that access is restricted, and that trespassing and fuel modification are prohibited within the area. The permanent fencing shall be designed to allow wildlife movement. The plans and specifications for the permanent fencing and signage shall be approved by the County and CDFG prior to the final phase of construction of any Newhall Ranch subdivision map adjacent to a Newhall Ranch spineflower preserve(s).	Applicant (Project Biologist)	Review of Initial Study, subdivision, and grading permit application	1. LACDRP/CDFG 2. LACDRP/CDFG 3. Prior to Grading and Occupancy

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
SP 4.6-69. Indirect impacts resulting from changes to hydrology (i.e., increased water runoff from surrounding development) at the interface between spineflower preserve(s) and planned development within the Newhall Ranch Specific Plan shall be avoided or mitigated to below a level of significance. Achievement of this standard will be met through the documented demonstration by the project applicant, or its designee, that the storm drain system achieves pre-development hydrological conditions for the Newhall Ranch spineflower preserve(s). To document such a condition, the project applicant, or its designee, shall prepare a study of the pre- and post-development hydrology, in conjunction with Newhall Ranch subdivision maps adjacent to spineflower preserve(s). The study shall be used in the design and engineering of a storm drain system that achieves pre-development hydrological conditions. The study must conclude that proposed grade changes in development areas beyond the buffers will maintain pre-development hydrology conditions within the preserve(s). The study shall be approved by the Planning Director of the County and the resulting conditions confirmed by CDFG. The storm drain system for Newhall Ranch subdivision maps adjacent to any spineflower preserves must be approved by the County prior to the initiation of any grading activities.	Applicant (Project Biologist)	Review of map subdivision	1. LACDPW 2. LACDPW/CDFG 3. Prior to Approval of Subdivision Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-1. Construction activities in the riverbed shall be restricted to the following areas of temporary disturbance: (1) an 85-foot-wide zone that extends into the river from the base of the rip-rap gunite or soil cement bank protection from where it intercepts the river bottom; (2) 100 feet on either side of the outer edge of a new bridge or bridge to be modified; (3) 50-foot-wide corridor for all utility lines; and (4) 20-foot-wide temporary access ramps and roads to reach construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the Verification Request Letter submitted to the ACOE and CDFG for individual project approval. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed and the post-construction activities to facilitate natural revegetation of the temporarily disturbed areas.	Applicant (Construction Superintendent)	ACOE and CDFG Approval	1. LACDPW 2. LACDPW/CDFG 3. Prior to Issuance of Grading Plans
LV 4.4-2. Prior to initiating construction for the installation of bridges, storm drain outlets, utility lines, and/or bank protection, all construction sites and access roads within the riverbed, as well as all riverbed areas within 300 feet of the construction site and access road, shall be inspected by a qualified biologist for the presence of arroyo toad, southwestern pond turtle, two-striped garter snake, unarmored threespine stickleback, Santa Ana sucker and arroyo chub. The ACOE, USFWS and the CDFG shall be notified of the inspection and shall have the option of attending. If any of the above agencies is not represented, the biologist shall file a written report of the inspection with the agency not in attendance within 14 days of the survey and no sooner than 30 days prior to any construction work in the riverbed.	Applicant (Project Biologist)	Receipt and Review of Inspection Report	1. LACDPW 2. LACDPW/CDFG/ACOE/USFWS 3. Prior to Initializing Relevant Construction Activities

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-3. Construction work areas and access roads shall be cleared of arroyo toad, southwestern pond turtle, two-striped garter snake, unarmored threespine stickleback, Santa Ana sucker and arroyo chub immediately before the prescribed work is to be carried out, immediately before any equipment is moved into or through the stream or habitat areas, and immediately before diverting any stream water. The removal of such species shall be conducted by a qualified biologist using procedures approved by the ACOE, USFWS, and CDFG, and with the appropriate collection and handling permits. Species shall be relocated to nearby suitable habitat areas. A plan to relocate these species shall be submitted to the ACOE, USFWS and CDFG for review and approval no later than 30 days prior to construction. Under no circumstances shall the unarmored threespine stickleback or arroyo toad be collected or relocated, unless USFWS personnel or their agents implement this measure.	Applicant (Project Biologist)	Receipt and Review of Removal Plans	1. LACDPW 2. LACDPW/CDFG/ACOE/USFWS 3. Immediately Prior to Relevant Construction Activities
LV 4.4-4. A qualified biologist shall be present when any stream/river diversion takes place, or when blocking nets and seines are used (see also EIR **Mitigation Measure 4.6-57**), and shall patrol the areas both within, upstream and downstream of the work area to rescue any species stranded by the diversion of the stream water or trapped by the nets/seines. Species that are collected shall be relocated to suitable locations downstream of the work area. Under no circumstances shall the unarmored threespine stickleback or arroyo toad be collected or relocated, unless USFWS personnel or their agents implement this measure.	Applicant (Project Biologist)	Field Verification	1. LACDPW 2. LACDPW/USFWS 3. While Any Stream/River Diversion Takes Place, or When Blocking Nets and Seines Are Used
LV 4.4-5. Blocking nets, or fences with 0.25-inch-square mesh, 18 inches high and buried 6 inches, shall be placed downstream of the work area to assure that none of the species move into the construction area.	Applicant (Construction Superintendent and Project Biologist)	Field Verification	1. LACDPW 2. LACDPW 3. During All Phases of Construction

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-6. Installation of bridges, culverts or other structures shall not impair movement of fish and aquatic life. Bottoms of temporary culverts shall be placed at or below channel grade. Bottoms of permanent culverts shall be placed below channel grade.	Applicant (Civil Engineer)	Review of Design Plans Field Verification	1. LACDPW 2. LACDPW 3. During Relevant Phases of Construction
LV 4.4-7. The riparian revegetation plan to be developed by the applicant shall demonstrate the feasibility of creating the required mitigation acreage (see **Mitigation Measure 4.6-63**). The plan shall specify, at a minimum, the following: (1) the location of mitigation sites; (2) the quantity and species of plants to be planted; (3) procedures for creating additional habitat; (4) methods for the removal of non-native plants; (5) a schedule and action plan to maintain and monitor the enhancement/restoration area; (6) a list of criteria and performance standards by which to measure success of the mitigation sites; (7) measures to exclude unauthorized entry into the riparian creation/enhancement areas; and (8) contingency measures in the event that mitigation efforts are not successful. The plan shall be subject to the approval of CDFG, ACOE, and the County, and approved prior to issuance of the grading permit.	Applicant (Project Biologist)	Receipt and Review of Riparian Revegetation Plan	1. LACDPW/CDFG/ACOE 2. LACDPW/CDFG/ACOE 3. Prior to the Issuance of a Grading Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-8. Within 30 days of ground disturbance activities associated with construction or grading that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically March through August in the project region, or as determined by a qualified biologist), the applicant shall have weekly surveys conducted by a qualified biologist to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the disturbance zone or within 300 feet (500 feet for raptors) of the disturbance zone. The surveys shall continue on a weekly basis with the last survey being conducted no more than seven days prior to initiation of disturbance work. If ground disturbance activities are delayed, then additional pre-disturbance surveys shall be conducted such that no more than seven days will have elapsed between the survey and ground disturbance activities. If active nests are found, clearing and construction within 300 feet of the nest (500 feet for raptors) shall be postponed or halted, at the discretion of the biologist, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing or other appropriate barriers, and construction personnel shall be instructed on the sensitivity of nest areas. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, and any avoidance measures taken, shall be submitted to the County of Los Angeles within 30 days of completion of the pre-construction surveys and/or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.	Applicant (Project Biologist)	Receipt and Review of Survey Report	1. LACDRP 2. LACDRP 3. Within 30 days of Ground Disturbance Activities

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-9. A pre-ground disturbance survey shall be conducted by a qualified biologist (subject to approval by the County) within 14 days or any disturbance activities in all areas on the project site containing suitable habitat for coast horned lizard, silvery legless lizard, coastal western whiptail, rosy boa, San Bernardino ringneck snake, coast patch-nosed snake, southwestern pond turtle, two-striped garter snake, American badger, San Diego black-tailed jackrabbit and San Diego desert woodrat. If any of these species are observed within the disturbance zone, they shall be relocated to a suitable area outside of the disturbance zone. Results of the surveys and relocation efforts shall be provided to CDFG. Collection and relocation of animals shall only occur with the proper scientific collection and handling permits. If active San Diego desert woodrat nests (stick houses) with young are identified within the disturbance zone or within 100 feet of the disturbance zone, a fence shall be erected around the nest site with a 100-foot minimum buffer from construction activities. This buffer may be greater, if determined to be appropriate by the biologist. At the discretion of the biologist, clearing and construction within the fenced area would be postponed or halted until young have left the nest. The biologist shall serve as a construction monitor during those periods when disturbance activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur. If San Diego desert woodrats are observed within the grading footprint outside of the breeding period, individuals shall be relocated to a suitable location on or in proximity to the project site by a qualified biologist in possession of a scientific collecting permit.	Applicant (Project Biologist)	Receipt and Review of Survey and Relocation Reports	1. LACDPW/CDFG 2. LACDPW/CDFG 3. Within 14 days of Ground Disturbance Activities

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-10. No earlier than 20 days prior to any grading activity that would occur during the breeding season of native bat species potentially utilizing the site (April 1 through August 31), a field survey shall be conducted by a qualified biologist (retained by the applicant, with selection reviewed by the County) to determine if active roosts of special-status bats such as western mastiff bat, fringed myotis and yuma myotis are present in areas of the project site containing suitable roosting habitat, such as woodlands and buildings. If active roosts are found, construction within 200 feet shall be postponed or halted, at the discretion of the biological monitor, until the roost is vacated and juveniles have fledged, as determined by the biologist. Implementation of this measure would ensure that no loss of active roost colonies of either species will occur and, therefore, will reduce impacts on bat species to a less than significant level.	Applicant (Project Biologist)	Receipt and Review of Survey Report	1. LACDPW/CDFG 2. LACDPW/CDFG 3. No earlier than 20 Days Prior to Grading Activities Occurring from April 1 through August 31
LV 4.4-11. Prior to the issuance of a grading permit, the applicant shall prepare a landscaping plan. This plan will be subject to review and approval by the County and CDFG and will include a plant palette composed of non-invasive species that are adapted to the conditions found on the Landmark Village site, without requiring high irrigation rates. The landscaping plan will also include a list of invasive plant species prohibited from being planted on the project site. This list of prohibited plants will be compiled in cooperation with a qualified restoration specialist and will be distributed to future occupants of the Landmark Village site.	Applicant (Project Landscape Architect)	Receipt and Review of Landscaping Plan	1. LACDRP/CDFG 2. LACDRP/CDFG 3. Prior to Issuance of Grading Permits
LV 4.4-12. Waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments shall be installed in common areas and parks throughout the Landmark Village site.	Applicant (Landmark Village Homeowners Association)	Field Verification	1. LACDRP 2. LACDRP 3. Prior to Issuance of Occupancy Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-13. The Landmark Village Home Owners Association shall supply educational information to future residents of the Landmark Village site regarding the importance of not feeding wildlife, ensuring that trash (containing food) is not accessible to wildlife, keeping the ground free of fallen fruit from trees and not leaving pet food outside.	Applicant (Landmark Village Homeowners Association)	Field Verification	1. LACDRP 2. LACDRP 3. During Occupancy
LV 4.4-14. All oaks with driplines within 50 feet of land clearing (including brush clearing) or areas to be graded shall be enclosed in a temporary fenced zone for the duration of the clearing or grading activities. Fencing shall extend to the root protection zone (i.e., the area at least 15 feet from the trunk or half again as large as the distance from the trunk to the drip line, whichever distance is greater). No parking or storage of equipment, solvents or chemicals that could adversely affect the trees shall be allowed within 25 feet of the trunk at any time. Removal of the fence shall occur only after the project biologist confirms the health of preserved trees.	Applicant (Construction Superintendent)	Field Verification	1. LACDRP 2. LACDRP 3. During Grading and All Phases of Construction
LV 4.4-15. Prior to use and placement on the Landmark Village site, all landscaping materials (including organic mulches) shall be inspected and certified "free" of Argentine ants.	Applicant (Project Landscape Architect)	Field Verification	1. LACDRP 2. LACDRP 3. Prior to Use and Placement on the Landmark Village Site
LV 4.4-16. A mitigation plan for elderberry scrub shall be developed and implemented by the applicant. The plan shall demonstrate the feasibility of replacing the acreage of this plant community to be removed at a 1:1 ratio. The plan shall specify, at a minimum, the following: (1) the location of mitigation sites; (2) the quantity and species of plants to be planted; (3) procedures for creating additional habitat; (4) methods for the removal of non-native plants; (5) a schedule and action plan to maintain and monitor the mitigation area; (6) a list of criteria and performance standards by which to measure success of the mitigation sites; (7) measures to exclude unauthorized entry into the mitigation areas; and (8) contingency measures in the event that mitigation efforts are not successful. The plan shall be subject to the approval of the County prior to the issuance of grading permits.	Applicant (Project Biologist)	Receipt and Review of Mitigation Plan	1. LACDRP 2. LACDRP 3. Prior to Issuance of Grading Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-17. Prior to the issuance of a grading permit for ground disturbance, construction or site preparation activities, the applicant shall retain the services of a qualified biologist, approved by the CDFG and Los Angeles County, to conduct appropriately timed focused surveys for spadefoot toad within all portions of the project site containing suitable breeding habitat. If western spadefoot are not identified on the project site, no further measures would be required. Should western spadefoot be identified on the project site, the following measures would be implemented: (a) Under the direct supervision of the qualified biologist, western spadefoot toad habitat shall be created within suitable natural sites on the Newhall Ranch Specific Plan area, outside of the proposed development envelope. The amount of occupied breeding habitat to be impacted by the Landmark Village project shall be replaced at a 2:1 ratio. The actual relocation site design and location shall be approved by CDFG and consist of a shallow excavated pond(s) utilizing an artificial rubber pond liner as a base. The location shall be as far away as possible from any of the homes and roads to be built. The relocation pond(s) shall be designed such that it only supports standing water for several weeks following seasonal rains in order that aquatic predators (i.e., fish, bullfrogs, crayfish, etc.) cannot become established. The size and number of ponds shall be determined by CDFG. Terrestrial habitat surrounding the proposed relocation site shall be as similar in type, aspect, and density to the location of the existing ponds as possible. No site preparation or construction activities shall be permitted in the vicinity of the currently occupied ponds until the design and construction of the pool habitat in preserved areas of the site has been completed and the relocation of all western spadefoot toad adult, tadpoles, and egg masses detected are moved to the created pool habitat to the satisfaction of the monitoring biologist and CDFG;	Applicant (Project Biologist)	Receipt and Review of Survey Report Field Verification (if Relocation and Habitat Restoration is Necessary)	1. LACDPW 2. LACDPW 3. Prior to Issuance of Grading Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-17. (cont.) (b) Based on appropriate rainfall and temperatures, generally between the months of February and April, the biologist shall conduct a series of surveys in all appropriate habitats within the development envelope prior to the initiation of construction activities. Surveys will include evaluation of all previously documented occupied areas and a reconnaissance level survey of the remaining natural areas of the site. All western spadefoot adults, tadpoles, and egg masses encountered shall be collected and released in identified relocation pond(s) described above; and (c) The qualified biologist shall monitor the relocation site for a minimum period of five years, or as otherwise directed by CDFG. Specific monitoring requirements and success criteria shall be approved by CDFG. It is expected that minimum requirements will include annual monitoring during and immediately following peak breeding season such that surveys can be conducted for adults as well as for egg masses, larval and post larval toads. Further, survey data will be provided to CDFG by the monitoring biologist following each monitoring period and a written report summarizing the monitoring results will be provided to CDFG at the end of the monitoring effort. Success criteria for the monitoring program shall include verifiable evidence of toad reproduction at the relocation site.			

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-18. For all grading and construction activities a qualified biologist shall be retained by the applicant (with selection reviewed by the County) to ensure that incidental construction impacts on special-status wildlife species are avoided or minimized. The biologist shall be in possession of a Scientific Collecting permit and relocate any wildlife species (for which they are permitted to handle) that may be destroyed or adversely affected as a result of construction and/or site preparation activities. Should a state or federally listed species be encountered, construction shall be halted until a permitted biologist can relocate the animal(s). Responsibilities of the construction biological monitor include the following: • Attend the pre-construction meeting to ensure that timing/location of construction activities do not conflict with other mitigation requirements (e.g., seasonal surveys for nesting birds). Conduct meetings with the contractor and other key construction personnel describing the importance of restricting work to designated areas; • Discuss procedures for minimizing harm/harassment of wildlife encountered during construction; • Review/designate the construction area in the field with the contractor in accordance with the final grading plan. Haul roads, access roads, and on-site staging and storage areas shall be sited within grading areas to minimize degradation of habitat adjacent to these areas. If activities outside these limits are necessary, they shall be evaluated by the biologist to ensure no special-status species or habitat will be affected; • Conduct a field review of the staking (to be set by the surveyor) designating the limits of all construction activity. Any construction activity areas immediately adjacent to riparian areas or other special-status resources (such as large trees or bird nests) may be flagged or temporarily fenced by the monitor, at his/her discretion;	Applicant (Project Biologist)	Field Verification	1. LACDPW 2. LACDPW 3. During Grading and All Phases of Construction

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-18. (cont.) • Periodically visit the site during construction to coordinate and monitor compliance with the above provisions; and • Submit to the County an immediate report of any conflicts or errors resulting in impacts to special-status resources as well as a final report on the results of construction and any recommendations for improving the process.			
LV 4.4-19. A mitigation plan for slender mariposa lily shall be developed prior to the issuance of a grading permit and implemented by the applicant. The plan shall include an assessment of enhancement opportunities of slender mariposa lily populations occurring within protected areas in the High Country SMA, the River Corridor SMA, the Salt Creek Corridor, and spineflower preserves. The plan shall demonstrate the feasibility of replacing the number of individual plants to be removed at a 1:1 ratio and/or enhancing and protecting existing populations of the species. The mitigation ratio should take in consideration the existing population of slender mariposa lily that are being preserved in Salt Creek, which is located within the Specific Plan area, to the south of the Landmark Village project site. A total of 30,830 slender mariposa lily plants have been recorded in Salt Creek (Dudek & Associates 2003). The plan shall specify, at a minimum, the following: (1) the location of mitigation sites in protected/preserved areas within the Newhall Ranch Specific Plan area; (2) methods for harvesting seeds and salvaging and transplantation of individual bulbs/plants to be impacted; (3) site preparation procedures for the mitigation site; (4) a schedule and action plan to maintain and monitor the mitigation area; (5) a list of criteria and performance standards by which to measure success of the mitigation site; (6) measures to exclude unauthorized entry into the mitigation areas; and (7) contingency measures in the event that mitigation efforts are not successful. The plan shall be subject to the approval of the County prior to the issuance of a grading permit.	Applicant (Project Biologist)	Receipt and Review of Mitigation Plan	1. LACDRP 2. LACDRP 3. Prior to the Issuance of Grading Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.4 BIOTA (cont.)			
LV 4.4-20. Appropriately timed focused surveys for the undescribed species of Gnaphalium (Bio-6) shall be conducted by a qualified botanist prior to the commencement of grading/construction activities within suitable habitat (primarily river terraces) of the species to determine if plants have established within potential impacted areas since the time of the 2005 survey. No longer than one year shall elapse between completion of the survey and commencement of construction activities. Should the species be documented within the project boundary, avoidance measures shall be implemented to minimize impacts to individual plants. These measures shall include adjusting the boundaries/location of haul routes and other project features. If, due to project design constraints, avoidance of all plants is not possible, then available methods for salvaging seeds and/or transplantation of individual plants to be impacted will be evaluated and implemented. All seed collection and/or transplantation methods, as well as the location of the receiver site for seeds/plants (assumed to be within preserved open space areas of Newhall Ranch along the Santa Clara River), shall be coordinated and approved by the County prior to the issuance of a grading permit.	Applicant (Project Biologist)	Receipt and Review of Survey Report	1. LACDPW 2. LACDPW 3. Prior to the Commencement of Grading/Construction Activities Within Suitable Habitat
LV 4.4-21. The Oak Resource Replacement Plan to be prepared (as described in **Mitigation Measure 4.6-48**) shall include measures to create, enhance, and/or restore 7.82 acres of coast live oak woodland within the High Country SMA. The plan shall be subject to the requirements outlined in **Mitigation Measure 4.6-48.**	Applicant (Project Biologist)	Receipt and Review of Oak Resource Replacement Plan	1. LA County Forester 2. LA County Forester 3. Prior to Final Subdivision Map Recordation

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.5 FLOODPLAIN MODIFICATIONS			
Please refer to **Section 4.2, Hydrology**, of this MMP for a listing of Program EIR mitigation measures pertaining to flood control. No additional mitigation beyond that contained in the Biota section of this EIR (**Section 4.4, Biota**) is required because no significant impacts to biological resources are anticipated due to the bank stabilization, bridge, or changes in the floodplain due to project modifications. Please refer to **4.4, Biota**, of this MMP for a listing of the recommended Biota mitigation measures.	Please Refer to **4.2, Hydrology**, and **4.4, Biota**, of this MMP	Please Refer to **4.2, Hydrology**, and **4.4, Biota**, of this MMP	Please Refer to **4.2, Hydrology**, and **4.4, Biota**, of this MMP
4.6 VISUAL QUALITIES			
SP 4.7-1. In conjunction with the development review process set forth in Chapter 5 of the Specific Plan, all future subdivision maps and other discretionary permits which allow construction shall incorporate the Development Guidelines (Specific Plan Chapter 3) and Design Guidelines (Specific Plan Chapter 4), and the design themes and view considerations listed in the Specific Plan.	Applicant	Plan Check	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Approval of Final Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.6 VISUAL QUALITIES (cont.)			
SP 4.7-2. In design of residential tentative tract maps and site planning of multifamily areas and Commercial and Mixed-Use land use designations along State Route 126 (SR-126), the following Design Guidelines shall be utilized: • Where the elevations of buildings will obstruct the views from SR-126 to the south, the location and configuration of individual buildings, driveways, parking, streets, signs and pathways shall be designed to provide view corridors of the river, bluffs and the ridge lines south of the river. Those view corridors may be perpendicular to SR-126 or oblique to it in order to provide for views of passengers within moving vehicles on SR-126; • The Community Park between SR-126 and the Santa Clara River shall be designed to promote views from SR-126 of the river, bluffs and ridge lines to the south of the river; • Residential Site Planning Guidelines set forth in Section 4.3.1 and Residential and Architectural Guidelines set forth in Section 4.4.1 Residential shall be employed to ensure that the views from SR-126 are aesthetically pleasing and that views of the river, bluffs and ridge lines south of the river are preserved to the extent practicable; • Mixed-Use and the Commercial Site Planning Guidelines set forth in Section 4.3.2 and Architectural Guidelines set forth Section 4.4.2 shall be incorporated to the extent practicable in the design of the Riverwood Village Mixed-Use and Commercial land use designations to ensure that the views from SR-126 are aesthetically pleasing and to preserve views of the river, bluffs and ridge lines south of the river; and • Landscape improvements along SR-126 shall incorporate the Landscape Design Guidelines, set forth in Section 4.6 in order to ensure that the views from SR-126 are aesthetically pleasing and to preserve views of the river, bluffs and ridge lines south of the river.	Applicant	Plan Check	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Approval of Final Subdivision Maps or Site Plans as applicable

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS			
SP 4.8-1. The applicants for future subdivision maps which permit construction shall be responsible for funding and constructing all on-site traffic improvements except as otherwise provided below. The obligation to construct improvements shall not preclude the applicants' ability to seek local, state or federal funding for these facilities.	Applicant(s)	Bonding of and/or Receipt of Funding and/or Field Verification of Construction	1. LACDPW 2. LACDPW 3. Prior to Issuance of Building Permit
SP 4.8-2. Prior to the approval of each subdivision map which permits construction, the applicant for that map shall prepare a transportation performance evaluation which shall indicate the specific improvements for all on-site roadways which are necessary to provide adequate roadway and intersection capacity as well as adequate right-of-way for the subdivision and other expected traffic. Transportation performance evaluations shall be approved by Los Angeles County Department of Public Works according to standards and policies in effect at that time. The transportation performance evaluation shall form the basis for specific conditions of approval for the subdivision.	Applicant (Traffic Engineer)	Receipt and Review of Transportation Performance Evaluation	1. LACDPW 2. LACDPW 3. Prior to Approval of Subdivision Maps
SP 4.8-3. The applicants for future subdivisions shall provide the traffic signals at the 15 locations labeled B through P in Figure 4.8-17, as well as any additional signals warranted by future subdivision design. Signal warrants shall be prepared as part of the transportation performance evaluations noted in Mitigation Measure 4.8-2.	Applicant (Traffic Engineer)	Installation of Traffic Signals or funding of or bonding of project's share	1. LACDPW 2. LACDPW 3. Prior to Issuance of Occupancy Permits
SP 4.8-4. All development within the Specific Plan shall conform to the requirements of the Los Angeles County Transportation Demand Management (TDM) Ordinance.	Applicant (Traffic Engineer)	Subdivision Review	1. LACDPW 2. LACDPW 3. Prior to Final Map Approval and/or approval of improvement plans

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
SP 4.8-5. The applicants for all future subdivision maps which permit construction shall consult with the local transit provider regarding the need for, and locations of, bus pull-ins on highways within the Specific Plan area. All bus pull-in locations shall be approved by the Department of Public Works, and approved bus pull-ins shall be constructed by the applicant.	Applicant (Traffic Engineer)	Verification of Consultation with Transit Providers Review of bus pull-in locations	1. LACDPW 2. LACDPW 3. Prior to Final Map Approval and/or approval of improvement plans
SP 4.8-6. Prior to the recordation of the first subdivision map which permits construction, the applicant for that map shall prepare a transportation performance evaluation which shall determine the specific improvements needed to each off-site arterial and related costs in order to provide adequate roadway and intersection capacity for the expected Specific Plan and General Plan buildout traffic trips. The transportation performance evaluation shall be based on the Master Plan of Highways in effect at that time and shall be approved by the Los Angeles County Department of Public Works. The applicant shall be required to fund its fair share of improvements to these arterials, as stated on Table 4.8-18. The applicants total funding obligation shall be equitably distributed over the housing units and non-residential building square footage (i.e., Business Park, Visitor-Serving, Mixed-Use, and Commercial) in the Specific Plan, and shall be a fee to be paid to the County and/or the City at each building permit. For off-site areas within the County unincorporated area, the applicant may construct improvements for credit against or in lieu of paying the fee.	Applicant(s)	Payment of Fee Determination of fair share funding obligation and fee structure for off-site improvements	1. LACDPW 2. LACDPW 3. Prior to Recordation of the First Subdivision Map

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
SP 4.8-7. Each future performance evaluation which shows that a future subdivision map will create significant impacts on SR-126 shall analyze the need for additional travel lanes on SR-126. If adequate lane capacity is not available at the time of subdivision, the applicant of the subdivision shall fund or construct the improvements necessary to serve the proposed increment of development. Construction or funding of any required facilities shall not preclude the applicant's ability to seek state, federal, or local funding for these facilities.	Applicant(s)	Receipt and Review of Transportation Performance Evaluation Applicant Funding of or bonding of Fair Share of Improvements	1. LACDPW 2. LACDPW 3. Prior to Recordation of Final Tract Map
SP 4.8-8. Project-specific environmental analysis for future subdivision maps which allow construction shall comply with the requirements of the Congestion Management Program in effect at the time that subdivision map is filed.	Applicant	Review of future environmental analysis	1. LACDPW 2. LACDPW 3. Prior to certification of future environmental documents

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
SP 4.8-9. Prior to the recordation of the first subdivision map which permits construction, the applicant for that map shall prepare a transportation evaluation including all of the Specific Plan land uses which shall determine the specific improvements needed to the following intersections with SR-126 in the City of Fillmore and community of Piru in Ventura County: A, B, C, D, and E Streets, Old Telegraph, Olive, Central, Santa Clara, Mountain View, El Dorado Road, and Pole Creek (Fillmore), and Main/Torrey and Center (Piru). The related costs of those intersection improvements and the project's fair share shall be estimated based upon the expected Specific Plan traffic volumes. The transportation performance evaluation shall be based on the Los Angeles County Master Plan of Highways in effect at that time and shall be approved by the Los Angeles County Department of Public Works. The applicant's total funding obligation shall be equitably distributed over the housing units and non-residential building square footage (i.e., Business Park, Visitor Center, Mixed Use, and Commercial) in the Specific Plan, and shall be a fee to be paid to the City of Fillmore and the County of Ventura at each building permit.	Applicant (Traffic Engineer)	Receipt and Review of Transportation Performance Evaluation Payment of Fee to City of Fillmore or County of Ventura	1. LACDPW 2. LACDPW 3. Prior to Recordation of the First Subdivision Map; Payment of Fee Prior to Issuance of Building Permits
SP 4.8-10. The Specific Plan is responsible to construct or fund its fair-share of the intersections and interchange improvements indicated on Table 4.8-18. Each future transportation performance evaluation required by Mitigation Measure 4.8-2 which identifies a significant impact at these locations due to subdivision map-generated traffic shall address the need for additional capacity at each of these locations. If adequate capacity is not available at the time of subdivision map recordation, the performance evaluation shall determine the improvements necessary to carry Specific Plan generated traffic, as well as the fair share cost to construct such improvements. If the future subdivision is conditioned to construct a phase of improvements which results in an overpayment of the fair-share cost of the improvement, then an appropriate adjustment (offset) to the fees paid to Los Angeles County and/or City of Santa Clarita pursuant to Mitigation Measure 4.8-6 above shall be made.	Applicant	Field Verification of Construction or Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Prior to Issuance of Occupancy Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
SP 4.8-11. The applicant of the Newhall Ranch Specific Plan shall participate in an I-5 developer fee program, if adopted by the Board of Supervisors for the Santa Clarita Valley.	Applicant	Field Verification of Construction or Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Prior to Issuance of Occupancy Permits
SP 4.8-12. The applicant of the Newhall Ranch Specific Plan shall participate in a transit fee program, if adopted for the entire Santa Clarita Valley by Los Angeles County and City of Santa Clarita.	Applicant	Field Verification of Construction or Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Prior to Issuance of Occupancy Permits
SP 4.8-13. Prior to the approval of each subdivision map which permits construction, the applicant for that map shall prepare a traffic analysis approved by the Los Angeles County Department of Public Works. The analysis will assess project and cumulative development (including an existing plus cumulative development scenario under the County's Traffic Impact Analysis Report Guidelines (TIA) and its Development Monitoring System (DMS)). In response to the traffic analysis, the applicant may construct off-site traffic improvements for credit against, or in lieu of paying, the mitigation fees described in Mitigation Measure 4.8-6, above. If future subdivision maps are developed in phases, a traffic study for each phase of the subdivision map may be submitted to determine the improvements needed to be constructed with that phase of development.	Applicant(s) (Project Traffic Engineer)	Receipt and Review of TIA and DMS Traffic Analysis Applicant Funding of or bonding of Fair Share of Improvements	1. LACDPW 2. LACDPW 3. Prior to Recordation of the Final Tract Map
LV-4.7-1. The project applicant shall construct all on-site local roadways and intersections to County of Los Angeles codes and regulations.	Applicant (Traffic Engineer)	Field Verification of Construction	1. LACDPW 2. LACDPW 3. Prior to Recordation of the Final Tract Map

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)				
LV 4.7-2.	The main access for River [Landmark] Village will be provided from SR-126 via the existing intersections of Wolcott Way and Chiquito Canyon Road. Future phases of the NRSP will provide access to and from south via Long Canyon Road. Unless an updated long range study is prepared which demonstrates that the intersections will adequately handle the area buildout traffic as at grade intersections, adequate road right of way shall be reserved for future grade separated interchanges at these two locations, as approved in the NRSP.	Applicant (Traffic Engineer)	Field Verification of Construction	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed
LV 4.7-3.	80. Wolcott/SR-126 –The project applicant shall add a northbound left turn lane and a northbound right turn lane (resulting in 1 northbound left turn lane, 1 northbound through lane and 1 northbound right turn lane) and convert a shared southbound left turn lane/southbound through lane to a dedicated southbound through lane (for 1 southbound left turn lane, 1 southbound through lane, and 1 southbound right turn lane) and shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed.	Applicant (Traffic Engineer)	Field Verification of Construction	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed
LV 4.7-4.	110. Chiquito Canyon-Long Canyon/SR-126 –The project applicant shall add a northbound left turn lane and a northbound right turn lane (for 1 northbound left turn lane, 1 northbound through lane, and 1 northbound right turn lane), add a southbound left turn lane (for 1 southbound left turn lane and 1 shared southbound through lane/southbound right turn lane), and add a westbound left turn lane (for 1 westbound left turn lane, 2 westbound through lanes, and 1 westbound right turn lane) and shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed.	Applicant (Traffic Engineer)	Field Verification of Construction	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
LV 4.7-5. The study is based on the Santa Clarita Valley Consolidated Traffic Model and assumes the following roadway improvements will be in place with Phase I of the project. In accordance with our Traffic Impact Analysis Report Guidelines (TIARG), these improvements shall be made a condition of approval for the project to be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed: - Reconstruct the Golden State (I-5) Freeway/SR-126 Freeway interchange by adding access to eastbound SR-126 from southbound I-5, access to southbound I-5 from westbound SR-126, direct access to northbound I-5 from westbound SR-126, and widening bridge to 8 lanes. - Construct Newhall Ranch Road segment between Vanderbilt Way and Copper Hill Drive/Rye Canyon Road.	Applicant (Traffic Engineer)	Field Verification of Construction	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed
LV 4.7-6. Although the traffic study prepared for the project determined that a traffic signal is not warranted at the school, the project applicant shall be required to monitor for the possible installation of a traffic signal once the school is fully occupied.	Applicant (Traffic Engineer)	Field Verification of Construction	1. LACDPW 2. LACDPW 3. Upon school being fully occupied
LV 4.7-7. 80. Wolcott/SR-126 –The project applicant shall add a northbound left turn lane and 2 northbound right turn lanes (resulting in 1 northbound left turn lane, 1 northbound through lane, and 2 northbound right turn lanes), add a eastbound right turn lane (for 1 eastbound left turn lane, 2 eastbound through lanes, and 1 eastbound right turn lane), and add a second westbound left turn lane (for 2 westbound left turn lanes, 2 westbound through lanes, and 1 westbound right turn lane) and shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed. Signals shall be modified to the satisfaction of Public Works.	Applicant (Traffic Engineer)	Field Verification of Construction	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
LV-4.7-8. 7. I-5 SB Ramps/SR-126 – The project shall finance its fair share to add a third westbound through lane (for 3 westbound through lanes and a free flow westbound right turn lane) and shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed. [This measure has been completed.]	Applicant	Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed
LV 4.7-9. 80. Wolcott/SR-126 – The project applicant shall add a third east bound through lane (for one east bound left turn lane, three east bound through lanes, and one east bound right turn lane) and shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed.	Applicant (Traffic Engineer)	Field Verification of Construction	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
LV 4.7-10. 110. Chiquito Canyon/Long Canyon/SR-126 –The project applicant shall add a second northbound through lane and a second northbound right turn lane (for one northbound left turn lane, two northbound through lanes, and two northbound right turn lanes). Also add a southbound right turn lane (for one southbound left turn lane, one southbound through lane, and one southbound right turn lane) one eastbound right turn lane (for one eastbound left turn lane, two eastbound through lanes, and one eastbound right turn lane), and a second westbound left turn lane (for two westbound left turn lanes, two westbound through lanes, and one westbound right turn lane) and shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed. Signals shall be modified to the satisfaction of Public Works.	Applicant (Traffic Engineer)	Field Verification of Construction	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed
LV 4.7-11. 7. I-5 SB Ramps/SR-126 –The applicant shall fund a fair share of the cost to add a third southbound lane (for two southbound lanes, one shared southbound left turn lane/one southbound right turn lane, and one dedicated southbound right turn lane), a third and fourth eastbound through lane (for four eastbound through lanes and one free flow eastbound right turn lane), and a fourth westbound through lane (for four westbound through lanes and one free flow westbound right turn lane). (Project share = 38.3 percent). The project may elect to pay by phase as each phase gets recorded: Phase I= 8.3 percent, Phase II= 8.1 percent and Phase III= 21.9 percent)[1] Said improvements shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed. [This measure has been completed.]	Applicant	Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed

[1] Percentage pro-rata calculation figures were determined by the County of Los Angeles, Department of Public Works, written communication of December 9, 2004.

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
LV 4.7-12. 8. I-5 NB Ramps/SR-126 –The project applicant shall fund a fair share of the cost to add a third northbound left turn lane (for three northbound left turn lanes and one northbound right turn lane), a third and fourth eastbound through lane (for four eastbound through lanes and one free flow eastbound right turn lane), and a third westbound through lane (for three westbound through lanes and one free flow westbound right turn lane). (Project Share = 20.8 percent). The project may elect to pay by phase as each phase gets recorded: Phase I= 4.7 percent, Phase II= 4.0 percent and Phase III= 12.1 percent)[2] Said improvements shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed. [This measure has been completed.]	Applicant	Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed
LV 4.7-13. 80. Wolcott/SR-126 –The project applicant shall fund a fair share of the cost to add a second southbound left turn lane (for two southbound left turns, one southbound through lane, and one southbound right turn lane), add a second eastbound left turn lane (for two eastbound left turn lanes, three eastbound through lanes, and one eastbound right turn lane), and a third westbound through lane (for two westbound left turn lanes, three westbound through lanes, and one westbound right turn lane). (Project Share = 62.1 percent). The project may elect to pay by phase as each phase gets recorded: Phase I= 12.2 percent, Phase II= 19.3 percent and Phase III= 30.6 percent)[3] Said improvements shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed.	Applicant	Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed

[2] Ibid.
[3] Ibid.

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
LV 4.7-14. 81,82,83 and 94. Commerce Center/SR-126 – The project applicant shall finance its fair share to construct a Grade Separated Interchange (Project Share = 33.8 percent). The project may elect to pay by phase as each phase gets recorded: Phase I= 6.6 percent, Phase II= 9.1 percent and Phase III= 18.1 percent) Said improvements shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed.	Applicant	Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed
LV 4.7-15. 110. Chiquito Canyon/Long Canyon Road/SR-126 – The project applicant shall fund its fair share to add a second northbound left turn lane (for two northbound left-turn lanes, two northbound through lanes and two northbound right turn lanes), add a second southbound left turn lane, and second & third southbound through lanes (for two southbound left turn lanes, three southbound through lanes and one southbound right turn lane), add a second eastbound left turn lane and third eastbound through lane (for two eastbound left turn lanes, three eastbound through lanes, and one eastbound right turn lane), and add a third westbound through lane (for two westbound left turn lanes, three westbound through lanes, and one westbound right turn lane). (Project Share = 62 percent) or construct a grade separated crossing to the satisfaction of the County of Los Angeles Department of Public Works. Said improvements shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed.	Applicant	Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
LV 4.7-16. Prior to issuance of occupancy permits for the elementary school, a painted school pedestrian crossing with associated signing shall be installed across A Street and across U Street at the elementary school access from A Street. Driver behavior shall be monitored as the community develops and, if necessary, additional treatments shall be installed to further enhance the pedestrian crossing. These may include crossing guards at an intersection, such as the A Street/U Street intersection, and pedestrian activated in-pavement warning lights or overhead flashing lights to identify the pedestrian crossing. These warnings can be configured with automated detection units that would activate the lights automatically given the presence of a pedestrian rather than relying on the children to manually engage the system.	Applicant	Field Verification of Installation	1. LACDPW 2. LACDPW 3. Prior to Issuance of Occupancy Permit for the elementary school
LV 4.7-17. Applicable transit mitigation fees shall be paid at the time of final map recordation, unless modified by an approved development agreement.	Applicant	Receipt of Fair Share Funding or Bonding	1. LACDPW 2. LACDPW 3. Prior to Recordation of the Final Tract Map
LV 4.7-18. Prior to the commencement of project construction activities, the applicant shall institute construction traffic management controls in accordance with the California Department of Transportation (Caltrans) traffic manual. These traffic management controls shall include measures determined on the basis of site-specific conditions including, as appropriate, the use of construction signs (e.g., "Construction Ahead") and delineators, and private driveway and cross-street closures.	Applicant	Field Verification of Installation	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
LV 4.7-19. The traffic signals shall be installed at the following intersections. The design and the construction of the traffic signals shall be the sole responsibility of the project. The signals shall be completed at their ultimate design locations and operational to the satisfaction of Public Works concurrently with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed. Phase I: Wolcott Way at Henry Mayo Drive (SR-126) Phase II: Chiquito Canyon Road and Long Canyon Road (Future) at Henry Mayo Drive (SR-126) Phase III: Long Canyon Road at "Y" Street and "A" Street (TT 53108)	Applicant	Field Verification of Installation	1. LACDPW 2. LACDPW 3. Concurrent with the installation of the curb, gutter, the first lift of asphalt pavement, and the temporary traffic detection loops, if needed
LV 4.7-20. The developer shall coordinate with and notify the Castaic Union School District (CUSD) that traffic circulation plan and the drop-off/pick-up procedures shall be prepared and submitted to Traffic and Lighting Division for review and approval. We recommend a mechanism for enforcement and levying of noncompliance penalties be included in the plan. The CUSD shall prepare informational packets containing the approved drop-off/pick-up procedures and provide to the parents/guardians of students of the school. The recordation of the phase containing Lot 345 where the school is proposed shall be withheld until the student drop-off/pick-up procedures, the informational packets or brochures, and the revised school site plan have been received and approved by Public Works.	Applicant	Field Verification of Installation	1. LACDPW 2. LACDPW 3. Prior to Recordation of Phase containing lot of elementary school
LV 4.7-21. The project applicant shall fund fair share capacity augmentation of the segment of Interstate 5 (I-5) through the Santa Clarita Valley following the examples shown on **Table 4.7-31**. All other development that would impact the affected freeway segments shall also pay a fair share of required funding.	Applicant	Receipt of Fair Share Funding or Bonding	1. Caltrans 2. Caltrans 3. Payment of fair share in accordance with Caltrans requirements

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.7 TRAFFIC/ACCESS (cont.)			
LV-4.7-22. Concurrent with issuance of the first building permit for Landmark Village, the project applicant shall submit a one-time payment of $300,000 to the City of Fillmore (City) in Ventura County to fund transportation-related improvements in the City consistent with the March 2000 agreement entered into between The Newhall Land and Farming Company and the City.	Applicant	Payment of Fees	1. LACDPW 2. LACDPW 3. Concurrent with first building permit
LV 4.7-23. Concurrent with the issuance of each Newhall Ranch Specific Plan building permit, the project applicant shall pay to the County of Ventura that development's pro-rata share of the entire Newhall Ranch Specific Plan's fair-share (nine percent) of the costs to implement the following roadway improvements at the intersection of Center Street and Telegraph Road (SR-126) in the Ventura County community of Piru: (1) Re-stripe the Center Street southbound approach lane resulting in separate left and right turn lanes; (2) Add a westbound right turn deceleration lane to Telegraph Road; and (3) Install a traffic signal at the intersection when warranted.	Applicant	Payment of Fees	1. LACDPW 2. LACDPW 3. Concurrent with first building permit
4.8 NOISE			
SP 4.9-1. All construction activity occurring on the Newhall Ranch Specific Plan site shall adhere to the requirements of the *County of Los Angeles Construction Equipment Noise Standards*, County of Los Angeles Ordinance No. 11743, §12.08.440 as identified in Table 4.9-3.	Applicant (Construction Contractor)	Include Measure in Specifications Field Verification With Noise Monitor	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. During Grading and Construction Activities
SP 4.9-2. Limit all construction activities near occupied residences to between the hours of 6:30 AM and 8:00 PM, and exclude all Sundays and legal holidays pursuant to County Department of Public Works, Construction Division standards.	Applicant (Construction Contractor)	Include Measure in Specifications Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. During Grading and Construction Activities

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
SP 4.9-3. When construction operations occur adjacent to occupied residential areas, implement appropriate additional noise reduction measures that include changing the location of stationary construction equipment, shutting off idling equipment, notifying adjacent residences in advance of construction work, and installing temporary acoustic barriers around stationary construction noise sources.	Applicant (Construction Contractor)	Include Measure in Specifications Field Verification and Verification that Adjacent Residents Were Notified	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. During Grading and Construction Activities
SP 4.9-4. Locate construction staging areas on site to maximize the distance between staging areas and occupied residential areas.	Applicant (Construction Contractor)	Include Measure in Specifications Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. During Grading and Construction Activities
SP 4.9-5. Where new single family residential buildings are to be constructed within an exterior noise contour of 60 dB(A) (decibels measured on an A-weighted scale) CNEL (Community Noise Equivalent Level) or greater, or where any multi-family buildings are to be constructed within an exterior noise contour of 65 dB(A) CNEL or greater, an acoustic analysis shall be completed prior to approval of building permits. The acoustical analysis shall show that the building is designed so that interior noise levels resulting from outside sources will be no greater than 45 dB(A) CNEL.	Applicant	Receipt and Review of Acoustical Analysis	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to the Issuance of Building Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
SP 4.9-6. For single-family residential lots located within the 60 dB(A) CNEL or greater noise contour, an acoustic analysis shall be submitted prior to tentative approval of the subdivision. The acoustic analysis shall show that exterior noise in outdoor living areas (e.g., back yards, patios, etc.) will be reduced to 60 dB(A) CNEL or less.	Applicant	Receipt and Review of Acoustical Analysis	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Tentative Approval of Subdivision
SP 4.9-7. For multi-family residential lots located within the 65 dB(A) CNEL or greater noise contour, an acoustic analysis shall be submitted prior to tentative approval of the subdivision. The acoustic analysis shall show that exterior noise in outdoor living areas (e.g., back yards, patios, etc.) will be reduced to 65 dB(A) CNEL or less.	Applicant	Receipt and Review of Acoustical Analysis	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Tentative Approval of Subdivision
SP 4.9-8. For school sites located within the 70 dB(A) CNEL or greater noise contour, an acoustic analysis shall be submitted prior to tentative approval of the subdivision. The acoustic analysis shall show that noise at exterior play areas will be reduced to 70 dB(A) CNEL or less.	Applicant	Receipt and Review of Acoustical Analysis	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Tentative Approval of Subdivision
SP 4.9-9. All residential air conditioning equipment installed within the Newhall Ranch Specific Plan site shall adhere to the requirements of the *County of Los Angeles Residential Air Conditioning and Refrigeration Noise Standards*, County of Los Angeles Ordinance No. 11743, §12.08.530.	Building Contractor	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to the Issuance of Occupancy Permits
SP 4.9-10. All stationary and point sources of noise occurring on the Newhall Ranch Specific Plan site shall adhere to the requirements of the County of Los Angeles Ordinance No. 11743, §12.08.390 as identified in Table 4.9-2, County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources.	Future Owners/ Operators within project	Field Verification	1. LA County Department of Health Services 2. LA County Department of Building and Safety 3. During Life of Project

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
SP 4.9-11. Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans or similar objects between the hours of 10:00 PM and 6:00 AM in such a manner as to cause a noise disturbance is prohibited in accordance with the County of Los Angeles Ordinance No. 11743, §12.08.460.	Future Owners/ Operators within project	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. During Life of Project
SP 4.9-12. Loading zones and trash receptacles in commercial and Business Park areas shall be located away from adjacent residential areas, or provide attenuation so that noise levels at residential uses do not exceed the standards identified in §12.08.460 of the Ordinance No. 11743.	Applicant	Plan Check Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Approval of Final Maps or improvement/building plans and Verify Prior to Issuance of Occupancy Permits
SP 4.9-14. After the time that occupancy of uses on the Newhall Ranch Specific Plan site occurs, AND when noise levels at the Travel Village RV Park reach 70 dB(A) CNEL at locations where recreational vehicles are inhabited, the applicant shall construct a noise abatement barrier to reduce noise levels at the RV Park to 70 dB(A) CNEL or less.	Applicant	Receipt and Review of Acoustical Analysis Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Upon Occupancy of Uses on Newhall Ranch and if/when noise levels in Travel Village reach 70 dB(A) CNEL

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
SP 4.9-15. Despite the absence of a significant impact, applicants for all building permits of Residential, Mixed-Use, Commercial, and Business Park land uses (Project) shall pay to the Santa Clara Elementary School District, prior to issuance of building permits, the project's pro rata share of the cost of a sound wall to be located between SR-126 and the Little Red School House. The project's pro rata share shall be determined by multiplying the estimated cost of the sound wall by the ratio of the project's estimated contribution of average daily trips on SR-126 (ADT) at the Little Red School House (numerator) to the total projected cumulative ADT increase at that location (denominator). The total projected cumulative ADT increase shall be determined by subtracting the existing trips on SR-126 from the projected cumulative trips as shown in Table 1 of Topical Response 5 – Traffic Impacts to State and Local Roads in Ventura County after adding the total Newhall Ranch ADT traveling west of the City of Fillmore.	Applicants for all Building Permits	Payment to Santa Clara Elementary School District	1. LACDRP 2. LACDPW, Building and Safety 3. Upon Issuance of Building Permits
SP 4.9-16. Despite the absence of a significant impact, the applicant for all building permits of Residential, Mixed-Use, Commercial and Business Park land uses (Project) shall participate on a fair-share basis in noise attenuation programs developed and implemented by the City of Moorpark to attenuate vehicular noise on SR-23 just north of Casey Road for the existing single-family homes which front SR-23. The mitigation criteria shall be to reduce noise levels to satisfy state noise compatibility standards. The project's pro rata share shall be determined by multiplying the estimated cost of attenuation by the ratio of the project's estimated contribution of average daily trips on SR-23 (ADT) north of the intersection of SR-23 and Casey Road (numerator) to the total projected cumulative ADT increase at that location (denominator). The total projected cumulative ADT increase shall be determined by subtracting the existing trips on SR-23 north of Casey Road from the projected cumulative trips as shown in Topical Response 5 – Traffic Impacts to State and Local Roads in Ventura County after adding the total Newhall Ranch ADT traveling south of the City of Fillmore.	Applicants for all Building Permits	Payment to City of Moorpark	1. LACDRP 2. LACDPW, Building and Safety 3. Upon Issuance of Building Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
SP 4.9-17. Prior to the approval of any subdivision map which permits construction within the Specific Plan area, the applicant for that map shall prepare an acoustical analysis assessing project and cumulative development (including an existing plus project analysis, and an existing plus cumulative development analysis including the project). The acoustical analysis shall be based upon State noise land use compatibility criteria and shall be approved by the Los Angeles County Department of Health Services. In order to mitigate any future impacts resulting from the project's contribution to significant cumulative noise impacts to development in existence as of the adoption of the Newhall Ranch Specific Plan and caused by vehicular traffic on off-site roadways, the applicant for building permits of Residential, Mixed-Use, Commercial, Visitor Serving and Business Park land uses shall, prior to issuance of building permits, pay a fee to Los Angeles County, Ventura County, the City of Fillmore or the City of Santa Clarita. The amount of the fee shall be the project's fair-share under any jurisdiction-wide or Santa Clarita Valley-wide noise programs adopted by any of the above jurisdictions.	Applicants for all Building Permits	Payment of Fee to Los Angeles County, Ventura County, City of Fillmore or the City of Santa Clarita	1. LACDRP 2. Los Angeles Co. Department of Health Services 3. Upon Issuance of Building Permits
LV 4.8-1. The project applicant, or its designee, shall not undertake construction activities that can generate noise levels in excess of the County's Noise Ordinance on Sundays.	Applicant (Construction Contractor)	Include Measure in Specifications Field Verification With Noise Monitor	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. During Grading DuringConstruction Activities

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
LV 4.8-2. When construction operations occur in close proximity to on- or off-site occupied residences, and if it is determined by County staff during routine construction site inspections that the construction equipment could generate a noise level at the residences that would be in excess of the Noise Ordinance, the project applicant or its designee shall implement appropriate additional noise reduction measures. These measures shall include, among other things, changing the location of stationary construction equipment, shutting off idling equipment, notifying residents in advance of construction work, and installing temporary acoustic barriers around stationary construction noise sources.	Applicant (Construction Contractor)	Field Verification With Noise Monitor	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. During Grading During Construction Activities
LV 4.8-3. Prior to construction of the utility corridor north of the Travel Village RV Park, the project applicant or its designee shall erect solid construction and continuous temporary noise barriers south of the utility corridor north of the RV Park without blocking ingress/egress at the Park. Prior to issuance of the construction permit for the utility corridor, a qualified acoustic consultant shall be retained to specify the placement and height of the noise barriers in order to maximize their effectiveness in attenuating noise levels. Construction activities north of the RV Park shall comply with the Los Angeles County Noise Ordinance; stationary construction equipment shall be placed as far away from occupied spaces within the RV Park, and equipment shall not be permitted to idle. A qualified acoustic consultant shall be retained to monitor construction noise once a month at occupied RV spaces to ensure noise levels are in compliance with the County's Noise Ordinance for the duration of the construction.	Applicant (Construction Contractor and Project Acoustic Consultant)	Field Verification With Noise Monitor	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to construction of the utility corridor north of the Travel Village RV Park
LV 4.8-4. To mitigate noise impacts on Lots 325, 326, and 350 (condominiums east of Wolcott Road) from SR-126, the project applicant or its designee shall, prior to occupancy, construct a 10-foot berm/solid wall at top of slope along northern and eastern edges of Lot 326, and along the northern edge of Lots 325 and 350. The berm/wall shall be continuous with no breaks or gaps.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
LV 4.8-5. To mitigate noise impacts on Lots 343 and 377 (condominium) and on Lot 376 (apartment east of Long Canyon Road) from SR-126, the project applicant or its designee shall, prior to occupancy, construct a 9-foot berm/solid wall along the northern edge of Lots 360, 379, 380, and 381 (open space) directly north of Lots 343, 376, and 377. The berm/wall shall be continuous with no openings or gaps, and shall form a continuous union with the 4-foot berm/solid wall recommended for Lot 344 (park) to the east.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit
LV 4.8-6. To mitigate noise impacts on Lots 344 and 345 (park and school) from SR-126, the project applicant or its designee shall, prior to occupancy construct a 4-foot berm/solid wall along the northern edge of Lots 381 and 382 directly north of Lots 344 and 345. To preserve views, 5/8-inch Plexiglas or transparent material with equivalent or better acoustic value may be incorporated into the wall design. The wall shall be continuous with no openings or gaps, and shall form a continuous union with the 9-foot berm/solid wall recommended for Lot 343 (condominium) to the west and the 10-foot berm/solid wall recommended for Lot 346 (condominium) to the east.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit
LV 4.8-7. Prior to occupancy of Lot 346 (condominiums), the project applicant or its designee shall construct an 8-foot berm/solid wall along the eastern boundary of Lot 345 (school) to mitigate any delivery truck/garbage truck/school bus noise impacts on Lot 346 to the east.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
LV 4.8-8. To mitigate noise impacts on Lot 346 (condominium west of Wolcott Road) from SR-126 the project applicant or its designee shall, prior to occupancy, construct a 10-foot berm/solid wall along the northern edge of Lot 346 from its northeastern corner to a point approximately 325 feet to the west along the lot line. From this point, a 10-foot berm/solid wall shall be constructed through Lot 383 (open space) to the edge of the Caltrans right-of-way where the wall shall continue westerly to where it would connect with the 4-foot berm/solid wall recommended for Lot 345 (school) to the west. The wall shall be continuous with no openings or gaps, and shall form a continuous union with the 4-foot berm/solid wall recommended for Lot 345.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit
LV 4.8-9. Prior to occupancy of Lot 346 (condominium west of Wolcott Road), the project applicant or its designee, shall construct an 8-foot berm/solid wall along the eastern boundary of Lot 346 to mitigate delivery truck traffic noise from Lot 347 (mixed use commercial).	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit
LV-4.8-10. To mitigate noise impacts on Lot 349 (apartment) from SR-126, the project applicant or its designee shall, prior to occupancy, construct a 10-foot berm/solid wall along the northern, western, and southern edges of Lot 349, with the wall terminating just west of the lot entrance off "A" Street.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services, Caltrans 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit
LV-4.8-11. To mitigate delivery truck and other noises from the commercial center west of Long Canyon Road on Lot 354 (apartments west of Long Canyon Road), the project applicant or its designee shall, prior to occupancy, construct an 8-foot berm/solid wall along the eastern perimeter of Lot 354.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services, Caltrans 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
LV-4.8-12. To mitigate noise impacts on Lot 354 (apartments west of Long Canyon Road) from SR-126, the project applicant or its designee shall, prior to occupancy, construct a 16-foot berm/solid wall along the northern boundary of Lot 354. A 12-foot berm/solid wall shall be constructed along the northern 200 feet of the western lot line. From this point, a 10-foot berm/solid wall shall be constructed along the western lot line for 250 feet, at which point an 8-foot berm/solid wall shall be constructed for an additional 100 feet. A 6-foot berm/solid wall shall be constructed along the remaining western lot line to Lot 403 (recreation). To preserve views of the Santa Clara River, 5/8-inch Plexiglas or transparent material with equivalent or better acoustic value may be incorporated into the wall design.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit
LV-4.8-13. To mitigate noise impacts on Lot 376 (apartments east of Long Canyon Road) from delivery truck and other noise from the commercial center proposed east of Long Canyon Road, the project applicant or its designee shall, prior to occupancy, construct an 8-foot berm/solid wall along the western boundary of Lot 376.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit
LV-4.8-14. Frequent use areas, as defined in this EIR, on Lots 325, 326, 329, 331, 338, 339, 341, 342, 343, 346, 349, 350, 377, and 416 (condominium), if any, shall be positioned in such a way so that they are separated from adjacent roadways by condominiums. Upon completion of plot plans for Lots 325, 326, 329, 331, 338, 339, 341, 342, 343, 346, 349, 350, 377, and 416, acoustic analyses shall be conducted by a qualified acoustic consultant to ensure that the noise levels of frequent use areas on these lots would not exceed 65 dB(A) CNEL.	Applicant (Project Acoustic Consultant)	Receipt and Review of Noise Impact Analysis	1. LA County Department of Health Services, Caltrans 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
LV-4.8-15. To further reduce noise impacts on Lot 349 (apartments east of Wolcott Road), frequent use area(s) shall be positioned in the interiors of the lot so that they are separated from adjacent roadways by apartment buildings. Upon completion of the plot plans for Lot 349, and for Lots 388 and 389 (mixed use commercial) that separate Lot 349 from SR-126, acoustic analyses shall be conducted for Lot 349 by a qualified acoustic consultant to ensure that the noise levels of the frequent use area(s) would not exceed 65 dB(A) CNEL.	Applicant (Project Acoustic Consultant)	Receipt and Review of Noise Impact Analysis	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permit
LV-4.8-16. Frequent use areas on Lot 354 (apartment west of Long Canyon Road) shall be positioned on the interior of the lot so that they are separated from surrounding uses by apartment buildings. Upon completion of plot plans for Lot 354 and the commercial center proposed west of Long Canyon Road, acoustic analyses shall be conducted by a qualified acoustic consultant to ensure that the noise levels of frequent use area(s) on Lot 354 do not exceed 65 dB(A) CNEL.	Applicant (Project Acoustic Consultant)	Receipt and Review of Noise Impact Analysis	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permit
LV-4.8-17. To further reduce noise impacts on Lot 376 (apartments east of Long Canyon Road), frequent use area(s) shall be positioned in the interiors of the lot so that they are separated from adjacent roadways by apartment buildings. Upon completion of plot plans for Lot 376, and for Lot 360 which separates Lot 376 from SR-126, acoustic analyses shall be conducted for Lot 376 by a qualified acoustic consultant to ensure that the noise levels of the frequent use area(s) would not exceed 65 dB(A) CNEL.	Applicant (Project Acoustic Consultant)	Review of Noise Impact Analysis	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permit
LV-4.8-18. To further reduce noise impacts on Lot 377 (condominiums east of Long Canyon Road), frequent use areas of Lot 377, if any, shall be separated from "A" Street and SR-126 by the condominium units. Upon completion of a plot plan for Lot 377, acoustic analyses shall be conducted by a qualified acoustic consultant to ensure that the noise levels of any frequent use areas on this lot would not exceed 65 dB(A) CNEL.	Applicant (Project Acoustic Consultant)	Review of Noise Impact Analysis	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
LV-4.8-19. Residences within mixed-use commercial areas shall be discouraged within 500 feet of the centerline of SR-126. Residences that do occur within mixed use commercial lots shall be set back as far as possible from SR-126, Wolcott Road, Long Canyon Road, and "A" Street in order to minimize the need for acoustic insulation of the units. When the plot plan for the commercial center is complete, acoustic analyses shall be conducted by a qualified acoustic consultant to ensure that interior noise levels of any residences within the commercial center can be feasibly reduced to 45 dB(A).	Applicant (Project Acoustic Consultant)	Review of Noise Impact Analysis	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Commercial Center Building Permit
LV-4.8.20. Balconies with direct lines of sight to SR-126, Wolcott Road, Long Canyon Road, and/or "A" Street shall be discouraged from exposure to exterior noise levels greater than the 60 dB(A) CNEL standard for single family residences or the 65 dB(A) CNEL standard for multi-family residences through architectural or site design. Alternatively, balconies shall be enclosed by solid noise barriers, such as 3/8-inch glass or 5/8-inch Plexiglas to a height specified by a qualified noise consultant.	Applicant (Construction Contractor and Project Acoustic Consultant)	Building Plan Check	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permit
LV-4.8-21. All single family and multi-family structures, including multi-family units incorporated into commercial centers, within 500 feet of SR-126 and all residential units with direct lines of sight to SR-126, Wolcott Road, Long Canyon Road, and/or "A" Street shall incorporate the following into the exterior wall that faces onto those roadways: (a) All windows, both fixed and operable, shall consist of either double-strength glass or double-paned glass. All windows facing sound waves generated from the mobile source noise shall be manufactured and installed to specifications that prevent any sound from window vibration caused by the noise source. (b) Doors shall be solid core and shall be acoustically designed with gasketed stops and integral drop seals. (c) If necessitated by the architectural design of a structure, special insulation or design features shall be installed to meet the required interior ambient noise level.	Applicant	Building Plan Check	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.8 NOISE (cont.)			
LV-4.8-22. Air conditioning units shall be installed to serve all living areas of all residences with direct lines of sight to SR-126, Wolcott Road, Long Canyon Road, and/or "A" Street so that windows may remain closed without compromising the comfort of the occupants.	Applicant (Construction Contractor)	Field Verification	1. LA County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit
4.9 AIR QUALITY			
SP 4.10-1. The Specific Plan will provide Commercial and Service uses in close proximity to residential subdivisions.	Applicant	Approval of Tentative Maps	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals
SP 4.10-2. The Specific Plan will locate residential uses in close proximity to Commercial uses, Mixed-Uses, and Business Parks.	Applicant	Approval of Tentative Maps	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals
SP 4.10-3. Bus pull-ins will be constructed throughout the Specific Plan site.	Applicant	Final Highway Plan Check	1. LACDPW 2. LACDPW 3. Prior to Tentative Subdivision Map Approvals
SP 4.10-4. Pedestrian facilities, such as sidewalks, and community regional, and local trails, will be provided throughout the Specific Plan site.	Applicant	Submittal of Tentative Maps	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals
SP 4.10-5. Roads with adjacent trails for pedestrian and bicycle use will be provided throughout the Specific Plan site connecting the individual Villages and community.	Applicant	Submittal of Tentative Maps	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
SP 4.10-6. The applicant of future subdivisions shall implement all rules and regulations adopted by the Governing Board of the Southern California Air Quality Management District (SCAQMD) which are applicable to the development of the subdivision (such as Rule 402 - Nuisance, Rule 403 - Fugitive Dust, Rule 1113 - Architectural Coatings) and which are in effect at the time of development. The purpose of Rule 403 is to reduce the amount of particulate matter entrained in the ambient air as a result of man-made fugitive dust sources by requiring actions to prevent, reduce, or mitigate fugitive dust emissions. Rule 403 applies to any activity or man-made condition capable of generating fugitive dust such as the mass and remedial grading associated with the project as well as weed abatement and stockpiling of construction materials (i.e., rock, earth, gravel). Rule 403 requires that grading operations either (1) take actions specified in Tables 1 and 2 of the Rule for each applicable source of fugitive dust and take certain notification and record keeping actions; or (2) obtain an approved Fugitive Dust Control Plan. A complete copy of the SCAQMD's Rule 403 Implementation Handbook, which has been included in **Appendix 4.10**, provides guideline tables to demonstrate the typical mitigation program and record keeping required for grading operations (Tables 1 and 2 and sample record keeping chart). The record keeping is accomplished by on-site construction personnel, typically the construction superintendent. Each future subdivision proposed in association with the Newhall Ranch Specific Plan shall implement the following if found applicable and feasible for that subdivision. **GRADING** a. Apply non-toxic soil stabilizers according to manufacturers' specification to all inactive construction areas (previously graded areas inactive for ten days or more). b. Replace groundcover in disturbed areas as quickly as possible.	Applicant	Plan Check Review and apply applicable rules as part of environmental document	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
4.10-6. (cont.) c. Enclose, cover, water twice daily, or apply non-toxic soil binders according to manufacturers' specifications, to exposed piles (i.e., gravel, sand, dirt) with 5 percent or greater silt content. d. Water active sites at least twice daily. e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph. f. Monitor for particulate emissions according to District-specified procedures. g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer) in accordance with the requirements of California Vehicle Code (CVC) Section 23114.			
PAVED ROADS h. Sweep streets at the end of the day if visible soil material is carried onto adjacent public paved roads (recommend water sweepers with reclaimed water). i. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.			

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
4.10-6 (cont.) **UNPAVED ROADS** j. Apply water three times daily, or non-toxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces. k. Reduce traffic speeds on all unpaved roads to 15 mph or less. l. Pave construction roads that have a traffic volume of more than 50 daily trips by construction equipment, 150 total daily trips for all vehicles. m. Pave all construction access roads at least 100 feet on to the site from the main road. n. Pave construction roads that have a daily traffic volume of less than 50 vehicular trips.			

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
SP 4.10-7. Prior to the approval of each future subdivision proposed in association with the Newhall Ranch Specific Plan, each of the construction emission reduction measures indicated below (and in Tables 11-2 and 11-3 of the SCAQMD's CEQA Air Quality Handbook, as amended) shall be implemented if found applicable and feasible for that subdivision. Tables of currently applicable measures are provided for reference in EIR **Appendix 4.10**. ON-ROAD MOBILE SOURCE CONSTRUCTION EMISSIONS: a. Configure construction parking to minimize traffic interference. b. Provide temporary traffic controls when construction activities have the potential to disrupt traffic to maintain traffic flow (e.g., signage, flag person, detours). c. Schedule construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM and between 10:00 AM and 3:00 PM). d. Develop a trip reduction plan to achieve a 1.5 average vehicle ridership (AVR) for construction employees. e. Implement a shuttle service to and from retail services and food establishments during lunch hours. f. Develop a construction traffic management plan that includes the following measures to address construction traffic that has the potential to affect traffic on public streets: - Rerouting construction traffic off congested streets; - Consolidating truck deliveries; and - Providing temporary dedicated turn lanes for movement of construction trucks and equipment on and off of the site. g. Prohibit truck idling in excess of two minutes.	Applicant	Field Verification and review and include applicable and feasible rules as part of environmental document	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
SP 4.10-7. (cont.) **OFF-ROAD MOBILE SOURCE CONSTRUCTION EMISSIONS:** h. Use methanol-fueled pile drivers. i. Suspend use of all construction equipment operations during second stage smog alerts. j. Prevent trucks from idling longer than two minutes. k. Use electricity from power poles rather than temporary diesel-powered generators. l. Use electricity from power poles rather than temporary gasoline-powered generators. m. Use methanol- or natural gas-powered mobile equipment instead of diesel. n. Use propane- or butane-powered on-site mobile equipment instead of gasoline.			
SP 4.10-8. The applicant of future subdivisions shall implement all rules and regulations adopted by the Governing Board of the SCAQMD which are applicable to the development of the subdivision (such as Rule 402 – Nuisance, Rule 1102 – Petroleum Solvent Dry-Cleaners, Rule 1111 – Oxides of Nitrogen (NO_x) Emissions from Natural Gas-Fired, Fan-Type Central Furnaces, Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters) and which are in effect at the time of occupancy permit issuance.	Applicant	Field Verification and review and include applicable and feasible rules as part of environmental document	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
SP 4.10-9. Prior to the approval of each future subdivision proposed in association with the Newhall Ranch Specific Plan, each of the operational emission reduction measures indicated below (and in Tables 11-6 and 11-7 of the SCAQMD's *CEQA Air Quality Handbook*, as amended) shall be implemented if found applicable and feasible for that subdivision. Tables of currently applicable measures are provided for reference in Appendix 4.10. **ON-ROAD MOBILE SOURCE OPERATIONAL EMISSIONS:** **Residential Uses** b. Establish a shuttle service from residential subdivisions to commercial core areas. c. Construct on-site or off-site bus stops (e.g., bus turnouts, passenger benches, and shelters). d. Construct off-site pedestrian facility improvements, such as overpasses and wider sidewalks. e. Include retail services within or adjacent to residential subdivisions. f. Provide shuttles to major rail transit centers or multi-modal stations. g. Contribute to regional transit systems (e.g., right-of-way, capital improvements, etc.). h. Synchronize traffic lights on streets impacted by development. i. Construct, contribute, or dedicate land for the provision of off-site bicycle trails linking the facility to designated bicycle commuting routes.	Applicant	Field Verification and review and include applicable and feasible rules as part of environmental document	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
SP 4.10-9. (cont.) **Commercial Uses** j. Provide preferential parking spaces for carpools and vanpools and provide 7-foot, 2-inch minimum vertical clearance in parking facilities for vanpool access. k. Implement on-site circulation plans in parking lots to reduce vehicle queuing. l. Improve traffic flow at drive-throughs by designing separate windows for different functions and by providing temporary parking for orders not immediately available for pickup. m. Provide video-conference facilities. n. Set up resident worker training programs to improve job/housing balance. s. Implement a lunch shuttle service from a worksite(s) to food establishments. w. Establish a home-based telecommuting program. x. Provide on-site child care and after-school facilities or contribute to off-site development within walking distance. y. Require retail facilities or special event centers to offer travel incentives such as discounts on purchases for transit riders. z. Provide on-site employee services such as cafeterias, banks, etc. aa. Establish a shuttle service from residential core areas to the worksite. ab. Construct on-site or off-site bus stops (e.g., bus turnouts, passenger benches, and shelters). ac. Implement a pricing structure for single-occupancy employee parking and/or provide discounts to ridesharers. ad. Include residential units within a commercial project. ae. Utilize parking in excess of code requirements as on-site park-n-ride lots or contribute to construction of off-site lots.	Applicant	Field Verification and review and include applicable and feasible rules as part of environmental document	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
SP 4.10-9. (cont.) af. Any two of the following: - Construct off-site bicycle facility improvements, such as bicycle trails linking the facility to designated bicycle commuting routes, or on-site improvements, such as bicycle paths. - Include bicycle parking facilities, such as bicycle lockers and racks. - Include showers for bicycling employees' use. ag. Any two of the following: - Construct off-site pedestrian facility improvements, such as overpasses, wider sidewalks. - Construct on-site pedestrian facility improvements, such as building access which is physically separated from street and parking lot traffic and walk paths. - Include showers for pedestrian employees' use. ah. Provide shuttles to major rail transit stations and multi-modal centers. ai. Contribute to regional transit systems (e.g., right-of-way, capital improvements, etc.). aj. Charge visitors to park. ak. Synchronize traffic lights on streets impacted by development. al. Reschedule truck deliveries and pickups to off-peak hours. am. Set up paid parking systems where drivers pay at walkup kiosk and exit via a stamped ticket to reduce emissions from queuing vehicles. an. Require on-site truck loading zones. ao. Implement or contribute to public outreach programs. ap. Require employers not subject to Regulation XV (now Rule 2202) to provide commuter information area.	Applicant	Field Verification and review and include applicable and feasible rules as part of environmental document	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
SP 4.10-9. (cont.) **STATIONARY SOURCE OPERATIONAL EMISSIONS**			
Residential Uses br. Use solar or low emission water heaters. bs. Use central water heating systems. bt. Use built-in energy-efficient appliances. bu. Provide shade trees to reduce building heating/cooling needs. bv. Use energy-efficient and automated controls for air conditioners. bw. Use double-paned windows. bx. Use energy-efficient low-sodium parking lot lights.	Applicant	Field Verification and review and include applicable and feasible rules as part of environmental document	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approval
Commercial Uses by. Use lighting controls and energy-efficient lighting. bz. Use fuel cells in residential subdivisions to produce heat and electricity. ca. Orient buildings to the north for natural cooling and include passive solar design (e.g., daylighting). cb. Use light-colored roofing materials to reflect heat. cc. Increase walls and attic insulation beyond Title 24 requirements. cd. Use solar or low emission water heaters. ce. Use central water heating systems. cf. Provide shade trees to reduce building heating/cooling needs. cg. Use energy-efficient and automated controls for air conditioners. ch. Use double-paned windows. ci. Use energy-efficient low-sodium parking lot lights. cj. Use lighting controls and energy-efficient lighting. ck. Use light-colored roofing materials to reflect heat. cl. Increase walls and attic insulation beyond Title 24 requirements. cm. Orient buildings to the north for natural cooling and include passive solar design (e.g., daylighting).	Applicant	Field Verification and review and include applicable and feasible rules as part of environmental document	1. LACDRP 2. LACDRP 3. Prior to Tentative Subdivision Map Approvals

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
SP 4.10-10. All non-residential development of 25,000 gross square feet or more shall comply with the County's Transportation Demand Management (TDM) Ordinance (Ordinance No. 93-0028M) in effect at the time of subdivision. The sizes and configurations of the Specific Plan's non-residential uses are not known at this time and the Ordinance specifies different requirements based on the size of the project under review. All current provisions of the ordinance are summarized in **Appendix 4.10.**	Applicant	Include Requirement in Future environmental documents and/or check at Building Permit	1. LACDPW 2. LACDRP 3. Tentative Map Approval or Building Permit, as applicable
SP 4.10-11. Subdivisions and buildings shall comply with Title 24 of the California Code of Regulations which are current at the time of development.	Applicant	Include Requirement in Future environmental documents and/or check at Building Permit	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Tentative Map Approval or Building Permit, as applicable
SP 4.10-12. Lighting for public streets, parking areas, and recreation areas shall utilize energy efficient light and mechanical, computerized or photo cell switching devices to reduce unnecessary energy usage.	Applicant	Include Requirement in Future environmental documents and/or check at Building Permit	1. LACDPW 2. LACDPW 3. Tentative Map Approval or Building Permit, as applicable
SP 4.10-14. The sellers of new residential units shall be required to distribute brochures and other relevant information published by the SCAQMD or similar organization to new homeowners regarding the importance of reducing vehicle miles traveled and related air quality impacts, as well as on local opportunities for public transit and ridesharing.	Applicant	LACDRP Review of information package and distribution records	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Issuance of Building Permit (Package) and Occupancy Permits (Records)

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
LV 4.9-1. Maintain construction equipment and vehicle engines in good condition and in proper tune as per manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions.	Applicant (Construction Superintendent)	Field Verification	1. LACDPW 2. LACDPW 3. During Grading During Construction
LV 4.9-2. All on-road and off-road construction equipment shall use aqueous fuel, to the extent feasible, as determined by the County of Los Angeles.	Applicant (Construction Superintendent)	Field Verification	1. LACDPW 2. LACDPW 3. During Grading DuringConstruction
LV 4.9-3. All on-road and off-road construction equipment shall employ cooled exhaust gas recirculation technology, to the extent feasible, as determined by the County of Los Angeles. Cooled exhaust gas recirculation (EGR) reduces Carbon Monoxide (CO), Volatile Organic Compounds (VOC), NO_x, and Fine Particulate Matter (PM_{10}) emissions as follows: Oxygen is required for fuel to be consumed in a combustion engine. The high temperatures found within combustion engines cause nitrogen in the surrounding air to react with any unused oxygen from the combustion process to form NO_x. EGR technology directs some of the exhaust gases that have already been used by the engine and no longer contain much oxygen back into the intake of the engine. By mixing the exhaust gases with fresh air, the amount of oxygen entering the engine is reduced. Since there is less oxygen to react with, fewer nitrogen oxides are formed and the amount of nitrogen oxides that a vehicle releases into the atmosphere is decreased. Based on information provided in the URBEMIS2002 model for its use in construction equipment, cooled exhaust gas recirculation technology can reduce CO and VOC emissions by 90 percent, NO_x emissions by 40 percent and PM_{10} emissions by 85 percent.	Applicant (Construction Superintendent)	Field Verification	1. LACDPW 2. LACDPW 3. During Grading During Construction

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.9 AIR QUALITY (cont.)			
LV 4.9-4. All on-road and off-road construction equipment shall employ diesel particulate filters, which can reduce PM_{10} emissions from construction equipment by as much as 80 percent based on information provided in the URBEMIS2002 model.	Applicant (Construction Superintendent)	Field Verification	1. LACDPW 2. LACDPW 3. During Grading and Construction
LV 4.9-5. Any dry cleaners proposing to locate on site shall utilize the services of off-site cleaning operations at already SCAQMD-permitted locations. No on-site dry cleaning operations shall be permitted within Landmark Village.	Applicant	Site Plan Check	1. LACDPW 2. LACDPW 3. Prior to Issuance of Building Permit
LV 4.9-6. The project developer(s) shall coordinate with Santa Clarita Transit to identify appropriate bus stop/turnout locations.	Applicant	Site Plan Check	1. LACDPW 2. LACDPW 3. Prior to Issuance of Building Permit
LV 4.9-7. Kiosks containing transit information shall be constructed by the project applicant adjacent to selected future bus stops prior to initiation of bus service to the site.	Applicant	Site Plan Check	1. LACDRP 2. LACDRP 3. Prior to Issuance of Occupancy Permit
LV 4.9-8. Wood-burning fireplaces and stoves shall be prohibited in all residential units. Use of wood in fireplaces shall be prohibited through project Covenants, Conditions, and Restrictions (CC&R).	Applicant	Building Plan Check	1. LACDPW 2. LACDPW 3. Prior to Issuance of Building Permit
4.10 WATER RESOURCES			
SP 4.11-1. The proposed Specific Plan shall implement a water reclamation system in order to reduce the Specific Plan's demand for imported potable water. The Specific Plan shall install a distribution system to deliver non-potable reclaimed water to irrigate land uses suitable to accept reclaimed water, pursuant to Los Angeles County Department of Health Standards.	Applicant	Subdivision Map Improvement Plan Check	1. LACDRP 2. LACDPW 3. Prior to Issuance of Building Permit(s)

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.10 WATER RESOURCES (cont.)			
SP 4.11-2. Landscape concept plans shall include a palette rich in drought-tolerant and native plants.	Applicant	Preliminary Landscape Plan Review	1. LACDPW 2. LA County Fire Department or Parks and Recreation 3. Prior to Recordation of Final Map
SP 4.11-3. Major manufactured slopes shall be landscaped with materials that will eventually naturalize, requiring minimal irrigation.	Applicant	Preliminary Landscape Plan Review	1. LACDPW 2. LA County Fire Department or Parks and Recreation 3. Prior to Recordation of Final Map
SP 4.11-4. Water conservation measures as required by the State of California shall be incorporated into all irrigation systems.	Applicant	Architectural Plans	1. California Department of Conservation 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permit(s)
SP 4.11-5. The area within each future subdivision within Newhall Ranch shall be annexed to the Valencia Water Company prior to issuance of building permits.	Applicant	California Public Utilities Commission (CPUC) Annexation Approval	1. CPUC 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permit(s)

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.10 WATER RESOURCES (cont.)			
SP 4.11-6. In conjunction with the submittal of applications for tentative tract maps or parcel maps which permit construction, and prior to approval of any such tentative maps, and in accordance with the requirements of the Los Angeles County General Plan Development Monitoring System (DMS), as amended, Los Angeles County shall require the applicant of the map to obtain written confirmation from the retail water agency identifying the source(s) of water available to serve the map concurrent with need. If the applicant of such map cannot obtain confirmation that a water source(s) is available for buildout of the map, the map shall be phased with the timing of an available water source(s), consistent with the County's DMS requirements.	Applicant	Written Confirmation of Water Availability	1. LACDPW 2. LACDPW 3. Prior to Recordation of Final Subdivision Maps
SP 4.11-7. Prior to commencement of use, all uses of recycled water shall be reviewed and approved by the State of California Health and Welfare Agency, Department of Health Services.	Applicant	Plan Check	1. County Department of Health Services 2. LACDPW, Building and Safety 3. Prior to Issuance of Grading or Occupancy Permit(s) as applicable
SP 4.11-8. Prior to the issuance of building permits that allow construction, the applicant of the subdivision shall finance the expansion costs of water service extension to the subdivision through the payment of connection fees to the appropriate water agency(ies).	Applicant	Payment of Connection Fees	1. Castaic Lake Water Agency (CLWA)/VWC 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.10 WATER RESOURCES (cont.)			
SP 4.11-9. Pursuant to Public Resources Code §21081(a)(2), the County shall recommend that the Upper Santa Clara Water Committee (or Santa Clarita Valley Water Purveyors), made up of the Castaic Lake Water Agency, Los Angeles County Waterworks District No. 36, Newhall County Water District, Santa Clarita Water Division of CLWA and the Valencia Water Company, prepare an annual water report that will discuss the status of groundwater within the Alluvial and Saugus Aquifers, and State Water Project water supplies as they relate to the Santa Clarita Valley. The report will also include an annual update of the actions taken by CLWA to enhance the quality and reliability of existing and planned water supplies for the Santa Clarita Valley. In those years when the Committee or purveyors do not prepare such a report, the applicant at its expense shall cause the preparation of such a report that is acceptable to the County to address these issues. This annual report shall be provided to Los Angeles County who will consider the report as part of its local land use decision-making process. (To date, four such water reports have been prepared (1998, 1999, 2000, and 2001) and provided to both the County of Los Angeles and the City of Santa Clarita.)	Applicant	Receipt of Annual Report	1. Board of Supervisors 2. LACDRP 3. Prior to Recordation of Final Subdivision Maps
SP 4.11-10. Pursuant to Public Resources Code §21081(a)(2), the County shall recommend that CLWA, in cooperation with other Santa Clarita Valley retail water providers, continue to update the Urban Water Management Plan (UWMP) for Santa Clarita Valley once every five years (on or before December 31) to ensure that the County receives up-to-date information about the existing and planned water supplies in the Santa Clarita Valley. The County will consider the information contained in the updated UWMP in connection with the County's future local land use decision-making process. The County will also consider the information contained in the updated UWMP in connection with the County's future consideration of any Newhall Ranch tentative subdivision maps allowing construction. (see, Mitigation Measure 4.11-15, below.)	Applicant	Receipt of written identification of water service from retailer	1. Board of Supervisors 2. LACDRP 3. Prior to Recordation of Final Subdivision Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.10 WATER RESOURCES (cont.)			
SP 4.11-15. Groundwater historically and presently used for crop irrigation on the Newhall Ranch Specific Plan site and elsewhere in Los Angeles County shall be made available by the Newhall Land and Farming Company, or its assignee, to partially meet the potable water demands of the Newhall Ranch Specific Plan. The amount of groundwater pumped for this purpose shall not exceed 7,038 Acre-feet per year (AFY). This is the amount of groundwater pumped historically and presently by the Newhall Land and Farming Company in Los Angeles County to support its agricultural operations. Pumping this amount will not result in a net increase in groundwater use in the Santa Clarita Valley. To monitor groundwater use, the Newhall Land and Farming Company, or its assignee, shall provide the County an annual report indicating the amount of groundwater used in Los Angeles County and the specific land upon which that groundwater was historically used for irrigation. For agricultural land located off the Newhall Ranch Specific Plan site in Los Angeles County, at the time agricultural groundwater is transferred from agricultural uses on that land to Specific Plan uses, The Newhall Land and Farming Company, or its assignee, shall provide a verified statement to the County's Department of Regional Planning that Alluvial aquifer water rights on that land will now be used to meet Specific Plan demand.	Applicant	Receipt of written identification of water service provider or applicant	1. Board of Supervisors 2. LACDRP 3. Prior to Recordation of Final Subdivision Maps
SP 4.11-16. The agricultural groundwater used to meet the needs of the Specific Plan shall meet the drinking water quality standards required under Title 22 prior to use.	Applicant	Receipt of written report on water quality from ASR program engineer	1. LACDPW 2. LACDRP 3. Concurrent with Submittal of Application for Tentative Tract Maps which permit construction.

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.10 WATER RESOURCES (cont.)			
SP 4.11-19. A Memorandum of Understanding (MOU) and Water Resource Monitoring Program has been entered into between United Water Conservation District and the Upper Basin Water Purveyors, effective August 20, 2001. The MOU/Water Resource Monitoring Program, when executed, will put in place a joint water resource monitoring program that will be an effective regional water management tool for both the Upper and Lower Santa Clara River areas as further information is developed, consistent with the MOU. This monitoring program will result in a database addressing water usage in the Saugus and Alluvium aquifers over various representative water cycles. The parties to the MOU intend to utilize this database to further identify surface water and groundwater impacts on the Santa Clara River Valley. The applicant, or its designee, shall cooperate in good faith with the continuing efforts to implement the MOU and Water Resource Monitoring Program. As part of the MOU process, the United Water Conservation District and the applicant have also entered into a "Settlement and Mutual Release" agreement, which is intended to continue to develop data as part of an on-going process for providing information about surface and groundwater resources in the Santa Clara River Valley. In that agreement, the County and the applicant have agreed to the following: 4.3 Los Angeles County and Newhall will each in good faith cooperate with the parties to the MOU and will assist them as requested in the development of the database calibrating water usage in the Saugus and Alluvium aquifers over multi-year water cycles. Such cooperation will include, but not be limited to, providing the parties to the MOU with historical well data and other data concerning surface water and groundwater in the Santa Clara River and, in the case of Newhall, providing Valencia Water Company with access to wells for the collection of well data for the MOU.	Applicant	Review of Initial Study and subdivision maps	1. LACDRP 2. LACDRP 3. Concurrent with Submittal of Application for Tentative Tract Maps which permit construction.

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.10 WATER RESOURCES (cont.)			
SP 4.11-19. (cont.) Los Angeles County and Newhall further agree that the County of Los Angeles will be provided with, and consider, the then-existing data produced by the MOU's monitoring program in connection with, and prior to, all future Newhall Ranch subdivision approvals or any other future land use entitlements implementing the Newhall Ranch Specific Plan. If the then-existing data produced by the MOU's monitoring program identifies significant impacts to surface water or groundwater resources in the Santa Clara River Valley, Los Angeles County will identify those impacts and adopt feasible mitigation measures in accordance with the California Environmental Quality Act.	Applicant	Review of Initial Study and subdivision maps	1. LACDRP 2. LACDRP 3. Concurrent with Submittal of Application for Tentative Tract Maps which permit construction.
SP 4.11-21. The applicant, in coordination with RWQCB staff, shall select a representative location upstream and downstream of the Newhall Ranch Specific Plan and sample surface and groundwater quality. Sampling from these two locations would begin upon approval of the first subdivision map and be provided annually to the RWQCB and County for the purpose of monitoring water quality impacts of the Specific Plan over time. If the sampling data results in the identification of significant new or additional water quality impacts resulting from the Specific Plan, which were not previously known or identified, additional mitigation shall be required at the subdivision map level.	Applicant	Water quality sampling in coordination with RWQCB staff	1. LACDRP 2. LACDRP/RWQCB 3. Concurrent with Approval of the first Subdivision Map which permits construction, and annually thereafter.
SP 4.11-22. Beginning with the filing of the first subdivision map allowing construction on the Specific Plan site and with the filing of each subsequent subdivision map allowing construction, the Specific Plan applicant, or its designee, shall provide documentation to the County of Los Angeles identifying the specific portion(s) of irrigated farmland in the County of Los Angeles proposed to be retired from irrigated production to make agricultural water available to serve the subdivision. As a condition of subdivision approval, the applicant or its designee, shall provide proof to the County that the agricultural land has been retired prior to issuance of building permits for the subdivision.	Applicant	Receipt of written report from applicant	1. LACDRP 2. LACDRP 3. Concurrent with Submittal of Application for Tentative Tract Maps which permit construction.

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.11 WASTEWATER DISPOSAL			
SP 4.12-1. The Specific Plan shall reserve a site of sufficient size to accommodate a water reclamation plant to serve the Newhall Ranch Specific Plan.	Applicant	Specific Plan Review	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Final Approval of Specific Plan
SP 4.12-2. A 5.8 to 6.9 million gallon per day (mgd) water reclamation plant shall be constructed on the Specific Plan site, pursuant to County, state, and federal design standards, to serve the Newhall Ranch Specific Plan.	WRP Applicant	Review of WRP Construction Plans	1. County Sanitation Districts of Los Angeles County (CSDLAC) 2. CSDLAC 3. Prior to Demand for First Phase or WRP Capacity
SP 4.12-3. The Conceptual Backbone Sewer Plan shall be implemented pursuant to County, state, and federal design standards.	Applicant (Project Engineer)	Review of Tentative Map	1. LACDPW 2. LACDPW 3. Prior to Approval of Tentative Maps
SP 4.12-4. Prior to recordation of each subdivision permitting construction, the applicant of each subdivision shall obtain a letter from the new County sanitation district stating that treatment capacity will be adequate for that subdivision.	Applicant	Review Final Subdivision Map	1. CSDLAC 2. LACDPW 3. Prior to Recordation of Each Final Subdivision Map
SP 4.12-5. All facilities of the sanitary sewer system will be designed and constructed for maintenance by the County of Los Angeles Department of Public Works and the County Sanitation Districts of Los Angeles County, and/or the new County sanitation district or similar entity in accordance with their manuals, criteria, and requirements.	Applicant (Project Engineer)	Review Final Subdivision Plans	1. CSDLAC, LACDPW 2. CSDLAC, LACDPW 3. Prior to Recordation of Each Final Subdivision Map

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.11 WASTEWATER DISPOSAL (cont.)			
SP 4.12-6. Pursuant to Los Angeles County Code, Title 20, Division 2, all industrial waste pretreatment facilities shall, prior to the issuance of building permits, be reviewed by the County of Los Angeles Department of Public Works, Industrial Waste Planning and Control Section and/or the new County sanitation district, to determine if they would be subject to an Industrial Wastewater Disposal Permit.	Applicants for Such Industrial Facilities	Plan Check Review	1. LACDPW 2. LACDPW 3. Prior to Issuance of Building Permits
SP 4.12-7. Each subdivision permitting construction shall be required to be annexed into the Los Angeles County Consolidated Sewer Maintenance District.	LACDPW	Review of Final Sewer Plans	1. LACDPW 2. LACDPW 3. After County Acceptance of Sewer Improvements
4.12 SOLID WASTE DISPOSAL			
SP 4.15-1. Each future subdivision which allows construction within the Newhall Ranch Specific Plan shall meet the requirements of all applicable solid waste diversion, storage, and disposal regulations that are in effect at the time of subdivision review. Current applicable regulations include recycling areas that are: • compatible with nearby structures; • secured and protected against adverse environmental conditions; • clearly marked, and adequate in capacity, number and distribution; • in conformance with local building code requirements for garbage collection access and clearance; • designed, placed and maintained to protect adjacent developments and transportation corridors from adverse impacts, such as noise, odors, vectors, or glare; • in compliance with federal, state, or local laws relating to fire, building, access, transportation, circulation, or safety; and • convenient for persons who deposit, collect, and load the materials.	Applicant	Include in Future Subdivision Design and/or environmental documents for Tentative Maps	1. LACDPW, Waste Management Division 2. LACDPW, Waste Management Division 3. Prior to Tentative Map Approval

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.12 SOLID WASTE DISPOSAL (cont.)			
SP 4.15-2. Future multi-family, commercial, and industrial projects within the Specific Plan shall provide accessible and convenient areas for collecting and loading recyclable materials. These areas are to be clearly marked and adequate in capacity, number, and distribution to serve the development.	Applicant	Include in Future Subdivision Design and/or environmental documents for Tentative Maps	1. LACDPW, Waste Management Division 2. LACDPW, Waste Management Division 3. Prior to Tentative Map Approval
SP 4.15-3. The first purchaser of each residential unit within the Specific Plan shall be given educational or instructional materials which will describe what constitutes recyclable and hazardous materials, how to separate recyclable and hazardous materials, how to avoid the use of hazardous materials, and what procedures exist to collect such materials.	Applicant	Review of Information Package and Distribution Records	1. LACDRP 2. LACDRP 3. Prior to Issuance of Building Permit (Package) and Occupancy Permits (Records)
SP 4.15-4. The applicant of all subdivision maps which allow construction within the Specific Plan shall comply with all applicable future state and Los Angeles County regulations and procedures for the use, collection and disposal of solid and hazardous wastes.	Applicant	Include in Future Subdivision Design and/or environmental documents for Tentative Maps	1. LACDPW, Waste Management Division 2. LACDPW, Waste Management Division 3. Prior to Tentative Map Approval
LV 4.12-1. The project shall comply with Title 20, Chapter 20.87, of the Los Angeles County Code, Construction and Demolition Debris Recycling. The project proponent shall also provide a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. Reports shall be submitted to the Los Angeles County Environmental Programs Division.	Applicant	Review of Waste Management Plan and corresponding reports	1. Los Angeles County Environmental Programs Division 2. Los Angeles County Environmental Programs Division 3. Prior to Tentative Map Approval

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.13 SHERIFF SERVICES			
SP 4.17-1. As subdivision maps are submitted to the County for approval in the future, the applicant shall incorporate County Sheriff's Department design requirements (such as those pertaining to site access, site security lighting, etc.) which will reduce demands for Sheriff's service to the subdivisions and which will help ensure adequate public safety features within the tract designs.	Applicant	Plan Check Field Verification	1. LA County Sheriff's Department 2. LA County Sheriff's Department 3. Prior to Final Map Approvals and Verify Prior to Issuance of Occupancy Permits
LV 4.13-1. Construction signs shall be posted with a reduced construction zone speed limit. These signs shall be posted to the satisfaction of the California Highway Patrol.	Applicant	Field Verification	1. California Highway Patrol 2. California Highway Patrol 3. During All Construction Phases
LV 4.13-2. A California Highway Patrol officer shall be hired on a reimbursable services contract to provide traffic control and additional traffic enforcement for the area during the Chiquito Canyon grading site phase of the proposed project construction.	Applicant	Contract Review Field Verification	1. California Highway Patrol 2. California Highway Patrol 3. During Chiquito Canyon Grading Site Phase

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES			
SP 4.18-1. At the time of final subdivision maps permitting construction in development areas that are adjacent to Open Area and the High Country SMA, a Wildfire Fuel Modification Plan shall be prepared and submitted for approval by the County Fire Department. The Wildfire Fuel Modification Plan shall include the following construction period requirements: (a) a fire watch during welding operations; (b) spark arresters on all equipment or vehicles operating in a high fire hazard area; (c) designated smoking and non-smoking areas; and (d) water availability pursuant to County Fire Department requirements. The wildfire fuel modification plan shall depict a fuel modification zone in conformance with the Fuel Modification Ordinance in effect at the time of subdivision. Within the zone, tree pruning, removal of dead plant material and weed and grass cutting shall take place as required by the County Forester. Fire resistant plant species containing habitat value may be planted in the fuel modification zone.	Applicant	Receipt and Review of Wildfire Fuel Modification Plan	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Approval of Final Maps
SP 4.18-2. Each subdivision and site plan for the proposed Specific Plan shall provide sufficient capacity for fire flows of 1,250 gallons per minute (gpm) at 20 pounds per square inch (psi) residual pressure for a two hour duration for single family residential units, and 5,000 gpm at 20 psi residual pressure for a five-hour duration for multi-family residential units and commercial/retail uses, or whatever fire flow requirement is in effect at the time of subdivision and site plan approval.	Applicant	Field Verification of Required Fire Flows	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Issuance of Occupancy Permits
SP 4.18-3. Each subdivision map and site plan for the proposed Specific Plan shall comply with all applicable building and fire codes and hazard reduction programs for Fire Zones 3 and 4 that are in effect at the time of subdivision map and site plan approval.	Applicant	Field Verification	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Issuance of Occupancy Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
SP 4.18-4. The developer will provide funding for three fire stations to the Consolidated Fire Protection District of Los Angeles County (the "Fire District") in lieu of developer fees. The developer will dedicate two fire station sites for the two fire stations located in Newhall Ranch. The Fire District will dedicate the site for the fire station to be located at the Del Valle Training Facility. Each fire station site will have a building pad consisting of a net buildable area of one acre. If the cost of constructing the three fire stations, providing and dedicating the two fire station sites, and providing 3-engines, 1 paramedic squad and 63 percent of a truck company exceeds the developer's developer fee obligation for the Newhall Ranch development as determined by the Fire District, the Fire District will fund the costs in excess of the fee obligation. Two of the three fire stations to be funded by the developer will not exceed 6,000 square feet; the third fire station to be funded by the developer will not exceed 8,500 square feet. The Fire District, will fund the cost of any space/square footage of improvement in excess of these amounts as well as the cost of the necessary fire apparatus for any such excess square footage of improvements. The cost of three fire engines, a proportionate share of a truck and one squad to be provided by the developer will be determined based upon the apparatus cost at the time the apparatus is placed in service.	Applicant	Execute "Fire Protection Plan" Agreement Monitor Adequacy of Fire Prevention Services	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Approval of First Final Subdivision Map Subdivision Map Review Process

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
SP 4.18-4. (cont.) The Fire District and the developer will mutually agree to the requirements of first-phase protection requirements based upon projected response/travel coverage. Such mutual agreement regarding first-phase fire protection requirements ("fire protection plan") and the criteria for timing the development of each of the three fire stations will be defined in a Memorandum of Understanding between the developer and the Fire District. Delivery of fire service for Newhall Ranch will be either from existing fire stations or one of the three fire stations to be provided by the developer pursuant to this section. Prior to the commencement of the operation of any of the three fire stations, fire service may be delivered to Newhall Ranch from existing fire stations or from temporary fire stations to be provided by the developer at mutually agreed-upon locations, to be replaced by the permanent stations which will be located within the Newhall Ranch development. The developer and the Fire District will annually review the fire protection plan to evaluate development and market conditions and modify the Memorandum of Understanding accordingly.			
LV 4.14-1. Prior to approval of a final subdivision map for the project, the applicant must prepare and submit for approval by the County Fire Department a fuel modification plan, a landscape plan and an irrigation plan for the project, as required by Section 1117.2.1 of the County of Los Angeles Fire Code.	Applicant	Receipt and Review of Fuel Modification Plan, Landscape Plan, and Irrigation Plan	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Approval of First Final Subdivision Map

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
LV 4.14-2. The applicant will construct three fully equipped and furnished fire stations (including all ancillary requirements such as landscaping, parking, fuel tanks, storage rooms, etc., required for normal fire station operations). Such stations are to be conveyed to the Consolidated Fire Protection District of Los Angeles County (the "Fire District") in lieu of developer fees. The Fire District shall approve all plans and designs for the three fire stations. The applicant will dedicate fire station sites for all three fire stations within Newhall Ranch. Two fire station sites will have a building pad consisting of a minimum net buildable area of 1.25 acres, and one fire station site will have a building pad consisting of a minimum net buildable area of 1.5 acres; the locations and configurations of each site shall be approved by the Fire District. Two of the three fire stations to be constructed by the applicant will not exceed 11,000 square feet; the third fire station to be constructed by the applicant will not exceed 13,500 square feet. Future changes in federal, state or local requirements may affect these station minimum sizes. One of the three fire stations will be located within the Landmark project, at a location approved by the Fire District. Such station shall be 11,000 square feet constructed upon a minimum 1.25 net building pad. The fully constructed, equipped and furnished station shall be conveyed to the Fire District prior to the issuance of the 723rd certificate of occupancy issued for the Landmark project. Additionally, the applicant shall provide funding for the purchase of one Fire District standard, fully equipped fire pumper engine and paramedic squad prior to the issuance of the 723rd certificate of occupancy.	Applicant	Field Verification	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Issuance of 723rd Occupancy Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
LV 4.14-2. (cont.) For the remaining two fire stations, the Fire District will evaluate with the applicant the requirements of first-phase protection based upon projected response/travel coverage with the goal of achieving 5-minute response coverage. The results of such evaluation shall include requirements for first-phase fire protection ("fire protection plan") and the criteria for timing the development of each of the fire stations, which will be defined in a Memorandum of Understanding between the applicant and the Fire Chief of the Fire District. Prior to the commencement of the operation of any of the three fire stations, fire service may be delivered to Newhall Ranch from existing fire stations or from temporary fire stations to be provided by the applicant at mutually agreed-upon locations, to be replaced by the permanent stations, which will be located within the Newhall Ranch development. The use of such temporary fire stations must be approved by the Fire District and detailed in the Memorandum of Understanding. The applicant and the Fire District will annually review the fire protection plan to evaluate development and market conditions and modify the Memorandum of Understanding accordingly.			
LV 4.14-3. If the project applicant alters the Fire District's road access, it must provide paved access acceptable to the Fire District from Chiquito Canyon Road to the Del Valle facility.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Issuance of Building Permits
LV 4.14-4. The proposed development shall provide multiple ingress/egress access for the circulation of traffic, and emergency response issues. Said determinations shall be approved through the tentative map approval.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
LV 4.14-5. The development of this project shall comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants. Specifics for said requirements shall be established during the review and approval process of the tentative map.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
LV 4.14-6. This property is located within the area described by the Forester and Fire Warden as a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans, must be met.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Issuance of Building Permit
LV 4.14-7. Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Issuance of Building Permit
LV 4.14-8. Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width and indicated on the Tentative or Exhibit "A" maps. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Issuance of Building Permit
LV 4.14-9. Access roads shall be maintained with a minimum of 10 feet of brush clearance on each side. Fire access roads shall have an unobstructed vertical clearance clear-to-sky with the exception of protected tree species. Protected tree species overhanging fire access roads shall be maintained to provide a vertical clearance of 13 feet, 6 inches. Applicant to obtain all necessary permits prior to the commencement of trimming of any protected tree species.	Applicant	Field Inspection	1. LA County Fire Department 2. LA County Fire Department 3. LA County Forester

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
LV 4.14-10. The maximum allowable grade shall not exceed 15% except where topography makes it impractical to keep within such grade; in such cases, an absolute maximum of 20% will be allowed for up to 150 feet in distance. The average maximum allowed grade, including topographical difficulties, shall be no more than 17%. Grade breaks shall not exceed 10% in 10 feet.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
LV 4.14-11. When involved with a subdivision in unincorporated areas within the County of Los Angeles, Fire Department, requirements for access, fire flows and hydrants are addressed at the Los Angeles County Subdivision Committee meeting during the subdivision tentative map stage.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
LV 4.14-12. Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is encouraged that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
LV 4.14-13. Prior to construction, the following items shall be addressed: a. Installation and inspection of the required all weather access to be provided as determined by either the tentative map review process or building penult issuance. b. Fire hydrants shall be installed and tested prior to the clearance for the commencement of construction.	Applicant	Plan Review/Field Inspection	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval or Building Permit Approval
INSTITUTIONAL: LV 4.14-14. The development may require fire flows up to 8,000 gallons per minute at 20 pounds per square inch residual pressure for up to a four-hour duration as outlined in the 2002 County of Los Angeles Fire Code Appendix III-AA. Final fire flows will be based on the size of buildings, their relationship to other structures, property lines, and types of construction used.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
LV 4.14-15. Fire hydrant spacing shall be based on fire flow requirements as outlined in the 2002 County of Los Angeles Fire Code Appendix III-BB. Additional hydrants will be required if hydrant spacing exceeds specified distances.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
LV 4.14-16. All access devices and gates shall comply with California Code of Regulations, Title 19, Article 3.05 and Article 3.16.Los Angeles County Fire Department Regulation #5.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
COMMERCIAL/HIGH-DENSITY RESIDENTIAL: LV 4.14-17. The development may require fire flows up to 5,000 gallons per minute at 20 pounds per square inch residual pressure for up to a five-hour duration. Final fire flows will be based on the size of buildings, their relationship to other structures, property lines, and types of construction used. Fire flows shall be established as part of the tentative map review process with the submittal of architectural details to determine actual flow requirement. If adequate architectural detail is unavailable during the tentative map review process, maximum fire flows will be established with the ability of the fire flow to be changed during the actual architectural plan review by Fire Prevention Engineering for building permit issuance.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Issuance of a Building Permit
LV 4.14-18. Fire hydrant spacing shall be 300 feet and shall meet the following requirements: a. No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant. b. No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant. c. Additional hydrants will be required if hydrant spacing exceeds specified distances. d. When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid-block. e. A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Issuance of a Building Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
LV 4.14-19. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in length and at the end of all cul-de-sacs.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
LV 4.14-20. All on-site driveways/roadways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building. The centerline of the access driveway shall be located parallel to, and within 30 feet of an exterior wall on one side of the proposed structure.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
LV 4.14-21. Driveway width for non-residential developments shall be increased when any of the following conditions will exist: a. Provide 34 feet in width, when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure. b. Provide 42 feet in width, when parallel parking is allowed on each side of the access roadway/driveway. c. Any access way less than 34 feet in width shall be labeled "Fire Lane" on the final recording map, and final building plans. d. For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING – FIRE LANE" in 3-inch-high letters. Driveway labeling is necessary to endure access for Fire Department use.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
SINGLE-FAMILY/TWO-FAMILY DWELLING UNITS: LV 4.14-22. Single-family detached homes shall require a minimum fire flow of 1,250 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration. Two-family dwelling units (duplexes) shall require a fire flow of 1,500 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration. When there are five or more condominium units are taking access on a single driveway, the minimum fire flow shall be increased to 1,500 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration.	Applicant	Plan Review/Field Inspection	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval or Building Permit Issuance
LV 4.14-23. Fire hydrant spacing shall be 600 feet and shall meet the following requirements: a. No portion of lot frontage shall be more than 450 feet via vehicular access from a public fire hydrant. b. Lots of 1 acre or more shall place no portion of a structure where it exceeds 750 feet via vehicular access from a properly spaced public fire hydrant. c. When cul-de-sac depth exceeds 450 feet on a residential street, fire hydrants shall be required at the corner and mid-block. d. Additional hydrants will be required if hydrant spacing exceeds specified distances during the tentative map review process or building permit plan check.	Applicant	Plan Review/Field Inspection	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.14 FIRE PROTECTION SERVICES (cont.)			
LV-4.14-24. Streets or driveways within the development shall be provided with the following: a. Provide 36 feet in width on all streets where parking is allowed on both sides. b. Provide 34 feet in width on cul-de-sacs up to 700 feet in length. This allows parking on both sides of the street. c. Provide 36 feet in width on cul-de-sacs from 701 to 1,000 feet in length. This allows parking on both sides of the street. d. For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING – FIRE LANE" in 3-inch-high letters. Driveway labeling is necessary to ensure access for Fire Department use. e. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
LV 4.14-25. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in length and at the end of all cul-de-sacs.	Applicant	Plan Review	1. LA County Fire Department 2. LA County Fire Department 3. Prior to Final Map Approval
4.15 EDUCATION			
SP 4.16-1. The Specific Plan developer shall reserve five elementary schools sites, one junior high school site and one high school site, of 7 to 10, 20 to 25, and 40 to 45 acres in size, respectively, depending upon adjacency to local public parks and joint use agreements.	Applicant	Tentative Tract Map Subdivision Review	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Final Approval of Tentative Tract Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.15 EDUCATION (cont.)			
SP 4.16-2. The developer of future subdivisions which allow construction will comply with the terms and conditions of the School Facilities Funding Agreement between The Newhall Land and Farming Company and the Newhall School District.	Applicant	Verification of Compliance from School District	1. Newhall School District 2. LACDPW, Building and Safety 3. Prior to Issuance of Residential Building Permits
SP 4.16-3. The developer of future subdivisions which allow construction will comply with the terms and conditions of the School Facilities Funding Agreement between The Newhall Land and Farming Company and the William S. Hart Union High School District.	Applicant	Verification of Compliance from School District	1. William S Hart Unified High School District (WSHUHSD) 2. LACDPW, Building and Safety 3. Prior to Issuance of Residential Building Permits
SP 4.16-4. The developer of future subdivisions which allow construction will comply with the terms and conditions of the School Facilities Funding Agreement between The Newhall Land & Farming Company and the Castaic Union School District.	Applicant	Verification of Compliance from School District	1. Castaic Union School District 2. LACDPW, Building and Safety 3. Prior to Issuance of Residential Building Permits
SP 4.16-5. In the event that School District boundaries on the Specific Plan site remain unchanged, prior to recordation of all subdivision maps which allow construction, the developer of future subdivisions which allow construction is to pay to the Castaic Union School District the statutory school fee for commercial/industrial square footage pursuant to Government Code Sections 65995 and 65996, unless a separate agreement to the contrary is reached with the District.	Applicant	Payment of Fees	1. Castaic Union School District 2. LACDPW, Building and Safety 3. Prior to Issuance of Building Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.16 PARKS AND RECREATION			
SP 4.20-1. Development of the Newhall Ranch Specific Plan will provide the following acreages of parks and Open Area: • Ten public Neighborhood Parks totaling 55 acres; • Open Areas totaling 1,106 acres of which 186 acres are Community Parks; • High Country Special Management Area of 4,214 acres; • River Corridor Special Management Area of 819 acres; • a 15-acre Lake; • an 18-hole Golf Course; and • a trail system consisting of: - Regional River Trail, - Community Trails, and - Unimproved Trails.	Applicant	Subdivision Review for Compliance with Specific Plan	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Processing of Tentative Subdivision Maps
SP 4.20-2. Prior to the construction of the proposed trail system, the project applicant shall finalize the alignment of trails with the County Department of Parks and Recreation.	Applicant	Verification of Consultation of Department of Parks and Recreation	1. LACDRP 2. LA County Department of Parks and Recreation 3. Prior to Issuance of Grading Permit for Trails
SP 4.20-3. Trail construction shall be in accordance with the County of Los Angeles Department of Parks and Recreation trail system standards.	Applicant	Trails Plan Review Field Verification	1. LA County Department of Parks and Recreation 2. LA County Department of Parks and Recreation 3. Prior to Approval of Trail Plans and Verify Upon Construction Completion

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.17 LIBRARY SERVICES			
SP 4.19-1. The developer will provide funding for a maximum of two libraries (including the site(s), construction, furniture, fixtures, equipment and materials) to the County Librarian. The developer will dedicate a maximum of two library sites for a maximum of two libraries located in Newhall Ranch in lieu of the land component of the County's library facilities mitigation fee, in accordance with the provisions of Section 22.72.090 of Section 2 of Ordinance No. 98-0068. The actual net buildable library site area required and provided by the developer will be determined by the actual size of the library building(s), the Specific Plan parking requirements, the County Building Code, and other applicable rules. The total library building square footage to be funded by the developer will not exceed 0.35 net square feet per person. The developer's funding of construction of the library(s) and furnishings, fixtures, equipment and materials for the library(s) will be determined based on the cost factors in the library facilities mitigation fee in effect at the time of commencement of construction of the library(s).	Applicant	Review of Memorandum of Understanding and Library Construction Plan	1. LA County Library 2. LACDPW 3. Prior to Issuance of First Residential Building Permit

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.17 LIBRARY SERVICES (cont.)			
SP 4.19-1. (cont.) Prior to County's issuance of the first residential building permit of Newhall Ranch to the developer, the County Librarian and the developer will mutually agree upon the library construction requirements (location, size, funding and time of construction) based upon the projected development schedule and the population of Newhall Ranch based on the applicable number of average persons per household included in the library facilities mitigation fee in effect at the time. Such mutual agreement regarding the library construction requirements ("Library Construction Plan") and the criteria for timing the completion of the library(s) will be defined in a Memorandum of Understanding between the developer and the County Librarian. Such Memorandum of Understanding shall include an agreement by the developer to dedicate sufficient land and pay the agreed amount of fees on a schedule to allow completion of the library(s) as described below. The developer's funding for library facilities shall not exceed the developer's fee obligation at the time of construction under the developer fee schedule. If two libraries are to be constructed, the first library will be completed and operational by the time of County's issuance of the 8,000th residential building permit of Newhall Ranch, and the second library will be completed and operational by the time of County's issuance of the 15,000th residential building permit of Newhall Ranch. If the County Librarian decides that only one library will be constructed, the library will be completed and operational by the time of County's issuance of the 10,000th residential building permit of Newhall Ranch. No payment of any sort with respect to library facilities will be required under Section 2.5.3.d. of the Specific Plan in order for the developer to obtain building permits for nonresidential buildings.			

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.18 AGRICULTURAL RESOURCES			
SP 4.4-1. Purchasers of homes located within 1,500 feet of an agricultural field or grazing area are to be informed of the location and potential effects of farming uses prior to the close of escrow.	Applicant	Include this Information in CC&Rs	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. At Home Sales
4.19 UTILITIES			
SP 4.14-1. All development within the Specific Plan area shall comply with the Energy Building Regulations adopted by the California Energy Commission (Title 24 of the California Administrative Code), as applicable.	Applicant	Plan Check Field Verification	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit(s)
SP 4.14-2. Southern California Edison (SCE) or other energy provider is to be notified of the nature and extent of future development on the Specific Plan site prior to recordation of all future subdivisions.	Applicant	Receipt of Notification to Energy Provider	1. LACDRP 2. LACDRP 3. Prior to Recordation of All Subdivisions
SP 4.14-3. All future tract maps are to comply with SCE or other energy provider guidelines for grading, construction, and development within SCE easements.	Applicant (Construction Contractor)	Plan Check Field Verification	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Prior to Final Tract Map Approvals and Verify Prior to Issuance of Occupancy Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.19 UTILITIES (cont.)			
SP 4.14-4. Electrical infrastructure removals and relocations are to be coordinated between the Specific Plan engineer and SCE or other energy provider as each tract is designed and constructed.	Applicant (Specific Plan Engineer)	Receipt of Verification of Such Consultations	1. LACDPW 2. LACDPW 3. Prior to Final Tract Map Approval and During Construction
SP 4.14-5. All future tract maps are to be reviewed by Los Angeles County to ensure adequate accessibility to SCE or other energy provider facilities as a condition of their approvals.	Applicant	Plan Check	1. LACDPW 2. LACDPW 3. Prior to Final Tract Map Approval
SP 4.14-6. Upon transfer of the High Country Special Management Area to another entity for long-term maintenance, continued and adequate access to all SCE facilities in the High Country Special Management Area is to be ensured within the transfer agreement.	Applicant	Review of Transfer Agreement	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Upon Transfer of High Country SMA
SP 4.13-1. All development within the Specific Plan area shall comply with the Energy Building Regulations adopted by the California Energy Commission (Title 24 of the California Administrative Code), as applicable.	Applicant/Future Owners and Operators within project	Plan Check Field Verification	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permit(s)
SP 4.13-2. A letter from Southern California Gas Company (SCGC) or other gas provider is to be obtained prior to recordation of all future subdivisions stating that service can be provided to the subdivision under recordation.	Applicant	Receipt of Letter from Gas Provider	1. LACDRP 2. LACDRP 3. Prior to Recordation of Final Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.19 UTILITIES (cont.)			
SP 4.13-3. The Specific Plan is to meet the requirements of SCGC in terms of pipeline relocation, grading in the vicinity of gas mains, and development within SCGC easements. These requirements would be explicitly defined by SCGC at the future tentative map stage.	Applicant (Construction Contractor)	Receipt and implementation of Such Requirements from SCGC	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Grading and Construction Operations
SP 4.13-4. All potential buyers or tenants of property in the vicinity of SCGC transmission lines are to be made aware of the line's presence in order to assure that no permanent construction or grading occurs over and within the vicinity of the high-pressure gas mains.	Applicant	Include in Sale/Lease Disclosure Documents	1. LACDRP 2. LACDRP 3. Prior to Issuance of Occupancy Permits
4.21 ENVIRONMENTAL SAFETY			
SP 4.5-1. Not Applicable			
SP 4.5-2. Only non-habitable structures shall be located within SCE easements.	Applicant	Tentative Tract Map Review	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Approval of Tract Maps

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.21 ENVIRONMENTAL SAFETY (cont.)			
SP 4.5-3. Prior to issuance of grading permits, all abandoned oil and natural gas-related sites must be remediated to the satisfaction of the California Department of Oil and Gas, the Los Angeles County Hazardous Materials Control Program, the South Coast Air Quality Management District, and/or the Regional Water Quality Control Board (Los Angeles region).	Applicant/On-Site Oil and Natural Gas Producers	Confirmation that Oil- and Natural Gas-Related Sites are Satisfactorily Remediated	1. California Department of Conservation, Division of Oil and Gas; LA County Hazardous Materials Control Program; SCAQMD; and RWQCBLAR 2. California Department of Conservation, Division of Oil and Gas; LA County Hazardous Materials Control Program; SCAQMD; and RWQCBLAR 3. Prior to Issuance of Grading Permits
SP 4.5-5. The Specific Plan is to meet the requirements of SCGC in terms of pipeline relocation, grading in the vicinity of gas mains, and development within Southern California Gas Company easements. These requirements would be explicitly defined by SCGC at the future tentative map stage.	Applicant (Civil Engineer)	Grading Plan Check	1. SCGC 2. LACDPW 3. Prior to Approval of Grading Plan
SP 4.5-6. All potential buyers or tenants of property in the vicinity of Southern California Gas Company transmission lines are to be made aware of the line's presence in order to assure that no permanent construction or grading occurs over and within the vicinity of the high-pressure gas mains.	Applicant	Include this Information in CC&Rs	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. At Home Sales
SP 4.5-7. In accordance with the provisions of the Los Angeles County Building Code, Section 308(d), all buildings and enclosed structures that would be constructed within the Specific Plan located within 25 feet of oil or gas wells shall be provided with methane gas protection systems. Buildings located between 25 feet and 200 feet of oil or gas wells shall, prior to the issuance of building permits by the County of Los Angeles, be evaluated in accordance with the current rules and regulations of the State of California Division of Oil and Gas.	Applicant (Building Contractors)	Include this Requirement in Building Specifications Field Verification	1. California Department of Conservation, Division of Oil and Gas and LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.21 ENVIRONMENTAL SAFETY (cont.)			
SP 4.5-8. In accordance with the provisions of the Los Angeles County Building Code, Section 308(c), all buildings and structures located within 1,000 feet of a landfill containing decomposable material (in this case the Chiquito Canyon Landfill) shall be provided with a landfill gas migration protection and/or control system.	Applicant (Building Contractors)	Include this Requirement in Building Specifications Field Verification	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permits
SP 4.5-9. In accordance with the provisions of the Los Angeles County Code, Title 11, Division 4, Underground Storage of Hazardous Materials regulations, the County of Los Angeles Department of Public Works shall review, prior to the issuance of building permits by the County of Los Angeles, any plans for underground hazardous materials storage facilities (e.g., gasoline) that may be constructed or installed within the Specific Plan.	Applicant (Building Contractors)	Include this Requirement in Building Specifications Field Verification	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Prior to Issuance of Occupancy Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.21 ENVIRONMENTAL SAFETY (cont.)			
LV-4.21-1. Prior to the issuance of grading permits, those areas of the Landmark Village tract map property, the Adobe Canyon borrow site and the Chiquito Canyon grading site identified as formerly containing above-ground storage tanks, current agricultural storage areas and current soil staining by the Phase I Environmental Site Assessment of Landmark Village Tentative Tract Map No. 53108, Highway 126, Newhall Ranch, California (BNA Environmental, May 2004) and Addendum Letter Phase I Environmental Site Assessment of Proposed Water Tank Locations and Utility Corridor Easements Associated With the Proposed Landmark Village Development Tentative Tract Map No. 53108, State Highway 126, Newhall Ranch, California (BNA Environmental, September 2004), shall be investigated for the presence of petroleum hydrocarbons and hazardous materials and/or wastes, and, where necessary, shall be remediated in conformance with applicable federal, state and local laws, to the satisfaction of the California Department of Conservation, Division of Oil and Gas, the Los Angeles County Hazardous Materials Control Program, the South Coast Air Quality Management District, and/or the Regional Water Quality Control Board (Los Angeles region).	Applicant	Receipt and Review of Test Results or Verification of Remediation	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Issuance of Grading Permits
LV-4.21-2. Prior to the issuance of grading permits, all former oil wells located on the Landmark Village tract map property, the Adobe Canyon borrow site and the Chiquito Canyon grading site shall be reabandoned according to the requirements of the California Department of Conservation, Division of Oil and Gas, if such sites are to be disturbed or are located in an area of development.	Applicant (Civil Engineer and Well Abandonment Specialist)	Receipt of Confirmation of Reabandon-ment	1. California Department of Conservation, Division of Oil and Gas, Building and Safety 2. California Department of Conservation, Division of Oil and Gas, Building and Safety 3. Prior to Issuance of Grading Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.21 ENVIRONMENTAL SAFETY (cont.)			
LV-4.21-3. Prior to the issuance of grading permits, all pipelines located on the Landmark Village tract map property or the Chiquito Canyon grading site that will no longer be used to transport oil products shall be reabandoned according to the requirements of the California Department of Conservation, Division of Oil and Gas. The soil beneath these pipelines shall be assessed for petroleum hydrocarbons. Any contaminated soil located within grading operations or development areas shall be remediated in conformance with applicable federal, state and local laws, to the satisfaction of the California Department of Conservation, Division of Oil and Gas, the Los Angeles County Hazardous Materials Control Program, the South Coast Air Quality Management District, and/or the Regional Water Quality Control Board (Los Angeles region). Any pipeline to remain in use shall be assessed for hydrocarbon leakage.	Applicant (Civil Engineer and Pipeline Abandonment Specialist)	Receipt of Confirmation of Reabandon-ment Receipt and Review of Test Results or Verification of Remediation	1. California Department of Conservation, Division of Oil and Gas, Building and Safety 2. California Department of Conservation, Division of Oil and Gas, Building and Safety 3. Prior to Issuance of Grading Permits
LV-4.21-4. Prior to the issuance of grading permits, all scattered suspect asbestos-containing material debris located on the Landmark Village tract map property, the Adobe Canyon borrow site and the Chiquito Canyon grading site shall be disposed of in accordance with applicable federal, state and local requirements.	Applicant (Building Contractors)	Field Verification	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. Prior to Issuance of Grading Permits
LV-4.21-5. In the event that previously unidentified, obvious, or suspected hazardous materials, contamination, underground storage tanks, or other features or materials that could present a threat to human health or the environment are discovered during construction, construction activities shall cease immediately until the subject site is evaluated by a qualified professional. Work shall not resume until appropriate actions recommended by the professional have been implemented to demonstrate that contaminant concentrations do not exceed risk-based criteria.	Applicant (Building Contractors)	Field Verification	1. LACDPW, Building and Safety 2. LACDPW, Building and Safety 3. During All Phases of Construction

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.22 CULTURAL/PALEONTOLOGICAL RESOURCES			
SP 4.3-1. Any adverse impacts to California-LAN-2133, -2235, and the northern portion of -2233 are to be mitigated by avoidance and preservation. Should preservation of these sites be infeasible, a Phase III data recovery (salvage excavation) operation is to be completed on the sites so affected, with archaeological monitoring of grading to occur during subsequent soils removals on the site. This will serve to collect and preserve the scientific information contained therein, thereby mitigating all significant impacts to the affected cultural resource.	Applicant (Archaeologist)	Qualified Archaeologist Present During Grading Activities of Sites	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to and During Grading Activities, as appropriate
SP 4.3-2. Any significant effects to California-LAN-2241 are to be mitigated through site avoidance and preservation. Should this prove infeasible, an effort is to be made to relocate, analyze and re-inter the disturbed burial at some more appropriate and environmentally secure locale within the region.	Applicant (Archaeologist)	Qualified Archaeologist Present During Grading Activities of site if not located before	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to and During Grading Activities, as appropriate
SP 4.3-3. In the unlikely event that additional artifacts are found during grading within the development area or future roadway extensions, an archaeologist will be notified to stabilize, recover and evaluate such finds.	Applicant (Archaeologist)	Include this Measure in Subdivision Map Conditions if appropriate	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. During Tentative Map Processing

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
4.22 CULTURAL/PALEONTOLOGICAL RESOURCES (cont.)			
SP 4.3-4. As part of an inspection testing program, a Los Angeles County Natural History Museum-approved inspector is to be on site to salvage scientifically significant fossil remains. The duration of these inspections depends on the potential for the discovery of fossils, the rate of excavation, and the abundance of fossils. Geological formations (like the Saugus Formation) with a high potential will initially require full time monitoring during grading activities. Geologic formations (like the Quaternary terrace deposits) with a moderate potential will initially require half-time monitoring. If fossil production is lower than expected, the duration of monitoring efforts should be reduced. Because of known presence of microvertebrates in the Saugus Formation, samples of at least 2,000 pounds of rock shall be taken from likely horizons, including localities 13, 13A, 14, and 23. These samples can be stockpiled to allow processing later to avoid delays in grading activities. The frequency of these samples will be determined based on field conditions. Should the excavations yield significant paleontological resources, excavation is to be stopped or redirected until the extent of the find is established and the resources are salvaged. Because of the long duration of the Specific Plan, a reassessment of the paleontological potential of each rock unit will be used to develop mitigation plans for subsequent subdivisions. The report shall include an itemized inventory of the fossils, pertinent geologic and stratigraphic data, field notes of the collectors and include recommendations for future monitoring efforts in those rock units. Prior to grading, an agreement shall be reached with a suitable public, non-profit scientific repository, such as the Los Angeles County Museum of Natural History or similar institution, regarding acceptance of fossil collections.	Applicant (Archaeologist)	LA County Natural History Museum-Approved Inspector Present During Grading Activities	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. During Grading Activities in the Pico Formation, Saugus Formation, Quaternary Terrace Deposits, and Quaternary Older Alluvium

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

January 8, 2008

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice Chair
Esther L. Valadez, Commissioner
Pat Modugno, Commissioner
Wayne Rew, Commissioner

FROM: Samuel Dea, Section Head
Special Projects Section

SUBJECT: AGENDA ITEM NO. 6 a, b, c, d, e, f, g; January 9, 2008
LANDMARK VILLAGE

The following attachments include additional comments received by staff regarding the above-referenced item:

- A letter from the Ventura County Board of Supervisors.
- Two letters from Friends of the Santa Clara River.
- Two letters of Santa Clarita Organization for Planning and the Environment (SCOPE).
- Two letters from the Sierra Club.
- A letter from the California Water Impact Network.
- A letter from the Planning and Conservation League.

SD:sd

Attachments

MEMBERS OF THE BOARD
PETER C. FOY
Chair
STEVE BENNETT
LINDA PARKS
KATHY LONG
JOHN K. FLYNN

KATHY I. LONG
SUPERVISOR, THIRD DISTRICT
(805) 654-2276
FAX: (805) 654-2226
(800) 660-5474 EXT. 6542276
E-mail: kathy.long@ventura.org

BOARD OF SUPERVISORS
COUNTY OF VENTURA

GOVERNMENT CENTER, HALL OF ADMINISTRATION
800 SOUTH VICTORIA AVENUE, VENTURA, CALIFORNIA 93009

RECEIVED
JAN 08 2008
REGIONAL PLANNING COMMISSION

January 8, 2008

Los Angeles County Department of Regional Planning
320 West Temple Street Room 1350
Los Angeles, CA 90012

To: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice Chair
Esther L Valadez, Commissioner
Pat Modugno, Commissioner
Wayne Rew, Commissioner

SUBJECT: LANDMARK VILLAGE – RPC JANUARY 9, 2008 CASE NOS. 00-195(5), CASE NOS. 00-196-(5) AND 2005-01121-(5).

Dear Chair Helsley and Commissioners:

I represent District 3 on the Ventura County Board of Supervisors. My district is adjacent to the Los Angeles County line and borders the proposed site for the Landmark Village project. Your commission on January 9, 2008 is scheduled to consider approval of a final environmental impact report [FEIR] for this project. I am writing to express my concern that the FEIR has not fully evaluated all of the potential significant impacts of the project, and to ask for a continuance of 60 days to allow time for our respective agencies to meet and discuss further.

Of particular concern is the decision to defer preparation of a hydrologic study of potentially significant post-development erosion and sedimentation. In response to comments filed last year by Ventura County Watershed Protection District, the following was provided:

> "With respect to post-development erosion and sediment control, Mitigation Measures SP 4.2-5 and SP 4.2-7 require assurances that grading at the borrow sites will not result in erosion, sedimentation or flooding impacts during or after construction. Specifically, SP 4.2-5 requires preparation of a Hydrology Plan, Drainage Plan, and Grading Plan, including an Erosion Control Plan to ensure that no significant erosion, sedimentation or flooding impacts would occur during or after site development. Those plans must be prepared to the satisfaction of the County of Los Angeles. Section 4.2 of the Landmark Village Draft EIR describes the post-development grades, configuration, benches and drainage patterns of the borrow sites, and indicates that permanent stabilization of borrow sites in the post-development condition shall be achieved by revegetation."

This response is deficient in several respects. First of all, SP 4.2-5 merely provides that an Erosion Control Plan may be required. Thus, the statement in the response to comments overstates and mischaracterizes this mitigation measure. Moreover, the FEIR does not set forth the criteria to be used to determine whether or not an Erosion Control Plan will be required. Without such criteria, the FEIR provides no assurance that this measure will ever be implemented. This approach also makes it impossible to determine the effectiveness of the mitigation measure.

Next, the FEIR provides no explanation for why a Hydrology Plan, Drainage Plan, and Grading Plan are not being required prior to project approval. Without such a requirement, it does not appear that the county has committed itself to implementation of this mitigation measure.

The CEQA Guidelines at section 15126.4, subdivision (a)(1)(B) provides that formulation of mitigation measures should not be deferred until some future time. At a minimum, the FEIR should specify performance standards that the future mitigation measures will be required to achieve. Those standards appear to be missing from the FEIR.

The CEQA Guidelines further provide that a mitigation measure must be fully enforceable as a condition of development. The FEIR does not specify how this mitigation measure will be enforced. Without that explanation, the FEIR provides no assurance that this mitigation measure will not simply be adopted and then disregarded.

The FEIR provides that the applicant will submit proposed mitigation measures prior to subdivision map approval and that those measures will be subject to approval by LACDPW. There are several problems with this approach. First, it improperly delegates to the applicant the task of proposing future mitigation. Second, the FEIR fails to set forth the standards that LACDPW will apply to evaluate the proposed mitigation. Third, it appears to provide for administrative approval of the mitigation measures, thereby failing to ensure adequate inquiry into the project's environmental effects.

In closing, I ask that you withhold approval of the FEIR until the points raised above have been properly addressed. Should you decide to approve the FEIR in its current form, I ask that you forward these comments to the Board of Supervisors for their consideration.

Sincerely,

Kathy Long

KATHY L. LONG
Supervisor, Third District

Cc:
Supervisor, Yvonne Burke
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

Friends of the Santa Clara River

660 Randy Drive, Newbury Park, California 91320-3036 • (805) 498-4323

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Affiliated Organizations

California Native Plant Society
L.A./Santa Monica Mountains Chapter

Santa Clarita Organization for Planning the Environment (SCOPE)

Sierra Club
Angeles Chapter
Los Padres Chapter

Surfrider Foundation

Audubon Society
Ventura Chapter

Ventura County Environmental Coalition

Wishtoyo Foundation

January 8, 2008

RECEIVED
JAN 08 2008
REGIONAL PLANNING COMMISSION

Mr. Daniel Fierros
Los Angeles County Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple St.
Los Angeles, CA 90012
FAX 213-974-6384

Re: Comments on Final Environmental Impact Report - Newhall Ranch, Landmark Village (County Project No. 00-196)

Dear Mr. Fierros,

Friends of the Santa Clara River submits the following comments on the subject project. We note that this is our 15th communication to your Commission, starting some 10 years ago, on the subject of Newhall Ranch. During this time, although we have commented on numerous issues relating to this new city along the river, our main theme has been protection of the river and its ecosystem.

In our January 21, 2007 comments on the Draft EIR, we enumerated several areas of controversy that needed to be resolved before any approval was given to Landmark Village or any other phase of Newhall Ranch. These issues were not adequately addressed in the Final EIR and remain to be resolved. They can best be understood and dealt with by withholding approval of Landmark Village until the EIS/EIR now being prepared by the Army Corps of Engineers and California Department of Fish and Game is released and evaluated by your Commission.

Unfortunately, Landmark Village, as currently designed, would still result in substantial unmitigated negative impacts to the river, its tributaries, and its riparian resources. There is far too much floodplain encroachment, buffer zones are too narrow, and in some cases installation of buried bank protection would even result in ripping out acres of established woodlands.

The Final EIR Response 5 (page 2D-127) to Friends January 21 letter still provides no real answer as to why over 100 acres of the Santa Clara River floodplain is being taken for development when there are thousands of acres of uplands available for development in the vicinity. "Elevating" vast areas of existing floodplain using fill up to 12 feet deep, so that these

areas are no longer defined by FEMA as floodplain, does not alter the fact that the floodplain is being usurped for development.

There is little doubt among local ecologists that the unprecedented growth in the Santa Clara River watershed over the last few decades has caused an array of cumulative impacts to flora and fauna of the river corridor, and that encroachment by development into the floodplain and terrace lands has resulted in habitat loss and fragmentation that will inevitably be followed by a decline in species and loss of biological diversity. The Final EIR claim (page 2D-146) that Newhall development projects cover only a small portion of the watershed (2% is estimated), and that therefore cumulative impacts are small, is a completely inadequate response to the cumulative impacts issue. It is, in fact, a ludicrous argument. The Santa Clara watershed covers an area of approximately 1600 square miles. If Newhall development covers 2% of the watershed, that is still 32 square miles. **The total area of all riparian forests along the entire length of the Santa Clara River from the headwaters to the estuary is only about 6 square miles.** Thus, Newhall projects alone (ignoring all other development) consume **five times** the area of the vital riparian corridor along the entire river.

Conclusion

Before the project can go forward, it must still meet the requirements of the joint EIS/EIR, referred to above, now being prepared by the California Department of Fish and Game and the Army Corps of Engineers. This document will provide a much better perspective on what should or should not be approved for the Landmark Village phase of Newhall Ranch.
No approval for Landmark Village should be forthcoming until the DEIR is revised to account for the impacts discussed above and re-circulated. Cumulative impacts, in particular must be better analyzed, understood and mitigated. If eventual approval is granted, Friends recommends that the floodplain avoidance alternative, or an alternative less biologically damaging, be adopted.

Thank you for your consideration of these comments.

Sincerely,

Ron Bottorff

Ron Bottorff, Chair

Friends of the Santa Clara River

660 Randy Drive, Newbury Park, California 91320-3036 • (805) 498-4323

RECEIVED
JAN 08 2008
REGIONAL PLANNING COMMISSION

January 4, 2008

To: Los Angeles County Regional Planning Commission
FAX 213-974-6384

Re: Landmark Village Final EIR, Agenda Item for January 9

Dear Members of the Regional Planning Commission,

Please revise the agenda for the Commission's January 9 meeting to allow public comment on the Landmark Village Final EIR.

Thank you for your consideration of this request.

Sincerely,

Ron Bottorff

Ron Bottorff, Chair

Board of Directors

Ron Bottorff
Chair
Barbara Wampole
Vice-Chair
Ginnie Bottorff
Secretary

Affiliated Organizations

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Audubon Society
Ventura Chapter

Ventura County Environmental Coalition

Wishtoyo Foundation

SCOPE
Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386

1-3-08

Los Angeles County Regional Planning Commission
and Mr. Daniel Fierros/ Ms. Susan Tae, Mr Samuel Dea, project staff
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90012

RECEIVED
JAN 07 2008
REGIONAL PLANNING COMMISSION

Re: Newhall Ranch, Landmark Village (Project No. 00-196-(5),
Planning Commission Agenda Item, Jan. 9th 2008

Please copy to all commissioners

Dear Commissioners:

First, we would like to request that this item be removed from the consent calendar so that we may speak to you directly about our concerns with the FEIR. Many of us feel that we are in reality only having a written correspondence with Impact Sciences, the EIR consultant, on issues which will gravely affect the well being of our community. We request to be able to speak to you directly, since we are unable to meet with you to express our concerns in any other forum.

Mitigation Requirements

We are especially concerned about the DEIR/FEIR's apparent failure to comply with several conditions of the Specific Plan approval related to water resources. They are:

Measure 4.11-15 requiring annual reports on agricultural water consumption in LA County by the Newhall Land and Farming Company. The latest and all previous reports should be included in the EIR. If water from off-site agricultural areas is being "credited" to the Newhall Ranch Specific Plan, the required verification of the transfer of water rights should also be included in the EIR.

Measure 4.11-18 requiring and annual report regarding the amount of water Newhall Land Company has stored in the Semi-tropic Groundwater Banking Project. The latest report and all previous annual reports should be included in the EIR

Measure 4.11.19 requiring implementation of an MOU with the various water agencies to monitor ground water. That MOU was implemented, but the reports should be included in the EIR.

Measure 4.11-20 requiring that the water rights to the Nickel family water rights be assigned to the Valencia Water Company or the Castaic Lake Water Agency. These rights, as well as the status and/or deposition of the acquired water, should be included in the EIR.

Measure 4.11-21 requiring that prior to the approval of the first subdivision map that upstream and downstream surface and groundwater monitoring locations be identified by the Regional Water Quality Control Board and the NLF Co. Since these locations and the required monitoring protocol are necessary to ensure that water quality impacts are adequately monitored, they should be included in the EIR.

Measure 4.11-22 requires the identification of specific irrigated agricultural lands that will be retired from irrigation to provide any water for the project. This identification should be included in the EIR.

Additional Conditions of Approval

Condition "S" requiring that prior to approval of the first subdivision map that allows construction, the NLF Co. shall evaluate methods of recharging the Saugus Formation, as well as identify appropriate candidate land areas for re-charge. Since these are EIR mitigation requirements, they should be included in the EIR.

Some of these mitigation measures were expressly included in the Specific Plan to address portions of the settlement agreement whereby various parties, including SCOPE, agreed to drop their appeal of a lower court order regarding the Specific Plan approval.

We are therefore especially concerned about the failure of the EIR to disclose the quantification of the farming acreage that will be fallowed to provide water for the Landmark Village tract as required by the Specific Plan and in this Court supervised settlement. NLF Co. agreed to identify the farming acreage that would be retired to support the water usage for each tract map and quantify the water that would be transferred from agricultural to urban uses. This stipulation is also a condition of the Specific Plan (SP4.11.22 as stated above)). Newhall Land also agreed to identify how the water usage on that acreage was calculated and provide documentation of such. This information was also requested in the Ventura County NOP letter. ***This information is NOT in the EIR.***

Citation from the Settlement Agreement:

> **On-Going Documentation.** Beginning with the filing of the first subdivision map allowing construction on the Specific Plan site and with the filing of each subsequent subdivision map allowing construction, Newhall, or its designee, shall provide documentation to the County of Los Angeles and Appellants identifying the specific portion(s) of irrigated farmland in the County proposed to be retired from irrigated production to make agricultural water available to serve the subdivision. This

> documentation shall include the location of the irrigated agricultural fields to be retired and the types of planted crops on such land for the baseline five-year period 1996-2000. As a condition of subdivision approval, Newhall, or its designee, shall provide proof to the County that the agricultural land has been retired prior to issuance of building permits for the subdivision. A copy of the information provided to the County shall also be provided to Appellants.

It should be noted here that nothing in that settlement agreement in m any way precluded any party from commenting on, objecting to or opposing the approval of subsequent tract maps. In fact the Agreement included a "No Admission" provision clause to prevent Newhall from arguing exactly what they seem to be arguing in the FEIR, i.e. that we cannot object to certain matters due to this agreement. We have attached the settlement agreement to this correspondence, so that you may review it, should you have any questions.

LA County Development Monitoring System (DMS)

The Appendices for the FEIR includes an out dated development monitoring system printout from 2003 showing that schools and libraries will be significantly impacted by this project. It states, ironically, that there will be no impact to water resources. This printout must be updated to 2008 and include the massive growth that has occurred in the Santa Clarita Valley in the last four years. It also must include the impacts of the recent Federal Court "Wanger " Decision that was finalized in December of 2007. Based on that decision the Dept. of Water Resources has issued a preliminary delivery allotment notice of only 25%. The report also released in Dec. 2007, by the Blue Ribbon Delta Vision Task Force, indicates that a cutback in water withdrawals from the Delta will be part of the solution. We have attached the California Dept. of Water Resources (DWR) most recent Allocation Notice, the DWR Press Release regarding the Wanger Decision and the statement by Lester Snow, Executive Director regarding this matter.

These cutbacks must be evaluated under the County's DMS and considered in this EIR. The fact (as argued in by the consultant in the FEIR) that other laws require similar planning analysis, does not eliminate or alleviating the requirement to comply with the LA County Development Monitoring System, a part of the LA County General Plan. In fact, meeting requirements of other laws should make complying with this Los Angeles General Plan DMS all that much easier.

We have attached an excerpt from the latest Castaic Lake Water Agency "2008 Water Supply Update" that indicates we have just enough water to supply currently existing residents. It does not account for all the previously approved and unbuilt projects that will be drawing from these same resources. That is the job of the DMS. The County needs to have this information available in order to make an informed decision on this project.

Ammonium Perchlorate and other Pollution in the Saugus Aquifer

The FEIR answers the water pollution problem by stating that a settlement agreement funding the clean up has been reached with the Whittiker Bermite Company. This funding agreement is of course an important step forward, but it does NOT mean that clean up has actually occurred. In fact, the facility time line has again been delayed, now until Dec. 2008. (Updated timeline attached). This timeline has consistently slipped since 2004, when CLWA began saying that the clean-up facilities would be functioning "next year". That fact is substantiated by attachments we submitted to the Dept. of Regional Planning on this project dated 2-16-07 and 3-14-07. Final Dept. of Health Services approval under 97-005 has not yet been received for this clean up.

Further, part of the Settlement Agreement would not fund clean-up, but rather payment to purchase State Water Project water in lieu of the supply generated by NCWD Well 11, closed due to perchlrorate pollution. If additional State Water is not available, this funding agreement will not replace this water supply, resulting in an overall reduction in supply.

Lastly, the Settlement Agreement with Whitiker Bermite only addreses perchlorate pollution. It does not address clean-up of the many other cancinogenic contaminants that have been found in the Saugus Aquifer, including but not limited to VOCs, NDMA, TCE, etc. Many of these contaminants have been found at high levels as indicated by previously submitted charts and will not necessarily be removed by the remediation process to treat ammonium perchlorate. We request that these issues be diclosed acknowledged and addressed in the EIR.

Thank-you for your time.

Sincerely,
Lynne A. Plambeck
Lynne Plambeck
President

Attachments:
Settlement Agreement
Dept. of Water Resources Initial Allocation Notice
DWR Press Release on Wanger Decision
Statement by Lester Snow, Executive Director, DWR
Castaic Lake Water Agency 2008 Water Supply Planning Update
CLWA ammonium perchlorate clean-up timeline

5TH CIVIL NO. F044638

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT

United Water Conservation District, Petitioner, v. County of Los Angeles, *et al.*, Respondents.	)
The Newhall Land and Farming Company, *et al.*, Real Parties in Interest.	)
And Related Cases.	)

Appeal From The Judgment of The Kern County Superior Court
The Honorable Roger D. Randall, Presiding
(Kern County Superior Court No. 239324-RDR
[Consolidated with Case Nos. 239325, 239326 and 239327-RDR])

NOTICE OF SETTLEMENT AND ABANDONMENT AND DISMISSAL OF APPEAL

Lloyd W. Pellman, County Counsel
Peter J. Gutierrez, Sr. Deputy County Counsel
652 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012-2713
Telephone: (213) 974-1857
Fax: (213) 617-7182
Attorneys for Respondents, the County of Los Angeles and its Board of Supervisors

Mark J. Dillon (State Bar No. 108329)
Michael S. Haberkorn (State Bar No. 159266)
Heather S. Riley (State Bar No. 214482)
Gatzke Dillon & Ballance LLP
1921 Palomar Oaks Way, Suite 200
Carlsbad, California 92008
Telephone: (760) 431-9501
Fax: (760) 431-9512
Attorneys for Real Parties in Interest/Respondents, The Newhall Land and Farming Company, *et al.*

John T. Buse
Environmental Defense Center
2021 Sperry Avenue, Suite 18
Ventura, CA 93003
Telephone: (805) 677-2570
Fax: (805) 677-2577

Jan Chatten-Brown
Chatten-Brown and Associates
3250 Ocean Park Boulevard, Suite 300
Santa Monica, California 90405
Telephone: (310) 314-8040
Fax: (310) 314-8050

Attorneys for Petitioners/Plaintiffs, Sierra Club, Friends of the Santa Clara River, and Santa Clarita Organization for Planning the Environment

NOTICE OF SETTLEMENT
(APPELLATE COURT CASE NO. F044638)

The parties to this settlement ("the Parties"), as defined below, through their respective counsel, have agreed as follows:

I. THE PARTIES AND PURPOSE

A. THE PARTIES/EFFECTIVE DATE

1. The Sierra Club, Friends of the Santa Clara River and Santa Clarita Organization for Planning the Environment ("Appellants") are represented by John T. Buse of the Environmental Defense Center and Jan Chatten-Brown of Chatten-Brown and Associates in the Newhall Ranch litigation and this appeal (*United Water Conservation District v. County of Los Angeles, et al.*, Case No. 239324-RDR [Consolidated with Case Nos. 239325, 239326 and 239327-RDR], 5th Civil No. F044638) ("Newhall Ranch Litigation").

2. The Appellants filed the "Notice Of Appeal From Order Granting Motion To Discharge Peremptory Writ Of Mandate" ("Notice of Appeal") on December 19, 2003 in connection with the Newhall Ranch Litigation. The Judgment appealed from disposed of all claims and causes of action between the Parties.

3. The County of Los Angeles and its Board of Supervisors ("the County") are represented in the Newhall Ranch Litigation by Lloyd W. Pellman, County Counsel, and Peter J. Gutierrez, Senior Deputy County Counsel.

4. The Newhall Land and Farming Company, a California limited partnership, Valencia Corporation, the Newhall Ranch Company, Newhall Management Limited Partnership and The Newhall Land and Farming Company, a California corporation ("Newhall") are represented in the Newhall Ranch Litigation by Mark J. Dillon and Michael S. Haberkorn of Gatzke Dillon & Ballance LLP.

5. The effective date of this settlement will be March 26, 2004 ("Effective Date").

B. PURPOSE

1. The purpose of this settlement is to set forth the Parties' agreement, which shall result in the final settlement of the Newhall Ranch Litigation (*United Water Conservation District v. County of Los Angeles, et al.*, Case No. 239324-RDR [Consolidated with Case Nos. 239325, 239326 and 239327-RDR] 5th Civil No. F044638) and abandonment of the pending appeal in that litigation, the effect of which will be a complete dismissal, with prejudice, of the appeal, pursuant to Rule 20 of the California Rules of Court.

2. This settlement is a compromise of disputed claims, and neither this settlement nor any term thereof shall be construed as any type of admission on the part of any party to this settlement.

II. TERMS OF SETTLEMENT/DISMISSAL

A. AGRICULTURAL WATER SUPPLY

1. As stated in the Revised Additional Analysis (Volume VIII; May 2003), the actual amount of groundwater pumped from the basin to irrigate Newhall's agricultural lands is calculated by utilizing Southern California Edison ("SCE") pump test data.

For pumps powered by electricity, SCE pump tests are used to calculate the actual amount of water pumped from the basin. The actual water pumping is calculated by multiplying the total kilowatt-hours (kwh) of energy used per well per year, by the kilowatt-hours per acre foot (kwh/AF), which is derived from the annual pump tests performed by SCE, Hydrologic Services Division. These pump tests are performed by SCE on an annual basis, which is customary in the agricultural industry. Newhall also requests that SCE perform these well pump tests for purposes of monitoring well efficiency and energy costs.

For pumps powered by diesel and natural gas, the actual water pumping is calculated by multiplying the actual running hours from engine hour meters by the acre-feet pumped per hour. The acre-feet pumped per hour is determined by the gallons per minute that each unit is designed to pump.

The total water pumped from all Newhall agricultural wells, utilizing the SCE and other data, is summarized in Exhibit 1 to the letter report, dated March 7, 2003, from Underhill Engineering, Inc. The Underhill report, which was contained in **Appendix AB** in the Newhall Ranch Final Additional Analysis (Volume IV; March 2003) included Los Angeles County agricultural water use data over a five-year period (1996-2000). In addition, actual results of pump tests from SCE were included as **Appendix AQ** in the Newhall Ranch Final Additional Analysis (Volume VII; May 2003). At page 2.5-136 - 2.5-139, the Revised Additional Analysis (Volume VIII; May 2003) was revised to clarify the above information. In addition, at page 2.5-140, the Revised Additional Analysis included revised **Table 2.5-32**, which depicted Newhall's water use for its agricultural lands in Los Angeles County.

As shown on revised **Table 2.5-32**, using the actual SCE pump test data, a five-year annual average of 7,246 acre-feet of water per year was pumped by Newhall and utilized for irrigation of its crops in Los Angeles County. In addition, the County and Newhall used adjusted data from the California Irrigation Management Information System ("CIMIS"), which is provided by the University of California. The adjusted CIMIS data was used as a "cross check" to corroborate Newhall's allocation of the total amount of water actually pumped, as calculated from the SCE pump test and other data. Using the adjusted CIMIS data to compare to actual pumpage, a total of 7,038 acre-feet of water per year was determined to be the average amount of water used on Newhall's agricultural lands in Los Angeles County from 1996-2000. The revised Additional Analysis used the lower (and more conservative) of the two methods to determine the actual amount of groundwater pumped and delivered to Newhall's agricultural lands in Los Angeles County (*i.e.*, 7,038 AFY).

2. Newhall shall do the following:

(a) **Groundwater Use/Limitations.** Groundwater historically and presently used for crop irrigation on the Newhall Ranch Specific Plan site and elsewhere in Los Angeles County shall be made available by Newhall, or its assignee, to partially meet the potable water demands of the Newhall Ranch Specific Plan. The amount of groundwater

pumped for this purpose shall not exceed 7,038 AFY. Newhall represents that this is the amount of groundwater pumped historically and presently by Newhall in Los Angeles County to support its agricultural operations, and that pumping this amount will not result in a net increase in groundwater use in the Santa Clarita Valley.

(b) **Reporting.** To monitor groundwater use, Newhall, or its assignee, shall provide the County an annual report indicating the amount of groundwater used in Los Angeles County and the specific land upon which that groundwater was historically used for irrigation. After submitting the annual report to the County, Newhall, or its designee, will promptly provide the Appellants with a copy of such report, provided that the Appellants make a written request to Newhall for a copy of such report.

(c) **Verification.** For agricultural land located off the Newhall Ranch Specific Plan site in Los Angeles County, at the time agricultural groundwater is transferred from agricultural uses on that land to Specific Plan uses, Newhall, or its assignee, shall provide a verified statement to the County's Department of Regional Planning and Appellants that Alluvial aquifer water rights on that land will now be used to meet Specific Plan demand.

(d) **On-Going Documentation.** Beginning with the filing of the first subdivision map allowing construction on the Specific Plan site and with the filing of each subsequent subdivision map allowing construction, Newhall, or its designee, shall provide documentation to the County of Los Angeles and Appellants identifying the specific portion(s) of irrigated farmland in the County proposed to be retired from irrigated production to make agricultural water available to serve the subdivision. This documentation shall include the location of the irrigated agricultural fields to be retired and the types of planted crops on such land for the baseline five-year period 1996-2000. As a condition of subdivision approval, Newhall, or its designee, shall provide proof to the County that the agricultural land has been retired prior to issuance of building permits for the subdivision. A copy of the information provided to the County shall also be provided to Appellants.

B. AGRICULTURAL WATER QUALITY

1. The Newhall Ranch Final Additional Analysis (Volume IV; March 2003) included water quality data from one of Newhall's existing agricultural wells, along with a map depicting its location ("C-Well"). The water quality testing data was considered

representative of Newhall's other existing agricultural wells. Additional agricultural water quality data was presented in the *2001 Update Report, Hydrogeologic Conditions in the Alluvial and Saugus Formation Aquifer Systems*, July 2002, prepared by Richard C. Slade & Associates. The *2001 Update Report* was included as **Appendix 2.5(l)** to the Newhall Ranch Revised Draft Additional Analysis (Volume II; November 2002).

In addition, in response to public comments, Newhall provided water quality sampling from six additional Newhall agricultural-supply wells. The data was taken from sampling that occurred in 2000 and 2001. The additional water quality data was included in the Newhall Ranch Additional Administrative Record (AAR 107:116214-276). The data was consistent with the prior sampling data from the C-Well location.

2. Newhall shall do the following:

(a) **ASR Program.** The Saugus Groundwater Banking/ASR program injection water must meet the water quality requirements of the State Regional Water Quality Control Board, Los Angeles Region. The water extracted for use on the Specific Plan site shall meet the Title 22 drinking water standards of the State Department of Health Services.

(b) **Title 22 Standards.** The agricultural groundwater used to meet the needs of the Specific Plan shall meet the drinking water quality standards required under Title 22 prior to use. As part of the CEQA review for the first tract map of Newhall Ranch, Newhall shall provide data showing that the agricultural groundwater will meet the Title 22 standards and describe the treatment measures, if any, necessary to meet these standards.

C. FEES/COSTS

1. Newhall shall pay Appellants' counsel a lump sum in the total amount of $43,000.00, provided that Appellants file and serve a notice of settlement and abandonment of appeal with the appropriate court(s), which results in the dismissal of the pending appeal in the Newhall Ranch Litigation, consistent with Rule 20 of the California Rules of Court, within three court days from the Effective Date of this settlement.

2. Newhall's payment to Appellants' counsel shall be made within thirty days of the court's Order dismissing the pending appeal.

D. ABANDONMENT/DISMISSAL

1. Pursuant to California Rules of Court, Rule 20, the Appellants request that this Court (5th Civil No. F044638) enter the Order, below, dismissing the appeal and the entire action with prejudice. Remittitur to be issued forthwith.

E. OTHER PROVISIONS

1. The execution of this settlement shall not be construed by any party as an admission of liability or an admission as to the truth or falsity of any claim, allegation, defense or fact, which is the subject of this settlement.

2. This settlement shall have no force or effect unless and until the court issues an order dismissing the pending appeal in the Newhall Ranch Litigation.

3. All Parties to this settlement represent and warrant that they are the owner of the claims which are the subject of this settlement, and that such claims have not been assigned or transferred to any person or entity, whether voluntarily or involuntarily, by operation of law or otherwise. This representation and warranty shall survive execution and performance of this settlement.

4. All Parties further warrant and represent that the individual executing this settlement on behalf of each party has full authority to bind the party to the terms and conditions of the settlement. The governing bodies, boards of directors or officers of the Parties to this settlement have approved the terms set forth in this settlement, to the extent such approval is required by the rules, regulations, articles of incorporation, by-laws and any other governing documents of any party to the settlement.

5. This settlement shall be construed and enforced in accordance with the laws of the State of California. The Kern County Superior Court shall be the appropriate venue for the resolution of any disputes arising from this settlement.

6. Except as provided in this settlement, the Parties shall bear their own attorneys' fees and costs in connection with the entire Newhall Ranch Litigation.

7. This settlement may be executed by facsimile signatures and in multiple counterparts, each of which shall be deemed to constitute an original, and all of which

taken together shall constitute one in the same document. This settlement shall be effective on the Effective Date shown above.

Environmental Defense Center

March ___, 2004

By:_____
John T. Buse

Chatten-Brown and Associates

March ___, 2004

By:_____
Jan Chatten-Brown

Attorneys for Appellants, Sierra Club, Friends of the Santa Clara River and Santa Clarita Organization for Planning the Environment

Lloyd W. Pellman, County Counsel

March ___, 2004

By:_____
Peter J. Gutierrez
Senior Deputy County Counsel

Attorneys for Appellees, the County of Los Angeles and Board of Supervisors

Gatzke Dillon & Ballance LLP

March ___, 2004

By:_____
Mark J. Dillon

Attorneys for Real Parties in Interest, The Newhall Land and Farming Company, *et al.*

ORDER

THE COURT:

Pursuant to the above Notice of Settlement, the appeal in this action (5th Civil No. F044638) is dismissed, with prejudice, and without appeal costs to either party. Remittitur to issue forthwith.

_____, 2004

_____
Associate Justice

STATE OF CALIFORNIA • RESOURCES AGENCY • DEPARTMENT OF WATER RESOURCES

NOTICE TO STATE WATER PROJECT CONTRACTORS

NUMBER: 07-08

DATE: NOV 2 1 2007

SUBJECT: 2008 State Water Project Initial Allocation

FROM: DEPUTY DIRECTOR, DEPARTMENT OF WATER RESOURCES

The Department of Water Resources (DWR) is initially approving 1,038,861 acre-feet of Table A water for long-term State Water Project (SWP) Contractors in 2008. SWP supplies are projected to meet 25 percent of SWP contractors requests for Table A water. Attached is the initial 2008 SWP allocation table.

This allocation is made consistent with the long-term water supply contracts and public policy. DWR also considered a conservative projection of hydrology, SWP operational constraints, including additional 2008 Delta export restrictions per the federal district court's remedy order to protect Delta Smelt, and 2008 Contractor demands, including carryover water from 2007.

Hydrologic conditions this year resulted in a "Dry" water year in the Sacramento Region and a "Critically Dry" water year in the San Joaquin Region. Subsequently, project storage conditions going into the 2008 water year are less than average. SWP Contractors' Table A for 2008 totals 4.17 million acre-feet, of which 4.15 million acre-feet were requested. DWR will revise the allocation as the hydrologic and water supply conditions develop.

Based on this initial allocation, DWR will prorate the 30 percent delivery schedules submitted by the Contractors earlier this year in developing new schedules, unless revised schedules are submitted. DWR will send an approved monthly water delivery schedule to each long-term contractor in December.

If you have any questions, please contact Robert B. Cooke, Chief of DWR's State Water Project Analysis Office, at (916) 653-4313.

2008 STATE WATER PROJECT ALLOCATION
(ACRE-FEET)

SWP CONTRACTORS	TABLE A (1)	INITIAL REQUEST (2)	APPROVED ALLOCATION (3)	PERCENT INITIAL REQUEST APPROVED (3)/(2) (4)
FEATHER RIVER				
County of Butte	27,500	27,500	6,875	25%
Plumas County FC&WCD	2,020	2,020	690	34%
City of Yuba City	9,600	9,600	2,400	25%
Subtotal	39,120	39,120	9,965	
NORTH BAY				
Napa County FC&WCD	23,200	23,200	5,800	25%
Solano County WA	47,406	47,406	11,852	25%
Subtotal	70,606	70,606	17,652	
SOUTH BAY				
Alameda County FC&WCD, Zone 7	80,619	80,619	20,155	25%
Alameda County WD	42,000	42,000	10,500	25%
Santa Clara Valley WD	100,000	100,000	25,000	25%
Subtotal	222,619	222,619	55,655	
SAN JOAQUIN VALLEY				
Oak Flat WD	5,700	5,700	1,425	25%
County of Kings	9,305	9,305	2,326	25%
Dudley Ridge WD	57,343	57,343	14,336	25%
Empire West Side ID	3,000	3,000	0	0%
Kern County WA	998,730	998,730	249,683	25%
Tulare Lake Basin WSD	95,922	95,922	23,981	25%
Subtotal	1,170,000	1,170,000	291,750	
CENTRAL COASTAL				
San Luis Obispo County FC&WCD	25,000	4,193	4,193	100%
Santa Barbara County FC&WCD	45,486	45,486	11,372	25%
Subtotal	70,486	49,679	15,565	
SOUTHERN CALIFORNIA				
Antelope Valley-East Kern WA	141,400	141,400	35,350	25%
Castaic Lake WA	95,200	95,200	23,800	25%
Coachella Valley WD	121,100	121,100	30,275	25%
Crestline-Lake Arrowhead WA	5,800	5,800	1,450	25%
Desert WA	50,000	50,000	12,500	25%
Littlerock Creek ID	2,300	2,300	575	25%
Mojave WA	75,800	75,800	18,950	25%
Metropolitan WDSC	1,911,500	1,911,500	477,875	25%
Palmdale WD	21,300	21,300	5,325	25%
San Bernardino Valley MWD	102,600	102,600	25,650	25%
San Gabriel Valley MWD	28,800	28,800	7,200	25%
San Gorgonio Pass WA	17,300	17,300	4,325	25%
Ventura County FCD	20,000	20,000	5,000	25%
Subtotal	2,593,100	2,593,100	648,275	
TOTAL	4,165,931	4,145,124	1,038,861	

SWPAO
20-Nov-07

DEPARTMENT OF WATER RESOURCES

Advisory

December 24, 2007

Contacts:

- Ted Thomas, Information Officer, 916-653-9712
- Don Strickland, Information Officer, 916-653-9515

DWR Releases Water Delivery Impact Estimates Following Wanger Decision

Sacramento – The Department of Water Resources (DWR) has completed its revised operational model to determine water supply impacts from a recent federal court decision on Delta pumping.

The model provides a range of impacts on water exports, depending on Delta smelt migration patterns and precipitation. If 2008 is a dry year, State Water Project customers will receive seven to 22 percent less Delta water than would have been available without the court decision. If 2008 is an average water year, exports will be reduced 22 to 30 percent.

The current State Water Project allocations of 25 percent of requested water supply are based on dry year conditions and already account for these reductions. Those allocations may increase depending on precipitation, but will not increase as much as they have in past years due to the court ruling.

Federal Court Judge Wanger's final ruling, issued on December 14, curtails Delta pumping to protect the threatened Delta smelt. The decision underscores that the Delta is at risk, both environmentally and as a source of water for most of California's people, industry and agriculture.

This range is consistent with earlier estimates made by DWR following the court's initial ruling in August. Following Judge Wanger's final ruling, DWR performed additional modeling and analysis on the impacts.

The order will primarily affect export pumping between January and June, when juvenile Delta smelt are at greatest risk of entrainment in pumps. The actual impact on water supply will depend on a number of factors including the locations where adult smelt spawn and offspring hatch, levels of precipitation for the year, and water temperatures affecting how quickly the fish migrate.

The impacts on water supplies could be offset somewhat by water from the Environmental Water Account to the extent those water supplies are available this year.

DWR delivers water through the Delta to 25 million Californians and 750,000 acres of irrigated farmland.

Dec. 14, 2007

DWR Statement Regarding Wanger Decision

Judge Wanger's ruling to protect the threatened Delta smelt will curtail water deliveries by the State Water Project and federal Central Valley Project, again underscoring the fragility and unreliability of the Delta as California's water delivery hub.

"The Delta is indeed broken, both environmentally and as a source of water for most of California's people, businesses, industry and millions of acres of our most productive farmland," said DWR Director Lester Snow. "It is urgent that we respond to Governor Schwarzenegger's proposals to fix the Delta and our water delivery system, both for the sake of humans and fish and wildlife."

"Governor Schwarzenegger has proposed a comprehensive plan to ensure California has enough clean, safe water for our people, businesses, farms and environment," Snow said. "His plan calls for major investments in surface and groundwater storage, as well as urgently-needed improvements to protect the Delta's fragile ecosystem and ensure reliable water supplies. The need for the Governor's plan has never been greater."

Because of continuing dry weather as well as today's court decision, Californians will need to step up their water conservation efforts. In some communities water rationing will be necessary -- especially if the state experiences another dry winter.

Judge Wanger's ruling was made to protect the threatened Delta smelt from export pumping operations until new federal biological permits are obtained approximately a year from now. Future water deliveries out of the Delta will depend on conditions in those new federal permits.

CASTAIC LAKE WATER AGENCY

2008 Water Supply Planning Update

Water Resources Committee

December 13, 2007

rec 12-13-07

Hypothetical Forecasted Available 2008 Supplies

	Acre-Feet
'07 Art. 56 Carryover	**12,000**
Buena Vista / Rosedale Rio-Bravo	**11,000**
SWP Table A (25% Allocation)*	**23,800**
TOTAL	

*Based on DWR initial 2008 allocation of 25%

Estimated 2008 Demands/Supplies

	Acre-Feet
Estimated 2008 Demands	**50,000**
Supplies:	
Imported Water Supplies	**46,800**
Castaic Lake Flexible Storage	**3,200**
Banked Water (Semitropic/RRB)	**------**

PERCHLORATE CONTAMINATION PROGRAM MANAGEMENT *(Continued From Previous Page)*

DISCUSSION

The following table provides a status report on the activities and tasks:

Task Group	Tasks	Consultant	Status
Settlement Activities	Project Description	K/J	Complete.
	Final Settlement	K/J, Nossaman	Settlement Agreement took effect on 7/13/07 with U.S. District Court approval.
DTSC Approval Activities	Remedial Investigation (RI)	K/J	DTSC approved 8/16/05.
	Feasibility Study (FS)	K/J	DTSC approved 8/16/05.
DTSC Approval Activities	Draft Remedial Action Plan (RAP)	K/J	DTSC approved 8/16/05.
	Final RAP	K/J	Public Hearing held 9/7/05. DTSC approved 1/20/06.
	Final RAP	K/J	Public Hearing held 9/7/05. DTSC approved 1/20/06.
U.S. Army Corps of Engineers Feasibility Phase Study	Conceptual Hydrogeology Technical Memorandum	CH2MHill	Final distributed 1/19/05. Progress report with model construction calibration distributed 10/11/05.
DPH Approval Activities (97-005)	Source Water Assessment	B&V, CE	Received comments on revised document from DPH 4/27/06.
	Water Quality Investigation	B&V, CE	Received comments on revised document from DPH 4/27/06.
	Human Health Risk	B&V	Received comments on revised document from DPH 4/27/06.
	Source Protection Plan	B&V	Received comments on revised document from DPH 4/27/06.
	Effective Monitoring and Treatment	B&V, CE, CH2MHill	Received comments on revised document from DPH 4/27/06.
	Alternatives Evaluation	B&V, CE	Received comments on revised document from DPH 5/10/06. Revised document will be returned to DPH with Engineer's Report.
	Engineers Report	B&V	Responded 12/19/06 to DPH comments received 12/1/06 on Final Draft submitted to DPH 10/27/06. Letter with DPH comments was received on 8/20/07. DPH's comments will not impede moving forward with completing design and commencing construction.
	CEQA	B&V	Mitigated Negative Declaration certified 9/14/05.

PERCHLORATE CONTAMINATION PROGRAM MANAGEMENT *(Continued From Previous Page)*.

Task Group	Tasks	Consultant	Status
DPH Approval Activities (97-005)	Permit Application	B&V	Awaiting response from DPH.
	Public Hearing	B&V	Awaiting response from DPH.
	DPH Evaluation & Permit	B&V	Awaiting response from DPH.
Implementation Activities	Easements & Right of Way	K/J	Easement and right-of-way acquisition in progress.
	Treatment Design	K/J	Design completed 6/07. Bids received 8/2/07. Contractor has submitted contract documents. Pre-construction meeting 11/7/07.
	Pipeline Design	K/J	Design completed 6/07. Bids received 8/2/07. Pre-construction meeting 11/14/07.
	Construction	K/J	Treatment: Pre-construction meeting held 11/7/07; Notice to Proceed issued effective 11/14/07. Pipeline: Pre-construction meeting held 11/14/07; Notice to Proceed pending execution of Power Ford lease.
	Startup and Monitoring	K/J	Scheduled 12/08.

The next Multi-Jurisdictional Task Force and Citizens Advisory Group meetings will be held on December 12, 2007. The next DTSC meeting is scheduled for January 22, 2007. The next Technical Meeting is scheduled for December 11, 2007.

FINANCIAL STATUS

The Settlement Agreement among CLWA, the purveyors, Whittaker-Bermite and insurance carriers is now in effect. First payments have been made for most expenses through 11/15/07. Approval of payments will be considered (retroactively) at future Technical Committee meetings.

CAPITAL IMPROVEMENT PROJECTS

Sand Canyon Pipeline and Reservoir

(FY 2007/08 Goal 2.1: Construction – CLWA will build facilities which reflect the best available technology and materials, in a cost effective and timely manner.)

Completed Work:

The reservoir was placed in service on August 14, 2007. SCE installed permanent electrical service. The contractor demobilized from the site. Hydroseeding and erosion control measures were installed.

SCOPE
Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386

3-14-07

Re-Submitted

Mr. Daniel Fierros/ Ms. Susan Tae
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90013

RECEIVED
JAN 07 2008
REGIONAL PLANNING COMMISSION

Re: Newhall Ranch, Landmark Village (Project No. 00-196-(5), Additional Comments as allowed by the consensus of the Planning Commission at its Feb., 28th, 2007 meeting.

Please copy to all commissioners

Dear Mr. Fierros and Ms. Tae:

In our comments dated 2-16-07, we expressed our concern over this projects compliance with SB221 water verification required by the County of Los Angeles to be provided at the tract map stage. We expressed concern that, not only had this verification NOT been supplied, but also that certain information provided to the county was not complete. Among the items we submitted was a timeline from two Castaic Lake Water Agency (CLWA) Agendas, one from several years ago and one from earlier this year. The two agendas clearly show how long the perchlorate cleanup facilities have been delayed and that CLWA's continued promises since 2003 that these facilities will be operating "next year" cannot be relied upon. We now submit the most recent timeline that indicates the schedule to bring these facilities on line has slipped once again to June 2008. We therefore concur with the Sierra Club's 'position that further development should not be approved until these facilities are operating.

As previously stated, the reason that this position is important is that, in a drought scenario, the Saugus Aquifer is the souce of supply identified in the Urban Water Management Plan as the emergency drought back-up source. Supplying water in a drought with the current number of wells closed due to water pollution will be extremely difficult. The Urban Water Management Plan also indicates that wells will be drilled west of I-5 to provide clean water. They will be drilled in exactly the area proposed to provide water for the Landmark project. (Valencia's new Saugus well is located west of I-5 on the west end of the Magic Mountain theme park).

As previously stated, the Santa Clara River and the Saugus Aquifer are both unajudicated basins, (i.e. the water supply has not been legally divided and assigned to existing stakeholders). Lennar/Newhall/ Valencia Water Co. does NOT "own" this water supply. Thus, reliance on its use without evaluating requirements for current users and already approved units is not only foolhardy, it is also illegal. The Supreme Court gave clear direction on this matter in its recent decision *Vineyard Area Citizens for Responsible Growth, Inc. et al. v. City of Rancho Cordova,* Case No. S132972. Both the Vineyard decision and the 5th Appellate Court decision that set aside the Santa

Clarita Valley water purveyors' 2000 Urban Water Management Plan (*Friends of the Santa Clarita River v. Castaic Lake Water Agency*), require a timeline for re-instatement of this water if reliance upon it is indicated as a source of supply, as well as an alternative source in case the supply is not forth coming. In light of the continued delays this project is experiencing, we believe the evaluation of alternative sources is the most prudent direction to take to ensure the public will continue to have an adequate and clean water supply.

Additional Comments on Lennar's Assertion that No State Water Will Be Used for this Project

As previously stated, we concur with other commentors that the 41,000 AF Monterey Amendment water transfer identified in the EIR as part of the total water supply may not be relied upon for SB221 purposes since the environmental documentation is not complete. Although the EIR claims that it will not rely on this water, in a drought the project may have no other choice. Alternatively, a cut back in state water supply may require that the existing residents be supplied with ground water from the project area. Such scenarios must be disclosed and considered in this EIR in light of the Vineyard decision.

The likelihood of such a scenario and the future reliance by this project on State Water Project supplies is indicated by the information apparently supplied to the County's Significant Ecological Area Advisory Commission (SEATAC), whose minutes indicate that this project will be supplied from Valencia Water Co.'s connection in the Valencia Commerce Center, NOT from agricultural wells as indicated by the EIR. (See attached minutes).

Further, a recent CLWA agenda also disclosed the project status of the Magic Mountain pipeline Phase Three that will run along the Old Road and supply State Water Project water west of I-5. (See attachment 2). We can only surmise that this pipeline, once completed will serve the Landmark project as well as other projects west of I-5.

Conclusion

As of this date, we have currently received the lowest amount of rainfall locally ever on record. Snowpack in the Sierras is scant due to a warming trend that has become apparent over the last fifty years. A potential drought cycle is no longer a far off speculation, it appears to be upon us. Now all the back-up supplies indicated in the Urban Water Management Plan may be called upon to weather this dry period. It is imperative that we ensure all safeguards are place for future approvals and that our community, our businesses and residents will continue to have an adequate water supply.

Sincerely,

David Lutness
Secretary of the Board

Exhibit
1

ITEM NO. 5

Castaic Lake Water Agency
Memorandum

February 16, 2007

To: CLWA Planning and Engineering Committee

From: William J. Manetta WJM
Acting Engineering and Operations Manager

Subject: Perchlorate Remediation Program

SUMMARY

Work continues on multiple tasks to address the groundwater contamination stemming from past manufacturing activities on the Whittaker-Bermite site. The Agency and purveyors are proceeding to restore the production capacity of the groundwater supply wells contaminated by perchlorate, while working on the objectives of containing the downgradient migration of perchlorate and recovering costs incurred in responding to the perchlorate contamination. *(Goal 2.1.5: Treat 2,400 gallons per minute of water from the Saugus Formation that is contaminated with perchlorate and restore to potable water service. Goal 2.1.6: Develop replacement wells for capacity lost due to perchlorate contamination.)*

DISCUSSION

The Agency has authorized Black & Veatch (B&V), Carollo Engineers (CE) and Kennedy/Jenks Consultants (K/J) to assist in providing services to respond to the various tasks associated with the Perchlorate Remediation Program. The following table provides a status report on the activities and tasks:

Task Group	Tasks	Consultant	Status
Settlement Activities	Project Description	K/J	Complete.
	Final Settlement	K/J, Nossaman	Negotiations ongoing.
DTSC Approval Activities	Remedial Investigation (RI)	K/J	DTSC approved 8/16/05.
	Feasibility Study (FS)	K/J	DTSC approved 8/16/05.
	Draft Remedial Action Plan (RAP)	K/J	DTSC approved 8/16/05.
	Final RAP	K/J	Public Hearing held 9/7/05. DTSC approved 1/20/06.
U.S. Army Corps of Engineers Feasibility Phase Study	Conceptual Hydrogeology Technical Memorandum	CH2MHill	Final distributed 1/19/05. Progress report with model construction calibration distributed 10/11/05.
U.S. Army Corps of Engineers Feasibility Phase Study	Monitoring	CH2MHill	Federal FY 2005 funding provides for limited monitoring of existing test wells and testing of NCWD NC13 Southern Saugus well. Completed 6/14/06.

Task Group	Tasks	Consultant	Status
DHS Approval Activities (97-005)	Source Water Assessment	B&V, CE	Received comments on revised document from DHS 4/27/06.
	Water Quality Investigation	B&V, CE	Received comments on revised document from DHS 4/27/06.
	Source Protection Plan	B&V	Received comments on revised document from DHS 4/27/06.
	Effective Monitoring and Treatment	B&V, CE, CH2MHill	Received comments on revised document from DHS 4/27/06.
	Human Health Risk	B&V	Received comments on revised document from DHS 4/27/06.
	Alternatives Evaluation	B&V, CE	Received comments on revised document from DHS 5/10/06. Revised document will be returned to DHS with Engineer's Report.
	Engineers Report	B&V	Responded 12/19/06 to DHS comments received 12/1/06 on Final Draft submitted to DHS 10/27/06.
	CEQA	B&V	Mitigated Negative Declaration certified 9/14/05.
	Permit Application	B&V	Pending design completion.
	Public Hearing	B&V	Pending design completion.
	DHS Evaluation & Permit	B&V	Pending design completion.
Implementation Activities	Easements and Right of Way	K/J	Alignment studies complete 8/08/05. Document preparation in progress.
	Treatment Design	K/J	Scheduled design completion 3/07.
	Pipeline Design	K/J	Scheduled design completion 3/07.
	Construction	K/J	Plan to start 6/07.
	Startup and Monitoring	K/J	Scheduled 6/08.

The City of Santa Clarita's Multi-Jurisdictional Task Force and Citizens Advisory Group meetings will be held on February 28, 2007. The bi-monthly DTSC meeting was held on January 31, 2007. The next DTSC meeting will be held on April 17, 2007.

FINANCIAL STATUS

Settlement negotiations are ongoing with the purveyors, Whittaker-Bermite and insurance carriers.

JRL

Exhibit
2

Magic Mountain Pipeline Phase 3

General

CIP No: 10-5748-0053

Description: This project is the continuation of a pipeline west along Magic Mountain Parkway from the terminus of the Phase 2 pipeline east of Interstate 5, across Interstate 5.

Facilities:

Pipe Size:	42-inch
Pipe Length:	2150 lf
Pipe Type:	Steel
Other:	

Function: This project provides imported water to Valencia Water Company on the western side of Interstate 5

Site Requirements: This project is to be constructed in public right of way. The turnout may be located on an easement to be obtained from local land owner.

Impacted Facilities: None.

CEQA: It was determined that this project is exempt under CLWA CEQA guidelines.

Construction Contract Status

Notice of Award:	June 8, 2005	
Notice to Proceed:		
Calendar Days to Complete:	Varies	
Days by Change Order:	0	
Completion Date:	Varies	
Contractor:	Blois Construction	
Contract Amount:	$2,212,696	
Amount by Change Order:	$62,767	
Current Contract Amount:	$2,275.463	
Work Completed to date:	$2,113,468	
Retention held by CLWA:	$211,347	10 Percent
Retention Method:	Cash	
Percent Complete:	96 percent	
Percent Time Elapsed:		

Status: Contractor has completed the first phase of installation of 42-inch pipe, cleaned up and has moved off site. Pipe is installed from tie-in point at Tourney Road to a point immediately west of The Old Road. Phase 2 Construction is expected to begin in February 26, 2007.

Significant Issues: Project requires significant coordination with improvements to Magic Mountain Parkway and The Old Road being constructed by the City of Santa Clarita.

SEATAC REPORT AND COMMENTS

PROJECT CUP 00-196/VTTM 53108

SEATAC MEETING DATE AUGUST 1, 2005, ITEM 2

Biota Report Prepared by Impact Sciences, Incorporated, Dated July 2005

Initial SEATAC Meeting for Biota Report

PROPOSED PROJECT CUP 00-196/VTTM 53108 – An application to subdivide the subject property into 418 lots, to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-used space, an elementary school, a community park, three private recreational facilities, open space and river trail uses. Off-site improvements include buried bank stabilization and the Long Canyon Road Bridge to be developed in conjunction with the tract development. Two borrow sites (one located south of the Santa Clara River and the other north of State Route 126 of unspecified acreage) and possible haul routes will be located outside of the tract map boundary but within the Newhall Ranch Specific Plan area. The domestic water system will be connected to existing facilities within the Valencia Commerce Center to the northeast). The proposed project site is partially within the Santa Clara River SEA (SEA 23) and is the first phase of the Riverwood Village Planning Area development of the Newhall Ranch Specific Plan, located north of the Santa Clara River, west of Interstate 5 and south of State Route 126, between the intersection of Chiquito Canyon Road and Castaic Creek.

SEA DESCRIPTION: Soledad Canyon and the Santa Clara River (**SEA No. 23**) possess several populations of the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). This species was formerly found in the Los Angeles, San Gabriel, and Santa Ana Rivers, but is now restricted to the Santa Clara River and San Francisquito Canyon. For these reasons and due to threats to its habitat, the fish species has been placed on the state and federal endangered species lists. In the Santa Clara River, the unarmored threespine stickleback is limited to permanent streams and pools from the mouth of San Francisquito Canyon west to the Ventura-Los Angeles County line, and from near Lang Station east to Arrastre Canyon.

The reason the unarmored threespine stickleback has been able to survive in the Santa Clara River is that its remaining habitat has been relatively undisturbed. The Santa Clara River is unique in being the only major river draining the San Gabriel Mountains that has not been extensively channelized. The vegetation consists of fresh water marsh, coastal sage scrub, oak woodland, and riparian woodland communities. The broad wash association is unlike that found in steeper mountain canyons, and is increasingly rare in Los Angeles County. The trees serve as habitat for many raptorial bird species. The red-shouldered hawk is restricted to woodland communities, and the species is becoming increasingly uncommon in southern California due to habitat destruction. The National Audubon Society and others have expressed concern for the hawk's welfare.

The primary concern for the survival of the unarmored threespine stickleback is the loss of suitable habitat. The species requires clean, free-flowing, perennial streams and ponds surrounded by native vegetation. Intermittent areas connecting perennial streams are also important during the wet season when surface water is present. The natural vegetation and stream course slow heavy runoff during the rainy season, decrease destruction and siltation of habitat in downstream areas, and provide habitat for stickleback migration between populations.

SEATAC REPORT AND COMMENTS

PROJECT CUP 00-196/VTTM 53108

SEATAC MEETING DATE SEPTEMBER 12, 2005, ITEM 3

Biota Report Prepared by Impact Sciences, Incorporated, Dated July 2005

First Continuation from August 1, 2005 of Initial SEATAC review for Biota Report

PROPOSED PROJECT CUP 00-196/VTTM 53108 – An application to subdivide the subject property into 418 lots, to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-use space, an elementary school, a community park, three private recreational facilities, open space and river trail uses. Off-site improvements include buried bank stabilization and the Long Canyon Road Bridge to be developed in conjunction with the tract development. Two borrow sites, one located south of the Santa Clara River (215 acres) and the other north of State Route 126 (120 acres), and haul routes will be located outside of the tract map boundary but within the Newhall Ranch Specific Plan area. The domestic water system will be connected to existing facilities within the Valencia Commerce Center to the northeast). The proposed project site is partially within the Santa Clara River SEA (SEA 23) and is the first phase of the Riverwood Village Planning Area development of the Newhall Ranch Specific Plan, located north of the Santa Clara River, west of Interstate 5 and south of State Route 126, between the intersection of Chiquito Canyon Road and Castaic Creek.

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SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT CUP 00-196/VTTM 53108:

1. Review the document for consistent use of terms such as 'project,' 'site,' 'on-site,' 'off-site,' *et cetera*. The descriptions of the scope of the report given on page three and the project area on page 9 are unclear.
2. Clarify the necessity of the various bank-stabilization methodologies presented in Figures 6 and 7.
3. Organize Table 2 systematically; herps and birds are shuffled and a superficial scan of the table may lend the impression that amphibians are not covered; Mitigation Measures must be proposed for cumulative biological impacts.
4. Table 5: the discussion of survey methods for fish suggests that on-site surveys have not been conducted; assume that unarmored three-spine stickleback is present in the Santa Clara River above Piru Creek any time surface water is flowing.
5. Section 6.1.14 and elsewhere, as appropriate: the variety of Great Basin sagebrush present on site is likely to be *Artemisia tridentata* var. *parishii*. Revise the identification accordingly throughout the document. The presence of this taxon is noteworthy and SEATAC recommends mitigation for losses to this taxon.
6. Figure 12: provide polygons for relevant open space areas.
7. Page 53, first paragraph: the discussion of mitigation is inappropriate in this section; avoid indecisive language (e.g. "...often can be partially or largely mitigated...").
8. Figure 13 is very conceptual and lacks practical information; revise the base map to provide a better context for potential movement pathways.
9. Provide a discussion of the trapping methodologies used for rodent surveys.
10. Soil cement shall not be used in the bank stabilization design; ungrouted rip-rap is preferred. Accommodations for streambed braiding and tributary flow must be a part of the drainage plan for the project; this type of complexity helps stickleback escape stochastic hazards.
11. There are many steep canyons within the project area that may support jurisdictional areas not present on the jurisdictional areas map; confirm the completeness of the jurisdictional delineation.
12. Expand section 6.2; discuss habitats used by the various wildlife species.
13. Section 8 – provide references to movement studies for known wildlife movement.
14. Clarify the term 'major drainage' in the Resource Management Plan.
15. Provide information on the release characteristics referred to in the discussion of the County Sanitation District Facilities Plan on pages 126 and 127.
16. Increased base flow in the Santa Clara River must be avoided to maintain dry conditions down stream; reclaimed water may be sequestered during the dry season and released later in the year. Address impacts of potential flow increases in the Santa Clara River.

ACTION TAKEN: Review of the current version of the Biota Report will be continued at a future SEATAC meeting. Prepare a table of impacted vegetation types for review at that meeting.

Further SEATAC review of the project will be required subsequent to completion of the current review. A revised Biota Report addressing the above SEATAC comments and recommendations will be requested

16. Page 143: Mitigation Measure 4.6-81 does not provide mitigation for any impacts; Mitigation measure 4.6-83 needs further detail: provide information on seasonal restrictions to mitigation activities and methodology on how fish are to be cleared.
17. Page 144: revise Mitigation Measure to state that 1/8-inch mesh will be used, rather than ¼-inch.
18. Page 146: Include language in Mitigation Measure 4.6-91 to require locally indigenous species in the landscaping plan.

ACTION TAKEN: Review of the current version of the Biota Report will be continued at a future SEATAC meeting.

Further SEATAC review of the project will be required subsequent to completion of the current review. A revised Biota Report addressing the above, previous and forthcoming SEATAC comments and recommendations will be requested.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT CUP 00-196/VTTM 53108 (Note: comments for the September 12, 2005 SEATAC meeting begin with Section 10 of the Biota Report):

1. Page 79, second paragraph: include a linkages map, incorporating the corridors discussed in this paragraph.
2. Provide details on the quantity, type and quality of coastal sage scrub to be retained in the High Country SMA. Adequacy of mitigation for losses of habitats within the project site will be based on functional similarity of preserved and impacted habitats.
3. Use of the High Country SMA as a mitigation area must incorporate accounting of impacts and mitigation. SEATAC disagrees with the assumption that the Specific Plan EIR provides adequate mitigation for habitat losses; the Tract Map EIR must address the mitigation required, and if mitigation areas as delineated in the Specific Plan EIR are used, an accounting of "mitigation credits" must be made and kept up to date.
4. Mitigation Measure 4.6-43 is inadequate due to the phrase "may be used;" Mitigation Measures beyond 4.6-80 are not included in the MMP provided with the report.
5. Page 86, first paragraph: vegetation rehabilitation/replacement is unlikely to provide full mitigation for losses of wildlife habitat.
6. Page 87, third and fourth paragraphs: provide more specificity in the discussion of setbacks from riparian resources. Details are needed as to the requirements of species likely to occur on the project site. A minimum buffer of 100 ft. may not be suitable for some species. Provide a reference for the "previous studies" noted in the fourth paragraph.
7. Figure 16: include a grading overlay to provide context.
8. Page 92, third paragraph: include a statement that impacts to 887 individual slender mariposa lilies is likely to be an underestimate.
9. Page 98 and 99: mitigation is needed for losses of general habitat values beyond nesting resources to sensitive birds, and "Bio-2, Wildlife Habitat Loss" will apply to all of the bird species.
10. Page 102: the May 13, 2005 rule concerning the critical habitat designation for arroyo toad is not final; include details of the management of releases from Castaic Lake and possible consequences in the discussion of western spadefoot toad and other sensitive fish and amphibian species.
11. Page 113 – 115: provide details of sampling methodology for water quality monitoring; explain why selenium and mercury are not of concern in the Santa Clara River watershed.
12. Page 116, third paragraph: include a mitigation measure to prohibit irrigation of perimeter landscaping.
13. Page 117, last paragraph: indicate what BMPs will be used to achieve the mitigation for construction and grading impacts.
14. Page 118, second paragraph: provide details as to where least Bell's vireo and arroyo toad occur within Castaic Creek.
15. Page 119 – 128: the depth of discussions is inconsistent among the projects; provide an equivalent level of detail for each.

SEATAC REPORT AND COMMENTS

PROJECT CUP 00-196/VTTM 53108

SEATAC MEETING DATE OCTOBER 3, 2005, ITEM 2

Biota Report Prepared by Impact Sciences, Incorporated, Dated July 2005

Second Continuation from August 1, and September 12, 2005 of Initial SEATAC review of Biota Report

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PROPOSED PROJECT CUP 00-196/VTTM 53108 – An application to subdivide the subject property into 418 lots, to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-use space, an elementary school, a community park, three private recreational facilities, open space and river trail uses. Off-site improvements include buried bank stabilization and the Long Canyon Road Bridge to be developed in conjunction with the tract development. Two borrow sites, one located south of the Santa Clara River (215 acres) and the other north of State Route 126 (120 acres), and haul routes will be located outside of the tract map boundary but within the Newhall Ranch Specific Plan area. The domestic water system will be connected to existing facilities within the Valencia Commerce Center to the northeast). The proposed project site is partially within the Santa Clara River SEA (SEA 23) and is the first phase of the Riverwood Village Planning Area development of the Newhall Ranch Specific Plan, located north of the Santa Clara River, west of Interstate 5 and south of State Route 126, between the intersection of Chiquito Canyon Road and Castaic Creek.

SEA DESCRIPTION: Soledad Canyon and the Santa Clara River (**SEA No. 23**) possess several populations of the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). This species was formerly found in the Los Angeles, San Gabriel, and Santa Ana Rivers, but is now restricted to the Santa Clara River and San Francisquito Canyon. For these reasons and due to threats to its habitat, the fish species has been placed on the state and federal endangered species lists. In the Santa Clara River, the unarmored threespine stickleback is limited to permanent streams and pools from the mouth of San Francisquito Canyon west to the Ventura-Los Angeles County line, and from near Lang Station east to Arrastre Canyon.

The reason the unarmored threespine stickleback has been able to survive in the Santa Clara River is that its remaining habitat has been relatively undisturbed. The Santa Clara River is unique in being the only major river draining the San Gabriel Mountains that has not been extensively channelized. The vegetation consists of fresh water marsh, coastal sage scrub, oak woodland, and riparian woodland communities. The broad wash association is unlike that found in steeper mountain canyons, and is increasingly rare in Los Angeles County. The trees serve as habitat for many raptorial bird species. The red-shouldered hawk is restricted to woodland communities, and the species is becoming increasingly uncommon in southern California due to habitat destruction. The National Audubon Society and others have expressed concern for the hawk's welfare.

The primary concern for the survival of the unarmored threespine stickleback is the loss of suitable habitat. The species requires clean, free-flowing, perennial streams and ponds surrounded by native vegetation. Intermittent areas connecting perennial streams are also important during the wet season when surface water is present. The natural vegetation and stream course slow heavy runoff during the rainy season, decrease destruction and siltation of habitat in downstream areas, and provide habitat for stickleback migration between populations.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT CUP 00-196/VTTM 53108 (Note: comments for the October 3, 2005 SEATAC meeting are limited to Volume III of the Biota Report):

1. The revised Biota Report must provide a better accounting of impacts at the project site and mitigations in the High Country.
2. Water quality and hydrology, including intermittency of flows, in the river and tributaries must be maintained to ensure long term sustainability of biological resources.
3. Arroyo toad habitat is present, and populations may have been blown out by large releases from Castaic Lake. Proper management of flows from Castaic may permit reintroduction of arroyo toad.
4. Maps on pages 334 and 337 of Volume III are not clear and legends/captions are confusing.
5. Griffin (1999) reports a high level of use by arroyo toads of agricultural fields as aestivation sites. There is good potential for high-value, low-cost aestivation habitat restoration within the project site. Include clearance surveys for arroyo toad within agricultural fields as a mitigation measure.
6. SEATAC reiterates their concern that buried bank stabilization must be rough-sided.
7. SEATAC requests a field trip to see the sites of proposed buried bank stabilization.

ACTION TAKEN: Further SEATAC review of the project is required; prepare a revised Biota Report addressing the SEATAC comments and recommendations detailed above and in the minutes of the August 1 and September 12, 2005 minutes.

SEATAC REPORT AND COMMENTS

CUP 00-196/VTTM 53108 – CONDITIONAL USE PERMIT and VESTING TENTATIVE TRACT MAP

SEATAC MEETING DATE DECEMBER 5, 2005, ITEM 2

Revised Biota Report prepared by Impact Sciences, Incorporated, Dated November, 2005

Previous SEATAC Meetings for Biota Report August 1, September 12, and October 3, 2005.

PROPOSED PROJECT CUP 00-196/VTTM 53108 – An application to subdivide the subject property into 418 lots, to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-use space, an elementary school, a community park, three private recreational facilities, open space and river trail uses. Off-site improvements include buried bank stabilization and the Long Canyon Road Bridge to be developed in conjunction with the tract development. Two borrow sites, one located south of the Santa Clara River (215 acres) and the other north of State Route 126 (120 acres), and haul routes will be located outside of the tract map boundary but within the Newhall Ranch Specific Plan area. The domestic water system will be connected to existing facilities within the Valencia Commerce Center to the northeast). The proposed project site is partially within the Santa Clara River SEA (SEA 23) and is the first phase of the Riverwood Village Planning Area development of the Newhall Ranch Specific Plan, located north of the Santa Clara River, west of Interstate 5 and south of State Route 126, between the intersection of Chiquito Canyon Road and Castaic Creek.

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The reason the unarmored threespine stickleback has been able to survive in the Santa Clara River is that its remaining habitat has been relatively undisturbed. The Santa Clara River is unique in being the only major river draining the San Gabriel Mountains that has not been extensively channelized. The vegetation consists of fresh water marsh, coastal sage scrub, oak woodland, and riparian woodland communities. The broad wash association is unlike that found in steeper mountain canyons, and is increasingly rare in Los Angeles County. The trees serve as habitat for many raptorial bird species. The red-shouldered hawk is restricted to woodland communities, and the species is becoming increasingly uncommon in southern California due to habitat destruction. The National Audubon Society and others have expressed concern for the hawk's welfare.

The primary concern for the survival of the unarmored threespine stickleback is the loss of suitable habitat. The species requires clean, free-flowing, perennial streams and ponds surrounded by native vegetation. Intermittent areas connecting perennial streams are also important during the wet season when surface water is present. The natural vegetation and stream course slow heavy runoff during the rainy season, decrease destruction and siltation of habitat in downstream areas, and provide habitat for stickleback migration between populations.

SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT 00-196/VTTM 53108:

1. The hydrological assessments are too presumptive; a more in-depth analysis of hydrology is needed.
2. The maintenance of roughness in flow within the Santa Clara River is the biggest biological issue for this project, as channel roughness is the driving force behind encouraging heterogeneity in habitats within the floodplain. Bank stabilization designs that have been presented to SEATAC are fundamentally smooth-sided. Given the fact that they will be buried, they may be expected to remain unexposed in the short term; nevertheless, buried banks will be exposed with time (as other buried bank structures have been exposed in the region within several years of their emplacement), and a genuinely long-term approach to maintaining roughness of flow must be incorporated in the overall project design. This roughness may be accommodated at the banks or within the channel itself and may be facilitated through the used of large rip-rap in the overburden used to bury the stabilization or through the use of A-Jacks or similar interlocking modular units.
3. SEATAC is skeptical that otherwise mitigable impacts of this project are being improperly referred back to the Specific Plan which did not adequately address such impacts. The table on page 149 needs to be qualified in terms of what mitigations are possible in regard to habitat impacts and which are not. A fuller discussion of overriding considerations relative to the Specific Plan is needed to properly understand which impacts of Landmark village may justifiably require mitigation.
4. Provide information on ACOE and CDFG requirements for the project through the pending master permit so that SEATAC can have a context in which to view the mitigation responsibilities of the County (including mitigation for impacts to spineflower and water quality).
5. References to flooding as an 'infrequent' event minimize its ecological importance. Infrequent events may be extremely important in determining the future course of ecological developments.
6. An aggressive invasive species management plan is needed.

ACTION TAKEN: Further SEATAC review is required; incorporate the above SEATAC comments in the Biota Report.

SEATAC REPORT AND COMMENTS

CUP 00-196/VTTM 53108 – CONDITIONAL USE PERMIT and VESTING TENTATIVE TRACT MAP

SEATAC MEETING DATE JANUARY 9, 2006, ITEM 2

Revised Biota Report prepared by Impact Sciences, Incorporated, Dated November, 2005

Previous SEATAC meeting for Revised Biota Report December 5, 2005.

PROPOSED PROJECT CUP 00-196/VTTM 53108 – An application to subdivide the subject property into 418 lots, to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-use space, an elementary school, a community park, three private recreational facilities, open space and river trail uses. Off-site improvements include buried bank stabilization and the Long Canyon Road Bridge to be developed in conjunction with the tract development. Two borrow sites, one located south of the Santa Clara River (215 acres) and the other north of State Route 126 (120 acres), and haul routes will be located outside of the tract map boundary but within the Newhall Ranch Specific Plan area. The domestic water system will be connected to existing facilities within the Valencia Commerce Center to the northeast). The proposed project site is partially within the Santa Clara River SEA (SEA 23) and is the first phase of the Riverwood Village Planning Area development of the Newhall Ranch Specific Plan, located north of the Santa Clara River, west of Interstate 5 and south of State Route 126, between the intersection of Chiquito Canyon Road and Castaic Creek.

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SEATAC COMMENTS AND RECOMMENDATIONS FOR PROJECT 00-196/VTTM 53108:

1. The High Country dedication shall be made prior to the issuance of the grading permit for Landmark Village, rather than subsequent to recordation of the 2,500th unit, as originally proposed in the Newhall Ranch Specific Plan.
2. Monitoring reports submitted to the County as part of the Mitigation/Monitoring Program shall also be submitted to SEATAC members for their review and comment.

ACTION TAKEN: No further SEATAC review of the Biota report is required; incorporate the above SEATAC comments in the Draft EIR.

3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904

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(213) 387-5383 fax
www.sierraclub.org

Item #6 RPC 1/9/08

1-4-08

RECEIVED
JAN 08 2008
REGIONAL PLANNING COMMISSION

Los Angeles County Regional Planning Commission
320 W. Temple St.
Los Angeles, CA 90012

Re: Landmark Village Project # 00-196, Tract Map #53108 Santa Clarita Area for Agenda Item Jan 9th, 2008

Honorable Commissioners:

Sierra Club believes there are several errors in the FEIR for this project and requests that they be corrected before any approval is granted by your Commission.

In July 2006, the Angeles Chapter of the Sierra Club passed a resolution opposing the approval of new housing units in the Santa Clarita Valley until the facilities to clean up the contaminated water supply wells in this area are built and functioning. (attached)

The Sierra Club would like to express its concern over the continued approval of new housing units before these wells, contaminated with ammonium perchlorate and other pollutants, have been returned to service. Although contaminated wells would not immediately serve this project, they are part of the overall water supply in the Santa Clarita Valley. The inability of Saugus Wells No. 1 and 2 to provide water necessitates the use of an alternative supply.

To date, that alternative supply has come from an increased use of the State Water Supply from Northern California. Since that supply has now been severely reduced by the Federal Court Wanger decision (attached), it is imperative that these wells be returned to service before approving additional housing units in the Santa Clarita Valley.

Since 2004, the water agencies continue to assert that these remediation facilities will be functioning "next year". We have attached two timetables indicating the persistent delay of this remediation project. It is time for your Commission to encourage action on this issue by delaying any further approvals until these facilities are actually functioning.

Additionally, the Saugus aquifer was supposed to act as the back up water source for any drought experienced in the Santa Clarita Valley. With two of its highest production wells closed down, and the contamination still spreading, we believe that it cannot serve this function.

The FEIR claims that since none of the polluted wells will serve the Newhall Ranch project, concern over these contaminated wells should not affect its approval. However, the water supply in the Santa Clarita Valley is not divided up or allocated to any one company or area. Therefore any reduction in water supply from one source in the Santa Clarita Valley, such as the Saugus Aquifer, will affect the ability of all water agencies to supply existing residents and businesses as well as projects that have already been entitled.

With thousands of units already in inventory due to the housing slowdown, your Commission has the opportunity to take the time to examine this issue more closely before approving this project. The Sierra Club requests that your Commission ensure a healthy and safe drinking water supply for the Santa Clarita Valley by denying this project until an updated water service assessment is provided and the water supply contamination problem is resolved.

Sincerely,

Jennifer Robinson

Jennifer Robinson
Conservation Coordinator

Attachments:
Sierra Club Resolution regarding Ammonium Perchlorate Pollution in the Santa Clarita Valley
Castaic Water Agency Perchlorate Clean-up Timetables

3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904

SIERRA CLUB
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(213) 387-6528 phone
(213) 387-5383 fax
www.sierraclub.org

Resolution of the Executive Committee of the Angeles Chapter

The Angeles Chapter opposes additional land use approvals in Santa Clarita that rely on water from the contaminated Saugus aquifer until clean up facilities to remove the ammonium perchlorate, NDMA and other pollutants from this ground water source are functioning.

Approved unanimously
7-23-06

ITEM NO. 4

Castaic Lake Water Agency
Memorandum

January 19, 2007

To: CLWA Planning and Engineering Committee

From: William J. Manetta WJM
Acting Engineering and Operations Manager

Subject: Perchlorate Remediation Program

SUMMARY

Work continues on multiple tasks to address the groundwater contamination stemming from past manufacturing activities on the Whittaker-Bermite site. The Agency and purveyors are proceeding to restore the production capacity of the groundwater supply wells contaminated by perchlorate, while working on the objectives of containing the downgradient migration of perchlorate and recovering costs incurred in responding to the perchlorate contamination. *(Goal 2.1.5: Treat 2,400 gallons per minute of water from the Saugus Formation that is contaminated with perchlorate and restore to potable water service. Goal 2.1.6: Develop replacement wells for capacity lost due to perchlorate contamination.)*

DISCUSSION

The Agency has authorized Black & Veatch (B&V), Carollo Engineers (CE) and Kennedy/Jenks Consultants (K/J) to assist in providing services to respond to the various tasks associated with the Perchlorate Remediation Program. The following table provides a status report on the activities and tasks:

Task Group	Tasks	Consultant	Status
Settlement Activities	Project Description	K/J	Complete.
	Final Settlement	K/J, Nossaman	Negotiations ongoing.
DTSC Approval Activities	Remedial Investigation (RI)	K/J	DTSC approved 8/16/05.
	Feasibility Study (FS)	K/J	DTSC approved 8/16/05.
	Draft Remedial Action Plan (RAP)	K/J	DTSC approved 8/16/05.
	Final RAP	K/J	Public Hearing held 9/7/05. DTSC approved 1/20/06.
U.S. Army Corps of Engineers Feasibility Phase Study	Conceptual Hydrogeology Technical Memorandum	CH2MHill	Final distributed 1/19/05. Progress report with model construction calibration distributed 10/11/05.
U.S. Army Corps of Engineers Feasibility Phase Study	Monitoring	CH2MHill	Federal FY 2005 funding provides for limited monitoring of existing test wells and testing of NCWD NC13 Southern Saugus well. Completed 6/14/06.

Task Group	Tasks	Consultant	Status
DHS Approval Activities (97-005)	Source Water Assessment	B&V, CE	Received comments on revised document from DHS 4/27/06.
	Water Quality Investigation	B&V, CE	Received comments on revised document from DHS 4/27/06.
	Source Protection Plan	B&V	Received comments on revised document from DHS 4/27/06.
	Effective Monitoring and Treatment	B&V, CE, CH2MHill	Received comments on revised document from DHS 4/27/06.
	Human Health Risk	B&V	Received comments on revised document from DHS 4/27/06.
	Alternatives Evaluation	B&V, CE	Received comments on revised document from DHS 5/10/06. Revised document will be returned to DHS with Engineer's Report.
	Engineers Report	B&V	Responded 12/19/06 to DHS comments received 12/1/06 on Final Draft submitted to DHS 10/27/06.
	CEQA	B&V	Mitigated Negative Declaration certified 9/14/05.
	Permit Application	B&V	Pending design completion.
	Public Hearing	B&V	Pending design completion.
	DHS Evaluation & Permit	B&V	Pending design completion.
Implementation Activities	Easements and Right of Way	K/J	Alignment studies complete 8/08/05. Document preparation in progress.
	Treatment Design	K/J	Scheduled design completion 1/07.
	Pipeline Design	K/J	Scheduled design completion 1/07.
	Construction	K/J	Plan to start 3/07.
	Startup and Monitoring	K/J	Scheduled 12/07.

The City of Santa Clarita's Multi-Jurisdictional Task Force and Citizens Advisory Group meetings will be held on February 7, 2007. The next bi-monthly DTSC meeting will be held on January 31, 2007.

FINANCIAL STATUS

Settlement negotiations are ongoing with the purveyors, Whittaker-Bermite and insurance carriers.

JRL

PERCHLORATE CONTAMINATION PROGRAM MANAGEMENT *(Continued From Previous Page)*

DISCUSSION

The following table provides a status report on the activities and tasks:

Task Group	Tasks	Consultant	Status
Settlement Activities	Project Description	K/J	Complete.
	Final Settlement	K/J, Nossaman	Settlement Agreement took effect on 7/13/07 with U.S. District Court approval.
DTSC Approval Activities	Remedial Investigation (RI)	K/J	DTSC approved 8/16/05.
	Feasibility Study (FS)	K/J	DTSC approved 8/16/05.
DTSC Approval Activities	Draft Remedial Action Plan (RAP)	K/J	DTSC approved 8/16/05.
	Final RAP	K/J	Public Hearing held 9/7/05. DTSC approved 1/20/06.
	Final RAP	K/J	Public Hearing held 9/7/05. DTSC approved 1/20/06.
U.S. Army Corps of Engineers Feasibility Phase Study	Conceptual Hydrogeology Technical Memorandum	CH2MHill	Final distributed 1/19/05. Progress report with model construction calibration distributed 10/11/05.
DPH Approval Activities (97-005)	Source Water Assessment	B&V, CE	Received comments on revised document from DPH 4/27/06.
	Water Quality Investigation	B&V, CE	Received comments on revised document from DPH 4/27/06.
	Human Health Risk	B&V	Received comments on revised document from DPH 4/27/06.
	Source Protection Plan	B&V	Received comments on revised document from DPH 4/27/06.
	Effective Monitoring and Treatment	B&V, CE, CH2MHill	Received comments on revised document from DPH 4/27/06.
	Alternatives Evaluation	B&V, CE	Received comments on revised document from DPH 5/10/06. Revised document will be returned to DPH with Engineer's Report.
	Engineers Report	B&V	Responded 12/19/06 to DPH comments received 12/1/06 on Final Draft submitted to DPH 10/27/06. Letter with DPH comments was received on 8/20/07. DPH's comments will not impede moving forward with completing design and commencing construction.
	CEQA	B&V	Mitigated Negative Declaration certified 9/14/05.

PERCHLORATE CONTAMINATION PROGRAM MANAGEMENT *(Continued From Previous Page)*

Task Group	Tasks	Consultant	Status
DPH Approval Activities (97-005)	Permit Application	B&V	Awaiting response from DPH.
	Public Hearing	B&V	Awaiting response from DPH.
	DPH Evaluation & Permit	B&V	Awaiting response from DPH.
Implementation Activities	Easements & Right of Way	K/J	Easement and right-of-way acquisition in progress.
	Treatment Design	K/J	Design completed 6/07. Bids received 8/2/07. Contractor has submitted contract documents. Pre-construction meeting 11/7/07.
	Pipeline Design	K/J	Design completed 6/07. Bids received 8/2/07. Pre-construction meeting 11/14/07.
	Construction	K/J	Treatment: Pre-construction meeting held 11/7/07; Notice to Proceed issued effective 11/14/07. Pipeline: Pre-construction meeting held 11/14/07; Notice to Proceed pending execution of Power Ford lease.
	Startup and Monitoring	K/J	Scheduled 12/08.

The next Multi-Jurisdictional Task Force and Citizens Advisory Group meetings will be held on December 12, 2007. The next DTSC meeting is scheduled for January 22, 2007. The next Technical Meeting is scheduled for December 11, 2007.

FINANCIAL STATUS

The Settlement Agreement among CLWA, the purveyors, Whittaker-Bermite and insurance carriers is now in effect. First payments have been made for most expenses through 11/15/07. Approval of payments will be considered (retroactively) at future Technical Committee meetings.

CAPITAL IMPROVEMENT PROJECTS

Sand Canyon Pipeline and Reservoir

(FY 2007/08 Goal 2.1: Construction – CLWA will build facilities which reflect the best available technology and materials, in a cost effective and timely manner.)

Completed Work:

The reservoir was placed in service on August 14, 2007. SCE installed permanent electrical service. The contractor demobilized from the site. Hydroseeding and erosion control measures were installed.

3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904

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(213) 387-4287 phone
(213) 387-5383 fax
www.angeles.sierraclub.org

RECEIVED
JAN 03 2008
REGIONAL PLANNING COMMISSION - 7 AM

1-03-2008

Los Angeles County Regional Planning Commission
and Mr. Daniel Fierros/ Ms. Susan Tae, Samuel Dea, project staff
320 W. Temple St.
Los Angeles, CA 90012

Re: Newhall Ranch, Landmark Village Project No. 00-196-(5)

Dear Honorable Commissioners:

Thank you for the extension for the hearing date for the Landmark Village FEIR to January 9, 2008. We have received the agenda for the upcoming meeting and are concerned that that this item is scheduled as a consent item at this meeting.

While the EIR process has provided a long dialogue between Impact Sciences and concerned organizations like the Sierra Club, we and the public have not received adequate opportunities to express concerns to the decisions makers in Los Angeles County. It is important to enable public involvement with the planning process for this controversial project.

Therefore, we request that the item be removed from the consent calendar to allow an opportunity for public comment before the Regional Planning Commission.

The Sierra Club Angeles Chapter will provide additional written comments on the FEIR, but wished to submit this request immediately.

We thank you in advance for ensuring that this project receives a thorough public review.

Sincerely,

Jennifer Robinson
Conservation Coordinator
Sierra Club Angeles Chapter

3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904

SIERRA CLUB
FOUNDED 1892

Angeles Chapter

(213) 387-4287 phone
(213) 387-5383 fax
www.angeles.sierraclub.org

FAX TRANSMISSION

To: Los Angeles County Planning Commission (213) 626-0434

Fr: Jennifer Robinson, Conservation Coordinator

Date: January 3, 2008
Pages: 2, including cover

RE: Newhall Ranch, Landmark Village Project No. 00-196-(5)

Please see attached

california water impact network

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JAN 0 2008
REGIONAL PLANNING COMMISSION

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President

Dorothy Green
Secretary

Joan Hartmann
Treasurer

Lloyd G. Carter
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Malinda Chouinard
Director

Yvon Chouinard
Director

Jon Edmondson
Director

Michael Jackson
Director

Ivey Johnson
Director

Ida Mitrovich
Director

Jon Stokely
Director

January 4, 2008

Daniel Fierros
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90012
Fax: (213) 217-5108

Re: Landmark Village FEIR and all entitlements Project # 00-196
For Jan 9th 2008 Commission Agenda

Please copy to all commissioners

Dear Commissioners:

The California water Impact Network (C-WIN) wishes to thank the commissioners for extending the comment period on this very important project to Jan 9th 2008 to allow us time to comment without interrupting our holidays.

We further request that this item be removed from the consent calendar and that interested public be allowed to speak on the matter. As we are sure you are well aware, circumstances regarding water supply for new projects in the Santa Clarita Valley and throughout California have changed substantially due to a recent Federal Court decision that we will discuss in further detail below. We believe that it is imperative that your commission has the opportunity to hear from the public about these changed circumstances and how they may affect the Santa Clarita Valley.

In our comment letter of Feb. 11, 2007 we requested that you evaluate the Landmark Village development and the Newhall Land and Farming Company Specific Plan in light of the recent California Supreme Court's decision, Vineyard Area Citizens for Responsible Growth, Inc. et al. v. City of Rancho Cordova, Case No. S132972, in which the Court found that EIR's long term water planning to be inadequate. The Vineyard decision makes clear that water purveyors and land use planners must objectively and in good faith disclose the uncertainty associated with potential sources of water, and identify and evaluate alternative sources in light of such uncertainly. The Vineyard decision also makes clear that the outcome of future environmental reviews that could affect the identified water supplies may not be assumed. The DEIR's cumulative impacts analysis significantly understates the potential impacts, failing to adequately analyze the present project's role as one part of one of the largest sprawl development projects in California's history. The cumulative impacts analysis for water supply does not seem to ensure that all Newhall related development is being considered. Your Topical Response #5 merely states that there is not need for you to make such an evaluation. We believe that this answer is non-responsive to our request for evaluation. The argument that Landmark will only utilize ground water is not sufficient due to the fact that the Santa Clara Valley ground water basins are unajudicated. Thousands of units are already approved, but unbuilt and will be supplied from that ground water basin in the ***now current circumstance*** that State Water Project water will not be available to those developments. We now re-state our request for an evaluation of long-term availability of water supply under the Vineyard decision.

The DEIR seems to rely on overly optimistic assumptions about the long-term reliability of the water that can be delivered from the alluvial aquifer to show that State Water Project water is not required for this project (4.10-3). This is not an adjudicated aquifer and therefore for the Newhall Ranch Co to "assume" that it "owns" the rights to this water is not valid. Since there is no evaluation of the already approved, but unbuilt units in the Santa Clarita Valley that are currently dependant on State Water Project Water, ***now reduced by the Dec. 17th Federal Court Wanger Decision***, there is no assurance that a given level of water will be available for permanent development.

We believe a valid evaluation of whether the local groundwater basins are at risk of serious shortfall in light of the State Water Project cutbacks is required. Such an evaluation is also a required Water Resources mitigation to the Specific Plan. An updated evaluation of the ground water basins and the Santa Clara River must be included in the DEIR

Another area of significant new information is the fact that many of CLWA's water storage projects and water transfers rely on Article 21 Water. This water is coming from so called "surplus" water which will is no longer available under the Wanger decision. This new information must be evaluated

If existing long term demand, as indicated in the DEIR 4.10-7, is 70,755 AFY plus Agricultural demand of 12,786 AFY, any additional new demand will clearly depend on the reliability of the SWP Table A amounts when cumulative impacts are considered. The "banked" water in the BV/RRB account (20,000 AF) and the Semitropic account (17,000 AF) are ONE TIME occurrences and not a regular yearly transfer. They rely on Article 21 water that is not available under the Wanger Decision. That will eliminate 37,000 AF from the bottom line when considering the long term demand.

The DEIR claims that the SB 610 Water Service Assessment (WSA) for Landmark Village shows that there will be sufficient water for the entire Santa Clarita Valley through 2030, even in the driest years, therefore there is no problem with cumulative impacts or long term supplies. **This statement must be re-evaluated based on the new information** resulting from the Federal Court Decision issued by Judge Oliver Wanger on Dec. 17th 2007 and the subsequent cutbacks on state water deliveries ordered by DWR to comply with that Decision. These cutbacks and other new information that has become available since the DEIR was released constitute substantially changed circumstances and invalidate the information provided in this water service assessment and the DEIR. Further, this new information will require agency re-evaluation of all the documentation on which the DEIR and the WSA are based, including:

- the reliability of the SWP water when it is based on the questionable CalSim II Model and global warming has not been considered
- using the 41,000 AF transfer as a done deal in spite of current litigation
- counting on groundwater from an unadjudicated basin as the it is owned by Newhall Land, when in fact it will have to serve pre-existing projects when state water is not available
- depending on the 2005 CLWA UWMP which fails to address the likelihood that the planned development of the 21,000-home Newhall Ranch will not be able to utilize water currently applied to agricultural uses on the site for this development's proposed domestic uses, due to the excessive levels of total dissolved solids (TDS) in this water. If Newhall Ranch cannot utilize its existing agricultural water for its projected domestic uses, then its demand for potable water will compete with other projected demands, potentially exceeding available supplies

The DEIR alludes to alternative water sources which might be available in a "Planned Water Supply Program" but then does not outline what that program might be. This information should be provided with an evaluation of the new circumstances regarding reduced state water availability. This is not useful information about providing adequate water supplies.

We continue to assert and ask that you evaluate the fact that this proposed development is based on water supply assessment documents that are flawed and currently being challenged in court. These documents include, but are not limited to, CLWA's 2005 Urban Water Management Plan (UWMP) and DWR's Draft SWP Water Delivery Reliability Report 2005. This EIR is relying on a 41,000 acre foot transfer of permanent Table A Allocation from the Kern County Water Agency that is not finalized and is currently in litigation.

We believe that these documents and the purported water transfer are further compromised by recent court rulings that include;

- the **October 2005 ruling by the 3rd District Court of Appeal overturning the CALFED Record of Decision.** This decision required analysis of sending significantly less water south of the San Francisco/San Joaquin Delta which, if implemented, would curtail deliveries from the SWP.
- the **2nd District Court of Appeal ruling in California Oak Foundation v. City of Santa Clarita (2005) 133 Cal. App. 4th 1219, 1236,** that overturned the Gates-King EIR because it was based on the illegal 41,000 AF water transfer from Kern County. This DEIR is repeating the CEQA error identified in Cal Oak, "turning CEQA on its head" by suggesting that the "pre-ordained outcome of the process is continued use of the 41,000 AF of water."
- Now, with the recent **3rd District Court of Appeal decision, the RCRC decision (JCCP No. 4152)** setting aside the CALFED EIR and overturning the CALFED ROD because of the failure of the CALFED EIR to analyze sending less water south of the San Francisco Delta, it is imperative for CLWA to be cautious in reporting the SWP reliability.
- the **February 9th, 2006 3rd District Court of Appeal ruling in which Golden Gate Audubon** prevailed and the court ordered that existing salinity standards in the Bay Delta be upheld; and the **subsequent Order by the State Water Resources Control Board (SWRCB) requiring DWR and the CVP to shut down their pumps** if the salinity standards are not met which means that more water must be left in the San Joaquin River and the Bay Delta and therefore there is less water to pump to southern California.
- the **April 2, 2007 Decision by Judge James Chalfant** setting aside the Castaic Lake Water Agency 41,000 ft Water transfer EIR due to its failure to disclose that DWR could modify its contracts to reduce water supply. (attached)
- the **Expert Testimony of John Leahigh, August 21,2007**, submitted in the matter NRDC V. Dept. of the Interior, stating the impact of Delta Pumping on endangered fish species (attached)
- the **December 17th, 2007 Federal Court Decision by Oliver Wanger** that ordered a reduction in State Water Project water to reduce impacts to the endangered Delta Smelt caused by pumping from the Sacramento Delta. (attached)

Because of the recent under realization codified in the Wanger Decision that several species of fish in the Bay Delta including the delta smelt, split tail, winter run salmon and several others, are on the verge of extinction and that a very likely cause of that problem is over pumping in the Delta, it is very important for developers in southern California to start making the connection that there will be less water in the SWP and the CVP available to them. Global warming further exacerbates this problem.

A reduced flow of water from the Sacramento Delta is no longer speculative. Based on the Wanger Decision cited above, the Dept. of Water Resources released an Initial Allotment Notification (attached) of only 25% of CLWA's contracted amount. According to CLWA's own water supply report found in the Appendices to the FEIR, this means there is an inadequate water supply for existing residents in the Santa Clarita Valley in 2008.

As the Commission is aware, CLWA is relying on the transfer of 41,000 AF of agricultural water allocation from the Kern County Water Agency that is currently under litigation. The DEIR does not disclose that any non-Monterey transfer would be subject to the Article 18(a) agricultural cut-backs during shortages making this non-firm water of little value for residential and commercial development. Without the DWR Monterey Plus EIR being final, and with the current litigation, CLWA should not be citing 95,200 AF as its "firm" SWP allocation. In their brief submitted to the Chalfant Court (Decision attached) DWR in fact asserted their right to change this contract. The Judge cited to this fact in finding that the contract for the 41,000 AF transfer could be changed. Thus, the 41,000 AF transfer was specifically singled out as NOT final. An alternative evaluation of water supply reliability based on this fact should be included in the EIR.

SWP Contract Monterey Amendments Articles 18 (a) & (b) issues

CLWA is a municipal water agency and a great deal of its imported water is coming from the State Water Project. Much of this imported water is being relied upon for building housing units in the Newhall Land and Farming area. The 41,000 AF of proposed transfer water from the Kern County Water Agency is agricultural, and DWR has not finalized the Monterey Plus EIR, therefore it is imperative that this draft UWMP wait until the Monterey Plus EIR becomes final before counting on the 41,000 AF water transfer. Article 18(a) of the SWP water contracts requires that agriculture take the first cut backs in SWP deliveries during drought years. This is a very important safe-guard for municipal water supplies. Article 18(b) states that DWR will only promise what it can actually deliver on a long range basis, thus eliminating "paper water", water that really doesn't exist. One of the most contentious parts of the PCL Monterey litigation was the fact that implementation of Article 18(b) was never analyzed as an alternative. The new Monterey Plus EIR alternative analysis includes re-instatement of these two Articles as a possible alternative. Should this alternative become the "preferred project", the reliable delivery of CLWA's State Water allotment will be significantly reduced. That is why it is important to wait for the certification on the new Monterey EIR.

We believe that Newhall may try to cite the recent West Creek Decision in an attempt to state that the CLWA 41,000 AF Water Transfer is final. As you know, the West Creek project was approved in 2001. Most of the significant water decisions, including most specifically the Wanger Decision, were not available to the Court for its review of this project. Therefore the circumstances of that approval were substantially different than the project currently before you. You now have an opportunity to re-evaluate the water situation in the Santa Clarita Valley and make a positive decision based on this new information that will benefit the residents and businesses of this area.

C-WIN incorporates by reference all other comments opposed to this EIR.

Sincerely,

Carolee Krieger

Carolee K. Krieger, President
808 Romero Canyon Road
Santa Barbara, CA 93108
PH: (805) 969-0824

Attachments:

1. Expert Testimony of John Leahigh, August 21st, 2007
2. Statement of Decision, C-Win v. CLWA, Judge James Chalfant
3. Decision of Judge Oliver Ranger, Federal Court, Dec. 17th, 2007
4. Excerpt from the Alternatives Analysis in the new Monterey EIR released October, 2007
5. Initial DWR State Water Project Allocation Notice

EDMUND G. BROWN JR.
Attorney General of the State of California
MARY E. HACKENBRACHT
Senior Assistant Attorney General
DEBORAH A. WORDHAM, SBN: 180508
CLIFFORD T. LEE, SBN: 74687
Deputy Attorneys General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5546
Fax: (415) 703-5480
Email: Cliff.Lee@doj.ca.gov

Attorneys for Defendant-Intervenor

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE COUNCIL, et al., Plaintiffs, **v.** **DIRK KEMPTHORNE, in his official capacity as Secretary of the Interior, et al.,** Defendants, **SAN LUIS & DELTA-MENDOTA WATER AUTHORITY and WESTLANDS WATER DISTRICT; CALIFORNIA FARM BUREAU FEDERATION; GLENN-COLUSA IRRIGATION DISTRICT, et al.; CALIFORNIA DEPARTMENT OF WATER RESOURCES, and STATE WATER CONTRACTORS,** Defendant-Intervenors.	05 CV 01207 OWW (LJO) **DECLARATION OF JOHN LEAHIGH IN SUPPORT OF THE CALIFORNIA DEPARTMENT OF WATER RESOURCES' PROPOSED INTERIM REMEDY** Hearing: August 21, 2007 Time: 9:00 a.m. Courtroom: 3 Judge: Hon. Oliver W. Wanger

I, John Leahigh, declare as follows:

1. I am employed by the Department of Water Resources (DWR) as Chief of the Project Operations Planning Branch (POPB) within the Division of Operations and Maintenance. I have been in my current position since March 2005.

2. I am responsible for short-term planning of water operations for the State Water Project (SWP). These planning responsibilities include the estimation of delivery capabilities of the SWP and forecasted water export operations from the Sacramento/San Joaquin Delta (Delta) through the Harvey O. Banks Delta Pumping Plant (Banks), Skinner Fish Protection Facility (Skinner), and Clifton Court Forebay (CCF).

3. Prior to taking the position of Chief of the POPB, I worked within the branch in various engineering classifications from November 1996 through February 2005. I have worked for DWR since May 1992. I received a Bachelor's degree in Civil Engineering from the University of New Mexico in 1989 and a Master's degree in Civil Engineering with emphasis on Water Resources Engineering from California State University at Sacramento in 1999. I am a registered Civil Engineer in the State of California.

4. One of my responsibilities as Chief of the POPB is to supervise the work of engineering staff that develop and monitor studies, projections and delivery capabilities of the SWP. I coordinate with a team of engineers to plan and schedule water export operations based on water availability, water permit/quality restrictions, environmental needs, and projected hydrology.

5. I have personal knowledge of the facts stated herein, and, if called to do so, could and would testify competently thereto.

6. I am familiar with and contributed to the development of the proposed remedy actions, set forth in the Delta Smelt Action Matrix for Water Year 2008 (Action Matrix)[1/], proposed by the United States Fish and Wildlife Service (USFWS), as supported by DWR. The Action Matrix has been developed to minimize and prevent adverse impacts to delta smelt and its habitat from SWP and CVP operations during the interim period pending completion of the consultation on the delta smelt with USFWS. I am informed and believe that the USFWS will complete the consultation and issue its biological opinion before August 2008.

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1. A copy of the Action Matrix is attached as Exhibit A to the Declaration of Jerry Johns in Support of the California Department of Water Resources' Proposed Interim Remedy, filed concurrently herewith.

7. I have worked with POPB staff to develop an estimate of the water costs associated with implementation of the Action Matrix through July 2008.

8. For the purposes of the following analysis, "water costs" are defined as the estimated export reductions and the estimated reductions in deliveries of water to CVP/SWP contractors for 2008 as a result of implementing the actions described in the Action Matrix.

9. The term baseline" is defined as the expected delivery of water without implementing the Actions proposed in the USFWS remedy matrix. Baseline water deliveries often vary depending on hydrology and the costs estimates are based on two different hydrology assumptions, as described in detail below.

10. Water supply forecasting requires a projection of initial reservoir storages and forecasted runoff as a foundation to delivery estimates. Reliable projections are available for the initial reservoir storages going into 2008, but the forecasted runoff is largely dependent on the amount of precipitation that will be experienced next year, which is unknown and could vary greatly. Water supply costs were analyzed for 2008 with two different assumptions on the amount of precipitation that may be experienced in 2008: dry and average.

11. A year with low precipitation or a "dry year" for the purposes of my analysis assumes the amount of precipitation in 2008 will be equal to the amount of precipitation that was exceeded 90% of the time over the past 85 years.

12. A year with average precipitation or an "average year" for the purposes of my analysis assumes the amount of precipitation in 2008 will be equal to the amount of precipitation that was exceeded 50% of the time over the past 85 years.

13. Although many different assumptions could be made for the amount of precipitation that could occur in any year, assumptions of precipitation at a 90% and 50% chance of exceedence are the most widely used water supply forecasting assumptions. These two hydrologic assumptions generally give a good analytical range for project operations.

EXISTING RESTRICTIONS ON WATER DELIVERIES

14. DWR provides water to twenty-nine (29) contractors throughout California under water right permits issued by the State Water Resources Control Board (SWRCB). These permits

include restrictions on water exports. The DWR permit most recently issued by the SWRCB resulted in a SWRCB decision, known as Water Rights Decision 1641 (D-1641). Details of the decision can be found at 14. DWR provides water to twenty-nine (29) contractors throughout California under water right permits issued by the State Water Resources Control Board (SWRCB). These permits include restrictions on water exports. The DWR permit most recently issued by the SWRCB resulted in a SWRCB decision, known as Water Rights Decision 1641 (D-1641). Details of the decision can be found at http://www.waterrights.ca.gov/baydelta/d1641.htm.

15. The water costs associated with the Action Matrix are measured against allowable deliveries under baseline operations, considering all flow and water quality objectives required by D-1641. Through D-1641, the SWRCB assigns responsibility for meeting water quality objectives adopted in the Water Quality Control Plan ("WQCP") for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. These WQCP objectives protect fish and wildlife, and the agricultural, municipal and industrial uses of water.

16. The WQCP was updated in 2006. The new plan did not result in any changes in the requirements of D-1641. The new WQCP can be found at http://www.waterrights.ca.gov/baydelta/docs/rev2006wqcp.pdf.

17. A team of engineers and I took into account the restrictions imposed by meeting the objectives of the WQCP when developing the estimates for water costs associated with the implementation of the Action Matrix.

ASSUMPTIONS FOR THE IMPLEMENTATION OF ACTIONS

18. I assumed in the analysis that Action 1 would be triggered and implemented as of December 25, 2007 and continue through January 3, 2008. December 25 is described as the first possible day to trigger this 10-day Action in the Action Matrix.

19. I assumed in the analysis that delta smelt spawning will occur on February 20, 2008. February 20 is the date on which DWR biologists have estimated that spawning has begun historically. This assumption establishes the durations of Actions 2 and 3, which could vary significantly. The end of Action 2 and the trigger for the start of Action 3 is the onset spawning

as described in the Action Matrix.

20. In the Action Matrix, Actions 3 and 4 assume a range of flow objectives. A range of Old and Middle River upstream flows between 0 and 4000 cubic feet per second (cfs) is explicitly described and assumed for analyzing Action 3.

21. Action 4 does not have targeted flow but allows a range similar to Action 3 (from zero to approximately 4000 cfs).

22. Because the Action Matrix describes Actions 3 and 4 flow objectives as a range I assumed a range for water costs as well. The high end of this range assumes that the Old and Middle River objective is 0 cfs for both Actions 3 and 4. For determining the lower costs in the range I assumed that Action 3 is implemented at the 4000 cfs flow objective and Action 4 is not triggered, resulting is no water costs.

23. This range of cost was necessary as part of the analysis because of the uncertainty related to the real-time distribution of delta smelt and the susceptibility of this distribution to the exports as noted in footnotes of the Action Matrix.

ESTIMATED EXPORT REDUCTIONS ASSOCIATED WITH THE USFWS'S REMEDY PROPOSAL

24. Implementation of flow objectives in the Action Matrix will require reductions in export operations by the SWP and CVP. My team of engineers and I estimated ranges of export reductions associated with each Action in the Action Matrix. The ranges are based on 2008 being dry or having average precipitation as defined earlier. In addition, Actions 3 and 4 have sub-ranges due to their adaptive nature.

25. Action 1 - Winter Pulse Flow to Benefit Adult Spawning: CVP and SWP target upstream Old and Middle River flow not to exceed 2,000 cfs for a 10-day period during late December or early January. This action is estimated to reduce combined project exports by 100 thousand acre-feet (taf) in a dry year and 160 taf in an average year.

26. Action 2 - Adult Salvage Minimized: CVP and SWP target upstream Old and Middle River flow not to exceed 4,500 cfs from early January to late February. This action is estimated to reduce combined project exports by 150 taf in a dry year and 500 taf in an average year.

27. Action 3 – Larval and Juvenile Protection: CVP and SWP target upstream Old and Middle River flow between 4,000 cfs to 0 cfs from late February through the end of May. This action is estimated to reduce combined project exports by 60 taf to 500 taf in a dry year and 640 taf to 1.3 million-acre feet (maf) in an average year.

28. Action 4 – Juvenile Protection: If triggered, the CVP and SWP may target upstream Old and Middle River flow of up to 0 cfs in June. This action is estimated to reduce combined project exports up to 130 taf in a dry year and up to 350 taf in an average year.

29. Action 5 - Barrier Operations: There were no additional export reductions associated with this action.

COMBINED SWP/CVP ESTIMATED DELIVERY REDUCTIONS

30. I assumed in my analysis that both the SWP and CVP are equally responsible for meeting the objectives in the Action Matrix. The estimated delivery reductions provided below represent combined CVP/SWP delivery reductions.

31. Export reductions do not result in a one-for-one impact on deliveries because of a multitude of complicating factors including system constraints, runoff patterns, annual delivery patterns, and operational flexibility.

32. The export reductions for each action were entered into an operational spreadsheet model developed by DWR staff that estimates the delivery capabilities of the SWP and CVP. We modeled the remedy period with the implementation of the Action Matrix and without implementation of the Action Matrix. A comparison of model output indicates what annual delivery reduction could occur in 2008 if all proposed actions are implemented.

33. The resulting delivery reductions are expressed as a range for each hydrologic assumption for the same reason that the export reductions were expressed as a range. Actions 3 and 4 of the Action Matrix have an adaptive management process that will vary the flow objective.

34. The conclusion of the analysis is that the sum of all these export reductions in a dry year is expected to decrease combined 2008 deliveries of the SWP and CVP by 6% (183 taf) to 25% (814 taf) from a baseline delivery of 3.2 maf.

35. In an average year, the delivery reductions are expected to be between 14% (820 taf) to 37% (2.17 maf) from a baseline delivery of 5.9 maf.

SWP SHARE OF ESTIMATED DELIVERY REDUCTIONS

36. The analysis showed that the SWP 2008 annual deliveries would be reduced 8% (91 taf) to 27% (305 taf) from a baseline delivery of 1.15 maf in a dry year.

37. In an average year, SWP 2008 annual deliveries would be reduced 8% (252 taf) to 31% (940 taf) from a baseline delivery of 3 maf.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 9th day of July, 2007 at Sacramento, California

JOHN LEAHIGH, Declarant.

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LOS ANGELES
SUPERIOR COURT

California Water Impact Network v. Castaic Lake Water Agency
BS 098724

Statement of Decision on Petition for Writ of Mandate

Petitioners California Water Impact Network ("CWIN") and Planning and Conservation League ("PCL") petition for writ of mandate under California Environmental Quality Act ("CEQA"). The court has read and considered the moving papers, oppositions, and reply, heard oral argument, and renders the following decision.

A. Statement of the Case

Petitioner CWIN commenced its petition for writ of mandate in Ventura County Superior Court on January 24, 2005. The petition alleges that on December 23, 2004, the Castaic Lake Water Agency ("Castaic"), a public water agency and water wholesaler that treats and delivers water to water retailers in Los Angeles and Ventura Counties, approved the permanent transfer of 41,000 acre feet per year from Real Party in Interest Kern County Water Agency ("Kern") and its member unit in Kern County, Wheeler Ridge-Maricopa Water Storage District ("Wheeler Ridge"), to Castaic (the "Kern water transfer," the "Kern transfer," or the "transfer"). Castaic also purported to certify the Environmental Impact Report ("EIR") for the project (the "2004 EIR" or the "EIR"). Petitioner claims the Kern water transfer "threatens to promote large-scale urban sprawl in Ventura and Los Angeles Counties, while diverting water from important environmental and agricultural uses in Kern County forever." Petitioner alleges that the 2004 EIR is premature, and fails to comply with CEQA.

The petition alleges a cause of action for violation of CEQA in that Real Party in Interest California Department of Water Resources ("DWR"), not Castaic, should have been the lead agency for the 2004 EIR, which does not adequately describe the background on which the project is based, fails to disclose a reliance on an invalid Urban Water Management Plan, fails to adequately describe alternatives to the project, including a "no project" alternative, fails to discuss growth inducement, and inaccurately states the availability of water availability.[1]

On January 24, 2005, PCL filed its own petition for writ of mandate against Castaic in Ventura County Superior Court. The PCL petition alleges a violation by Castaic in recording a Notice of Determination on December 23, 2004, certifying the 2004 EIR and rendering its approval of the Kern water transfer. The petition purports to allege five "causes of action" for violation of CEQA in the 2004 EIR based on Castaic stealing DWR's duty to be the lead agency for the EIR, certification of a defective EIR, approval of inadequate findings, erroneous presentation of the project as already complete, and "prejudicial abuse of discretion."

On June 22, 2005, upon motion by Castaic, the Ventura County Superior Court (the Honorable Frederick H. Bysshe, Jr.) ordered the transfer of both petitions, which had been consolidated, to Los Angeles. On March 27, 2006, the case was reassigned to this court.

On June 27, 2006, the court heard the demurrers of Castaic and Real Party in Interest Kern to the consolidated petitions. The court ruled that the petitions were timely filed and were

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[1] On CWIN's oral motion, the petition's second and third causes of action have been dismissed. As a result, CWIN's petition solely concerns Castaic's compliance with CEQA in the 2004 EIR.

not barred under the doctrine of *res judicata*. The court noted that the Kern water transfer agreements are valid. While principles of *collateral estoppel* barred Petitioners from re-raising issues resolved by the Second District with respect to the 1999 EIR, this conclusion did not foreclose the petitions and the demurrers were overruled.

On July 16, 2006, the court denied Castaic's motion for a legal determination under principles of *collateral estoppel* and party admission that Castaic is the proper lead agency for preparation of the EIR for the Kern water transfer. However, Petitioners are bound by their concession that Castaic may act as the lead agency at some point for an EIR on the Kern water transfer.

B. Preliminary Issues

1. Standing and Timeliness

Petitioner PCL alleges that it is a non-profit corporation devoted to environmental protection. PCL Pet. at ¶6-7. Some of PCL's members live in the area affected by the Kern water transfer. PCL Pet. at ¶8. Petitioner CWIN alleges that it is a nonprofit public benefit corporation the purpose of which is to protect California's environment. CWIN contends that it is impacted by the Kern water transfer because its members reside in and use the Santa Clara River watershed, which is impaired by the water transfer. CWIN Pet. at ¶9. Thus, Petitioners contend that they are impacted by the project and have standing to raise the issues herein. Respondents do not contest Petitioners' standing. *See* Waste Management of Alameda County, Inc. v. County of Alameda, (2000) 79 Cal.App.4th 1223, 1233-34.

The actions are timely on CEQA issues, each having been filed on January 24, 2005, within 30 days of Castaic's Notice of Determination that the 2004 EIR had been certified, filed in various counties between December 23 and December 27, 2004. *See* Pub. Res. Code §21167(c).

2. The Administrative Record

Castaic has certified the administrative record. Pub. Res. Code §21167.6; LASC 9.24(e). The record was received in evidence at trial.

Castaic and Kern, and DWR separately ask the court to judicially notice various records. Judicial notice is the acceptance by a court without formal proof of the existence of a matter of law or fact that is relevant to an issue in the case. People v. Rowland, (1992) 4 Cal.4th 238, 268, n.6. Certain documents are subject to judicial notice. Ev. Code §451, 452. Even where subject to judicial notice, however, a document must be relevant. Id.

The California Supreme Court decision in Western States Petroleum Assn. v. Superior Court, ("Western States") (1995) 9 Cal.4th 559, 573, n.4, provides that extrinsic evidence is generally not admissible for a traditional mandamus challenging a quasi-legislative agency action. The exclusion of extrinsic evidence in a traditional mandamus action is essentially the exclusion of irrelevant evidence. Extrinsic evidence is generally not admissible for a traditional mandamus challenging a quasi-legislative agency action. Id. Such evidence may be admissible in a narrowly construed exception in which (1) the evidence in question existed before the agency made the decision, and (2) the evidence could not have been presented to the agency in the first instance in the exercise of reasonable diligence. Id. at 578. The purpose of limiting extra-record evidence is that the free use of such evidence would invade the deference to which the legislative

branch is entitled under the constitutional separation of powers. If the courts freely considered extra-record evidence in mandamus cases, the highly deferential substantial evidence standard would be turned into a *de novo* standard where the courts in effect would decide not whether an administrative decision was supported by the evidence before the agency but instead whether it was the wisest and best decision according to the courts. Id. at 572.

Castaic asks the court to judicially notice: (1) the unpublished appellate decision in Friends of the Santa Clara River v. Castaic Lake Water Agency, 2003 Cal.App. Unpub. LEXIS 11239, dated December 1, 2003 ("Friends II"), and (2) the unpublished appellate decision in California Water Network v. Castaic Lake Water Agency, 2006 Cal.App. Unpub. LEXIS 2452, dated March 23, 2003.[2] The existence of these court decisions is subject to judicial notice. Ev. Code §452(d).[3]

DWR asks the court to judicially notice (1) Amendment No. 19 to the Water Supply Contract between it and Castaic dated May 28, 2003, and (2) Notice of Preparation of EIR for the Monterey Amendment dated January 24, 2003. DWR contends that these documents are official acts of a California agency subject to judicial notice under Ev. Code section 452(c) and (d). The Notice of Preparation is an official act of DWR and is judicially noticed. However, Amendment No. 19 is not. Official acts should be limited to regulations, public announcements, and other actions the existence of which is beyond dispute. A well informed person has no way of knowing whether Amendment No. 19 is authentic and valid. Nor is it a court record under section 452(d). DWR's request for judicial notice of Amendment No. 19 is denied.

C. Statement of Facts

1. SWP

In 1951, the Legislature authorized construction of a state water storage and delivery system. Planning & Conservation League v. Department of Water Resources, (2000) 83 Cal.App.4th 892, 898. The Legislature subsequently authorized the State Water Project ("SWP"), a complex system of 28 reservoirs and dams, 26 power and pumping plants, and 600 miles of canals and aqueducts to deliver 4.23 million acre-feet of water annually to Central and Southern California. The primary source for the SWP is the drainage of the Feather River, a tributary of the Sacramento River in Northern California (hereinafter, the "Delta").

DWR is the state agency charged with the statutory responsibility to build, manage, and operate the SWP. Essentially, DWR is the wholesale provider of water to middlemen agencies. In 1961, DWR entered into individual contracts with various agricultural and urban water suppliers in the State, referred to as State Water Contractors. *See* Water Code §12937. There are 29 agencies or districts that currently are State Water Contractors.

The SWP water contracts entitled the contractors to receive an annual amount of SWP

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[2]Castaic also supplied the court with copies of its decisions on demurrer and motion for legal determination in this case, which need not be judicially noticed.

[3]Real Party Wheeler purports to join in Castaic's request for judicial notice. In its ruling on the demurrers, the court informed Wheeler of the futility of a joinder as merely a cheerleading effort. No further discussion of the purported joinder is necessary.

water in exchange for a proportionate share of financing and maintaining the SWP facilities. Each water contract contains provisions for both allocation of the amount of water available each year and costs among the contractors. Each contract identifies a Table A amount, the annual maximum amount of water which DWR agrees to deliver, if available for delivery, to each SWP contractor on an annual basis. Delivery of the Table A amount is not assured, but rather provides the basis for proportional allocation of available water among contractors. The Table A amount is specified as either agricultural or urban (M&I). Each contract also includes Article 40, which permits water transfers between contractors, and Article 41, which requires DWR approval of any transfer subject to reasonable terms and conditions. AR 2356.

Each contractor annually submits a request to DWR for water delivery in the following year, up to the amount in Table A. In a year when DWR is unable to deliver the total of contractor requests, deliveries to all contractors will be reduced. The current Table A totals are 4.17 million acre-feet per year.[4] In fact, given existing facilities and contractor demands, the SWP can only deliver an average of 2.96 million acre-feet per year.

2. The Monterey Agreement

Historically, the delivery of less than Table A totals was not a significant problem because contractor demand was less than the Table A amounts. However, in the late 1980's and early 1990's, a drought led to SWP deliveries in amounts below that requested by contractors. Articles 18(a) and (b) of the SWP water contracts addressed DWR's temporary and permanent inability to deliver the water allocations listed in Table A of the contracts by requiring agricultural contractors to accept a reduction in water first before any remaining reduction was shared by urban contractors. In 1990, agricultural contractors received only half their requested water and none in 1991. Because contractors pay their proportionate share of fixed costs regardless of how much water is delivered, the agricultural contractors were paying for water they were not receiving and they were displeased. As a result, urban and agricultural water contractors clashed over DWR's delivery obligations and the proper interpretation of Article 18. AR 45-46.

In December 1994, five State Water Contractors and and DWR reached agreement on a broad set of fourteen principles (the "Monterey Agreement"). Among other things, the Monterey Agreement changed the allocation between agricultural and urban contractors of entitlements to SWP water. The Monterey Agreement eliminated Article 18 and specified that all SWP water was to be allocated in proportion to Table A amounts. Paragraph 24 of the Monterey Agreement provides for the permanent transfer of 130,000 acre-feet from certain willing agricultural contractors, including KWCA, to urban contractors, as implemented by individual agreement. AR 2515. It also provides that individual contractors may transfer entitlements among themselves beyond the 130,000 acre feet proposed, with DWR expeditiously executing any necessary documents and approving all such contracts. Other provisions of the Monterey Agreement include a revision of water allocations during shortages, eliminating the "agriculture first" provision, and retirement of 45,000 other acre-feet of entitlement by agricultural contractors.

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[4] An "acre-foot" is the amount of water that would cover one acre one foot deep.

The Monterey Agreement provides that individual SWP contracts could be amended to conform to it. Over the next two years, 27 of the 29 Water Contractors amended their SWP contracts to implement the principles of the Monterey Agreement (collectively, the "Monterey Amendments").

In 1995, a State Water Contractor, Central Coast Water Authority ("Central"), acted as lead agency and certified a program EIR analyzing the environmental impacts of the Monterey Agreement. This program EIR also addressed Paragraph 24 (Article 53 in the Monterey Amendments) water transfers, including the Kern water transfer. In late 1995, PCL filed a lawsuit in Sacramento Superior Court challenging the program EIR, Planning & Conservation League v. Department of Water Resources, ("PCL").

3. The Kern Water Transfer Agreement

Castaic is a State Water Contractor created by the California Legislature. Its mandate is to purchase and deliver sufficient supplies of water to serve the needs of the Santa Clarita Valley. *See* Swanson v. Marin Municipal Water District, (1976) 56 Cal.App.3d 512, 524 (water district has obligation to augment available water to meet increasing demands). Castaic diverts its SWP water from the West Branch of the California Aqueduct. Castaic is one of the Water Contractors entering into the Monterey Amendments (Amendment 17 to Castaic's SWP contract).

Kern County Water Agency ("KCWA") is a special district formed by the Legislature in 1961. Wheeler Ridge is a special district formed in 1959 to provide supplemental water to agricultural lands in Kern County and is located immediately north and east of Castaic. KCWA has contracts with Wheeler Ridge and other member agencies, for KCWA's SWP water.[5]

In March 1999, Castaic entered into an agreement to purchase from Wheeler Ridge, subject to KCWA's consent, 41,000 acre-feet per year of SWP water (the Kern water transfer). The price for the transfer was $47 million in debt instruments purchased by private investors. The purpose of the transfer is to permit Castaic to serve the water demands of existing users, as well as meet a portion of future water demand from anticipated growth within the Castaic service area. AR 16. The Kern water transfer is the largest transfer under Article 53 of the Monterey Amendments, and it counts towards the 130,000 acre-feet limit. In their transfer agreement, both sides warranted that there was no pending or threatened litigation other than PCL that could affect the 41,000 acre feet SWP entitlement. AR 2562-63.[6]

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[5]In 1998, another KCWA member, Belridge Water Storage District, certified an EIR on the environmental effects of transferring 130,000 acre-feet of SWP water to unidentified purchasers. This EIR was not challenged.

[6]Castaic has been planning since 1987 to increase the supply of water to Santa Clarita Valley. At that time, Los Angeles County General Plan forecast substantial population growth in the Santa Clarita Valley. In 1988, Castaic adopted a Capital Program and Water Plan (the "Capital Program") to address the purchases, construction, and improvements necessary to meet the anticipated water demand. The Capital Program called for the purchase of SWP water from districts willing to sell, including Wheeler Ridge, and the storage of water for later use during drought conditions at Semitropic Groundwater Storage District's ("Semitropic") basins. AR

DWR's approval of the Kern water transfer was required under Articles, 15, 41, and 56 of the SWP contracts. On March 31, 1999, DWR approved the transfer by entering into Amendment 18 of Castaic's SWP contract. Amendment 18 adds Article 53(j), which provides that "in accordance with Article 53(a)" of the Monterey Amendments, Castaic's Table A annual entitlements were increased by 41,000 acre-feet. AR 2545-47. DWR and KCWA, which consented to the transfer of its water, also entered into Amendment 28 to KCWA's SWP contract, an amendment which reduced KCWA's entitlement by 41,000 acre-feet. Based on these amendments, DWR has allocated SWP water to Castaic since 1999 based on a total Table A amount of 95,000 acre-feet -- Castaic's original Table A 54,000 acre-feet plus the 41,000 acre-feet from the Kern water transfer.

On March 29, 1999, Castaic, acting as lead agency, certified an EIR for the Kern water transfer. This 1999 EIR tiered off the 1995 Monterey Amendment program EIR, the Belridge EIR, and Castaic's own 1988 EIR for the Capital Program. In April 1999, Castaic's EIR for the Kern water transfer was challenged in Friends of the Santa Clara River v. Cataic Lake Water Agency, BS056954 ("Friends"). On August 16, 2000, the trial court entered judgment, denying the petition in its entirety.

4. **The PCL and Friends Decisions**

In September 2000, the Third Appellate District in PCL found that DWR was the only entity with the "statewide perspective and expertise" to serve as lead agency for the Monterey Agreement program EIR. Because "the allocation of water to one part of the state has potential implications for distribution throughout the system," the court recognized DWR's principal responsibility to "facilitate the water transfers allowed under the Monterey Agreement." 83 Cal.App.4th at 907. The use of Central as lead agency for the Monterey Agreement program EIR was inappropriate. Id. at 907.

This lead agency error was not harmless because the EIR also was defective. Perhaps as a consequence of Central's lack of statewide expertise, the EIR failed to properly discuss a "no project" alternative, including the environmental impact of implementing the pre-Monterey Agreement Article 18(b)'s permanent water shortage provision. Id. at 918. This was particularly important because local land use planners rely on the "paper water" entitlements in Table A

41845.

Pursuant to the Capital Program, Castaic permanently acquired 12,700 acre-feet of SWP Table A water in 1991 from Devil's Den Water District, a SWP contractor immediately north of Castaic. This transfer was subject to DWR approval, which per Article 41 of the SWP contracts could not be unreasonably withheld. DWR approved the transfer, noting that the transferred water remained labeled for "agricultural purposes" for purposes of delivery shortages.

Also pursuant to the Capital Program, in 2002 Castaic entered into a groundwater storage or "banking" agreement with Semitropic. This action was challenged under CEQA on the basis that the Monterey Agreement required DWR to conduct an environmental review. The challenge was rejected by the appellate court, which held that DWR had no jurisdiction over Castaic's management of water; DWR merely schedules SWP water delivery to Castaic. Cal. Water Network v. Castaic Lake Water Agency, (2006) 206 Cal.App. Unpub. LEXIS 2452, 9.

rather than real, deliverable water. The question was what impacts were reasonably foreseeable from eliminating Article 18(b)'s solution to permanent water shortage? Id. at 914-15. The PCL court held that the EIR, which lacked simulation models and projections relating to land use planning and demand for water, did not adequately address this issue. Id. at 919. It directed the Sacramento Superior Court to retain jurisdiction over the action until a new EIR was prepared and certified.

Based on the Third District's PCL decision, on January 10, 2002, the Second Appellate District reversed the judgment in Friends and directed the trial court to issue a writ of mandate compelling Castaic to set aside certification of its EIR. Friends, (2002) 95 Cal.App.4th 1373. The reversal was based solely on the fact that Castaic's EIR had been tiered upon the now inadequate Monterey Agreement program EIR. The Second District rejected all of the other challenges to Castaic's EIR, finding them to be without merit. The appellate court noted that Castaic may be able to cure the defect by waiting for DWR to comply with the Third District's directive in PCL by preparing a new program EIR. Castaic could issue a subsequent EIR, a supplement to EIR, or addendum to EIR, tiering upon the new Monterey Agreement EIR.

The Friends appellate decision concluded as follows: "The judgment is reversed. The trial court shall issue a writ of mandate vacating the certification of the EIR, shall retain jurisdiction until Respondent certifies an EIR complying with CEQA consistent with the views expressed in this opinion, and shall consider such orders it deems appropriate under [Pub! Resources Code] section 21168.9."

On October 25, 2002, after remand from the court of appeal, the Friends trial court issued a Peremptory Writ of Mandate and Judgment on Remand, retaining jurisdiction until Castaic certifies an EIR that complies with CEQA and is consistent with the views expressed by the Second District. The trial court did not direct Castaic to set aside its approval of the Kern water transfer and denied the petitioner's request to enjoin Castaic from using any of the 41,000 acre feet of additional water allotted to it by the Kern water transfer. The trial court did state that the injunction request could be renewed upon a showing that the water was actually used for an improper purpose (irreversible new development).

5. Monterey Plus

On June 6, 2003, the Sacramento Superior Court approved a settlement between the parties in PCL. That settlement, known as "Monterey Plus," provides that the Monterey Agreement can proceed on an interim basis. In exchange, DWR agreed, among other things,[7] to prepare a new program EIR for implementation of the Monterey Agreement. This new EIR would include (1) information on water deliveries during the drought and recent historical period, (2) an analysis of a no project alternative, including the environmental impact of Article 18's water shortage provisions, (3) analysis of environmental impacts from changes in SWP operations and deliveries resulting from implementation of the Monterey Agreement, (4) analysis

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[7]Some of the other provisions include biennial reports on project reliability, land use restrictions on the Kern Water Bank, new guidelines for permanent water transfers, new procedures for public involvement in contract changes, and funding for watershed restoration and new technical studies. AR 45048-49.

PCL also directed DWR to consider a no proj alt. [illegible] and have eliminated this as first alternative

of environmental impacts of seven already completed water transfers from KWCA and member units totaling 70,000 acre-feet (Attachment E), which the parties recognized were "final," and of the Kern water transfer, which the parties acknowledged was being challenged in the pending Friends litigation in Los Angeles Superior Court, and (5) analysis of the environmental impacts from implementation of Monterey Plus. AR 48557-59. With respect to the Kern water transfer, the Monterey Plus parties agreed that "jurisdiction with respect to [Friends] should remain in that court and that nothing in this Settlement Agreement is intended to predispose the remedies or other actions that may occur in that pending litigation." The Monterey Plus did not require DWR to re-approve or disapprove any transfer.

6. The Friends II Decision

The Second District upheld the Friends trial court's decision not to grant injunctive relief for the Kern water transfer on December 1, 2003, in unpublished case no. B164027 ("Friends II"). PCL had filed an *amicus* brief supporting the petitioner in Friends II, pointing out that the Monterey Plus settlement now existed and arguing that the Friends decision required the trial court to rely on the status of PCL litigation, including the new Monterey Agreement program EIR DWR was to prepare, in deciding injunctive relief. The Friends II appellate court stated that PCL was wrong; it merely had suggested, not required, that the trial court could determine and rely on the status of the PCL case in deciding injunctive relief.

7. The 2004 EIR

After Friends, Castaic decided to prepare a revised EIR prior to DWR's preparation of a Monterey Amendment EIR. Castaic was driven by a concern that the Friends petitioner and others would use the decertification of its 1999 EIR to cloud its right to the transferred water, as well as Castaic's duty to its customers to complete the environmental documentation and finalize the Kern water transfer.

In June 2004, Castaic prepared and circulated a draft EIR that tiered only on Castaic's 1988 Capital Program EIR. Castaic concluded that it was the lead agency because it has the principal responsiblility for carrying out and implementing the project. Because the transfer is between neighboring SWP contractors, involving the withdrawal of water from a single branch of the Aqueduct, Castaic concluded that the transfer has no significant impacts on SWP operations or the water diverted from the Delta. *See* AR 13-14.

PCL served comments to the draft EIR on August 16, 2004. These comments criticized the use of Castaic as lead agency, arguing that Castaic's review was "premature" and "likely to operate at cross-purposes with DWR's statewide review." AR 1959. PCL contended that DWR, not Castaic, was required to be the lead agency under the PCL decision. Only DWR's expertise could analyze the changes in the amount of supplies available, the location and timing of deliveries, and changes in the SWP's conveyance and storage facilities for all of the proposed transfers, including the Kern water transfer. AR 1962. CWIN also timely expressed concern about Castaic's lack of authority to act as lead agency, and the potential for conflict with DWR's role. AR 578-580.

DWR, acting as a responsible agency under CEQA, commented on the draft EIR. It stated that the "document adequately and thoroughly discusses the proposed project and its

How did DWR legitimately act as resp. agency [illegible]

impacts. The [draft]EIR discusses the effects of the project on the environment and State Water Project (SW) and uses baseline conditions consistent with those being considered for inclusion in [DWR's EIR]. The draft also "adequately discusses the reliability of the SWP, pre- and post-Monterey Amendment conditions, future conditions, and SWP operations." DWR acknowledged that Castaic's EIR uses a model, DWRSIM, to assess the potential impact associated with the Kern transfer and that DWR's EIR will use a newer model, CALSIM II. DWR indicated that the use of a different computer model may cause slight changes in results, which may lead DWR to different conclusions than those made by Castaic in its EIR. Despite this fact, DWR concluded that the draft EIR adequately discusses the reliability of SWP, pre- and post- Monterey Amendments conditions, future conditions, and SWP operations. AR 564-65.

Castaic rejected Petitioners' concerns, and relied on DWR's comments to refute objections that its draft EIR will be inconsistent with the yet to be prepared DWR program EIR. AR 961-4. Castaic adopted findings, a mitigation monitoring program and statement of overriding considerations and certified a final EIR (the 2004 EIR).[8] The 2004 EIR describes Castaic's water program for the future needs of Santa Clarita Valley, the procedural history of the project (including the 1999 EIR), and the fact that the Kern water transfer has been implemented and ongoing since 1999. It uses two separate baselines for the project setting and evaluates environmental impacts of the Kern water transfer on the SWP, Castaic, and Wheeler Ridge. In discussing these impacts, the 2004 EIR considers three SWP scenarios: (a) with the Monterey Agreement, (b) without the Monterey Agreement, and (c) without the Monterey Agreement and with Article 18(b) permanent shortages. The EIR uses the DWRSIM model and concludes no significant direct environmental impacts will occur as a result of the project. There would, however, be indirect growth impacts as a result of water provided by the project.

8. The Petitioners Take Over from the Friends Petitioner

On January 24, 2005, CWIN and PCL filed separate petitions for writ of mandate in Ventura County concerning Castaic's compliance with CEQA in the 2004 EIR, and other issues.

On February 1, 2005, the Friends petitioner dismissed the action with prejudice. On February 7, 2005, the trial court in Friends held a hearing on Castaic's *ex parte* application to vacate the dismissal with prejudice and to discharge the writ of mandate. Castaic argued that, by dismissing, the petitioner was attempting to get the clerk, through ministerial act, to divest the court of its continuing jurisdiction over the 2004 EIR prepared in response to the court's peremptory writ of mandate. Instead, the Friends petitioner was passing the baton to CWIN and PCL for a challenge to the 2004 EIR. The trial court declined to set aside the dismissal, stating that whether the Ventura proceedings were a continuation of the Friends lawsuit was an issue of fact for the Ventura (now this) court.

On March 5, 2005, Castaic petitioned the Second Appellate District for a writ of mandate with respect to the trial court's refusal to vacate the dismissal, arguing that the trial court violated Pub. Resources Code section 21168.9 (stating that the trial court shall maintain jurisdiction over the agency's proceedings until the court has determined that the agency has complied with

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[8]On December 30, 2004, Castaic filed its return to the peremptory writ of mandate in Friends.

CEQA) because it had not yet determined that the 2004 EIR complied with CEQA Yet, under CEQA, a trial court that orders preparation of a new EIR must retain jurisdiction for a final determination of the EIR's validity.

On April 14, 2005, the Second Appellate District denied Castaic's petition for "failure to demonstrate that the 'retain jurisdiction' provision of Public Resources Code section 21168.9, subdivision (b), abrogates the entitlement to voluntary dismissal conferred by Code of Civil Procedure section 581, subdivision (b)(1)."[9]

D. CEQA

1. Standard of Review

A party may seek to set aside an agency decision for failure to comply with CEQA by petitioning for either a writ of administrative mandamus (CCP §1094.5) or of traditional mandamus. CCP §1085. A petition for administrative mandamus is appropriate when the party seeks review of a "determination, finding, or decision of a public agency, made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken and discretion in the determination of facts is vested in a public agency, on the grounds of noncompliance with [CEQA]." Pub. Res. Code §21168. This is generally referred to as an "adjudicatory" or "quasi-judicial" decision. Western States Petroleum Assn. v. SuperiorCourt, ("Western States") (1995) 9 Cal.4th 559, 566-67. A petition for traditional mandamus is appropriate in all other actions "to attack, review, set aside, void or annul a determination, finding, or decision of a public agency on the grounds of noncompliance with [CEQA]." Where an agency is exercising a quasi-legislative function, such as by adopting a rule or entering into a contract, it is properly viewed as a petition for traditional mandamus. Id. at 567; Pub. Res. Code §21168.5.

At issue here is a CEQA challenge to a quasi-legislative action recorded by Castaic in a December 23, 2004 Notice of Determination approving the project, certifying the 2004 EIR, and adopting findings, a mitigation monitoring program, and a statement of overriding considerations. This procedural setting, where no administrative hearing was held or required, is governed by traditional mandamus. In determining whether to grant a petition for traditional mandamus in a CEQA case, the court may consider only whether there was a prejudicial abuse of discretion. Public entities abuse their discretion under CEQA if the agency has not proceeded in a manner required by law or if its determination or decision is not supported by substantial evidence. Western States, 9 Cal.4th at 568; Pub. Res. Code §21168.5.[10]

This requires "scrutiny of the alleged defect" depending on whether the claim is predominately "improper procedure or dispute over the facts." Vineyard Area Citizens for

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[9]The Second District later dismissed Castaic's appeal from the Friends dismissal, finding that the voluntary dismissal was not appealable. *See* H.D. Arnaiz, Ltd. v. County of San Joaquin, (2002) 96 Cal.App.4th 1357, 1364-67.

[10]The standard of review for traditional mandamus in a non-CEQA case is governed by an "arbitrary and capricious" standard, not a "prejudicial abuse of discretion" standard. The CEQA standard is the more stringent inquiry. Western States, 9 Cal.4th at 574.

Responsible Growth v. City of Rancho Cordova, ("Vineyard") (2007) 40 Cal.4th 412, 435. Whether Castaic is the proper lead agency is an procedural issue of law for the court. PCL, 83 Cal.App.4th at 905-06. Similarly, as Petitioners argue (Pet. Supp. Resp. Br. at 5), whether Castaic's 2004 EIR failed to provide certain required information and, as a result, presents uncertainties about the finality of the Kern water transfer is failing "to proceed in a manner required by CEQA" and an issue of law. Vineyard, 40 Cal.4th at 435. These issues require "a critical consideration, in a factual context, of legal principles and their underlying values." Harustak v. Wilkins, (2000) 84 Cal.App.4th 208, 212.

On the other hand, whether Castaic abused its discretion in the 2004 EIR's findings must be answered with reference to the evidence in the administrative record. This standard requires deference to the agency's factual and environmental conclusions based on conflicting evidence, but not to issues of law. Laurel Heights Improvement Assn. v. Regents of University of California, ("Laurel Heights") (1988) 47 Cal.3d 376, 393, 409. Argument, speculation, and unsubstantiated opinion or narrative will not suffice.[11] Guidelines, 15384(a), (b). The findings must be supported by "substantial evidence," defined as "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. CEQA Guidelines §15384(a). The question whether substantial evidence exists is a question of law. *See* California School Employees Association v. DMV, (1988) 203 Cal.App.3d 634, 644.

2. CEQA

The purpose of CEQA (Pub. Res. Code §21000 *et seq.*) is to maintain a quality environment for the people of California both now and in the future. Pub. Res. Code §21000(a). "[T]he overriding purpose of CEQA is to ensure that agencies regulating activities that may affect the quality of the environment give primary consideration to preventing environmental damage." Save Our Peninsula Committee v. Montery County Board of Supervisors, (2001) 87 Cal.App.4th 99, 117. CEQA must be interpreted "so as to afford the fullest, broadest protection to the environment within reasonable scope of the statutory language." Friends of Mammoth v. Board of Supervisors, (1972) 8 Cal.3d 247, 259. Public agencies must regulate both public and private projects so that "major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian." Pub. Res. Code §21000(g).

The Legislature chose to accomplish its environmental goals through public environmental review processes designed to assist agencies in identifying and disclosing both environmental effects and feasible alternatives and mitigations. Pub. Res. Code §21002.

Under CEQA, a "project" is defined as any activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment (1) undertaken directly by any public agency, (2) supported through contracts, grants, subsidies, loans or other public assistance, or (3) involving the issuance of a lease, permit,

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[11] As an aid to carrying out the statute, the State Resources Agency has issued regulations called "Guidelines for the California Environmental Quality Act ("Guidelines"), contained in Code of Regulations, Title 14, Division 6, Chapter 3, beginning at section 15000.

license, certificate, or other entitlement for use by a public agency. Pub. Res. Code §21065. The word "may" in this context means a reasonable possibility. Citizen Action to Serve All Students v. Thornley, (1990) 222 Cal.App.3d 748, 753. "Environment" means the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance. Guidelines, §21060.5.

The "project" is the whole of the action, not simply its constituent parts, which has the potential for resulting in either direct or reasonably foreseeable indirect physical change in the environment. Guidelines §15378. An indirect physical change must be considered if that change is a reasonably foreseeable impact which may be caused by the project. On the other hand, a change that is "speculative or unlikely to occur is not reasonably foreseeable." Guidelines §15064(d)(3). The term "project" may include several discretionary approvals by government agencies; it does not mean each separate government approval. Guidelines §15378(c).

The EIR is the "heart" of CEQA, providing agencies with in-depth review of projects with potentially significant environmental effects. Laurel Heights, 6 Cal.4th at 1123. An EIR describes the project and its environmental setting, identifies the potential environmental impacts of the project, and identifies and analyzes mitigation measures and alternatives that may reduce significant environmental impacts. Id. Using the EIR's objective analysis, agencies "shall mitigate or avoid the significant effects on the environment... whenever it is feasible to do so. Pub. Res. Code §21002.1. The EIR serves to "demonstrate to an apprehensive citizenry that the agency has in fact analyzed and considered the ecological implications of its actions." No Oil, Inc. v. City of Los Angeles, (1974) 13 Cal.3d 68, 86. It is not required to be perfect, merely that it be a good faith effort at full disclosure. Kings County Farm Bureau v. City of hanford, (1990) 221 Cal.App.3d 692, 711-12. A reviewing court passes only on its sufficiency as an informational document and not the correctness of its environmental conclusions. Laurel Heights, 47 Cal.3d at 392. An EIR will be upheld if it suffices as an informational document; mandate will issue only if it fails to include relevant information which precludes informed decision-making and informed public participation.

"Choosing the precise time for CEQA compliance involves a balancing of factors. EIRs... should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design and yet late enough to provide meaningful information for environmental assessment." Guidelines, §15004(b). As a general rule, public agencies shall not undertake actions concerning a proposed project that would have a significant adverse effect or limit the choice of alternatives or mitigation measures before completion of CEQA compliance. Guidelines, §15004(b)(2). "[I]n order to achieve the salutary objectives of CEQA the determination of the earliest feasible time to [prepare the CEQA document] is to be made initially by the agency itself, which decision must be respected in the absence of manifest abuse." Mount Sutro Defense Committee v. Regents of University of California, (1978) 77 Cal.App.3d 20, 36, 40.

E. Analysis

CWIN and PCL argue that DWR is required to be the lead agency for the Monterey Amendments project EIR, which will examine all water transfers on a program level. The Kern

water transfer is part of the Monterey Amendments project. Therefore, DWR is the correct lead agency to conduct the environmental review of the Kern water transfer. According to Petitioners, while Castaic may not serve as the lead agency for "first-level" environmental review of the water transfer, it may serve as lead agency for a project level EIR for the Kern water transfer.

1. Validity of the Transfer

At the outset, the court must make clear an issue greatly discussed at hearing. Petitioners contend, and Castaic and Wheeler Ridge strongly dispute, that DWR may "invalidate" the Kern water transfer when it performs the program EIR.

Under contract and validation law, the Kern water transfer contract, entered into in 1999, is valid, has been approved by DWR, and Castaic has paid Wheeler Ridge for it. Neither the parties nor DWR can terminate the Kern transfer contract. Nothing in CEQA permits a public agency to void a contract.

In Kenneth Mebane Rranches v. Superior Court, (1992) 10 Cal.App.4th 276, a flood control district sought to condemn land outside its territory in order to mitigate the environmental impact of a project within its boundaries. The appellate court held that CEQA only requires mitigation of environmental impacts where it is feasible to do so. Where mitigation is infeasible, an agency can always approve a project notwithstanding environmental impacts if it issues a statement of overriding interests. But it cannot take actions that are not legal, and hence infeasible. 10 Cal.App. at 291-92.

Thus, in evaluating the environmental effects of the Monterey Agreement, DWR may impose mitigations that are legal. But it cannot invalidate the Kern transfer. The imposition of illegal mitigations would be infeasible. *See also* Pub. Res. Code §21004 (in mitigating significant environmental impact, agency may only employ powers provided by law).[12]

This does not mean that DWR's Monterey Amendments EIR cannot affect the Kern water transfer. DWR's EIR will consider the environmental impacts of the Kern water transfer in conjunction with the Attachment E transfers which the parties in Monterey Plus agreed were completed and final. DWR conceivably could conclude that these transfers have significant environmental impacts. As a consequence, DWR might have to impose feasible mitigation measures, adopt alternatives, or make a finding of infeasibility and adopt a statement of overriding considerations.[13] If mitigations/alternatives are adopted, they could significantly impact Castaic and Wheeler Ridge. As DWR states, "the contract amendments that effectuated the transfers under the Monterey Amendment[s] do not preclude DWR in its choice of

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[12]The parties disagree on whether the Monterey Amendments are valid and final. That is, they disagree on whether the amendments can be challenged in a reverse validation action separate and apart from CEQA. Resolution of this issue is unnecessary to the court's decision.

[13]At hearing, Petitioners' counsel stated that the parties to Monterey Agreement entered into a joint statement of the possible impacts from the Amendments, citing AR 48628-29. The joint statement at those pages of the record does not discuss possible mitigations; it merely summarizes the terms of Monterey Plus.

alternatives in the Monterey Amendment[s] EIR or mitigation measures that may need to be imposed to reduce significant impacts to less than significant." DWR Br. at 20. DWR gives an example of reducing the amount of SWP water to protect water quality standards for fish in the Delta. Id. at 20. These mitigations could undermine the Kern water transfer.[14] But DWR will not be considering whether the Kern water transfer is valid; it simply does not have the authority to void that transfer. *See* Kenneth Mebane Ranches v. Superior Court, (1994) 10 Cal.App.4th 276, 292.

2. Lead Agency Law

The lead agency under CEQA is the agency that carries out a project or has primary authority for approving a project. Pub. Res. Code 121067; Guidelines §15051; *see* PCL, 83 Cal.App.4th at 904 (DWR, not Central (a State Water Contractor), had principal responsibility for carrying out the Monterey Agreement and should have been lead agency for program EIR). The role and responsibility of the lead agency is "fundamental to the CEQA process as a whole." Guidelines §15050. The identification of the proper lead agency plays a "crucial role" in the division of responsibilities among public agencies reviewing a project. PCL, 83 Cal.App.4th at 903. When determining the appropriate lead agency, the courts look to determine which agency has principal responsibility for the core project activity. Friends of Cuyamaca Valley v. Lake Cuyamaca, (1994) 28 Cal.App.4th 419, 427. The lead agency responsibility is placed upon the agency with power to approve or disapprove the project. Lexington Hills v. State of California, (1988) 200 Cal.App.3d 415, 433. Though one agency has substantial responsibility for a project, it cannot act as lead agency if another agency bears final responsibility. *See* Fullerton Joint Union High School District v. Board of Education, (1982) 32 Cal.3d 779, 795, n.15 (State Board of Education, not county, had final responsibility for school district plan). Where the project is local, such as land use decisions, the agency that has general governmental power over a project is almost always the lead agency. Where two or more agencies are involved in a project, the agency that will carry out the project shall be the lead agency. Guidelines §15051(a).

3. The Impact of the PCL Decision

Petitioners contend that the PCL decision left no doubt that DWR is the appropriate lead agency for a program-level environmental review of the water transfers in the Monterey Agreement, contrasting DWR's statewide expertise with CCWA's "provincial experience." The Monterey Amendments restructure water distribution throughout the state, and the "allocation of water to one part of the state has potential implications for distribution throughout the system." Only DWR has principal responsibility for implementation of the Monterey Amendments. Op. Br. at 11-12; *see* PCL, 83 Cal.App.4th at 904, 908. Since the Kern water transfer is part of the Monterey Amendments, DWR must perform any EIR concerning the Kern water transfer.

Petitioners' argument is a *non-sequitur*. Nothing in PCL requires DWR to perform the environmental review for the Kern water transfer. Certainly, the PCL decision requires that DWR prepare the program EIR for the Monterey Amendments, now Monterey Plus. The

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[14]The close cooperation between DWR and Castaic on the 2004 EIR reduces, but does not eliminate, the prospect that DWR will impose alternatives or mitigations.

appellate court's reason for committing this task to DWR is that CEQA requires the lead agency to be the agency with principal responsibility for the project, the project is the environmental review of the Monterey Agreement, and DWR, not CCWA, has principal responsibility for implementing the Monterey Agreement. The decision pointed out that DWR manages the SWP, and has the statewide expertise and perspective to conduct the environmental review of the Monterey Agreement, which statewide project. While CCWA may have had a substantial stake in seeing the Monterey Agreement implemented, it did not have principal responsibility for it. DWR did, and DWR is required to perform the EIR for the Monterey Agreement. 83 Cal.App.4th at 906.

However, the PCL decision does not commit DWR to conduct the EIR for the Kern water transfer, or for any site specific project conducted pursuant to the Monterey Amendments. The PCL decision plainly requires DWR to prepare the program EIR for the Monterey Amendments, and its permanent transfer of 130,000 acre feet of SWP water. But it does not even mention the Kern water transfer, which is a local water transfer of Wheeler Ridge water to a point 60 miles further south in Santa Clarita Valley. The local nature of the project makes Castaic the logical choice to act as lead agency of this transfer, and nothing in PCL requires Castaic to wait for DWR's program EIR. The Kern water transfer is simply a different project from the Monterey Amendments.

Petitioners' concession that at some point Castaic can and should act as the lead agency for the Kern water transfer EIR undermines their argument that PCL committed this task to DWR. The concession shows that Petitioners really are concerned about the timing of this project specific EIR, and not whether it was committed to DWR in the PCL decision. Petitioners contend that Castaic must wait for DWR's Monterey Amendments program EIR and tier off of it for the Kern water transfer EIR. This argument is, as Castaic describes it, that Castaic "jumped the gun" by preparing the 2004 EIR. But the argument implicitly concedes that PCL did not commit the transfer EIR to DWR.

4. The Agency with Principal Responsibility

Even if PCL did not commit environmental review of the Kern water transfer to DWR, Petitioners argue that the Kern water transfer is an integral part of the Monterey Amendments project. This is shown by Monterey Plus, which excludes the Kern water transfer from the list of transfers designated as "final" and recognizes DWR's responsibility to assess its environmental impacts as part of the programmatic review. The Kern water transfer contract itself expressly relies on the Monterey Amendments, using its provisions as authority to accomplish the Kern water transfer. Even Wheeler Ridge's amendment to its SWP contract identifies the outcome of PCL as a factor that could impact the Kern water transfer's effectiveness. All of these facts, Petitioners argue, mean that the transfer is part of the Monterey Amendments environmental review.

Petitioners further argue that the nature of a program EIR supports their position. This purpose "is to document a series of actions so related they can be characterized as one project." Friends, 95 Cal.App.4th at 1377. The Monterey Amendments, including its transfer provisions, qualify as a "series of actions so related that they can be characterized as one project." An integrated review of the entire program may provide occasion for a more exhaustive

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consideration of effects and alternatives than would be practical in an EIR on an individual action, ensure consideration of cumulative actions that might be slighted on a case-by-case analysis, avoid duplicative reconsideration of basic policy considerations, and allow the lead agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basis problems or cumulative impacts. Id. at 1377. These factors are all borne out by the 2004 EIR, which presents a series of issues (the amount of supplies available to several water agencies, the location and timing of SWP deliveries, and use of SWP conveyance and storage facilities) on which DWR has superior expertise and greater accountability than Castaic. DWR may not delegate to Castaic its responsibility to prepare the environmental review for the Kern water transfer.

Under lead agency law, Castaic may act as lead agency and prepare an EIR for the Kern water transfer. The Kern water transfer is a project separate in time from the Monterey Amendments, now Monterey Plus. The core of the project is a local transfer of water between Castaic and Wheeler Ridge. Castiac alone had the responsibility to determine the water needs of its service area and to obtain the necessary water for those needs. Castaic negotiated and entered into the transfer contract with Wheeler Ridge. Castaic performed the contract by obtaining private investors who paid $47 million to Wheeler Ridge's water, and by taking delivery from DWR. The transfer is valid and cannot be challenged. Thus, Castaic has the general governmental power over the transfer, and is presumptively the lead agency for its own project. Bakman v. Dept. of Transportation, (1979) 99 Cal.App.3d 665, 678-79. Indeed, the environmental review of water transfers is generally performed by a local, not state, agency. County of Amador v. El Dorado County Water Agency, (1999) 76 Cal.App.4th 931 (local agency's analysis of water transfer project); Save Our Carmel River v. Monterey Peninsula Water Management District, (2006) 141 Cal.App.4th 677, 701 (city was lead agency as recipient of water transfer); Friends of the Eel River v. Sonoma County Water Agency, (2003) 108 Cal.Appp.4th 859 (local agency's EIR for plan to increase diversions of water from river); Sierra Club v. West Side Irrigation District, (2005) 128 Cal.App.4th 690 (local agency's environmental review of two projects to transfer water rights).[15]

It is true that DWR has an overall interest in promoting effective water management on a statewide basis. Pursuant to this interest, DWR had the right to approve the Kern water transfer, and it did so. This does not equate to principal responsibility, however. DWR is required by statute to "facilitate" the voluntary transfer of water between local agencies. Water Code §109.

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[15]The Friends court implicitly decided that Castaic may act as lead agency for the Kern water transfer. The Friends court acknowledged that it was required to address all deficiencies in the EIR unless it made a finding of improper lead agency. Pub. Res. Code §21005(c). If Castaic was the improper lead agency for the 1999 EIR, the appellate court was obligated to say so. The Friends court concluded that the 1999 EIR's only deficiency was that it tiered from the defective Monterey Agreement program EIR. Thus, the decision necessarily implied that Castaic was the proper lead agency for the 1999 EIR.

Of course, this case concerns the 2004 EIR, not the 1999 EIR, and the court previously held that Petitioners were not bound by the Friends court's implied determination. But the project is the same, and the implicit appellate determination is entitled to weight.

Per the SWP contracts, DWR's approval of the Kern water transfer could not be unreasonably withheld. Thus, DWR's involvement in the transfer is to facilitate the transfer by approving it and providing the SWP schedule delivery. Moreover, the SWP is intended as a supplement, not the exclusive supply, of water. Water supply decisions must be made by local Water Contractors, who obtain water both from SWP and other sources.[16]

Given that the decision to enter into the Kern water transfer belonged solely to Castaic and Wheeler-Ridge, and that DWR's approval is necessary merely to facilitate the transfer, Casataic had principal responsibility for the transfer.[17]

5. Project Definition

Petitioners contend for the first time in their Supplemental Vineyard Reply and at oral argument that the correct project definition is not the Kern water transfer, but is really the Monterey Amendments, citing the court's earlier ruling on Castaic's motion for legal determination that the key issue is whether the Amendments are a "series of actions (including the Kern water transfer) so related that they should be characterized as a single project." Pet. Supp. Reply at 5.

The correct definition of the project -- whether it is the Monterey Amendments or the Kern water transfer -- is a different issue than whether Castaic can act as lead agency for the project. Although the court did allude to project definition in ruling on the earlier motion, Petitioners never raised this issue in their opening brief or reply. Instead, they raise it for the first time in a reply brief on the application of Vineyard to this case. On appeal, an issue raised without analysis or authority lacks foundation and need not be addressed. City of Arcadia v. State Water Resources Control Board, ("Arcadia") (2006) 135 Cal.App.4th 1392, 1429, 1431. Similarly, an issue raised for the first time in supplemental reply deprives the opposing party of an opportunity to analyzing the issue and defend their position. Petitioners have waived the correct project definition as an issue by not raising it earlier.

Assuming *arguendo* that the issue has not been waived, a project under CEQA includes an activity directly undertaken by a public agency which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Pub. Res. Code §21065(a). The "project" must be broadly defined, so as to ensure against avoiding environmental review by "chopping a larger project into little ones" or "piecemealing." Bozung v. Local Agency Formation Commission, (1975) 13 Cal.3d 263, 283-84. The project includes "the whole of an action" that has a potential for resulting in a direct or indirect physical change in the environment. Guidelines §15378. An accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a

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[16]As Wheeler Ridge points out, DWR was not the lead agency for the 1991 Devils Den transfer or any of the Attachment E transfers listed in the Monterey Agreement.

[17]Given that DWR's approval may not be unreasonably withheld, cases holding that a state agency should prepare the EIR where it has final authority to approve a project are simply inapposite. *See* Fullerton v. State Board of Education, (1982) 32 Cal.3d 779, 795, n.15 (State Board of Education had final authority to submit plan to voters for new unified school district).

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proposed activity. Mcqueen v. Board of Directors, (1988) 202 cal.App.3d 1136, 1143. The agency must avoid "piecemealing" or splitting a project into two or more segments. Otherwise, the cumulative environmental impacts of each piece may not be fairly analyzed. Burbank-Glendale-Pasadena Airport Authority v Hensler, (1991) 233 Cal.App.3d 577, 592. On the other hand, CEQA was not intended to and cannot reasonably be construed to make a project of every activity of a public agency, regardless of the nature and objective of such activity...." Simi Valley Recreation & Park District v. Local Agency Formation Commission, (1975) 51 Cal.App.3d 648, 663.

In San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus, (1994) 27 Cal.App.4th 713, 731-32, the court held that the project description in an EIR was improperly restricted to a 633 single family residential units, a 40,500 square foot commercial center, and a 14 acre park, failing to include sewer expansion which the EIR acknowledged would be required as part of the development. Although a separate EIR was prepared for the sewer expansion, neither it nor the development project EIR referred to the growth-inducing effects of the two projects considered together. This failure to address cumulative impacts was a separate failure of the development EIR. 27 Cal.App.4h at 733. "[t]he danger of filing separate environmental documents for the same project is that considration of the cumulative impact on the environment of the two halves of the project may not occur. This danger was here realized." Id. at 734 (citation omitted). Because the EIR did not "adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project" informed decision-making was precluded, the EIR was inadequate. Id.

The lesson from San Joaquin and other project definition cases is that the project should be defined broadly to ensure a complete analysis of impacts resulting from future expansion or continuation of other phases of the project.

In this case, DWR is the lead agency for the Monterey Amendments program EIR. DWR's description of its project is to improve the management of SWP supplies and operations through the Monterey Amendments. Thus, the Monterey Amendments EIR is broad in scope. The EIR will look at changing the allocation of all SWP water supplies (including deletion of agriculture first shortage provisions), retiring 45,000 acre feet of agricultural water, and establishing more efficient use of SWP facilities. As part of the analysis, it will analyze the potential impacts from permanently transferring 130,000 acre feet of water from agricultural to urban contractors per the Monterey Agreement. This analysis will look at the individual transfers, including the Kern water transfer, as they fit the entire Monterey Amendments. But DWR does not intend to consider each transfer individually; it intends to evaluate the impact of all the Attachment E transfers and the Kern water transfer as a whole. DWR Br. at 17.

Castaic's 2004 EIR project description concerns the impacts of the Kern water transfer alone. Castaic's EIR does look at cumulative impacts of the project with other projects, including the Monterey Amendments, but does not purport to assess the environmental impacts of the Monterey Amendments independent of the Kern water transfer. AR 141-42.

Castaic relies on the independent utility test to argue that the Kern water transfer is a separate project the environmental impact of which may be separately analyzed from the Monterey Amendments. The "independent utility" test has been developed in NEPA cases to determine whether multiple actions are connected so as to require an agency to consider them in

a single environmental review. Wetlands Action Network v. United Sates Army Corps. Engineers, (9th Cir. 2000) 222 F.3d 1105, 1118.[18] Pursuant to the independent utility test, where each of two projects would have taken place with or without the other, each has "independent utility" and the two are not considered so connected that an agency must consider them in a single environmental review. Native Ecosystems Council v. Dombeck, (9th Cir. 2002) 304 F.3d 886, 894. *See also* DelMar Terrace Conservancy, Inc. v. City Council of the City of San Diego, (1992) 10 Cal.App.4th 712 (freeway segment was separate project serving a viable purpose even if long-term, multi-segment plan to expand freeway never occurred, and had independent utility under CEQA).

Castaic argues that it has contemplated the Kern water transfer since 1988, when it included a transfer with Kern in its 1988 Capital Program for the Santa Clarita Valley's future water needs. For economic reasons, Wheeler Ridge, too, sought to transfer its SWP water rights since approximately 1985. Castaic concludes that the Kern water transfer would have occurred with or without the Monterey Amendments. Articles 40 and 41 of the SWP contract permitted transfers between Water Contractors, subject to DWR approval. Article 53, added to the SWP contracts by the Monterey Amendments and concerning the transfer of 130,000 acre-feet, did not "enlarge, restrict, or otherwise impact" Castaic's right to acquire water from Wheeler Ridge under Articles 40 and 41. Instead, it was merely a blanket approval of certain contemplated transfers. Castaic Op. Br. at 21. The Kern water transfer was completed, paid for, and operating since 1999. Nothing about it is tied to the outcome of the Monterey Amendments. Thus, while the transfer is part of a larger scheme (the Monterey Amendments), it is a long-planned site specific project with independent utility from the Monterey Amendments.

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The court cannot conclude that the Kern water transfer would have taken place without the Monterey Amendments. True, Castaic has wanted Wheeler Ridge's SWP allocation of water since the late 1980's, and Wheeler Ridge was willing to provide it. Yet, it did not happen until after the Monterey Amendments. The contract between Castaic and Wheeler Ridge states that the transfer was taking place "in accordance with" Article 53 of the Monterey Amendments, and those Amendments change the way SWP water is allocated in California. It does not say that the transfer is being made under Article 41. Petitioners contend, and the court agrees, that only through conjecture can one conclude that Castaic and Wheeler Ridge would have entered into the transfer without the Monterey Amendments, and with Article 18's agriculture first provisions in place.[19]

Though the court cannot conclude that the Kern water transfer would have occurred without the Monterey Amendments, it can conclude that the transfer will remain in effect even if the Monterey Amendments are not approved or otherwise are mitigated under CEQA. The court

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[18]Since CEQA was modeled on the federal NEPA statute, federal decisions on NEPA are persuasive authority on CEQA issues. No Oil, Inc. v. Los Angeles, (1974) 13 Cal.3d 68, 86.

[19]When Petitioners commented on the draft EIR that any pre-Monterey Amendments transfer would be subject to Article 18's agriculture first provisions, Castaic did not say that the Kern transfer would have occurred without the Monterey Amendments. It merely responded that the transfer "could occur" either pre- or post- Monterey Amendments. AR 993.

already has indicated that the Kern water transfer is final. The parties to the transfer stated at hearing that they have no intention of rescinding it even if the Monterey Amendments are mitigated and Article 18's agriculture first provisions are in effect. This position is supported by the fact that the 2004 EIR evaluates the water supply impacts of just such a pre-Monterey Amendment Article 18 scenario. AR 186. As such, it is compelling evidence that the transfer will stand.[20]

Plainly, then, the Kern water transfer is final and will remain in place whatever happens to the Monterey Amendments. As such, the transfer has "independent utility" for purposes of environmental review. It is not so connected to the larger Monterey Amendments that the two must must be considered in a single environmental review. *See* Native Ecosystems Council v. Dombeck, 304 F.3d at 894.

6. EIR Timing

Petitioners' real argument seems to be that, whenever a program EIR is anticipated, the agency preparing an EIR for a specific project must wait for the program EIR.

This is not the law. Nothing in CEQA requires Castaic to wait for DWR's program EIR. Indeed, as a general proposition, the environmental review process should be undertaken early enough in the planning process to impact planning decisions, with the timing committed to the agency's discretion. City of Vernon v. Board of Harbor, (1988) 63 Cal.App.4th 677, 690-91. The Kern water transfer occurred almost eight years ago. It has been paid for and operating for a number of years. Castaic tried to conduct a timely environmental review, but that EIR was set aside in Friends. It is not an abuse of discretion for Castaic to want to complete the environmental review and obtain finality for the transfer without waiting for DWR's program EIR of the Monterey Amendments, now Monterey Plus.

Nor does this decision frustrate the law concerning program EIRs and tiering. The purpose of a program EIR is to document a series of actions so related that they can be characterized as one project. Friends, 95 Cal.App.4th at 1377. If the program EIR is sufficiently comprehensive, the lead agency may dispense with further environmental review for later activities within the program that are adequately covered in the program EIR. Guidelines §15618(c). Thus, the program EIR may be used to focus or simplify later environmental review, or as the basis of a tiered EIR. "Tiering" means the coverage of general matters and environmental effects in an EIR prepared for a policy, plan, program or ordinance, followed by narrower or site-specific EIRs which incorporate by reference the discussion in the prior report. *See* Pub. Resources Code §§ 21068.5, 21093 and Guideline §§ 15152, 15385. Tiering is favored "whenever feasible, as determined by the lead agency." Pub. Resources Code §21093(b). It is required where a prior EIR has been prepared and certified for a program, plan, or ordinance. Pub. Resources Code §21094(a). However, tiering is only required "where a prior environmental report has been prepared and certified for a program." Friends, 95 Cal.App.4th at 1383. It is not required, and in fact is prohibited, where the program EIR has yet to be prepared. Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova, ("Vineyard") (2007) 40 Cal.4th 412

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[20]Petitioners think so too, for their principal argument is premised on the 2004 EIR's assumption that the transfer is final for all purposes.

EIR cannot tier off of *future* environmental document).

7. Vineyard

In Vineyard, the Supreme Court addressed a county prepared EIR for a large land use development project known as "Sunrise Douglas." The principal issue was the availability of long-term water supply for the project, and the environmental impacts and mitigation for such supply. The Supreme Court analyzed the various water supply cases and distilled several principles. First, the EIR for a land use project must present sufficient facts to evaluate the pros and cons of supplying the amount of water the project will need, and not simply ignore or assume a water supply solution will be found for a development project. Second, an adequate EIR for a large project must show water supply for the entire project. It is not enough to show available water for early stages. While the agency may tier and defer analysis of certain details of later phases of long-term or complex projects, deferring analysis through tiering is appropriate when the impacts or mitigation measures are not determined by the first-tier approval and are specific to later phases. Third, the future water supplies identified and analyzed must bear a likelihood of actually being available. Finally, where there is some uncertainty about availability, CEQA requires some discussion of possible replacement sources or alternatives, and their environmental consequences.

Of particular use herein, the Supreme Court discussed the EIR's reliance on an anticipated local Water Board's master plan update, which would discuss the availability of long-term water supplies to the area and their environmental impact. The Court held that the county's EIR cannot tier from a *future* environmental document. If the environmental analysis from the Water Board's anticipated master plan update was important to understanding the long-term water supply for Sunrise Douglas, it should have been performed in the Sunrise Douglas EIR even though that might result in subsequent duplication by the Water Board's master plan update. Or, the county could have deferred analysis and approval of Sunrise Douglas until the Water Board's master plan update, then tiered the Sunrise Douglas EIR from the programmatic analysis performed by the Water Board.

The Vineyard decision shows that the timing of Castaic's project specific EIR in relation to DWR's program EIR is up to Castaic. It may either wait for DWR's program EIR and tier off of it, or prepare its own EIR for the Kern water transfer first. If it chooses the latter, Castaic may not tier off an environmental document that does not yet exist. Instead, Castaic must analyze all necessary environmental impacts and mitigations. If analysis of some portion of the Monterey Amendments is important to understanding the environmental impacts of the Kern water transfer, then analysis of that issue must be included in Castaic's EIR. But if Castaic's EIR does so, it is irrelevant that the document duplicates some of what DWR would do, or even that it may be inconsistent with DWR's analysis.[21] As DWR contends, CEQA's goal is to ensure sufficient information; it contains no prohibition against too much information. DWR Br. at 21. The timing of Castaic's EIR for the Kern water transfer is up to Castaic and Castaic alone.

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[21] As previously stated, the prospect of inconsistencies between Castaic's EIR and DWR's program EIR is diminished by Castaic's use of DWR modeling, DWR's comments and input into the 2004 EIR, and the general cooperation and coordination between the two agencies.

The Court fails to [illegible] implications [illegible] potential [illegible]

F. Contents of the 2004 EIR

Apart from the proper lead agency, Petitioners argue that the 2004 EIR is inadequate. Initially, the court believed that Castaic could have real problems on this issue. It is one thing for Castaic to act as lead agency on a water transfer before the program EIR is prepared; Vineyard and other case law say that Castaic may do so. But the EIR must be adequate and complete. Vineyard teaches that if analysis of some portion of the Monterey Amendments is important to understanding the environmental impacts of the Kern water transfer, then that analysis must be included in Castaic's EIR. PCL held that the "no project" alternative was particularly important for the Monterey Amendments, and the public was entitled to know what would happen if the Amendments were not approved and Article 18 was implemented in the event of water shortage. Commentators particularly wanted to know whether imposition of Article 18 might eliminate the "paper water" entitlements in the water contracts, reduce land planning decisions based on that paper water, and ultimately reduce growth and construction of additional SWP facilities. PCL, 83 Cal.App.4th at 892-3.

The court wondered whether Castaic would have the expertise to perform any analysis of the Monterey Amendments or the "no project" alternative that would be required in the 2004 EIR. However, the parties' briefs, and oral argument at hearing, have demonstrated that, with one exception, the 2004 EIR's contents are sufficiently presented. Indeed, Petitioners barely criticize the 2004 EIR's adequacy, except as it impacts the lead agency issue.

1. "Deception"

Petitioners' principal argument about content is that the 2004 EIR is deceptive in failing to make clear that the Kern water transfer is not "final." They contend that the 2004 EIR's project definition treats the Kern water transfer as an immutable *fait accompli* which fails to disclose that the "final status" of the transfer depends on the DWR's forthcoming review. According to Petitioners, the EIR improperly relies on the interim availability of the water to predict that DWR will "leave it in place," a point which the court in California Oak Foundation v. City of Santa Clarita, ("California Oak") (2005) 133 Cal.App.4th 1219, 1238, n.16 had no trouble dispatching, and also improperly states that it would be unnecessary and speculative to consider what the DWR might do to change the transfer (*See* AR 994). Pet. Op. Br. at 19-20. This false assumption that the transfer is immutable may result in land use decision-makers approving projects based on water availability "worth little more than a wish and a prayer." Id. at 20-21.

The court has determined that the transfer is final as a matter of law. Therefore, the EIR is not wrong in saying so. What Petitioners really contend is that the Kern water transfer, though final, can be affected by the DWR's program EIR through mitigations and imposition of alternatives. Yet, the EIR proceeds as if the transfer cannot be altered. As counsel described the issue at hearing, the 2004 EIR "talks about risk, but never directly informed the public about the fact that the transfer may be unwound through the Monterey Amendment EIR process." Thus, the EIR refers to the transfer as of an "*existing* 41,000" acre feet of SWP Table A water (AR 15, 35) and states that "no permits or *other approvals* would be required other than" certification of the

EIR. AR 16.[22]

The EIR is the method for disclosure of environmental issues. Rural landowners Assn. V City Council, 43 Cal.App.3d 1013, 1020. CEQA's purpose is to compel agencies to make decisions with environmental consequences in mind, but CEQA does not and cannot guarantee that these decisions will always favor environmental concerns. Laurel Heights, 47 Cal.3d at 393. The EIR should provide sufficient analysis to allow decision-makers to make intelligent judgments about environmental consequences. Guidelines §15151. The evaluation of environmental effects need not be exhaustive, but the EIR's sufficiency is reviewed in the light of what is reasonably foreseeable. Id. Perfection is not required, but adequacy, completeness, and a good faith effort at full disclosure is. Id.

In California Oak, the court addressed the proposed development of a 584 acre industrial park project in the Santa Clarita. The City's EIR relied on the Kern water transfer for water supply, and the appellate court held that it did not adequately address the uncertainty in that water delivery. 133 Cal.App.4th at 1236. The City's comments "did little more than dismiss project opponents' concerns about water supply" and the EIR failed to discuss the adequacy and availability of water supply absent the Kern water transfer. Appendix K to the EIR did acknowledge uncertainty in the Kern water transfer, but this was insufficient in part because inforamtion "scattered here and there in EIR appendices" or a report "buried in an appendix" is not a substitute for good faith reasoned analysis. Id. at 1239 (citation omitted). Moreover, Appendix K contained no facts and analysis about the likelihood of deficit or alternative sources of supply, and was misleading about the fact that Castaic had an SWP "entitlement" without explaining that the entitlement consisted in part of "paper water." Id. at 1239-40. Hence the EIR failed as an informational document on water supply issues.

Castaic contends, and the other Respondents agree, that the 2004 EIR fully addresses the uncertainty of what DWR will do. At hearing, they contended that Petitioners really are arguing that the 2004 EIR is misleading because it does not anticipate Petitioners' argument.[23]

The EIR explains that planning for water supply to meet demands requires consideration of reliability of SWP supplies, because historical and statistical analysis show that the full Table A amount will not be available in some years. AR 41. The EIR explains that Castaic's Table A amount is the maximum SWP amount, and the amount of SWP water actually available to it varies from year to year. Id. The EIR acknowledges that DWR's allocations are based on that year's hydrological conditions, the amount of water stored in the SWP system, and contractor requests for water. AR 16. The EIR discusses the Monterey Agreement (AR 46-47), PCL and Monterey Plus. AR 17-18, 47. The EIR cautions land use planners who might rely on the EIR to predict future water supplies, that while Castaic will implement all feasible measures to obtain water "past water deliveries are not a guarantee of future delivery rates." AR 13.

The EIR considers the environmental impact of the project based on water allocation

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[22]At trial, Petitioners' counsel made plain that this issue of deception is distinct from the reliability of water delivery by DWR.

[23]Respondents' contention sounds like an argument that Petitioners failed to exhaust their administrative remedies. However, no failure to exhaust claim was made in their briefs.

scenarios of pre-Monterey Amendments without Article 18 cutbacks, pre-Monterey Amendments with Article 18 cutbacks, and post-Monterey Amendments. AR 56. The EIR argues that the project could have been authorized under Article 41, but instead was implemented under Article 53 of the Monterey Agreement. It adds that DWR is preparing a new EIR for the Monterey Amendment.

Since the Monterey Amendments change the way in which SWP water is allocated among contractors, the 2004 EIR provides three separate analyses of the project's impacts to water supply. AR 186-89. The EIR goes to great lengths to discuss the uncertainties in the Article 18 allocations. AR 187-89. For each scenario, the EIR estimates reliability based on wet, dry, and extended dry year conditions. AR 183-91. The EIR addresses direct impacts to water supply and water quality under the three water allocation scenarios. AR 202-05. It discusses indirect impacts from the growth-inducing effect of the project, and mitigations of these impacts through implementation of existing agency policies. AR 207-224. It discusses the cumulative impact of the project and other projects inside and outside the project area. AR 278-89. Finally, it addresses alternatives to the project, including a no project alternative. AR 293-300.

The EIR clearly demonstrates the variability of SWP deliveries, and covers what could happen as a result of the Monterey Amendments EIR. But Petitioners are correct that the EIR has a hole in it. The EIR does not directly explain that the project may be impacted by the outcome of the Monterey Amendments EIR. Instead, the 2004 EIR assumes there are three possible water delivery scenarios without any discussion of why or how they would occur: "Since the Monterey Amendments change the way in which SWP water is allocated among contractors, the 2004 EIR provides three separate analyses of the project's impacts to water supply." The reader is left to interpret how these allocations could come about, and must conclude on his or her own that they are three possible outcomes of challenges to the Monterey Amendments. Nor does the EIR explain how such challenges could cause these allocations to occur.

An EIR is an informational document which is supposed to provide the reader with the "analytic route the...agency traveled from evidence to action."Citizens of Goleta Valley v. Board of Supervisors, ("Goleta") (1990) 52 Cal.3d 553, 568. This means that the EIR must contain facts and analysis, not just the agency's bare conclusions or opinions. Castaic is not required to predict the outcome of litigation, and may not be able to discuss the likelihood of each of the three allocations. However, it should have at least explained why the three scenarios are relevant and how they would occur.[24] The failure to do so leaves the reader wondering why they are pertinent. Consequently, the 2004 EIR fails to provide the analytic route by which the three alternatives are relevant.

Non-compliance with the disclosure requirements of CEQA may constitute a prejudicial abuse of discretion regardless of whether the agency would have taken the same action had it complied with CEQA. Pub. Res. Code §21005(a). Still, CEQA is subject to the established principle that there is no presumption of prejudicial error. Pub. Res. Code §21005(b). Only if the manner in which the agency failed to follow the law is prejudicial must the decision be set aside. Sierra Club v. State Board of Forestry, (1994) 7 Cal.4th 1215, 1236.

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[24]For example, the court has no idea how a pre-Monterey Amendments without Article 18 cutbacks would occur.

The issue is whether Castaic's failure to supply the analytical route for its consideration of the three allocations is prejudicial. Prejudice depends on whether the failure to include this information makes "any meaningful assessment" of the project's environmental effects impossible, in which case prejudice is presumed. Sierra Club v. State Board of Forestry, (1994) 7 Cal.4th 1215, 1236 (agency approved timber harvesting plans without requiring necessary environmental information in them).[25] Even under this standard, not every CEQA failure is prejudicial. An EIR will be upheld if the error *de minimus* or clerical in nature (Save San Francisco Bay Association v. San Francisco Bay Conservation and Development Commission (1992) 10 Cal.App.4th 908, 935), the EIR analysis is comprehensive, if not perfect, despite the error (Schaeffer Land Trust v. San Jose City Council, (1989) 215 Cal.App.3d 612, 627-28), and information which should have been included to make the EIR accurate nonetheless has no material effect on informed decision-making or informed public participation (Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners, (1993) 18 Cal.App.4th 729, 747-50).

The Vineyard court reiterated that the reviewing court must focus on the nature of the defect, depending on whether the claim is predominantly one of improper procedure or a dispute over facts. Where the agency has employed the correct procedures, greater deference is given to the agency's factual conclusions, which are reviewed for substantial evidence. 40 Cal.4th at 435.

The 2004 EIR's non-compliance concerns its analytic route – why and how the three allocations are pertinent. This is not a fact issue to be supported by substantial evidence. Instead, it is a failure affecting the public's ability to make a "meaningful assessment" of the project's environmental effects. As such, it is prejudicial. *See also* Rural Land Owners Assn. v. Lodi City Council, (1983) 143 Cal.App.3d 1013, 1023 (whenever failure to comply with CEQA results in a subversion of its purposes by omitting information from the environmental review process, the error is prejudicial).[26]

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[25]One appellate court, Resource Defense Fund v. Local Agency Formation Commission, (1987) 191 Cal.App.3d 886, 897-98 has stated that "[f]ailure to comply with CEQA is necessarily prejudicial." This does not appear to be the consensus approach. *See* Dusek v. Anaheim Redevelopment Agency, (1985) 173 Cal.App.3d 1029, 1040-42 ("a minor CEQA sin or two" constituting technical defects where the public had not been misled or defrauded is not enough for prejudice).

[26]Petitioners also argue that the 2004 EIR finesses the non-final nature of the project by jumping the gun and analyzing pre-Monterey Amendments. According to Petitioners, Castaic performed a "mini-programmatic review" at AR 155-06 and App. D (AR 468-550). The charts at AR 184 and 506 show this. According to Petitioners, this is not just factual overlap; this is usurpation of DWR's responsibilities.

DWR correctly points out that Petitioners are complaining about too much information, something that CEQA does not proscribe. Petitioners have no complaint about the content of the mini-program review. To the extent that Castaic performed a task that DWR is obligated to perform, DWR may either use Castaic's analysis or perform a new one. The cooperation of DWR and Castaiac suggests that the overlapping environmental analysis will be consistent. Even if inconsistent, DWR's analysis will control for the Monterey Amendments. There is no

2. Modeling

Petitioners contend that Castaic used an obsolete DWR model, DWRSIM, for making predictions about the amount of SWP water that could be available as a result of the Kern water transfer. DWR has used CALSIM II for modeling SWP deliveries since 2000. While the EIR uses CALSIM II to look at the environmental setting, it only uses DWRSIM to look at environmental impacts. According to Petitioners, Castaic's rationale for doing so -- that DWRSIM should be used for the 1998 environmental setting -- makes no sense. Modeling is for future results, not historical analysis.

Petitioners argue that Castaic's use of an old model prejudicially overstates the reliability of SWP water delivery. App.D, Table 2-2 compares the projected 2020 deliveries based on the two different models. AR 493. The graph shows a discrepancy between the two models, particularly in the 50-70% supply range, and most glaringly in the range of drought conditions. Although the EIR does not quantify these differences, Castaic's responses to public comments presents a table that does. The table shows that the two models can differ by as much as 5000 acre-feet. Pet. Op. Br. at 23. According to Petitioners, this is not the "slight discrepancy" DWR states it is.

When a challenge is brought to studies on which an EIR is based, "the issue is not whether the studies are irrefutable or whether they could have been better. The relevant issue is only whether the studies are sufficient credible to be considered as part of the total evidence that supports the" agency's decision. Laurel Heights, 47 Cal.3d at 409 (lead agency entitled to choose and rely on expert opinion even though others may disagree). Expert testimony constitutes substantial evidence and an agency is entitled to rely on it. Uhler v. City of Encinitas, (1991) 227 Cal.App.3d 795, 805. Even where experts disagree, the agency is entitled to choose one expert's opinion over another. Laurel Heights, 47 Cal.3d at 409. The party challenging the EIR bears the burden of demonstrating that the studies on which the EIR is based "are clearly inadequate or unsupported." State Water Resources Control Board Cases, (2006) 136 Cal.App.4th 674, 795.

CEQA requires Castaic to reasonably inform the reader about the amount of water available. The EIR states that all environmental impacts from the project are driven by the amount of water delivered and the timing of delivery. AR 55. Castaic analyzed the amount of SWP water available for delivery through hydrologic modeling with computer simulations that predict the amount of water available under various hydrologic conditions. To do so, the EIR, like all EIR's had to have an environmental setting for the project. This environmental setting describes the conditions of the project as they exist at the time the Notice of Preparation is published or, if there is none, at the time the environmental analysis is commenced. This setting will normally constitute the baseline physical conditions by which an agency determines whether an impact is significant. Guidelines §15125(a).

The 2004 EIR states that its baseline 1998 environmental setting used DWRSIM, which is a model simulating the operations of the SWP, "because this is the modeling tool that was available during 1998." AR 55. DWR had used DWRSIM in 2000 to conduct a reliability study for another project. The 2004 EIR does use CALSIM II for the current environmental setting of

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usurpation of responsibility.

the project. CALSIM II was available because DWR performed a SWP Delivery Reliability Report in 2003 using CALSIM II as its model. AR 56. Although the modeling tools are different, the criteria used to input into the computer simulation has not changed significantly. Id.

The question raised by Petitioners is why use an older computer simulation model (DWRSIM) for the 1998 baseline when a newer model (CALSIM II) was available? Appendix D of the 2004 EIR, entitled "Technical Data for Hydrologic Analysis," explains that Castaic had to do so because it did not perform any model analysis of its own. Instead, Castaic relied upon DWR's expertise, and its existing model studies. *See* AR 491. DWR used DWRSIM in its 2000 study and CALSIM II in its 2003 study; Castaic relied upon those same studies and same models.

Castaic's reliance on DWR's existing studies and its expertise is an explanation, but the issue becomes whether it is an adequate one.

The answer is in Appendix D, which explains that DWRSIM has a database of monthly runoff based on historic hydrologic data for a 73 year period from 1922-74. DWRSIM takes this data and, depending on the input variables of operating constraints and water contractor demand, estimates the amount of water SWP can deliver each month over that 75 year period. Assuming that hydrologic conditions repeat, the operator can predict the amount of water available under that particular hydrologic condition and with a particular demand and operating condition. AR 491.

Appendix D then shows that DWRSIM and CALSIM II predict similar outcomes, and that the differences in their predictions can be explained. In Figures 2-1 and 2-2 of Appendix D, Castaic compares the two models' prediction of SWP water deliveries at existing demand and at predicted 2020 demand levels. AR 493. The "existing demand" for the DWRSIM model is 1998 demand. The "existing demand" for the CALSIM II model is 2001 estimated demand. The 2001 demand is higher than the 2000 demand. Consistent with reality, the model will only show delivery up to the amount of demand; SWP will not deliver more water than is asked for even if it is available. This difference in demand explains why CALSIM II shows more delivery in wet years than DWRSIM; the lower demand in 1998 limits the amount of delivery.

The difference in demand also explains in part why CALSIM II predicts a higher delivery in extremely dry conditions; 1998's lower demand means more water is left in storage from the preceding year and is available for delivery in a dry year. Appendix D says that the proof is in the pudding: comparison of DWRSIM and CALSIM II in Figure 2-2, for the year 2020 with the same level of demand for each model, shows very close prediction of SWP delivery for both models. AR 492-93.

Castaic concludes that the two models predict "generally comparable" results and their differences are minimal. AR 491, 1003. Castaic argues that, if anything, the slightly higher supplies predicted by the DWRSIM model provide a worst case scenario for purposes of growth inducing impacts; the more water the more developers will grow the Santa Clarita Valley. AR 1003-04, 1009.

Contrary to Petitioners' argument, the use of DWRSIM and not CALSIM II in the 1998 baseline study does not affect the conclusion that the study constitutes substantial evidence. Petitioners do not present expert opinion that the use of DWRSIM results in any error. They merely rely on the differences in Figures 2-1 and 2-2 of Appendix D, and Appendix D explains

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the reason for the differences. As Castaic points out, Petitioners cannot point to any environmental significance to the use of DWRSIM and not CALSIM II. Therefore, Petitioners have not met their burden of demonstrating that use of DWRSIM for the 1998 baseline in the 2004 EIR was "clearly inadequate or unsupported."[27]

3. Cumulative Impacts

Petitioners contend that the 2004 EIR attempts to assess the project's impacts on the SWP without discussion why Castaic is competent to do so. As an example, the EIR rejects any significant project impact on the Delta, even though it acknowledges that differences in timing in the use of water for urban (Castaic) rather than agricultural (Wheeler Ridge) purposes would change the timing of deliveries. AR 192. Petitioners argue that the Delta is "in crisis" and there is great potential for conflict between Castaic's and DWR's respective environmental analysis. Pet. Op. Br. at 23-4.

An EIR must contain a cumulative impacts analysis of the project's environmental impact when considered in conjunction with other projects (Guidelines §15130) in order to ensure that "the entire relevant environmental picture" has been adequately considered. Laupheimer v. State of California, (1988) 200 Cal.App.3d 440, 462. A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. Guidelines §15130(a)(1). The EIR should not discuss impacts which do not result at least in part from the project being evaluated. Id. The analysis should reflect the severity and likelihood of occurrence of the impact. Guidelines §15130(b). In every case, there should be at least a preliminary search for potential cumulative environmental effects and a preliminary assessment of their significance. Laupheimer, 200 Cal.App.3d at 462-63. The detail required in a cumulative impacts discussion need not be as great as provided for the environmental impacts attributable to the project alone. Guidelines §15130(b). Generally, the EIR should list the projects producing cumulative impacts or provide a summary of projections contained in a prior certified or adopted environmental document which describe the regional conditions contributing to the cumulative impact. Guidelines §15130(b)(1). The 2004 EIR uses the list approach to discuss cumulative impacts of the project's environmental impact when considered in conjunction with other projects. AR 241-289.

Castaic argues that everything that happens with respect to the Kern water transfer happens south of the Delta, and the EIR thoroughly discusses that, including the impact of the timing of deliveries. AR 193-06. Thus, the EIR's conclusion that the project will have no direct

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[27]Castaic does not have statewide expertise on SWP reliability, but its consultants and DWR do. In commenting on Castaic's draft EIR, DWR stated that the differences between CALSIM II and DWRSIM "may cause slight changes in results, which may lead DWR to different conclusions....[in DWR's Monterey Amendments EIR]" AR 564. However, DWR also found that the draft EIR adequately and thoroughly discussed the project and its impacts, including the effects of the project on the environment and the SWP, using appropriate baseline conditions, and had a good discussion of the relationship between the Kern water transfer and Monterey Plus. DWR concluded that the draft EIR a "adequately discusses the reliability of the SWP, pre- and post- Monterey Amendment conditions, and SWP operations." AR 564-65.

significant impact on the SWP or related facilities is fully supported. Castaic contends that Petitioners really are attacking its ability to act as lead agent for a local project if the project has the potential for statewide impact. According to Castaic, this argument goes to the lead agency issue, and is incorrect as a matter of law. Castaic is qualified and required by CEQA to assess impacts that occur outside of its borders in evaluating the Kern water transfer. Citizens of Goleta Valley v. Board of Supervisors, (1990) 52 Cal.3d 553, 573.

The court does not know whether Petitioners really are attacking Castaic's expertise or the adequacy of its assessment of SWP impacts from the Kern transfer. The reason is that Petitioners' arguments are conclusionary and unsupported by analysis, authority, or many facts. Petitioners' obligation was to point out what is wrong with the analysis, or what has been omitted that was required. An issue raised without analysis or authority lacks foundation and need not be addressed. Arcadia, 135 Cal.App.4th at 1429, 1431. The court has no obligation to search the EIR's cumulative analysis section to look for defects. Their general objection requires only a general response that Castaic's cumulative impacts analysis is adequate.

4. The "No Project" Alternative

Petitioners argue that the 2004 EIR fails to address the "no project" alternative, an issue particularly important because it was the principal defect in the PCL Monterey Agreement EIR. As the PCL court stated, a "no project" alternative must discuss "existing conditions" and "what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services." 83 Cal.App.4th at 912. The Monterey Agreement EIR did not discuss the projections related to land planning, demand for water, and other impacts of reducing entitlements pursuant to Article 18(b). Id. at 919. Petitioners contend that the 2004 EIR does discuss the water supply reliability impacts of invoking Article 18(b), but not the statewide impacts the PCL court found so crucial.

The short answer to Petitioners contention is that 2004 EIR addresses a different project than the Monterey Amendments. The "no project" alternative for any EIR requires a comparison of the impacts of approving the project with the effect of not doing so. Guidelines §15126.6.(e)(1); Mira Mar Mobile Community v. City of Oceanside, (2004) 119 Cal.App.4th 477, 488-89. The only "no project alternative" that Castaic is obligated to consider is the alternative of "no Kern water transfer." Castaic has addressed this alternative by discussing groundwater sources of water and a possible moratorium. AR 291-4. Petitioners do not quibble with this analysis. But Castaic had no obligation to consider "no Monterey Amendments" as a no project alternative.[28] Indeed, it would make no sense to evaluate "no Monterey Amendments" as an alternative to the Kern water transfer.[29]

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[28]Of course, the 2004 EIR is obligated to consider invocation of Article 18(b) as a reasonably foreseeable environmental impact, and the adequacy of it doing so has been discussed

[29]For a similar reason, Castaic need not analyze alternative uses of the SWP water in a "no project" alternative. CEQA does not require consideration of alternatives that do not meet the project objective; *i.e.*, delivery of water to Castaic's customers. *See* Guidelines §15126.6(c).

5. Post-Hoc Rationalization

Petitioners also suggest that the 2004 EIR is a post-hoc rationalization for "a decision already made." Pet. Op. Br. at 18. Pre-judging environmental decisions in order to accomplish a project is prohibited under CEQA. An agency may not commit to a project before CEQA review is completed because a fundamental purpose of an EIR is to provide decision-makers with information they can use in deciding whether to approve a project. Therefore, post-approval environmental review has been condemned. Laurel Heights, 47 Cal.3d at 394. *See* Residents Ad Hoc Stadium Com. v. Board of Trustees, (1979) 89 Cal.App.4th 274, 285. Of course, an agency contemplating a project may be presumed to favor the project, and CEQA assumes this to be inevitable. Therefore, it builds in procedural protections to insure that the decision-maker does not fail to note the facts and arguments by opponents to the EIR. Id. at 285.

Castaic had completed the transfer and performed under it for several years prior to preparing the 2004 EIR. Plainly, it desires to keep the transfer and not change it. When the 1999 was found deficient, Castaic was required under CEQA to perform a "fresh look" at the transfer's environmental impacts. With the exception of the analytical hole discussed above, it has done so. *See* City of Vernon v. Board of Harbor, (1998) 63 Cal.App.4th 677, 1523 (adequacy of EIR overcomes contention that it was a post-hoc rationalization).

G. Conclusion

Castaic may act as the lead agency for the Kern water transfer. The 2004 EIR was properly prepared except for one defect – it fails to show the analytic route as to how and why the three allocations of pre-Monterey Amendments, pre-Monterey Amendments without Article 18, and post-Monterey Amendments are relevant and would occur. The court offers no opinion on whether this failure must be rectified by addendum (Guidelines §15164), a subsequent EIR, a supplement to EIR, or a new EIR. That determination is Castaic's to make in the first instance.

The Petition for Writ of Mandate is granted in part. A writ shall issue commanding Castaic to set aside its approval of the 2004 EIR and comply with CEQA, either through the preparation of a new EIR or other environmental documentation, such as an addendum, addressing the analytic route of the three water allocations. Castaic is not directed to set aside the Kern water transfer. Judgment shall be entered in favor of Petitioners solely on this issue.

This shall serve as the court's proposed statement of decision in compliance with CRC 232(c). If there are no written objections filed, the statement shall be final. As Respondents have prevailed on all but one issue, Castaic's council is ordered to prepare a writ of mandate and judgment consistent with this decision, and serve it on all other counsel for approval as to form. After 10 days, Castaic may file the proposed writ and judgment with the court, along with a declaration stating the nature and extent of any objections received. An OSC re: judgment shall be set for April 23, 2007.

Dated: April 2, 2007

/s/ JAMES C. CHALFANT

Superior Court Judge

JAMES C. CHALFANT

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE COUNCIL, et al., Plaintiffs, v. DIRK KEMPTHORNE, in his official capacity as Secretary of the Interior, et al., Defendants. CALIFORNIA DEPARTMENT OF WATER RESOURCES, Defendant-Intervenor, STATE WATER CONTRACTORS, Defendant-Intervenor, SAN LUIS & DELTA-MENDOTA WATER AUTHORITY, et al., Defendant-Intervenors.	1:05-cv-1207 OWW GSA INTERIM REMEDIAL ORDER FOLLOWING SUMMARY JUDGMENT AND EVIDENTIARY HEARING

Following the Court's May 25, 2007, Order Granting In Part and Denying In Part Plaintiffs' Motion for Summary Judgment, finding the Long-Term Central Valley Project Operations Criteria And Plan ("OCAP") Biological Opinion ("BiOp") unlawful and

inadequate, as well as the accompanying Delta Smelt Risk Assessment Matrix ("DSRAM") adopted to implement the 2005 OCAP BiOp, in violation of the Administrative Procedure Act, 5 U.S.C. § 705 et seq. (Doc. 323), a seven-day evidentiary hearing was held on August 21-24 and 29-31, 2007, to determine what interim remedies to impose. Based on the contemporaneous Findings of Fact and Conclusions of Law, after review of all the evidence, seven days of testimony, the parties' memoranda of law, and fully considering all the parties' oral arguments and proposed interim remedies, the Court enters the following:

I. INTERIM REMEDIAL ORDER

A. REMAND

1. Completion of New Biological Opinion

The Court orders the 2005 OCAP BiOp on the effects of the coordinated Central Valley Project ("CVP") and State Water Project ("SWP") operations on the Delta smelt, REMANDED to the United States Fish & Wildlife Service ("FWS") for further consideration consistent with this Court's orders and the requirements of law. This remand shall conclude not later than September 15, 2008, at which time FWS shall issue a new Biological Opinion ("BiOp") to the U.S. Department of the Interior, U.S. Bureau of Reclamation ("Reclamation"), and the California Department of Water Resources ("DWR"), as an applicant and joint operator, on the effects of the operation of the CVP and SWP upon the Delta smelt.

2. Vacatur

To avoid the potentially draconian consequences of operating the CVP and SWP without incidental take authority, this remand is made WITHOUT VACATUR. The operation of the CVP and SWP by Interior, Reclamation, and DWR, respectively, during this interim period, shall not violate the additional conditions set forth below.

B. INTERIM INJUNCTIVE RELIEF

Based on the previous findings of the imminent peril to the survival of the Delta smelt and adverse effects on its critical habitat, a preliminary injunction shall issue restraining Interior, Reclamation, and DWR, their officers, employees, agents, and all those acting in concert with them in those parties' operation of the CVP and SWP, respectively from taking any actions that are contrary to, inconsistent with, or that violate the following interim remedial measures to prevent the extinction of the Delta smelt, a threatened species, or that would destroy or adversely modify its critical habitat. This preliminary injunction shall remain in effect until the remand of and reconsultation on the BiOp is completed and a new BiOp is issued by FWS, on or before September 15, 2008, or further order of the Court, whichever shall first occur.

1. Surveys And Monitoring

a. Delta Smelt Surveys

Reclamation, DWR, and any other party shall take no action to prevent the full implementation of surveys for the Delta smelt which have been conducted by the California Department of Fish &

Game ("CDFG") including, but not limited to, the Fall Midwater Trawl ("FMWT"), Summer Townet, Spring Kodiak Trawl, and 20mm surveys.

2. Frequency of Sampling for Delta Smelt

Reclamation shall increase the frequency of sampling for Delta smelt that may be entrained at the Jones Pumping Plant to a minimum of twenty-five percent (25%) of the time, at regular intervals, whenever the Jones Pumping Plant is diverting water into the Delta-Mendota Canal.

a. Sampling Triggers

Sampling at this frequency shall commence upon either: (1) an increase in the average daily flow of the Sacramento River at Freeport to 25,000 cubic feet per second ("cfs"); or (2) when there is an increase in the average daily flow of the San Joaquin River at Vernalis by ten percent (10%) over three consecutive days after December 25; (3) survey data from the FMWT or Kodiak Survey indicate Delta smelt have moved to and are moving upstream of the confluence of the Sacramento and San Joaquin Rivers and into the Delta or January 15.

b. Larval Delta Smelt Monitoring

(1) Monitoring Triggers

Reclamation and DWR shall each monitor for the presence of larval or juvenile Delta smelt, that are less than twenty (20) millimeters (mm) in length, by Reclamation at the Jones Pumping Plant and by DWR at the Banks Pumping Plant. Such monitoring

shall occur when the pumping plants are diverting water into the Delta-Mendota Canal or the California Aqueduct, respectively. Such monitoring shall provide for sampling at least once every six (6) hours during periods in which the pumping plants are operating.

(2) Timing of Monitoring

Monitoring for the presence of larval or sub-twenty mm juvenile Delta smelt shall begin at the onset of spawning by Delta smelt as shown by: (1) the presence of spent female Delta smelt in the Spring Kodiak Trawl survey or at either export plant's salvage facility; or (2) when water temperatures in the Delta reach 12°C as determined by the average of the daily water temperatures at the Mossdale, Antioch, and Rio Vista Monitoring Stations; or (3) when larval Delta smelt are detected in the 20mm survey, whichever occurs first.

(3) Termination of Monitoring

Such monitoring shall end June 15 or a minimum of 5 consecutive days without detection of larval or juvenile Delta smelt at the CVP or SWP facilities, whichever comes last.

3. Flow Restrictions

a. Winter Pulse Flows

(1) If the triggering conditions set forth below in subparagraph I.B.3.a.(2) are met, Reclamation and DWR shall modify the operations of the CVP and SWP to achieve an average net upstream flow in Old and Middle Rivers ("OMR") not to exceed

2,000 cfs over the implementation period described in subparagraph (3).

(2) The action described in subparagraph (1) shall be initiated within three (3) calendar days after December 25 when the average daily water turbidity exceeds twelve (12) nephelometric turbidity units ("NTU") at Prisoner's Point, Holland Tract, or Victoria Canal, unless, at that time, the three-day average of flow in the Sacramento River at Freeport exceeds 80,000 cfs.

(3) This action shall end after a period of ten (10) days or when one of the following terminating conditions is met, whichever occurs first: (1) the three-day average of flow in the Sacramento River at Freeport exceeds 80,000 cfs; (2) the onset of spawning by Delta smelt occurs as shown by the presence of spent female Delta smelt in the Spring Kodiak Trawl survey or at either export plant's salvage facilities; (3) when larval Delta smelt are detected in the 20mm survey or at either export Plant's salvage facility; or when water temperature in the Delta reach 12°C determined by the average of the daily water temperatures at the Mossdale, Antioch, and Rio-Vista Monitoring stations.

b. <u>Pre-Spawning Adults</u>

(1) Reclamation and DWR shall operate the CVP and SWP to achieve a daily average net upstream (reverse) flow in the OMR not to exceed 5,000 cfs on a seven-day running average. In the event that the three-day average of flows in the Sacramento River is in excess of 80,000 cfs, when this action would otherwise commence, the action is not required to be undertaken until such

time as the three-day average of flow in the Sacramento River at Freeport falls below 80,000 cfs.

(2) This action shall commence immediately following the conclusion of the action described in subparagraph I.B.3.a., above, or on January 15, whichever is earlier.

(3) This action concludes at the onset of the spawning by Delta smelt as shown by: (1) the presence of spent female Delta smelt in the Spring Kodiak Trawl survey or at either export plant's salvage facility; (2) when larval Delta smelt are detected in the 20mm survey or at either export pumping plant's salvage facility; or (3) when water temperature in the Delta reaches 12°C determined by the average of the daily water temperatures at the Mossdale, Antioch and Rio Vista monitoring stations.

4. Larval And Juvenile Delta Smelt

a. Reclamation and DWR shall operate the CVP and SWP to achieve a daily average net upstream flow in OMR of between 750 and 5,000 cfs on a seven-day running average. The specific biological flow objective within this range shall be set by FWS, in consultation with Reclamation and DWR, to be determined on a weekly basis and based upon the best available scientific and commercial information concerning the distribution and status of the Delta smelt.

b. This action shall commence immediately upon the onset of spawning of Delta smelt as shown by: (1) the presence of spent female Delta smelt in the Spring Kodiak Trawl survey or at either export plant's salvage facility; (2) the larval Delta smelt are

detected in the 20mm survey or at either export plant's salvage facility; (3) when water temperature in the Delta reaches 12°C determined by the average of the daily water temperatures at the Mossdale, Antioch and Rio Vista monitoring stations.

c. This action shall continue at each facility until, when in the reasonable discretion of the Bureau, FWS, and DWR, the entrainment risk at each facility is abated, or June 20, whichever occurs first.

5. Vernalis Adaptive Management Plan

a. Reclamation and DWR shall continue to implement the Vernalis Adaptive Management Plan ("VAMP"), San Joaquin River, flow enhancement and CVP and SWP export curtailment as specified under the VAMP experimental design.

b. This action shall commence on a date decided upon by the VAMP Steering Committee, but not later than May 1 and shall continue for thirty-one (31) calendar days after its initiation.

c. The requirement set forth in subparagraph I.B.4.a. shall not apply during the period in which the VAMP action is being implemented.

6. Barriers

a. Head of Old River Barrier

The installation of the spring Head of Old River Barrier by either DWR or Reclamation is prohibited until the end of VAMP action implementation.

b. Agricultural Barriers

Reclamation and DWR shall ensure that the tidal effects of the three south Delta agricultural barriers are minimized or avoided by tying open all flap gates on the barriers, from the time of their installation until the end of VAMP action implementation.

C. ADMINISTRATIVE DISCRETION

Nothing in this Order is otherwise intended to usurp or interfere with the exercise of Interior's, Reclamation's, FWS's, and DWR's discretion and expertise in their operation and management of the Projects, protection of the Delta smelt, and the implementation of the terms and conditions of this Interim Remedial Order.

It is the intent of this Interim Remedial Order that its terms and conditions be implemented to protect the interests of all parties and their constituents under the law and to achieve the minimum disruption and damage to their respective interests.

D. FEDERAL DEFENDANTS' ADDITIONAL MEASURES PENDING THE NEW BIOLOGICAL OPINION

Federal Defendants in their opening brief on injunctive relief identified measures that they committed to implement as necessary to prevent an irreversible or irretrievable commitment of resources under ESA Section 7(d) pending completion of a new Biological Opinion. [Fed. Def. Brief, Doc. 396 at pp. 19-20]. Federal Defendants committed, as of July 9, 2007, that:

a. The Bureau will not execute any long-term water service contracts with CVP contractors until the new Biological

Opinion is completed;

b. The Bureau will not implement new construction activities and long-term projects in the Delta until the new Biological Opinion is completed, including the South Delta Improvement Project, the Delta Mendota Canal/California Aqueduct Intertie Program, the Lower American River Flow Standards, and the Long Term Environmental Water Accounts;

c. The Bureau will "not increase exports from the south Delta and will operate Jones Pumping Plant within recent historical limits;" and

d. The Bureau has committed resources and staff to the continuing study of pelagic organism decline in the Delta.

These measures shall be implemented during the duration of this Order as Federal Defendants admit the measures are necessary to preserve the Delta smelt and its critical habitat.

E. PUBLIC HEALTH AND SAFETY EXCEPTION

This Interim Remedial Order shall not prevent Interior, Reclamation, or DWR from taking any action in operating the Projects that is reasonably necessary to protect human health or safety of the public, including, but not limited to, any act or omission reasonably necessary to protect the structural integrity of any CVP and SWP facility.

F. DURATION OF THIS ORDER

This Order shall take effect on the date it is filed and shall continue in effect until completion of the reconsultation on the OCAP and issuance of a new OCAP Biological Opinion, entry

of final judgment in this case, or further order of this Court; whichever first occurs.

G. STATUS REPORT

FWS shall provide the court and parties a status report on the progress of the Biological Opinion. FWS's status report shall be filed April 30, 2008.

IT IS SO ORDERED.

Dated: December 14, 2007

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

11.1 INTRODUCTION

CEQA Guidelines, Section 15126.6(a) state that an EIR must describe and evaluate a reasonable range of alternatives to the proposed project that would feasibly attain most of the project's basic objectives, but that would avoid or substantially lessen any significant adverse environmental effects of the project. An EIR is not required to consider every conceivable alternative to a proposed project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. In addition to any other alternatives considered, an EIR must include an evaluation of "no project" to allow decision-makers to compare the results of approving or disapproving the proposed project (CEQA Guidelines, Section 15126.6(e)).

11.1.1 No Project Alternatives

If the Monterey Amendment had not been implemented in 1995, management of the SWP might have proceeded in any number of ways. It is, of course, impossible to know which path management would have been followed and so, in the following analysis, several possibilities rather than a single path were examined. The several versions of "no project" examined in this EIR encompass a range within which all reasonable possibilities lie. They are listed and briefly described below.

- **No Project Alternative 1 (NPA1).** Under this alternative, none of the elements of the proposed project (Monterey Amendment and Settlement Agreement) would be implemented. The Kern Fan Element property would remain in state ownership and a state-owned but locally operated water bank would be developed there to improve reliability of SWP deliveries in dry periods. The water bank would have a storage capacity of 350,000 acre-feet in 2003 and 500,000 acre-feet in 2020.[1]
- **No Project Alternative 2 (NPA2)** Under this alternative all Monterey Amendment actions that took place between 1995 and 2003 would occur. The actions include the Table A transfers and retirements that occurred between 1995 and 2003, the altered water allocation procedures, the water supply management practices, including out-of-service area storage, and the transfer of the Kern Fan Element property to KCWA. In 2003, some of the water supply management practices and the altered water allocation procedure would be discontinued. Flexible storage in Castaic Lake and Lake Perris, extended carryover storage in San Luis Reservoir and the turnback pool would be discontinued. Storage outside contractor's service areas would still be permitted but would be limited to those programs in place in 2003. No new or expanded out-of-service area storage programs would take place. Beginning in 2003, water would be allocated in accordance with pre-Monterey Amendment allocation rules. The Settlement Agreement and the post-2003 Monterey Amendment Table A transfers would not take place.
- **Court-Ordered No Project Alternative 3 (CNPA3)** In September 2000, the court in PCL v. DWR ordered the Department to prepare a new EIR on the Monterey Amendment that contained an analysis of a no project alternative that included invocation of Article 18(b) of the pre-Monterey Amendment long-term water supply contracts. Under CNPA3, Article 18(b) of the pre-Monterey Amendment long-term water

supply agreements would be invoked and the sum of the Table A amounts would be reduced from 4.23 to 1.9 million acre-feet. The sum of the Table A amounts for CNPA3 was estimated based on the initial requirement that the SWP be able to deliver the sum of the Table A amounts in almost all years. It was estimated, and discussed with the EIR Committee's modeling subcommittee, that the SWP can deliver 1.9 million acre-feet with its existing facilities and within the current regulatory framework in all but one year in the 73-year hydrologic record. Under this alternative none of the elements of the Monterey Amendment would be implemented. In years when available supplies are equal to or less than 1.9 million acre-feet, water would be allocated in accordance with pre-Monterey Amendment Article 18(a) provisions for temporary shortages. In years when available supplies exceeded 1.9 million acre-feet, surplus water would be allocated proportional to contractor's Table A amounts. The Kern Fan Element property would remain in state ownership and a water bank would be developed there as planned by the Department. It would have a storage capacity of 350,000 acre-feet in 2003 and 500,000 acre-feet in 2020. The Settlement Agreement would not be implemented.

- **Court-Ordered No Project Alternative 4 (CNPA4)** CNPA4 is similar to CNPA3. Because there is uncertainty about how water available in excess of the estimated 1.9 million acre-feet sum of the reduced Table A amounts would be allocated by the Department after invocation of Article 18(b), CNPA4 includes a different water allocation method from CNPA3. Under CNPA4, preference would be given to agricultural and groundwater replenishment use in the allocation of surplus water. Otherwise it would the same the same as CNPA3.

11.1.2 Other Alternatives

With respect to alternatives other than the no project alternative, the approach taken with the Monterey Plus EIR was to first analyze the environmental effects of the proposed project and determine whether the proposed project had any significant adverse environmental impacts. If the proposed project had no significant adverse environmental effects there would be no need to analyze alternatives other than the required no project alternative. The analysis indicates that the proposed project could have potentially significant adverse effects on fisheries resources in the Sacramento San Joaquin Delta and on environmental resources at Castaic Lake and Lake Perris, in the San Joaquin Valley portion of Kern County and in Plumas County. It follows that alternatives other than the no project alternative must be examined to determine whether an alternative could meet most of the objectives of the proposed project but with lesser adverse environmental impacts.

Some members of the advisory committee suggested alternatives for evaluation in the EIR. The Department reviewed the suggested alternatives and determined whether they should be analyzed in detail in the EIR using the screening criteria listed below. Alternatives were selected for detailed analysis if they:

- met most of the proposed project's objectives;
- lessened the significant environmental impacts resulting from the proposed project; and,
- are sufficiently technically, financially and institutionally feasible to be implemented in a reasonable period of time.

None of the alternatives suggested met all the screening criteria but one alternative was selected for detailed analysis. The selected alternative is described below:

- **Alternative 5** would be the same as the proposed project except that the Monterey water supply management practices would not be implemented. It would include the same Table A transfers and retirements as the proposed project, the altered water allocation procedures and the transfer of the Kern Fan Element lands and conveyance of non-project water. Although there is doubt about the institutional feasibility of Alternative 5 it was decided that it should be analyzed because it would lessen the adverse environmental impacts of the Monterey Amendment. This is because most of the impacts of the Monterey Amendment stem from the Monterey water supply management practices that are excluded from Alternative 5.[2]

Some members of the advisory committee suggested alternatives and alternative project eatures that are analyzed in this EIR. The plaintiff's suggestions were contained in a letter to ne Department dated December 18, 2006. The plaintiffs suggested that an alternative be onsidered that involves the invocation of Article 18(b) of the pre-Monterey Amendment long-erm water supply contracts. This possibility is represented by CNPA3 and CNPA4, both of hich are examined in detail in this chapter of the EIR. The plaintiffs suggested an alternative in hich the Department would retain ownership of the Kern Fan Element property and would evelop a state-owned water bank there, which would be used to improve dry year reliability of WP deliveries. A state-owned water bank on the Kern Fan Element property is a part of PA1, CNPA3 and CNPA4. The plaintiffs suggested an alternative that does not include the nsfer of 41,000 acre feet of Table A amount from KCWA to Castaic Lake WA that occurred in 00 but which was subsequently challenged in the courts. The KCWA to Castaic Lake WA nsfer is not included in NPA1, CNPA3 and CNPA4.

e contractors' indicated that, in their view, many elements of the Monterey Amendment that re implemented between 1996 and 2003 cannot practically be reversed. The elements of the nterey Amendment that the contractors believe cannot be reversed are included in NPA2. A2 includes the Table A transfers and retirements and water supply management practices t occurred between 1996 and 2003 and the transfer of the Kern Fan Element property for local velopment and use as a water bank, all of which the contractors consider to be irreversible.

e plaintiffs also suggested that an alternative should be considered that takes account of the cts of climate change on California's hydrology and SWP deliveries. The Department eed that climate change should be considered in the EIR but that it did not represent an rnative to the proposed project because it is a condition that affects the proposed project all of the alternatives. The topic is discussed in detail in Chapter 12.

ALTERNATIVES CONSIDERED BUT REJECTED

ne members of the advisory committee suggested alternatives that were rejected from er consideration by the Department because they did not meet the screening criteria ribed above. Some of the suggestions were for complete alternatives to the proposed ct; others were for project features that might be incorporated into an alternative. The two s of suggestions are described separately below.

1 Buildout SWP Alternative

n the long-term water supply contracts were executed the Department intended to build ient storage and conveyance facilities to reliably deliver 4.2 million acre-feet of water to the

contractors in all but the most extreme droughts. As discussed in Chapter 2, for a variety of reasons the Department has not been able to build several of the storage and conveyance facilities envisaged when the SWP was planned. Consequently, the Department is currently unable to reliably deliver as much water as originally planned.

This alternative would involve completing sufficient new state-owned water supply facilities to provide completely reliable delivery of approximately 4.2 million acre-feet per year of SWP water in all but the driest years. It would meet some of the objectives of the Monterey Amendment but not in a reasonable amount of time. The Department's efforts to complete new storage and conveyance facilities have had limited success since the early 1970s. Even if political obstacles can be overcome, several decades of planning, permitting, engineering and construction would be required to add the water supply facilities necessary to provide a high level of reliability. The alternative was not evaluated in detail in the EIR because it could not be implemented within a reasonable period of time.

It is useful to note that in the Department's water planning the concept of firm yield (a set amount of water that can be delivered almost every year) has been replaced by water reliability curves that show the likelihood of full Table A deliveries by the SWP under different hydrologic conditions.[3] Furthermore, the Department is encouraging contractors to develop multiple water supply sources so that they can take advantage of years when more water is available from the SWP and supplement SWP water when it is scarce.

11.2.2 Urban Preference and Dry Year Reliability Alternative

This alternative would use pre-Monterey water allocation procedures (urban preference in dry years) but would require the Department to introduce a new level of water management by the state that would enable it to guarantee water to urban contractors in multiple year droughts and prevent the proposed project from inducing new urban growth. Under this alternative, the SWP would be re-operated to store wet year water in groundwater banks and surface reservoirs within and outside the SWP service area in order to guarantee water to urban development *during multiple year droughts. It would require monitoring of water suppliers and local* government to assure that the proposed project would result in drought reliability not urban growth.

As an alternative, it would specify favorable delivery priority for SWP contractors with low drought reliability and would require a 75 to 100 percent reliability standard for water supplies used to support urban growth. This would be similar in some ways the Buildout SWP Alternative which also seeks to achieve 100 percent reliability of the SWP. The alternatives would not meet most, if any, of the objectives of the Monterey Amendment including resolving the initial issue that brought the contractors to the table – problems for agricultural contractors during droughts. This alternative would not meet most of the objectives of the Monterey Amendment.

In addition, the alternative would fundamentally change the relationship between the Department and its contractors introducing new monitoring and control measures not contemplated in the Burns-Porter Act nor provided for in the long-term water supply contracts in either their pre- or post-Monterey Amendment form. These measures would require Departmental control over local water supplies and control over SWP supplies after they are delivered to contractors in order to ensure that water was used in a way that conformed with the goals of the alternative. They would also require Departmental control over local land use decisions to address the growth limitations outlined in the alternative. State policy has

consistently left such decisions to local entities, including determining what is an appropriate standard of reliability.

The expansion of state powers through legislation that would be needed to implement this alternative is not likely to be acceptable to state, regional or local entities. The alternative was deemed infeasible and was not considered in detail in the EIR.

Plaintiffs have concerns regarding the relationship between local permitting of new urban developments and the availability of adequate water supplies. The Monterey Amendment is not an appropriate tool for dealing with these concerns. There are other places where these concerns are or could be discussed and can be resolved in a more organized process. These include the Department's Bulletin 160 process which looks at water needs and supplies from a statewide perspective and the legislature where each year bills are introduced to extend or modify the urban water management process and its relationship to local planning.

11.2.3 No Urban Preference and Dry Year Reliability Alternative

This alternative would use post-Monterey water allocation procedures (no preference for either urban or agricultural contractors) but would require the Department to introduce a new level of water management by the state that would enable it to guarantee water to urban contractors in multiple year droughts. This alternative would not meet most, if any, of the objectives of the Monterey Amendment. Furthermore, it is similar to the "Urban Preference and Dry Year Reliability Alternative", in that it would require an expansion of state powers not likely to be feasible as described under that alternative, above. The alternative was not considered in detail in the EIR for this reason.

11.2.4 Improved Reliability through Environmental Enhancement Alternative

This alternative would involve the Department reducing stress on fishery resources in the Delta by directly implementing water use efficiency measures, water recycling, storm water capture and other local water system enhancements that stabilize water demand and improve SWP reliability. It is not clear whether this alternative proposes a mandatory reduction in pumping based on a theoretical demand reduction produced by such measures (the proposal suggests 50 percent) or whether it assumes the implementation of these measures would automatically lead to such a reduction. It was suggested that the Department use Article 56 funds to partially finance these water supply enhancements. SWP funds are not used to fund local water supply projects. These are locally funded programs in which the Department has no involvement or control.

Plaintiffs would like to see more aggressive "local water enhancement" such as those measures listed above which they think would stabilize water demand and improve water supply reliability in the SWP service area. This EIR examines the effect on water supplies of reducing Table A amounts in CNPA3 and CNPA4 which include implementation of Article 18(b). It also examines the effect of climate change-induced reductions in SWP water supply of up to 10 percent in Chapter 12. The Monterey Amendment is not an appropriate tool for mandating "local water enhancements". There are other forums where these concerns can be discussed as part of a comprehensive process. These include private, administrative and legislative efforts to institute best management practices for water use efficiency.

The Department funds water efficiency measures proposed by local water agencies through grant programs. The ability of water efficiency programs to reduce demands on the Delta is one of the considerations in the grant process.

It was also suggested that the Department allocate 50 percent of Article 21 water for environmental purposes. Such an action would be in conflict with one of the basic premises of both the pre- and post- Monterey Amendment terms of the long-term water supply contracts, which view Article 21 water as water that goes to the contractors when it is available. It is not extra water, which can be given away for other purposes.

The alternative was not considered in detail in the EIR because it would not meet any of the objectives of the Monterey Amendment. Furthermore, it would be in conflict with the basic terms of the long-term water supply contracts.

The plaintiffs are concerned about the health of the Delta and would like to see more water available for in-Delta uses. The Monterey Amendment is not an appropriate tool for mandating that SWP water be used to benefit the Delta environment. The SWP already operates in compliance with the Delta water quality and flow objectives established by the SWRCB and as constrained by the need to protect threatened and endangered fish species listed pursuant to federal and state Endangered Species Acts. There are several forums where the health of the Delta is being discussed and any remedial actions developed can be pursued as part of a more comprehensive process. These include the Delta Vision Process, the Delta NCCP and the state and federal endangered species processes.

11.2.5 Coordinated CVP-SWP Systems Alternative

It was suggested that the SWP and CVP be more closely coordinated and reoperated beyond the current coordination under the Coordinated Operating Agreement to capture water in wet years and maximize export of water from the Delta by the SWP and CVP. This is similar to a proposal that arose from meetings between the Department, Reclamation and their respective contractors in Napa in the spring of 2003. The proposal was that the CVP would provide some storage benefits to the SWP and the SWP would provide some Delta pumping and conveyance capacity to the CVP. The proposal was contingent on increasing pumping at the Banks Pumping Plant to 8,500 cfs. The proposal has not been implemented because of concerns over fisheries resources in the Delta and the related lack of progress with obtaining approval for increased pumping at the Banks Pumping Plant.

The alternative was dropped from detailed consideration in the EIR because it would not achieve any of the objectives of the proposed project and it would not lessen the impacts on Delta fish populations, identified as one of the potential effects of the Monterey Amendment.

11.2.6 Kern Fan Transfer with Trust Conditions Alternative

Under this alternative the Kern Fan Element lands would be transferred from state to local ownership but a trust arrangement would require that water banked in the Kern Water Bank would provide statewide environmental benefits. This alternative would not meet the objectives of the Monterey Amendment. The alternative was not considered in detail in the EIR for this reason.

The plaintiffs are concerned about the health of the environment and would like to see more water available for environmental purposes. The Monterey Amendment is not an appropriate

tool for finding or mandating SWP water to be used for such purposes. Using a state owned water bank in the Kern Fan Element for environmental purposes would involve finding an appropriate funding source and reaching agreement with local entities.

11.3 ASSUMPTIONS AND ANALYTICAL METHODS

As discussed in Chapters 5 and 6, two analytical methods were used to characterize SWP operations with alternatives to the proposed project in place, CALSIM II simulations of SWP operations and analysis of historical data. CALSIM II can be used to estimate SWP deliveries with different Table A amounts and different water allocation methods but it cannot simulate the Monterey water management practices. CALSIM II alone was used to estimate SWP deliveries of Table A and Article 21 water for NPA1, CNPA3 and CNPA4 and Alternative 5 because they do not include the Monterey water supply management practices. NPA2 includes the water supply management practices and so in this case CALSIM simulations were supplemented by an analysis using historical data.

CALSIM II output was post-processed to estimate deliveries of Table A and Article 21 water to individual contractors. A report describing the CALSIM II simulations and associated post-processing is contained in Appendix F.

The Table A amounts in the long-term water supply agreements increase over time. Although most contractors' Table A amounts had reached their maximum value by 1995 when the Monterey Amendment was executed, some contractors' Table A amounts had not. Under the baseline scenario and all alternatives, Table A amounts would continue to increase after 1995 in accordance with the long-term water supply contracts.

The Monterey Amendment-related transfers and retirements of Table A amounts that actually occurred between 1995 and 2003 were assumed to occur under NPA2. These transfers and retirements of Table A amounts together with expected future Monterey Amendment-related transfers were assumed to occur under Alternative 5. The transfers and retirements of Table A amounts assumed for each of the alternatives analyzed in detail are shown in Table 11-1. Table A amounts for each of the alternatives are shown in Table 11-2. The Table A amounts reflect both the increases called for in the long-term water supply contracts and assumed transfers between contractors.

11.4 SWP DELIVERIES FOR NO PROJECT ALTERNATIVES

The following discussion provides information on collective SWP deliveries to agricultural and M&I contractors assuming implementation of the no project alternatives. The proportional deliveries to the two contractor groups under 2003 conditions with the no project alternatives in place are shown in Tables 11-3 and 11-4. The proportional deliveries under the baseline scenario and with the proposed project for the two groups are included in the tables for comparative purposes. Table 11-3 shows Table A deliveries. Table 11-4 shows total deliveries; that is, the sum of Table A and Article 21 deliveries. Tables 11-5 and 11-6 show proportional deliveries to the two contractor groups under 2020 conditions.

Table A deliveries to individual contractors under 2003 and 2020 conditions assuming implementation of the no project alternatives are shown in Tables 11-7 through 11-14. Total deliveries (Table A + Article 21) to individual contractors under 2003 and 2020 conditions assuming implementation of the no project alternatives are shown in Tables 11-15 through 11-22.

TABLE 11-1

TABLE A TRANSFERS (AF)

Transferor	Transferee	Baseline/ No Project Alternative 1	No Project Alternative 2	Court-Ordered No Project Alternative 3	Court-Ordered No Project Alternative 4	Proposed Project/ Alternative 5	Applicable Levels of Development
KCWA	Mojave WA	0	25,000	0	0	25,000[1]	2003, 2020
KCWA	Alameda Co., Zone 7	0	7,000	0	0	7,000[1]	2003, 2020
KCWA	Alameda Co., Zone 7	0	15,000	0	0	15,000[1]	2003, 2020
KCWA	Castaic Lake WA	0	41,000	0	0	41,000[1]	2003, 2020
KCWA	Palmdale WD	0	4,000	0	0	4,000[1]	2003, 2020
KCWA	Alameda Co., Zone 7	0	10,000	0	0	10,000[1]	2003, 2020
KCWA	Alameda Co., Zone 7	0	2,219	0	0	2,219[1]	2003, 2020
KCWA	Napa Co.	0	4,025	0	0	4,025[1]	2003, 2020
KCWA	Solano County WA	0	5,756	0	0	5,756[1]	2003, 2020
KCWA	Coachella VWD	0	0	0	0	12,000[1]	2020
KCWA	Desert WA	0	0	0	0	4,000[1]	2020
Tulare LB WSD	AVEK WA	3,000	3,000	3,000	3,000	3,000	2003, 2020
Tulare LB WSD	Dudley Ridge WD	3,973	3,973	3,973	3,973	3,973	2003, 2020
Tulare LB WSD	Alameda Co., Zone 7	400	400	400	400	400	2003, 2020
Tulare LB WSD	County of Kings	5,000	5,000	5,000	5,000	5,000	2003, 2020
Tulare LB WSD	Coachella VWD	9,900	9,900	9,900	9,900	9,900	2003, 2020
MWDSC	Coachella VWD	88,100	88,100	88,100	88,100	88,100	2020
MWDSC	Desert WA	11,900	11,900	11,900	11,900	11,900	2020

Note:
1. This Table A transfer is a component of the Monterey Amendment Article 53 KCWA commitment of 130 TAF of Table A transfers.

TABLE 11-2

TABLE A AMOUNTS FOR ALTERNATIVES (AF)

SWP Contractor	2003 No Project 1	2020 No Project 1	2003 No Project 2	2020 No Project 2	2003 Court-Ordered No Project 3 & 4	2020 Court-Ordered No Project 3 & 4	2003 Proposed Project	2020 Proposed Project
County of Butte	3,500	27,500	3,500	27,500	1,594	12,388	3,500	27,500
Plumas County FC&WCD	1,690	2,700	1,690	2,700	770	1,216	1,690	2,700
City of Yuba City	9,600	9,600	9,600	9,600	4,372	4,325	9,600	9,600
Napa County FC&WCD	17,450	24,900	21,475	28,925	7,947	11,217	21,475	28,925
Solano County WA	41,000	42,000	46,756	47,756	18,672	18,920	46,756	47,756
Alameda Co. FC&WCD, Zone 7	46,400	46,400	80,619	80,619	21,132	20,902	80,619	80,619
Alameda County WD	42,000	42,000	42,000	42,000	19,128	18,920	42,000	42,000
Santa Clara Valley WD	100,000	100,000	100,000	100,000	45,543	45,048	100,000	100,000
Oak Flat WD	5,700	5,700	5,700	5,700	2,596	2,568	5,700	5,700
County of Kings	9,000	9,000	9,000	9,000	4,099	4,054	9,000	9,000
Dudley Ridge WD	61,673	61,673	61,673	61,673	28,087	27,783	57,343	57,343
Empire West Side ID	3,000	3,000	3,000	3,000	1,366	1,351	3,000	3,000
KCWA (M&I)	134,600	134,600	134,600	134,600	61,300	60,635	134,600	134,600
KCWA (Ag)	1,018,800	1,018,800	904,800	904,800	463,987	458,953	864,130	848,130
Tulare Lake Basin WSD	96,227	96,227	96,227	96,227	43,824	43,349	96,227	96,227
San Luis Obispo Co. FC&WCD	25,000	25,000	25,000	25,000	11,386	11,262	25,000	25,000
Santa Barbara Co. FC&WCD	45,486	45,486	45,486	45,486	20,715	20,491	45,486	45,486
Antelope Valley-East Kern WA	141,400	141,400	141,400	141,400	64,397	63,698	141,400	141,400
Castaic Lake WA (31A)	12,700	12,700	12,700	12,700	5,784	5,721	12,700	12,700
Castaic Lake WA	41,500	41,500	82,500	82,500	18,900	18,695	82,500	82,500
Coachella Valley WD	33,000	121,100	33,000	121,100	15,029	54,554	33,000	133,100
Crestline-Lake Arrowhead WA	5,800	5,800	5,800	5,800	2,641	2,613	5,800	5,800
Desert WA	38,100	50,000	38,100	50,000	17,352	22,524	38,100	54,000
Littlerock Creek ID	2,300	2,300	2,300	2,300	1,047	1,036	2,300	2,300
Mojave WA	50,800	50,800	75,800	75,800	23,136	22,885	75,800	75,800
Metropolitan WDSC	2,011,500	1,911,500	2,011,500	1,911,500	916,088	881,100	2,011,500	1,911,500
Palmdale WD	17,300	17,300	21,300	21,300	7,879	7,793	21,300	21,300
San Bernardino Valley MWD	102,600	102,600	102,600	102,600	46,727	46,220	102,600	102,600
San Gabriel Valley MWD	28,800	28,800	28,800	28,800	13,116	12,974	28,800	28,800
San Gorgonio Pass WA	5,000	17,300	5,000	17,300	2,277	7,793	5,000	17,300
Ventura County FCD	20,000	20,000	20,000	20,000	9,109	9,010	20,000	20,000
Total Agriculture	1,207,100	1,207,100	1,093,100	1,093,100	549,744	543,779	1,048,100	1,032,100
Total M&I	2,964,826	3,010,586	3,078,826	3,124,586	1,350,256	1,356,221	3,078,826	3,140,586
Total	4,171,926	4,217,686	4,171,926	4,217,686	1,900,000	1,900,000	4,126,926	4,172,686

TABLE 11-3

PROPORTIONAL TABLE A DELIVERIES TO AGRICULTURAL AND M&I CONTRACTORS IN 2003 UNDER VARIOUS ALTERNATIVES

	Baseline	Proposed Project [a]	Alternatives				
			NPA1	NPA2[a]	CNPA3	CNPA4	A5
Wet Year							
Agricultural Contractors	36.6	33.1	36.6	33.1	37.0	37.3	33.1
M&I Contractors	63.4	66.9	63.4	66.9	63.0	62.7	66.9
Critical Year							
Agricultural Contractors	23.6	26.3	23.4	26.3	26.0	27.5	26.3
M&I Contractors	76.4	73.7	76.6	73.7	74.0	72.5	73.7
Average All							
Agricultural Contractors	32.6	30.8	32.6	30.8	34.7	35.7	30.8
M&I Contractors	67.4	69.2	67.4	69.2	65.3	64.3	69.2

Note:
a. Does not include effects of water supply management practices.

TABLE 11-4

PROPORTIONAL TOTAL DELIVERIES TO AGRICULTURAL AND M&I CONTRACTORS IN 2003 UNDER VARIOUS ALTERNATIVES

	Baseline	Proposed Project [a]	Alternatives				
			NPA1	NPA2[a]	CNPA3	CNPA4	A5
Wet Year							
Agricultural Contractors	38.5	33.3	38.5	33.3	38.9	39.2	33.3
M&I Contractors	61.5	66.7	61.5	66.7	61.1	60.8	66.7
Critical Year							
Agricultural Contractors	24.4	26.7	24.2	26.7	26.7	28.1	26.7
M&I Contractors	75.6	73.3	75.8	73.3	73.3	71.9	73.3
Average All							
Agricultural Contractors	33.9	31.2	33.9	31.2	35.9	37.1	31.2
M&I Contractors	66.1	68.8	66.1	68.8	64.1	62.9	68.8

Note:
a. Does not include effects of water supply management practices.

TABLE 11-5

PROPORTIONAL TABLE A DELIVERIES TO AGRICULTURAL AND M&I CONTRACTORS IN 2020 UNDER VARIOUS ALTERNATIVES

	Baseline	Proposed Project [a]	Alternatives				
			NPA1	NPA2[a]	CNPA3	CNPA4	A5
Wet Year							
Agricultural Contractors	27.2	24.1	27.2	23.7	28.0	28.7	24.1
M&I Contractors	72.8	75.9	72.8	76.3	72.0	71.3	75.9
Critical Year							
Agricultural Contractors	20.4	25.0	20.6	17.3	24.2	28.8	25.0
M&I Contractors	79.6	75.0	79.4	82.7	75.8	71.2	75.0
Average All							
Agricultural Contractors	25.1	24.5	25.1	22.0	27.9	31.0	24.5
M&I Contractors	74.9	75.5	74.9	78.0	72.1	69.0	75.5

Note:
a. Does not include effects of water supply management practices.

TABLE 11-6

PROPORTIONAL TOTAL DELIVERIES TO AGRICULTURAL AND M&I CONTRACTORS IN 2020 UNDER VARIOUS ALTERNATIVES

	Baseline	Proposed Project [a]	Alternatives				
			NPA1	NPA2[a]	CNPA3	CNPA4	A5
Wet Year							
Agricultural Contractors	28.4	24.6	28.3	25.1	29.1	29.8	24.6
M&I Contractors	71.6	75.4	71.7	74.9	70.9	70.2	75.4
Critical Year							
Agricultural Contractors	21.3	25.6	21.5	18.5	24.9	29.2	25.6
M&I Contractors	78.7	74.4	78.5	81.5	75.1	70.8	74.4
Average All							
Agricultural Contractors	26.1	24.9	26.0	23.0	28.7	31.7	24.9
M&I Contractors	73.9	75.1	74.0	77.0	71.3	68.3	75.1

Note:
a. Does not include effects of water supply management practices.

TABLE 11-7

ESTIMATED AVERAGE TABLE A DELIVERIES UNDER 2003 CONDITIONS FOR BASELINE SCENARIO AND NO PROJECT ALTERNATIVE 1

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	NPA1	% Diff	Baseline	NPA1	% Diff	Baseline	NPA1	% Diff
Napa County FC&WCD	6.8	6.8	0	4.7	4.9	4	6.5	6.5	0
Solano County WA	37.7	37.7	0	17.8	18.3	3	34.2	34.3	0
Alameda Co. FC&WCD, Zone 7	46.4	46.4	0	19.9	20.4	7	41.1	41.2	0
Alameda County WD	35.2	35.2	0	16.8	17.3	3	31.9	32.0	0
Santa Clara Valley WD	84.7	84.7	0	40.1	41.3	3	76.6	76.8	0
Oak Flat WD	5.3	5.3	0	1.6	1.7	6	4.4	4.4	0
County of Kings	8.6	8.6	0	2.5	2.6	4	7.0	7.0	0
Dudley Ridge WD	57.0	57.0	0	17.5	17.9	2	47.2	47.3	0
Empire West Side ID	2.8	2.8	0	0.9	0.9	0	2.3	2.3	0
KCWA (Ag)	938.5	938.5	0	289.9	295.2	2	778.3	779.5	0
KCWA (Muni)	134.6	134.6	0	57.8	59.3	3	119.4	119.8	0
Tulare Lake Basin WSD	87.3	87.3	0	27.4	27.9	2	73.0	73.1	0
San Luis Obispo Co. FC&WCD	4.4	4.4	0	3.5	3.6	3	4.3	4.3	0
Santa Barbara Co. FC&WCD	26.3	26.3	0	19.5	20.2	4	25.2	25.3	0
Antelope Valley-East Kern WA	64.9	64.9	0	46.0	47.6	3	61.8	62.1	1
Castaic Lake WA (Ag)	11.7	11.7	0	3.6	3.7	3	9.7	9.7	0
Castaic Lake WA (Muni)	41.5	41.5	0	17.8	18.3	3	36.8	36.9	0
Coachella Valley WD	19.3	19.3	0	9.2	9.5	3	17.5	17.5	0
Crestline-Lake Arrowhead WA	1.9	1.9	0	1.7	1.7	0	1.9	1.9	0
Desert WA	31.2	31.2	0	15.1	15.5	3	28.3	28.4	0
Littlerock Creek ID	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Mojave WA	13.2	13.2	0	12.2	12.4	2	13.0	13.1	1
Metropolitan WDSC	1,272.5	1,272.5	0	771.5	792.7	3	1,310.1	1,314.3	0
Palmdale WD	14.9	14.9	0	7.0	7.2	3	13.5	13.5	0
San Bernardino Valley MWD	69.8	69.8	0	38.1	39.2	3	64.4	64.6	0
San Gabriel Valley MWD	18.1	18.1	0	10.4	10.7	3	16.8	16.9	1
San Gorgonio Pass WA	0.1	0.1	0	0.1	0.1	0	0.1	0.1	0
Ventura County FCD	5.0	5.0	0	4.6	4.7	2	4.9	4.9	0
Total All Contractors	3,039.7	3,039.7	0	1,457.3	1,494.5	3	2,830.1	2,837.5	0
Total Agricultural Contractors	1,111.2	1,111.2	0	343.5	349.7	2	921.8	923.2	0
Total Municipal Contractors	1,928.4	1928.4	0	1,113.9	1,144.8	3	1,908.3	1,914.3	0

TABLE 11-8

ESTIMATED AVERAGE TABLE A DELIVERIES UNDER 2003 CONDITIONS FOR BASELINE SCENARIO AND NO PROJECT ALTERNATIVE 2

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	NPA2	% Diff	Baseline	NPA2	% Diff	Baseline	NPA2	% Diff
Napa County FC&WCD	6.8	6.8	0	4.7	4.8	2	6.5	6.5	0
Solano County WA	37.7	37.7	0	17.8	18.1	2	34.2	34.3	0
Alameda Co. FC&WCD, Zone 7	46.4	66.5	43	19.9	26.5	34	41.1	57.7	40
Alameda County WD	35.2	35.2	0	16.8	17.0	1	31.9	31.9	0
Santa Clara Valley WD	84.7	84.7	0	40.1	40.7	1	76.6	76.8	0
Oak Flat WD	5.3	5.4	2	1.6	1.8	13	4.4	4.5	2
County of Kings	8.6	8.8	2	2.5	2.9	16	7.0	7.2	3
Dudley Ridge WD	57.0	53.9	-5	17.5	18.2	4	47.2	45.2	-4
Empire West Side ID	2.8	2.8	0	0.9	1.0	11	2.3	2.4	4
KCWA (Ag)	938.5	804.2	-14	289.9	274.1	-5	778.3	677.5	-13
KCWA (Muni)	134.6	134.6	0	57.8	58.6	1	119.4	120.1	1
Tulare Lake Basin WSD	87.3	89.3	2	27.4	30.5	11	73.0	75.3	3
San Luis Obispo Co. FC&WCD	4.4	4.4	0	3.5	3.6	3	4.3	4.3	0
Santa Barbara Co. FC&WCD	26.3	26.3	0	19.5	19.9	2	25.2	25.2	0
Antelope Valley-East Kern WA	64.9	64.9	0	46.0	46.8	2	61.8	61.9	0
Castaic Lake WA (Ag)	11.7	12.0	3	3.6	4.0	11	9.7	10.0	3
Castaic Lake WA (Muni)	41.5	68.6	65	17.8	26.6	49	36.8	59.0	60
Coachella Valley WD	19.3	19.3	0	9.2	9.4	2	17.5	17.5	0
Crestline-Lake Arrowhead WA	1.9	1.9	0	1.7	1.7	0	1.9	1.9	0
Desert WA	31.2	31.2	0	15.1	15.3	1	28.3	28.4	0
Littlerock Creek ID	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Mojave WA	13.2	13.2	0	12.2	12.2	0	13.0	13.0	0
Metropolitan WDSC	1,272.5	1,272.5	0	771.5	787.2	2	1,310.1	1,315.3	0
Palmdale WD	14.9	14.9	0	7.0	7.1	1	13.5	13.5	0
San Bernardino Valley MWD	69.8	69.8	0	38.1	38.7	2	64.4	64.5	0
San Gabriel Valley MWD	18.1	18.1	0	10.4	10.6	2	16.8	16.8	0
San Gorgonio Pass WA	0.1	0.1	0	0.1	0.1	0	0.1	0.1	0
Ventura County FCD	5.0	5.0	0	4.6	4.6	0	4.9	4.9	0
Total All Contractors	3,039.7	2,952.0	-3	1,457.3	1,481.9	2	2,830.1	2,775.7	-2
Total Agricultural Contractors	1,111.2	976.4	-12	343.5	332.4	-3	921.8	822.1	-11
Total Municipal Contractors	1,928.4	1,975.6	2	1,113.9	1,149.5	3	1,908.3	1,953.6	2

Note: Does not include effects of water supply management practices.

TABLE 11-9

ESTIMATED AVERAGE TABLE A DELIVERIES UNDER 2003 CONDITIONS FOR BASELINE SCENARIO AND COURT- ORDERED NO PROJECT ALTERNATIVE 3

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	C-A NPA3	% Diff	Baseline	C-A NPA3	% Diff	Baseline	C-A NPA3	% Diff
Napa County FC&WCD	6.8	6.8	0	4.7	4.5	-4	6.5	6.4	-2
Solano County WA	37.7	37.6	0	17.8	18.5	4	34.2	33.4	-2
Alameda Co. FC&WCD, Zone 7	46.4	45.7	-2	19.9	18.5	-7	41.1	38.8	-6
Alameda County WD	35.2	35.0	-1	16.8	16.8	0	31.9	30.9	-3
Santa Clara Valley WD	84.7	84.1	-1	40.1	40.0	0	76.6	74.2	-3
Oak Flat WD	5.3	5.3	0	1.6	1.8	13	4.4	4.6	5
County of Kings	8.6	8.7	1	2.5	2.8	12	7.0	7.4	6
Dudley Ridge WD	57.0	57.7	1	17.5	19.7	13	47.2	50.4	7
Empire West Side ID	2.8	2.8	0	0.9	1.0	11	2.3	2.4	4
KCWA (Ag)	938.5	949.3	1	289.9	327.5	13	778.3	830.7	7
KCWA (Muni)	134.6	132.6	-1	57.8	53.9	-7	119.4	112.6	-6
Tulare Lake Basin WSD	87.3	88.4	1	27.4	31.2	14	73.0	78.0	7
San Luis Obispo Co. FC&WCD	4.4	4.4	0	3.5	3.5	0	4.3	4.2	-2
Santa Barbara Co. FC&WCD	26.3	26.3	0	19.5	20.0	3	25.2	25.2	0
Antelope Valley-East Kern WA	64.9	64.9	0	46.0	46.9	2	61.8	61.8	0
Castaic Lake WA (Ag)	11.7	11.8	1	3.6	4.1	14	9.7	10.4	7
Castaic Lake WA (Muni)	41.5	40.9	-1	17.8	16.6	-7	36.8	34.7	-6
Coachella Valley WD	19.3	19.2	-1	9.2	9.2	0	17.5	17.0	-3
Crestline-Lake Arrowhead WA	1.9	1.9	0	1.7	1.7	0	1.9	1.9	0
Desert WA	31.2	31.0	-1	15.1	15.2	1	28.3	27.5	-3
Littlerock Creek ID	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Mojave WA	13.2	13.2	0	12.2	12.3	1	13.0	13.1	1
Metropolitan WDSC	1,272.5	1,264.4	-1	771.5	767.8	-1	1,310.1	1,273.7	-3
Palmdale WD	14.9	14.8	-1	7.0	6.9	-1	13.5	-13.0	-4
San Bernardino Valley MWD	69.8	69.8	0	38.1	38.7	2	64.4	63.5	-1
San Gabriel Valley MWD	18.1	18.1	0	10.4	10.6	2	16.8	16.6	-1
San Gorgonio Pass WA	0.1	0.1	0	0.1	0.1	0	0.1	0.1	0
Ventura County FCD	5.0	5.0	0	4.6	4.7	2	4.9	4.9	0
Total All Contractors	3,039.7	3,039.6	0	1,457.3	1,494.5	3	2,830.1	2,837.5	0
Total Agricultural Contractors	1,111.2	1,124.0	1	343.5	388.0	13	921.8	983.9	7
Total Municipal Contractors	1,928.4	1,915.6	-1	1,113.9	1,106.5	-1	1,908.3	1,853.6	-3

TABLE 11-10

ESTIMATED AVERAGE TABLE A DELIVERIES UNDER 2003 CONDITIONS FOR BASELINE SCENARIO AND COURT-ORDERED NO PROJECT ALTERNATIVE 4

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	C-A NPA4	% Diff	Baseline	C-A NPA4	% Diff	Baseline	C-A NPA4	% Diff
Napa County FC&WCD	6.8	7.6	12	4.7	5.6	19	6.5	7.2	11
Solano County WA	37.7	35.9	-5	17.8	15.7	-12	34.2	30.6	-11
Alameda Co. FC&WCD, Zone 7	46.4	44.9	-3	19.9	17.7	-11	41.1	37.6	-8
Alameda County WD	35.2	34.3	-3	16.8	16.1	-4	31.9	30.0	-6
Santa Clara Valley WD	84.7	82.5	-3	40.1	38.2	-5	76.6	72.0	-6
Oak Flat WD	5.3	5.3	0	1.6	1.9	19	4.4	4.7	7
County of Kings	8.6	8.7	1	2.5	2.9	16	7.0	7.6	9
Dudley Ridge WD	57.0	58.1	2	17.5	20.8	19	47.2	51.8	10
Empire West Side ID	2.8	2.8	0	0.9	1.0	11	2.3	2.5	9
KCWA (Ag)	938.5	956.7	2	289.9	345.5	19	778.3	854.9	10
KCWA (Muni)	134.6	130.2	-3	57.8	51.3	-11	119.4	108.8	-9
Tulare Lake Basin WSD	87.3	90.7	4	27.4	34.9	27	73.0	81.9	12
San Luis Obispo Co. FC&WCD	4.4	4.4	0	3.5	3.5	0	4.3	4.2	-2
Santa Barbara Co. FC&WCD	26.3	26.0	-1	19.5	19.5	0	25.2	24.6	-2
Antelope Valley-East Kern WA	64.9	64.4	-1	46.0	47.0	2	61.8	61.6	0
Castaic Lake WA (Ag)	11.7	11.9	2	3.6	4.3	19	9.7	10.7	10
Castaic Lake WA (Muni)	41.5	40.1	-3	17.8	15.8	-11	36.8	33.5	-9
Coachella Valley WD	19.3	18.9	-2	9.2	9.1	-1	17.5	16.7	-5
Crestline-Lake Arrowhead WA	1.9	1.9	0	1.7	1.7	0	1.9	1.9	0
Desert WA	31.2	30.6	-2	15.1	14.9	-1	28.3	27.1	-4
Littlerock Creek ID	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Mojave WA	13.2	13.2	0	12.2	12.3	1	13.0	13.1	1
Metropolitan WDSC	1,272.5	1,263.6	-1	771.5	753.9	-2	1310.1	1257.1	-4
Palmdale WD	14.9	14.5	-3	7.0	6.6	-6	13.5	12.6	-7
San Bernardino Valley MWD	69.8	69.3	-1	38.1	38.8	2	64.4	63.3	-2
San Gabriel Valley MWD	18.1	18.0	0	10.4	10.6	2	16.8	16.6	-1
San Gorgonio Pass WA	0.1	0.1	0	0.1	0.1	0	0.1	0.1	0
Ventura County FCD	5.0	5.0	0	4.6	4.7	2	4.9	4.9	0
Total All Contractors	3,039.7	3039.6	0	1,457.3	1,494.5	3	2,830.1	2,837.5	0
Total Agricultural Contractors	1,111.2	1134.7	2	343.5	411.5	20	921.8	1,014.4	10
Total Municipal Contractors	1,928.4	1905.0	-1	1,113.9	1,083.0	-3	1,908.3	1,823.1	-4

TABLE 11-11

ESTIMATED AVERAGE TABLE A DELIVERIES UNDER 2020 CONDITIONS FOR BASELINE SCENARIO AND NO PROJECT ALTERNATIVE 1

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	NPA1	% Diff	Baseline	NPA1	% Diff	Baseline	NPA1	% Diff
Napa County FC&WCD	24.4	24.4	0	8.9	9.2	3	20.1	20.2	11
Solano County WA	41.2	41.2	0	15.0	15.6	4	33.9	34.1	0
Alameda Co. FC&WCD, Zone 7	45.5	45.5	0	16.5	17.1	4	37.5	37.6	1
Alameda County WD	41.2	41.2	0	15.0	15.6	4	33.9	34.1	0
Santa Clara Valley WD	98.2	98.2	0	35.7	37.0	4	80.8	81.1	0
Oak Flat WD	5.1	5.1	0	1.3	1.3	0	3.8	3.8	0
County of Kings	8.3	8.3	0	2.0	2.1	5	6.1	6.1	0
Dudley Ridge WD	55.8	55.8	0	13.8	14.6	6	41.2	41.3	0
Empire West Side ID	2.7	2.7	0	0.7	0.7	0	2.0	2.0	0
KCWA (Ag)	919.7	919.7	0	228.6	240.6	5	679.0	681.9	0
KCWA (Muni)	132.1	132.1	0	48.1	49.8	4	108.8	109.2	0
Tulare Lake Basin WSD	85.9	85.9	0	21.6	22.7	5	63.7	64.0	1
San Luis Obispo Co. FC&WCD	24.5	24.5	0	8.9	9.3	4	20.2	20.3	1
Santa Barbara Co. FC&WCD	44.6	44.6	0	16.2	16.8	4	36.8	36.9	0
Antelope Valley-East Kern WA	138.7	138.7	0	50.1	52.0	4	113.9	114.4	0
Castaic Lake WA (Ag)	11.5	11.5	0	2.8	3.0	7	8.5	8.5	0
Castaic Lake WA (Muni)	40.7	40.7	0	14.8	15.4	4	33.5	33.7	1
Coachella Valley WD	118.5	118.5	0	41.9	43.5	4	96.7	97.0	0
Crestline-Lake Arrowhead WA	5.7	5.7	0	2.1	2.1	0	4.7	4.7	0
Desert WA	49.1	49.1	0	17.9	18.5	3	40.4	40.6	1
Littlerock Creek ID	2.3	2.3	0	0.8	0.9	13	1.9	1.9	0
Mojave WA	49.9	49.9	0	18.1	18.8	4	41.1	41.2	0
Metropolitan WDSC	1,876.3	1,876.3	0	682.8	707.8	4	1545.0	1551.1	0
Palmdale WD	17.0	17.0	0	6.2	6.4	3	14.0	14.0	0
San Bernardino Valley MWD	100.7	100.7	0	36.6	38.0	4	82.9	83.3	1
San Gabriel Valley MWD	28.3	28.3	0	10.3	10.7	4	23.3	23.4	0
San Gorgonio Pass WA	17.0	17.0	0	6.2	6.4	3	14.0	14.0	0
Ventura County FCD	19.6	19.6	0	7.1	7.4	4	16.2	16.2	0
Total All Contractors	4,004.6	4,004.6	0	1,330.2	1,383.4	4	3,203.8	3,216.6	0
Total Agricultural Contractors	1,089.7	1,089.1	0	270.8	285.0	5	804.3	807.7	0
Total Municipal Contractors	2,915.5	2,915.5	0	1,059.4	1,098.3	4	2,399.5	2,408.9	0

TABLE 11-12

ESTIMATED AVERAGE TABLE A DELIVERIES UNDER 2020 CONDITIONS FOR BASELINE SCENARIO AND ALTERNATIVE 2

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	NPA2	% Diff	Baseline	NPA2	% Diff	Baseline	NPA2	% Diff
Napa County FC&WCD	24.4	28.3	16	8.9	10.09.8	12	20.1	23.0	14
Solano County WA	41.2	46.7	13	15.0	16.6	11	33.9	38.0	12
Alameda Co. FC&WCD, Zone 7	45.5	78.0	71	16.5	24.5	48	37.5	61.2	63
Alameda County WD	41.2	41.2	0	15.0	15.3	2	33.9	34.1	1
Santa Clara Valley WD	98.2	98.2	0	35.7	36.5	2	80.8	81.2	0
Oak Flat WD	5.1	5.2	2	1.3	1.3	0	3.8	3.8	0
County of Kings	8.3	8.4	1	2.0	2.0	0	6.1	6.1	0
Dudley Ridge WD	55.8	51.8	-7	13.8	12.7	-8	41.2	38.5	-7
Empire West Side ID	2.7	2.7	0	0.7	0.7	0	2.0	2.0	0
KCWA (Ag)	919.7	774.9	-16	228.6	191.6	-16	679.0	577.0	-15
KCWA (Muni)	132.1	132.1	0	48.1	49.2	2	108.8	109.3	0
Tulare Lake Basin WSD	85.9	86.1	0	21.6	21.3	-1	63.7	64.2	1
San Luis Obispo Co. FC&WCD	24.5	24.5	0	8.9	9.1	2	20.2	20.3	0
Santa Barbara Co. FC&WCD	44.6	44.6	0	16.2	16.6	2	36.8	36.9	0
Antelope Valley-East Kern WA	138.7	138.7	0	50.1	51.2	2	113.9	114.5	1
Castaic Lake WA (Ag)	11.5	11.5	0	2.8	2.8	0	8.5	8.5	0
Castaic Lake WA (Muni)	40.7	79.6	96	14.8	24.3	64	33.5	62.0	85
Coachella Valley WD	118.5	118.5	0	41.9	42.8	2	96.7	97.1	0
Crestline-Lake Arrowhead WA	5.7	5.7	0	2.1	2.1	0	4.7	4.7	0
Desert WA	49.1	49.1	0	17.9	18.3	2	40.4	40.6	0
Littlerock Creek ID	2.3	2.3	0	0.8	0.8	0	1.9	1.9	0
Mojave WA	49.9	73.6	47	18.1	24.1	33	41.1	58.5	42
Metropolitan WDSC	1,876.3	1,876.3	0	682.8	698.3	2	1,545.0	1552.2	0
Palmdale WD	17.0	20.8	22	6.2	7.2	16	14.0	16.8	20
San Bernardino Valley MWD	100.7	100.7	0	36.6	37.5	2	82.9	83.3	0
San Gabriel Valley MWD	28.3	28.3	0	10.3	10.5	2	23.3	23.4	0
San Gorgonio Pass WA	17.0	17.0	0	6.2	6.3	2	14.0	14.0	0
Ventura County FCD	19.6	19.6	0	7.1	7.3	3	16.2	16.2	0
Total All Contractors	4,004.6	3,964.1	-1	1,330.2	1,341.0	1	3,203.8	3,189.3	0
Total Agricultural Contractors	1,089.7	940.5	-14	270.8	232.4	-14	804.3	700.1	-13
Total Municipal Contractors	2,915.5	3,023.6	4	1,059.4	1,108.6	5	2,399.5	2,489.3	4

Note: Does not include effects of water supply management practices.

TABLE 11-13

ESTIMATED AVERAGE TABLE A DELIVERIES UNDER 2020 CONDITIONS FOR BASELINE SCENARIO AND COURT-ORDERED NO PROJECT ALTERNATIVE 3

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	C-A NPA3	% Diff	Baseline	C-A NPA3	% Diff	Baseline	C-A NPA3	% Diff
Napa County FC&WCD	24.4	24.2	-1	8.9	8.8	-1	20.1	19.4	-3
Solano County WA	41.2	40.8	-1	15.0	14.8	-1	33.9	32.8	-3
Alameda Co. FC&WCD, Zone 7	45.5	45.1	-1	16.5	16.4	-1	37.5	36.2	-3
Alameda County WD	41.2	40.8	-1	15.0	14.8	-1	33.9	32.8	-3
Santa Clara Valley WD	98.2	97.1	-1	35.7	35.3	-1	80.8	78.1	-3
Oak Flat WD	5.1	5.3	4	1.3	1.6	23	3.8	4.2	11
County of Kings	8.3	8.6	4	2.0	2.5	25	6.1	6.8	11
Dudley Ridge WD	55.8	57.4	3	13.8	17.1	24	41.2	45.9	11
Empire West Side ID	2.7	2.8	4	0.7	0.8	14	2.0	2.2	10
KCWA (Ag)	919.7	945.6	3	228.6	283.1	24	679.0	757.6	12
KCWA (Muni)	132.1	130.7	-1	48.1	47.6	-1	108.8	105.6	-3
Tulare Lake Basin WSD	85.9	88.3	3	21.6	26.7	24	63.7	71.1	12
San Luis Obispo Co. FC&WCD	24.5	24.3	-1	8.9	8.8	-1	20.2	19.5	-3
Santa Barbara Co. FC&WCD	44.6	44.2	-1	16.2	16.1	-1	36.8	35.5	-4
Antelope Valley-East Kern WA	138.7	137.3	-1	50.1	49.7	-1	113.9	110.3	-3
Castaic Lake WA (Ag)	11.5	11.8	3	2.8	3.5	25	8.5	9.4	11
Castaic Lake WA (Muni)	40.7	40.3	-1	14.8	14.7	-1	33.5	32.4	-3
Coachella Valley WD	118.5	117.6	-1	41.9	42.0	0	96.7	94.4	-2
Crestline-Lake Arrowhead WA	5.7	5.6	-2	2.1	2.0	-1	4.7	4.5	-4
Desert WA	49.1	48.6	-1	17.9	17.7	1	40.4	39.0	-3
Littlerock Creek ID	2.3	2.2	-4	0.8	0.8	0	1.9	1.8	-5
Mojave WA	49.9	49.3	-1	18.1	17.9	-1	41.1	39.7	-3
Metropolitan WDSC	1,876.3	1,856.2	-1	682.8	675.4	-1	1,545.0	1,492.0	-3
Palmdale WD	17.0	16.8	-1	6.2	6.1	-2	14.0	13.5	-4
San Bernardino Valley MWD	100.7	99.6	-1	36.6	36.3	-1	82.9	80.1	-3
San Gabriel Valley MWD	28.3	28.0	-1	10.3	10.2	-1	23.3	22.5	-3
San Gorgonio Pass WA	17.0	16.8	-1	6.2	6.1	-2	14.0	13.5	-4
Ventura County FCD	19.6	19.4	-1	7.1	7.1	0	16.2	15.6	-4
Total All Contractors	4,004.6	4,004.6	0	1,330.2	1,384.1	4	3,203.8	3,216.0	0
Total Agricultural Contractors	1,089.7	1,119.7	3	270.8	335.4	24	804.3	897.4	12
Total Municipal Contractors	2,915.5	2,884.9	-1	1,059.4	1,048.7	-1	2,399.5	2,318.6	-3

COURT-ORDERED NO PROJECT ALTERNATIVE 4

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	C-A NPA4	% Diff	Baseline	C-A NPA4	% Diff	Baseline	C-A NPA4	% Diff
Napa County FC&WCD	24.4	23.6	-3	8.9	7.7	-13	20.1	17.6	-12
Solano County WA	41.2	39.7	-4	15.0	12.8	-15	33.9	29.4	-13
Alameda Co. FC&WCD, Zone 7	45.5	43.9	-4	16.5	14.2	-14	37.5	32.6	-13
Alameda County WD	41.2	39.8	-3	15.0	13.0	-13	33.9	29.7	-12
Santa Clara Valley WD	98.2	94.7	-4	35.7	31.0	-13	80.8	70.8	-12
Oak Flat WD	5.1	5.4	6	1.3	1.8	38	3.8	4.7	24
County of Kings	8.3	8.8	6	2.0	3.0	50	6.1	7.5	23
Dudley Ridge WD	55.8	58.9	6	13.8	20.4	48	41.2	51.1	24
Empire West Side ID	2.7	2.9	7	0.7	1.0	43	2.0	2.5	25
KCWA (Ag)	919.7	969.7	5	228.6	336.2	47	679.0	842.4	24
KCWA (Muni)	132.1	127.1	-4	48.1	41.1	-15	108.8	94.2	-13
Tulare Lake Basin WSD	85.9	90.5	5	21.6	31.8	47	63.7	79.1	24
San Luis Obispo Co. FC&WCD	24.5	23.6	-4	8.9	7.6	-15	20.2	17.5	-13
Santa Barbara Co. FC&WCD	44.6	42.9	-4	16.2	13.9	-14	36.8	31.8	-14
Antelope Valley-East Kern WA	138.7	137.5	-1	50.1	49.1	-2	113.9	109.8	-4
Castaic Lake WA (Ag)	11.5	12.1	5	2.8	4.2	50	8.5	10.5	24
Castaic Lake WA (Muni)	40.7	39.2	-4	14.8	12.7	-14	33.5	29.0	-13
Coachella Valley WD	118.5	118.0	0	41.9	42.0	0	96.7	94.6	-2
Crestline-Lake Arrowhead WA	5.7	5.5	-4	2.1	1.8	-14	4.7	4.1	-13
Desert WA	49.1	48.6	-1	17.9	17.4	-3	40.4	38.7	-4
Littlerock Creek ID	2.3	2.2	-4	0.8	0.7	-13	1.9	1.6	-16
Mojave WA	49.9	50.8	2	18.1	19.8	9	41.1	43.2	5
Metropolitan WDSC	1,876.3	1,836.6	-2	682.8	632.7	-7	1545.0	1423.8	-8
Palmdale WD	17.0	16.3	-4	6.2	5.3	-15	14.0	12.1	-14
San Bernardino Valley MWD	100.7	102.6	2	36.6	40.1	10	82.9	87.2	5
San Gabriel Valley MWD	28.3	28.8	2	10.3	11.2	9	23.3	24.5	5
San Gorgonio Pass WA	17.0	16.3	-4	6.2	5.3	-15	14.0	12.1	-14
Ventura County FCD	19.6	18.9	-4	7.1	6.1	-14	16.2	14.0	-14
Total All Contractors	4,004.6	4,004.6	0	1,330.2	1,384.0	4	3,203.8	3,216.0	0
Total Agricultural Contractors	1,089.7	1,148.3	5	270.8	398.3	47	804.3	997.8	24
Total Municipal Contractors	2,915.5	2,856.4	-2	1,059.4	985.7	-7	2,399.5	2218.2	-8

Climate Change

TABLE 11-15

ESTIMATED AVERAGE TOTAL DELIVERIES UNDER 2003 CONDITIONS FOR BASELINE SCENARIO AND NO PROJECT ALTERNATIVE 1

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	NPA1	% Diff	Baseline	NPA1	% Diff	Baseline	NPA1	% Diff
Napa County FC&WCD	8.9	8.5	-4	4.9	5.1	4	7.5	7.3	-3
Solano County WA	40.0	39.6	-1	18.1	18.6	3	35.2	35.2	0
Alameda Co. FC&WCD, Zone 7	48.8	48.7	0	20.2	20.7	2	42.2	42.3	0
Alameda County WD	38.1	38.0	0	17.1	17.6	3	33.3	33.3	0
Santa Clara Valley WD	95.3	94.6	-1	41.3	42.5	3	81.6	81.5	0
Oak Flat WD	5.3	5.3	0	1.6	1.7	6	4.4	4.4	0
County of Kings	8.6	8.6	0	2.5	2.6	4	7.0	7.0	0
Dudley Ridge WD	61.3	61.2	0	18.0	18.4	2	49.4	49.4	0
Empire West Side ID	6.1	5.9	-3	1.3	1.3	0	3.9	3.8	-3
KCWA (Ag)	1,138.8	1,135.0	0	311.7	317.0	2	879.5	878.6	0
KCWA (Muni)	134.6	134.6	0	57.8	59.3	3	119.4	119.8	0
Tulare Lake Basin WSD	141.2	139.6	-1	33.2	33.7	2	99.7	98.7	-1
San Luis Obispo Co. FC&WCD	4.4	4.4	0	3.5	3.6	3	4.3	4.3	0
Santa Barbara Co. FC&WCD	26.3	26.3	0	19.5	20.2	4	25.2	25.3	0
Antelope Valley-East Kern WA	68.4	68.3	0	46.4	48.0	3	63.5	63.8	0
Castaic Lake WA (Ag)	11.7	11.7	0	3.6	3.7	3	9.7	9.7	0
Castaic Lake WA (Muni)	43.8	43.4	-1	18.1	18.6	3	37.8	37.8	0
Coachella Valley WD	25.6	25.1	-2	9.9	10.2	3	20.5	20.3	-1
Crestline-Lake Arrowhead WA	1.9	1.9	0	1.7	1.7	0	1.9	1.9	0
Desert WA	45.5	44.3	-3	16.6	17.0	2	35.2	34.6	-2
Littlerock Creek ID	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Mojave WA	13.2	13.2	0	12.2	12.4	2	13.0	13.1	1
Metropolitan WDSC	1,487.6	1,464.0	0	806.4	827.6	3	1,429.9	1,430.7	0
Palmdale WD	14.9	14.9	0	7.0	7.2	3	13.5	13.5	0
San Bernardino Valley MWD	69.8	69.8	0	38.1	39.2	3	64.4	64.6	0
San Gabriel Valley MWD	18.1	18.1	0	10.4	10.7	3	16.8	16.9	1
San Gorgonio Pass WA	0.1	0.1	0	0.1	0.1	0	0.1	0.1	0
Ventura County FCD	5.0	5.0	0	4.6	4.7	2	4.9	4.9	0
Total All Contractors	3,563.2	3,550.2	0	1,525.9	1,563.1	2	3,103.9	3,102.7	0
Total Agricultural Contractors	1,373.0	1,367.5	0	372.0	378.2	2	1,053.5	1,051.6	0
Total Municipal Contractors	2,190.1	2,182.6	0	1,154.0	1,184.9	3	2,050.3	2,051.1	0

TABLE 11-16

ESTIMATED AVERAGE TOTAL DELIVERIES UNDER 2003 CONDITIONS FOR BASELINE SCENARIO AND NO PROJECT ALTERNATIVE 2

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	NPA2	% Diff	Baseline	NPA2	% Diff	Baseline	NPA2	% Diff
Napa County FC&WCD	8.9	9.0	1	4.9	5.1	4	7.5	7.3	0
Solano County WA	40.0	40.3	1	18.1	18.4	2	35.2	35.5	1
Alameda Co. FC&WCD, Zone 7	48.8	69.2	42	20.2	26.9	33	42.2	59.0	40
Alameda County WD	38.1	38.5	1	17.1	17.4	2	33.3	33.5	1
Santa Clara Valley WD	95.3	96.7	1	41.3	42.2	2	81.6	82.5	1
Oak Flat WD	5.3	5.4	2	1.6	1.8	13	4.4	4.5	2
County of Kings	8.6	8.8	2	2.5	2.9	16	7.0	7.2	3
Dudley Ridge WD	61.3	58.4	-5	18.0	18.7	4	49.4	47.5	-4
Empire West Side ID	6.1	6.3	3	1.3	1.5	15	3.9	4.2	8
KCWA (Ag)	1,138.8	1,016.6	-11	311.7	297.4	-5	879.5	784.8	-11
KCWA (Muni)	134.6	134.6	0	57.8	58.6	1	119.4	120.1	1
Tulare Lake Basin WSD	141.2	150.3	6	33.2	37.4	13	99.7	105.4	6
San Luis Obispo Co. FC&WCD	4.4	4.4	0	3.5	3.6	3	4.3	4.3	0
Santa Barbara Co. FC&WCD	26.3	26.3	0	19.5	19.9	2	25.2	25.2	0
Antelope Valley-East Kern WA	68.4	68.6	0	46.4	47.2	2	63.5	63.7	0
Castaic Lake WA (Ag)	11.7	12.0	3	3.6	4.0	11	9.7	10.0	3
Castaic Lake WA (Muni)	43.8	71.5	63	18.1	27.0	49	37.8	60.3	60
Coachella Valley WD	25.6	25.8	0	9.9	10.1	2	20.5	20.7	1
Crestline-Lake Arrowhead WA	1.9	1.9	0	1.7	1.7	0	1.9	1.9	0
Desert WA	45.5	45.9	1	16.6	17.0	2	35.2	35.6	0
Littlerock Creek ID	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Mojave WA	13.2	13.2	0	12.2	12.2	0	13.0	13.0	0
Metropolitan WDSC	1,487.6	1,489.1	0	806.4	830.2	3	1,429.9	1,433.4	0
Palmdale WD	14.9	14.9	0	7.0	7.1	1	13.5	13.5	0
San Bernardino Valley MWD	69.8	69.8	0	38.1	38.7	2	64.4	64.5	0
San Gabriel Valley MWD	18.1	18.1	0	10.4	10.6	2	16.8	16.8	0
San Gorgonio Pass WA	0.1	0.1	0	0.1	0.1	0	0.1	0.1	0
Ventura County FCD	5.0	5.0	0	4.6	4.6	0	4.9	4.9	0
Total All Contractors	3,563.2	3,500.5	-2	1,525.9	1,562.0	2	3,103.9	3,069.7	-1
Total Agricultural Contractors	1,373.0	1,257.8	-8	372.0	363.5	-8	1,053.5	963.7	-9
Total Municipal Contractors	2,190.1	2,242.8	2	1,154.0	1,198.6	4	2,050.3	2,106.0	3

TABLE 11-17

ESTIMATED AVERAGE TOTAL DELIVERIES UNDER 2003 CONDITIONS FOR BASELINE SCENARIO AND COURT-ORDERED NO PROJECT ALTERNATIVE 3

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	CNPA3	% Diff	Baseline	CNPA3	% Diff	Baseline	CNPA3	% Diff
Napa County FC&WCD	8.9	8.5	-4	4.9	4.7	-4	7.5	7.2	-4
Solano County WA	40.0	39.5	-1	18.1	18.8	4	35.2	34.2	-3
Alameda Co. FC&WCD, Zone 7	48.8	48.0	-2	20.2	18.8	-7	42.2	39.9	-5
Alameda County WD	38.1	37.8	-1	17.1	17.1	0	33.3	32.2	-3
Santa Clara Valley WD	95.3	86.0	-10	41.3	41.2	0	81.6	78.9	-3
Oak Flat WD	5.3	5.3	0	1.6	1.8	13	4.4	4.6	4
County of Kings	8.6	8.7	1	2.5	2.8	12	7.0	7.4	6
Dudley Ridge WD	61.3	61.9	9	18.0	20.2	12	49.4	52.5	6
Empire West Side ID	6.1	5.9	-3	1.3	1.4	8	3.9	3.9	0
KCWA (Ag)	1,138.8	1,145.8	1	311.7	349.3	12	879.5	929.8	6
KCWA (Muni)	134.6	132.6	-1	57.8	53.9	-7	119.4	112.6	-6
Tulare Lake Basin WSD	141.2	140.7	0	33.2	37.0	11	99.7	103.6	4
San Luis Obispo Co. FC&WCD	4.4	4.4	0	3.5	3.5	0	4.3	4.2	-2
Santa Barbara Co. FC&WCD	26.3	26.3	0	19.5	20.0	3	25.2	25.2	0
Antelope Valley-East Kern WA	68.4	68.6	0	46.4	47.3	2	63.5	63.5	0
Castaic Lake WA (Ag)	11.7	11.8	1	3.6	4.1	14	9.7	10.4	7
Castaic Lake WA (Muni)	43.8	42.8	-2	18.1	16.9	-1	37.8	36.6	-3
Coachella Valley WD	25.6	25.0	-2	9.9	9.9	0	20.5	19.8	-3
Crestline-Lake Arrowhead WA	1.9	1.9	0	1.7	1.7	0	1.9	1.9	0
Desert WA	45.5	44.1	-3	16.6	16.7	1	35.2	33.7	-4
Littlerock Creek ID	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Mojave WA	13.2	13.2	0	12.2	12.3	1	13.0	13.1	0
Metropolitan WDSC	1,487.6	1,475.9	-1	806.4	802.7	0	1,429.9	1,390.1	-3
Palmdale WD	14.9	14.8	-1	7.0	6.9	-1	13.5	13.0	-4
San Bernardino Valley MWD	69.8	69.8	0	38.1	38.7	0	64.4	63.5	-1
San Gabriel Valley MWD	18.1	18.1	0	10.4	10.6	2	16.8	16.6	-1
San Gorgonio Pass WA	0.1	0.1	0	0.1	0.1	0	0.1	0.1	0
Ventura County FCD	5.0	5.0	0	4.6	4.7	2	4.9	4.9	0
Total All Contractors	3,563.2	3,550.1	0	1,525.9	1,563.1	2	3,103.9	3,102.7	0
Total Agricultural Contractors	1,373.0	1,380.3	0	372.0	416.5	12	1,053.5	1,112.3	6
Total Municipal Contractors	2,190.1	2,169.8	-1	1,154.0	1,146.6	-1	2,050.3	1,990.4	-3

TABLE 11-18

ESTIMATED AVERAGE TOTAL DELIVERIES UNDER 2003 CONDITIONS FOR BASELINE SCENARIO AND COURT-ORDERED NO PROJECT ALTERNATIVE 4

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	CNPA4	% Diff	Baseline	CNPA4	% Diff	Baseline	CNPA4	% Diff
Napa County FC&WCD	8.9	9.3	4	4.9	5.8	18	7.5	8.0	7
Solano County WA	40.0	37.8	-6	18.1	16.0	-12	35.2	31.5	-10
Alameda Co. FC&WCD, Zone 7	48.8	47.2	-3	20.2	18.0	-11	42.2	38.7	-8
Alameda County WD	38.1	37.1	-3	17.1	16.4	-4	33.3	31.3	-6
Santa Clara Valley WD	95.3	92.4	-3	41.3	39.4	-5	81.6	76.7	-6
Oak Flat WD	5.3	5.3	0	1.6	1.9	19	4.4	4.7	7
County of Kings	8.6	8.7	1	2.5	2.9	16	7.0	7.6	9
Dudley Ridge WD	61.3	62.3	2	18.0	21.3	18	49.4	53.9	9
Empire West Side ID	6.1	5.9	-3	1.3	1.4	8	3.9	4.0	3
KCWA (Ag)	1,138.8	1,153.2	1	311.7	367.3	18	879.5	954.0	8
KCWA (Muni)	134.6	130.2	-3	57.8	57.3	-1	119.4	108.8	-9
Tulare Lake Basin WSD	141.2	143.0	1	33.2	40.7	23	99.7	107.5	8
San Luis Obispo Co. FC&WCD	4.4	4.4	0	3.5	3.5	0	4.3	4.2	-2
Santa Barbara Co. FC&WCD	26.3	26.0	-1	19.5	19.5	0	25.2	24.6	-2
Antelope Valley-East Kern WA	68.4	67.8	-1	46.4	47.4	2	63.5	63.3	0
Castaic Lake WA (Ag)	11.7	11.9	1	3.6	4.3	19	9.7	10.7	10
Castaic Lake WA (Muni)	43.8	42.0	-4	18.1	16.1	-11	37.8	34.4	-9
Coachella Valley WD	25.6	24.7	-3	9.9	9.8	-1	20.5	19.5	-5
Crestline-Lake Arrowhead WA	1.9	1.9	0	1.7	1.7	0	1.9	1.9	0
Desert WA	45.5	43.7	-4	16.6	16.4	-1	35.2	33.3	-5
Littlerock Creek ID	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Mojave WA	13.2	13.2	0	12.2	12.3	1	13.0	13.1	1
Metropolitan WDSC	1,487.6	1,475.1	-1	806.4	788.8	-2	1,429.9	1,373.5	-4
Palmdale WD	14.9	14.5	-3	7.0	6.6	-6	13.5	12.6	-7
San Bernardino Valley MWD	69.8	69.3	-1	38.1	38.8	2	64.4	63.3	-2
San Gabriel Valley MWD	18.1	18.0	-1	10.4	10.6	2	16.8	16.6	-1
San Gorgonio Pass WA	0.1	0.1	0	0.1	0.1	0	0.1	0.1	0
Ventura County FCD	5.0	5.0	0	4.6	4.7	2	4.9	4.9	0
Total All Contractors	3,563.2	3,550.1	0	1,525.9	1,563.1	2	3,103.9	3,102.7	0
Total Agricultural Contractors	1,373.0	1,390.5	1	372.0	440.0	18	1,053.5	1,151.2	9
Total Municipal Contractors	2,190.1	2,159.2	-1	1,154.0	1,123.1	-3	2,050.3	1,951.5	-5

TABLE 11-19

ESTIMATED AVERAGE TOTAL DELIVERIES UNDER 2020 CONDITIONS FOR BASELINE SCENARIO AND NO PROJECT ALTERNATIVE 1

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	NPA1	% Diff	Baseline	NPA1	% Diff	Baseline	NPA1	% Diff
Napa County FC&WCD	24.5	24.4	0	9.3	9.6	3	20.2	20.3	0
Solano County WA	41.3	41.2	0	15.4	16.0	4	34.1	34.2	0
Alameda Co. FC&WCD, Zone 7	45.8	45.6	0	17.0	17.6	3	37.8	37.8	0
Alameda County WD	41.9	41.8	0	15.5	16.1	4	34.4	34.5	0
Santa Clara Valley WD	100.3	99.7	-1	37.5	38.8	3	82.3	82.2	0
Oak Flat WD	5.1	5.1	0	1.3	1.3	0	3.8	3.8	0
County of Kings	8.3	8.3	0	2.0	2.1	5	6.1	6.1	0
Dudley Ridge WD	57.6	57.5	0	14.3	15.1	6	42.3	42.3	0
Empire West Side ID	3.9	3.7	-5	1.2	1.2	0	2.7	2.6	-4
KCWA (Ag)	999.1	992.3	-1	251.3	263.3	5	727.1	726.2	0
KCWA (Muni)	132.1	132.1	0	48.1	49.8	3	108.8	109.2	0
Tulare Lake Basin WSD	85.9	102.5	-3	28.4	29.5	4	75.5	74.3	-2
San Luis Obispo Co. FC&WCD	24.5	24.5	0	8.9	9.3	5	20.2	20.3	0
Santa Barbara Co. FC&WCD	44.6	44.6	0	16.2	16.8	4	36.8	36.9	0
Antelope Valley-East Kern WA	139.7	139.6	0	50.6	52.5	4	114.6	115.0	0
Castaic Lake WA (Ag)	11.5	11.5	0	2.8	3.0	7	8.5	8.5	0
Castaic Lake WA (Muni)	40.8	40.7	0	15.2	15.8	4	33.7	33.8	0
Coachella Valley WD	120.4	120.2	0	42.8	44.4	4	98.0	98.1	0
Crestline-Lake Arrowhead WA	5.7	5.7	0	2.1	2.1	0	4.7	4.7	0
Desert WA	52.7	52.5	0	20.0	20.6	3	46.1	42.7	0
Littlerock Creek ID	2.3	2.3	0	0.8	0.9	13	1.9	1.9	0
Mojave WA	49.9	49.9	0	18.1	18.8	4	41.1	41.2	0
Metropolitan WDSC	1,956.7	1,941.4	-1	728.2	753.2	3	1597.1	1595.1	0
Palmdale WD	17.0	17.0	0	6.2	6.4	3	14.0	14.0	0
San Bernardino Valley MWD	100.7	100.7	0	36.6	38.0	4	82.9	83.3	1
San Gabriel Valley MWD	28.3	28.3	0	10.3	10.7	4	23.3	23.4	0
San Gorgonio Pass WA	17.0	17.0	0	6.2	6.4	3	14.0	14.0	0
Ventura County FCD	19.6	19.6	0	7.1	7.4	4	16.2	16.2	0
Total All Contractors	4,196.9	4,169.9	-1	1,413.4	1,466.6	4	3,324.6	3,322.6	0
Total Agricultural Contractors	1,191.1	1,181.0	-1	301.3	315.5	5	865.9	863.9	0
Total Municipal Contractors	3,005.9	2,988.9	-1	1,112.2	1,151.1	4	2,458.7	2,458.7	0

TABLE 11-20

ESTIMATED AVERAGE TOTAL DELIVERIES UNDER 2020 CONDITIONS FOR BASELINE SCENARIO AND NO PROJECT ALTERNATIVE 2

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	NPA2	% Diff	Baseline	NPA2	% Diff	Baseline	NPA2	% Diff
Napa County FC&WCD	24.5	28.4	16	9.3	10.4	2	20.2	23.1	14
Solano County WA	41.3	46.8	12	15.4	17.0	10	34.1	38.2	12
Alameda Co. FC&WCD, Zone 7	45.8	78.4	71	17.0	25.0	47	37.8	61.5	63
Alameda County WD	41.9	41.9	0	15.5	15.8	2	34.4	34.8	1
Santa Clara Valley WD	100.3	100.4	0	37.5	38.2	2	82.3	82.7	0
Oak Flat WD	5.1	5.2	2	1.3	1.3	0	3.8	3.8	0
County of Kings	8.3	8.4	1	2.0	2.0	0	6.1	6.1	0
Dudley Ridge WD	57.6	53.6	-7	14.3	13.2	-8	42.3	39.5	-6
Empire West Side ID	3.9	3.9	0	1.2	1.2	0	2.7	2.7	0
KCWA (Ag)	999.1	852.9	-15	251.3	214.3	-15	727.1	623.8	-14
KCWA (Muni)	132.1	132.1	0	48.1	49.2	2	108.8	109.3	0
Tulare Lake Basin WSD	85.9	105.7	0	28.4	28.1	-1	75.5	76.2	1
San Luis Obispo Co. FC&WCD	24.5	24.5	0	8.9	9.1	2	20.2	20.3	0
Santa Barbara Co. FC&WCD	44.6	44.6	0	16.2	16.6	2	36.8	36.9	0
Antelope Valley-East Kern WA	139.7	139.7	0	50.6	51.7	2	114.6	115.1	0
Castaic Lake WA (Ag)	11.5	11.5	0	2.8	2.8	0	8.5	8.5	0
Castaic Lake WA (Muni)	40.8	79.8	95	15.2	24.8	63	33.7	62.2	85
Coachella Valley WD	120.4	120.4	0	42.8	43.7	2	98.0	98.3	0
Crestline-Lake Arrowhead WA	5.7	5.7	0	2.1	2.1	0	4.7	4.7	0
Desert WA	52.7	52.6	0	20.0	20.4	2	46.1	42.9	0
Littlerock Creek ID	2.3	2.3	0	0.8	0.8	0	1.9	1.9	0
Mojave WA	49.9	73.6	47	18.1	24.1	33	41.1	58.5	42
Metropolitan WDSC	1,956.7	1,956.6	0	728.2	743.7	2	1597.1	1603.4	0
Palmdale WD	17.0	20.8	22	6.2	7.2	16	14.0	16.8	20
San Bernardino Valley MWD	100.7	100.7	0	36.6	37.5	2	82.9	83.3	0
San Gabriel Valley MWD	28.3	28.3	0	10.3	10.5	2	23.3	23.4	0
San Gorgonio Pass WA	17.0	17.0	0	6.2	6.3	2	14.0	14.0	0
Ventura County FCD	19.6	19.6	0	7.1	7.3	3	16.2	16.2	0
Total All Contractors	4,196.9	4,155.0	-1	1,413.4	1,424.2	1	3,324.6	3,308.0	0
Total Agricultural Contractors	1,191.1	1,041.0	-12	301.3	262.9	-13	865.9	760.6	-12
Total Municipal Contractors	3,005.9	3,114.0	3	1,112.2	1,161.4	4	2,458.7	2,547.5	4

TABLE 11-21

ESTIMATED AVERAGE TOTAL DELIVERIES UNDER 2020 CONDITIONS FOR BASELINE SCENARIO AND COURT-ORDERED NO PROJECT ALTERNATIVE 3

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	CNPA3	% Diff	Baseline	CNPA3	% Diff	Baseline	CNPA3	% Diff
Napa County FC&WCD	24.5	24.2	-1	9.3	9.2	-1	20.2	19.5	-3
Solano County WA	41.3	40.8	-1	15.4	15.2	-1	34.1	32.9	-3
Alameda Co. FC&WCD, Zone 7	45.8	45.2	-1	17.0	16.9	-1	37.8	36.4	-4
Alameda County WD	41.9	41.4	0	15.5	15.3	1	34.4	33.1	-4
Santa Clara Valley WD	100.3	98.6	-2	37.5	37.1	0	82.3	79.3	-4
Oak Flat WD	5.1	5.3	4	1.3	1.6	23	3.8	4.2	10
County of Kings	8.3	8.6	4	2.0	2.5	25	6.1	6.8	11
Dudley Ridge WD	57.6	59.1	3	14.3	17.6	23	42.3	46.9	11
Empire West Side ID	3.9	3.8	-3	1.2	1.3	8	2.7	2.8	4
KCWA (Ag)	999.1	1,018.2	2	251.3	305.8	22	727.1	801.9	10
KCWA (Muni)	132.1	130.7	-1	48.1	47.8	-1	108.8	105.1	-3
Tulare Lake Basin WSD	85.9	105.3	0	28.4	33.5	18	75.5	81.5	8
San Luis Obispo Co. FC&WCD	24.5	24.3	-1	8.9	8.8	-1	20.2	19.5	-3
Santa Barbara Co. FC&WCD	44.6	44.2	-1	16.2	16.1	-1	36.8	35.5	-3
Antelope Valley-East Kern WA	139.7	138.2	-1	50.6	50.2	-1	114.6	110.9	-3
Castaic Lake WA (Ag)	11.5	11.8	3	2.8	3.5	25	8.5	9.4	11
Castaic Lake WA (Muni)	40.8	40.3	-1	15.2	15.1	-1	33.7	32.5	-4
Coachella Valley WD	120.4	119.3	-1	42.8	42.9	0	98.0	95.5	-3
Crestline-Lake Arrowhead WA	5.7	5.6	-2	2.1	2.0	-5	4.7	4.5	-4
Desert WA	52.7	52.0	-1	20.0	19.8	-1	46.1	41.1	-11
Littlerock Creek ID	2.3	2.2	-4	0.8	0.8	0	1.9	1.8	-5
Mojave WA	49.9	49.3	-1	18.1	17.9	-1	41.1	39.7	-3
Metropolitan WDSC	1,956.7	1,921.9	-2	728.2	720.8	-1	1597.1	1,536.3	-4
Palmdale WD	17.0	16.8	-1	6.2	6.1	-2	14.0	13.5	-4
San Bernardino Valley MWD	100.7	99.6	-1	36.6	36.3	-1	82.9	80.1	-3
San Gabriel Valley MWD	28.3	28.0	-1	10.3	10.2	-1	23.3	22.5	-3
San Gorgonio Pass WA	17.0	16.8	-1	6.2	6.1	-2	14.0	13.5	-4
Ventura County FCD	19.6	19.4	-1	7.1	7.1	0	16.2	15.6	-4
Total All Contractors	4,196.9	4,170.9	-1	1,413.4	1,467.3	4	3,324.6	3,322.6	0
Total Agricultural Contractors	1,191.1	1,212.1	2	301.3	365.9	21	865.9	953.7	10
Total Municipal Contractors	3,005.9	2,958.9	-2	1,112.2	1,101.5	-1	2,458.7	2,368.8	-4

ESTIMATED AVERAGE TOTAL DELIVERIES UNDER 2020 CONDITIONS FOR BASELINE SCENARIO AND COURT-ORDERED NO PROJECT ALTERNATIVE 4

SWP Contractors	Average Wet Year			Average Critically Dry Year			Average Year		
	Baseline	CNPA4	% Diff	Baseline	CNPA4	% Diff	Baseline	CNPA4	% Diff
Napa County FC&WCD	24.5	23.6	-4	9.3	8.1	-14	20.2	17.7	-12
Solano County WA	41.3	39.7	-4	15.4	13.2	-14	34.1	29.5	-13
Alameda Co. FC&WCD, Zone 7	45.8	45.0	-2	17.0	14.7	-13	37.8	32.8	-13
Alameda County WD	41.9	40.4	-4	15.5	13.5	-13	34.4	30.1	-13
Santa Clara Valley WD	100.3	96.2	-4	37.5	32.8	-13	82.3	72.0	-13
Oak Flat WD	5.1	5.4	6	1.3	1.8	38	3.8	4.7	24
County of Kings	8.3	8.8	6	2.0	3.0	50	6.1	7.5	23
Dudley Ridge WD	57.6	60.6	5	14.3	20.9	53	42.3	52.1	23
Empire West Side ID	3.9	3.9	0	1.2	1.5	25	2.7	3.1	15
KCWA (Ag)	999.1	897.1	-10	251.3	358.9	43	727.1	886.7	22
KCWA (Muni)	132.1	127.1	-4	48.1	41.1	-14	108.8	94.2	-13
Tulare Lake Basin WSD	85.9	107.5	2	28.4	38.6	36	75.5	89.5	19
San Luis Obispo Co. FC&WCD	24.5	23.6	-4	8.9	7.6	-15	20.2	17.5	-13
Santa Barbara Co. FC&WCD	44.6	42.9	-4	16.2	13.9	-14	36.8	31.8	-14
Antelope Valley-East Kern WA	139.7	138.4	-1	50.6	49.6	-4	114.6	110.4	-4
Castaic Lake WA (Ag)	11.5	12.1	5	2.8	4.2	50	8.5	10.5	24
Castaic Lake WA (Muni)	40.8	39.2	-4	15.2	13.1	-17	33.7	29.1	-14
Coachella Valley WD	120.4	119.7	-1	42.8	42.9	0	98.0	95.7	-2
Crestline-Lake Arrowhead WA	5.7	5.5	-3	2.1	1.8	-4	4.7	4.1	-13
Desert WA	52.7	52.0	-1	20.0	19.5	-3	46.1	40.8	-11
Littlerock Creek ID	2.3	2.2	-4	0.8	0.7	-13	1.9	1.6	-16
Mojave WA	49.9	50.8	2	18.1	19.8	9	41.1	43.2	5
Metropolitan WDSC	1,956.7	1,902.3	-3	728.2	678.1	-7	1597.1	1468.1	-8
Palmdale WD	17.0	16.3	-4	6.2	5.3	14	14.0	12.1	-14
San Bernardino Valley MWD	100.7	102.6	2	36.6	40.1	10	82.9	87.2	5
San Gabriel Valley MWD	28.3	28.8	2	10.3	11.2	9	23.3	24.5	5
San Gorgonio Pass WA	17.0	16.3	-4	6.2	5.3	-14	14.0	12.1	-14
Ventura County FCD	19.6	18.9	-4	7.1	6.1	-14	16.2	14.0	-14
Total All Contractors	4,196.9	4,170.9	-1	1,413.4	1,467.2	4	3,324.6	3,322.5	0
Total Agricultural Contractors	1,191.1	1,240.7	4	301.3	428.8	42	865.9	1,054.1	22
Total Municipal Contractors	3,005.9	2,930.4	-3	1,112.2	1,038.5	-7	2,458.7	2,268.4	-8

Climate Change

The estimated proportional deliveries shown in Tables 11-3 through 11-6 and estimated deliveries to individual contractors shown in Tables 11-7 through 11-22 include the effects of the Table A transfers and retirements and the altered water allocation procedures but not the effects of the water supply management practices. This is of no consequence for NPA1, CNPA3, CNPA4 and Alternative 5 because they do not include the water supply management practices. CNPA2 includes some water supply management practices.

11.4.1 No Project Alternative 1

Deliveries under 2003 Conditions

As shown in Tables 11-3 and 11-4, the agricultural and M&I contractors proportional Table A and total deliveries for NPA1 and the baseline scenario under 2003 conditions are almost the same. This is because the only difference between the baseline scenario and NPA1 is that the latter includes a state-owned water bank in the Kern Fan Element with a capacity of 350,000 AF. A state-owned water bank would have a minor effect on total SWP deliveries, reducing deliveries slightly in wet years and increasing them slightly in dry years. The effects of the state-owned water bank are described in more detail in Section 11.6.

Future Deliveries

As shown in Tables 11-5 and 11-6, the agricultural and M&I contractors proportional Table A and total deliveries for NPA1 and the baseline scenario under 2020 conditions are almost the same. This is because the only difference between the baseline scenario and NPA1 is that the latter includes a state-owned water bank in the Kern Fan Element with a capacity of 500,000 AF. A state-owned water bank would have a minor effect on total SWP deliveries, reducing total deliveries slightly in wet years and increasing them slightly in dry years.

11.4.2 No Project Alternative 2

Deliveries under 2003 Conditions

NPA2 for the period 1996 through 2003 contains the same components as the proposed project. Consequently, deliveries under NPA2 under 2003 conditions would be the same as for the proposed project. As shown in Tables 11-3 and 11-4, proportional deliveries to the agricultural and M&I contractors would be the same for NPA2 as they are for the proposed project.

Future Deliveries

NPA 2 for the period 2003 through 2020 contains some of the same components as the proposed project. It does not included the Table A transfers totaling 16,000 AF from KCWA to Desert WA and Coachella Valley WD that are part of the proposed project or most of the water supply management practices. It does not include the altered allocation method, the turnback pool, expanded carryover storage in San Luis Reservoir, flexible storage in Castaic Lake and Lake Perris. It does include out-of-service area storage in groundwater banks developed prior to 2003.

As shown in Table 11-5, the agricultural contractors share of Table A deliveries under NPA2 would be less than under the baseline scenario or with the proposed project in average, average wet and critically dry years. As shown in Table 11-6, the agricultural contractors share

of Table A deliveries under NPA2 would be less than under the baseline scenario in average, average wet and critically dry years and less than the proposed project in average and critically dry years.

11.4.3 Court-Ordered No Project Alternative 3

Deliveries under 2003 Conditions

As shown in Tables 11-3 and 11-4, the agricultural contractors' proportional Table A and total deliveries for CNPA3 are greater than those for the baseline scenario under 2003 conditions in average, average wet and average critically dry years. This is because the total Table A amount is reduced to 1.9 million AF under this alternative and allocation procedures for water available in excess of 1.9 million AF is more favorable to agricultural contractors than the pre-Monterey Amendment allocation procedures.

Future Deliveries

As shown in Tables 11-5 and 11-6, the agricultural contractors' proportional Table A and total deliveries for CNPA3 are greater than those for the baseline scenario under 2020 conditions in average, average wet and average critically dry years. This is because the total Table A amount is reduced to 1.9 million AF under this alternative and allocation procedures for water available in excess of 1.9 million AF is more favorable to agricultural contractors than the pre-Monterey Amendment allocation procedures.

11.4.4 Court-Ordered No Project Alternative 4

Deliveries under 2003 Conditions

As shown in Tables 11-3 and 11-4, the agricultural contractors' proportional Table A and total deliveries for CNPA4 are greater than those for the baseline scenario under 2003 conditions in average, average wet and average critically dry years. This is because the total Table A amount is reduced to 1.9 million AF under this alternative and allocation procedures for water available in excess of 1.9 million AF is more favorable to agricultural contractors than the pre-Monterey Amendment allocation procedures. The agricultural contractors' proportional Table A and total deliveries for CNPA4 are greater than those for the CNPA3 because the method of allocation of water in excess of 1.9 million AF is more favorable to the agricultural contractors under CNPA4 than under CNPA3.

Future Deliveries

As shown in Tables 11-5 and 11-6, the agricultural contractors' proportional Table A and total deliveries for CNPA4 are greater than those for the baseline scenario under 2020 conditions in average, average wet and average critically dry years. This is because the total Table A amount reduced to 1.9 million AF under this alternative and allocation procedures for water available excess of 1.9 million AF is more favorable to agricultural contractors than the pre-Monterey Amendment allocation procedures. Table A and total deliveries for CNPA4 are greater than Table A and total deliveries for the CNPA3. This is because the method of allocation for water in excess of 1.9 million AF is more favorable to the agricultural contractors under CNPA4 than it under CNPA3.

11.5 SWP DELIVERIES FOR ALTERNATIVE 5

Deliveries under 2003 Conditions

As shown in Tables 11-3 and 11-4, the agricultural contractors' proportional Table A and total average annual deliveries for Alternative 5 are less than those for the baseline scenario under 2003 conditions. This is because the transfer of 114,000 AF of Table A amount from agricultural to M&I contractors reduces deliveries to agricultural contractors in most years. However, deliveries to agricultural contractors increase in critically dry years relative to the baseline scenario because of the altered water allocation procedures.

Total deliveries to contractors under Alternative 5 were similar to but slightly less than with the proposed project under 2003 conditions. Between 1996 and 2004, the Department determined from historical date that all elements of the Monterey Amendment except the Table A transfers increased deliveries to contractors by 44,000 AF for the nine year period (see Chapter 6 for details). Alternative 5 does not include the water supply management practices, the element of the Monterey Amendment primarily responsible for the 44,000 AF increase, and so deliveries under Alternative 5 would have been about 5,000 AF less than deliveries with the proposed project.

Future Deliveries

As shown in Tables 11-5 and 11-6, the agricultural contractors' proportional Table A and total deliveries for Alternative 5 are less than those for the baseline scenario under 2020 conditions in average and average wet years and greater than those for the baseline scenario in average critically dry years. This is because the transfer of 130,000 AF of Table A amount from agricultural to M&I contractors reduces deliveries to agricultural contractors in most years but the altered allocation procedures increase deliveries to agricultural contractors in critically dry years.

Total deliveries to contractors under Alternative 5 would be less than with the proposed project under 2020 conditions. The Department estimated that the water supply management practices that are a part of the proposed project would increase deliveries to contractors by 50,000 AF per year in the future (see Chapter 6 for details). Alternative 5 does not include the water supply management practices and so deliveries under Alternative 5 would be about 50,000 AF per year less than deliveries with the proposed project.

11.6 EFFECTS OF STATE-OWNED KERN WATER BANK ON SWP DELIVERIES

The effects of a state-owned water bank on the Kern Fan Element property were examined by comparing NPA1 to the baseline scenario. NPA1 is almost identical to the baseline scenario. None of the elements of the proposed project would be implemented and the Table A amounts for the two scenarios would be the same. The only difference between the two scenarios is that under NPA1 the Department would develop a water bank on the Kern Fan Element property.

In 1988, the Department purchased approximately 20,000 acres of land in Kern County with the intention of constructing a groundwater bank that would be a part of the SWP. As part of the Monterey Amendment, ownership of these lands, known as the Kern Fan Element property, was transferred to KCWA, and subsequently transferred to the KWBA. It was assumed in NPA1 that if the Department had retained ownership of the Kern Fan Element property it would have constructed a state-owned, locally operated water bank on the property.

The CALSIM II model was used to estimate the effect of a state-owned water bank on the Kern Fan Element property on SWP water allocations. Various assumptions were made regarding operations of the water bank. The assumptions were based on the information contained in the Department's feasibility report for a water bank on the Kern Fan Element property. It was assumed that the water bank would have a storage capacity of 350,000 acre-feet in 2003 and a capacity of 500,000 acre-feet in 2020. Initial storage of SWP water in the bank in 1995 was assumed to be 83,000 acre-feet and that the maximum recharge rates would be 10,500 acre-feet per month in 2003 and 15,000 acre-feet per month in 2020. Maximum extraction rates were assumed to be 6,200 acre-feet per month in 2003 and 8,900 acre-feet per month in 2020. Because extraction of water from the water bank would be expensive it was assumed that the Department would only do so in years when the total Table A allocation was less than 60 percent. More details on assumed operating parameters for the state-owned water bank are contained in Appendix F.

able 11-7 shows total SWP Table A deliveries to contractors under the baseline scenario and ith NPA1 in wet, critically dry and average years under 2003 conditions with and without a ate-owned water bank. The existence of the bank with NPA1 would reduce total deliveries to ntractors in wet years by about 0.5 percent because water that would otherwise be delivered contractors as Article 21 water would instead be placed in storage in the water bank. The istence of the bank would increase deliveries to contractors in critically dry years by about 5 percent because the Department would be able to withdraw water from the bank to pplement deliveries of Table A water to contractors from its other sources. The existence of e bank would have no effect on total deliveries to contractors averaged over the 73-period of drologic record.

ble 11-11 shows total SWP Table A deliveries to contractors under the baseline scenario and h NPA1 in wet, critically dry and average years under 2020 conditions with and without a te-owned water bank. The existence of the bank would reduce total deliveries to contractors vet years by about 0.6 percent and would increase total deliveries to contractors in critically years by about 4 percent. The operation of the bank would have no effect on deliveries to tractors averaged over the 73-period of hydrologic record.

7 ENVIRONMENTAL IMPACTS OF ALTERNATIVES

more significant impacts of the proposed project would be felt in four areas, the ramento-San Joaquin Delta, at Lake Perris and Castiac Lake, in the San Joaquin Valley ion of Kern County, and in Plumas County. The proposed project would result in increased ping of water from the Delta in wet months of wet years under certain circumstances which d have an adverse impact on already declining Delta fisheries. The increased pumping d be a consequence of several of the water supply management practices included in the terey Amendment, particularly the practice that enables contractors to store SWP water de their service areas.

ner Monterey water management practice, flexible storage in Castaic Lake and Lake Perris, s certain contractors to borrow water from the terminal reservoirs. The practice could result ter levels in Castaic Lake and Lake Perris being drawn down for a longer period of time has occurred in the past. Prolonged drawdown could adversely affect recreation, riparian ation, resident fish and raptors that forage over the lakes. It could also result in increased n, increased airborne dust and make any usually submerged cultural resources able to disturbance.

Storage of SWP water outside contractors' service areas, a Monterey water management practice, encourages the development of groundwater banks. Groundwater banks that rely on active recharge of water involve the construction and operation of large areas of percolation ponds. If ponds are built in undeveloped areas they may have adverse effects on terrestrial wildlife and vegetation and cultural resources. Construction of groundwater banks would be the subject of project-level CEQA documents that would analyze the impacts of the construction impacts of the banks and develop appropriate mitigation measures.

The Settlement Agreement provides funds for environmental restoration in Plumas County. Although restoration projects benefit the environment in the long-term they typically have adverse environmental effects during and immediately following the construction period.

Table 11-23 summarizes the impacts of the proposed project and the alternatives to the proposed project relative to the baseline scenario. NPA1, CNPA3 and CNPA4 would avoid all of the adverse environmental impacts of the proposed project with the exception of those associated with the construction and operation of groundwater banking facilities on the Kern Fan Element property. NPA1, CNPA3 and CNPA4 include a state-owned water bank on the Kern Fan Element property. Construction of a state-owned bank would have similar impacts to those that occurred when the Kern Water Bank Authority constructed its groundwater banking facilities on the property.

NPA2 would have the same effects as the proposed project for 1996 through 2003. In the future, NPA2 would have lesser effects than the proposed project on Delta fisheries and in the San Joaquin Valley portion of Kern County. It would have no effects on environmental resources at Castaic Lake and Lake Perris and in Plumas County. Alternative 5 would avoid all of the adverse environmental impacts of the proposed project except those in Plumas County.

TABLE 11-23

ENVIRONMENTAL IMPACTS OF ALTERNATIVES

	Proposed Project	NPA1	NPA2	CNPA3/CNPA4	Alternative 5
Impacts of Delta fisheries	Increased Delta pumping could adversely affect Delta fisheries	No Impact	1996-2003: same as proposed project. Future: similar to but less than proposed project	No Impact	No Impact
Impacts on environmental resources at Lake Perris and Castaic Lake	Extreme drawdown of reservoirs at times could harm fish, wildlife, culture resources, etc.	No Impact	1996-2003: same as proposed project. Future: No Impact	No Impact	No Impact
Impacts on environmental resources in San Joaquin Valley portion of Kern County	Impacts associated with construction of percolation ponds and conversion of annual to permanent crops	Similar to but less than proposed project	1996-2003: same as proposed project. Future: similar to but less than proposed project	Similar to but less than proposed project	No Impact
Impacts on environmental resources in Plumas County	Impacts associated with stream restoration facilities	No Impact	No Impact	No Impact	Same as proposed project

ENDNOTES

1. Some SWP contractors believe that the Department would not have built a state-owned water bank on the Kern Fan Element. To do so, the Department would have needed the approval of local water agencies and some believe that that approval would not have been forthcoming.

2. There are doubts about the institutional feasibility of Alternative 5 because the Monterey Amendment was approved as an integrated package of amendments to the long-term water supply contracts that balanced the interests of the signatories in an acceptable manner. If some elements of the package were removed it is unlikely that it would acceptable to all signatories.

3. California Department of Water Resources, 2006. The State Water Project Delivery Reliability Report 2005.

STATE OF CALIFORNIA • RESOURCES AGENCY • DEPARTMENT OF WATER RESOURCES

NOTICE TO STATE WATER PROJECT CONTRACTORS

NUMBER: 07-08

DATE: NOV 21 2007

SUBJECT: 2008 State Water Project Initial Allocation

FROM: DEPUTY DIRECTOR, DEPARTMENT OF WATER RESOURCES

The Department of Water Resources (DWR) is initially approving 1,038,861 acre-feet of Table A water for long-term State Water Project (SWP) Contractors in 2008. SWP supplies are projected to meet 25 percent of SWP contractors requests for Table A water. Attached is the initial 2008 SWP allocation table.

This allocation is made consistent with the long-term water supply contracts and public policy. DWR also considered a conservative projection of hydrology, SWP operational constraints, including additional 2008 Delta export restrictions per the federal district court's remedy order to protect Delta Smelt, and 2008 Contractor demands, including carryover water from 2007.

Hydrologic conditions this year resulted in a "Dry" water year in the Sacramento Region and a "Critically Dry" water year in the San Joaquin Region. Subsequently, project storage conditions going into the 2008 water year are less than average. SWP Contractors' Table A for 2008 totals 4.17 million acre-feet, of which 4.15 million acre-feet were requested. DWR will revise the allocation as the hydrologic and water supply conditions develop.

Based on this initial allocation, DWR will prorate the 30 percent delivery schedules submitted by the Contractors earlier this year in developing new schedules, unless revised schedules are submitted. DWR will send an approved monthly water delivery schedule to each long-term contractor in December.

If you have any questions, please contact Robert B. Cooke, Chief of DWR's State Water Project Analysis Office, at (916) 653-4313.

2008 STATE WATER PROJECT ALLOCATION
(ACRE-FEET)

SWP CONTRACTORS	TABLE A (1)	INITIAL REQUEST (2)	APPROVED ALLOCATION (3)	PERCENT INITIAL REQUEST APPROVED (3)/(2) (4)
FEATHER RIVER				
County of Butte	27,500	27,500	6,875	25%
Plumas County FC&WCD	2,020	2,020	690	34%
City of Yuba City	9,600	9,600	2,400	25%
Subtotal	39,120	39,120	9,965	
NORTH BAY				
Napa County FC&WCD	23,200	23,200	5,800	25%
Solano County WA	47,406	47,406	11,852	25%
Subtotal	70,606	70,606	17,652	
SOUTH BAY				
Alameda County FC&WCD, Zone 7	80,619	80,619	20,155	25%
Alameda County WD	42,000	42,000	10,500	25%
Santa Clara Valley WD	100,000	100,000	25,000	25%
Subtotal	222,619	222,619	55,655	
SAN JOAQUIN VALLEY				
Oak Flat WD	5,700	5,700	1,425	25%
County of Kings	9,305	9,305	2,326	25%
Dudley Ridge WD	57,343	57,343	14,336	25%
Empire West Side ID	3,000	3,000	0	0%
Kern County WA	998,730	998,730	249,683	25%
Tulare Lake Basin WSD	95,922	95,922	23,981	25%
Subtotal	1,170,000	1,170,000	291,750	
CENTRAL COASTAL				
San Luis Obispo County FC&WCD	25,000	4,193	4,193	100%
Santa Barbara County FC&WCD	45,486	45,486	11,372	25%
Subtotal	70,486	49,679	15,565	
SOUTHERN CALIFORNIA				
Antelope Valley-East Kern WA	141,400	141,400	35,350	25%
Castaic Lake WA	95,200	95,200	23,800	25%
Coachella Valley WD	121,100	121,100	31,275	26%
Crestline-Lake Arrowhead WA	5,800	5,800	1,450	25%
Desert WA	50,000	50,000	12,500	25%
Littlerock Creek ID	2,000	2,000	500	25%
Mojave WA	18,400	18,400	4,600	25%
Metropolitan WDSC	191,200	191,200	47,800	25%
Palmdale WD	21,300	21,300	5,325	25%
San Bernardino Valley MWD	50,800	50,800	12,700	25%
San Gabriel Valley MWD	25,800	25,800	6,450	25%
San Gorgonio Pass WA	17,200	17,200	4,300	25%
Ventura County FCD	17,200	17,200	4,300	25%
Subtotal	2,593,100	2,593,100	648,275	
TOTAL	4,166,931	4,145,124	1,038,861	

SWPAO
20-Nov-07

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Lynn Sadler
Teresa Villegas

January 8, 2008

Los Angeles County Regional Planning Commission and
Mr. Daniel Fierros, Ms. Susan Tae, and Mr. Samuel Dea, project staff
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

via facsimile to: 213-626-0434
via email to: dfierros@planning.lacounty.gov, stae@planning.lacounty.gov, sdea@planning.lacounty.gov.

Re: Submittal of Public Comments in response to the Final Environmental Impact Report (FEIR) of the Newhall Ranch Landmark Village Project, prepared by Impact Sciences, Inc. [County Project No. 00-196-(5)].

Dear Mr. Fierros:

The Planning and Conservation League (PCL) appreciates the extension of the comment period to allow greater public participation in the review of the Final Environmental Impact Report (FEIR) for the Newhall Ranch Landmark Village Project (Project). We still have concerns about the adequacy of the current and future reliability of presumed water supplies for the Project, and respectfully request the Los Angeles County Regional Planning Commission to ask for a new Water Supply Assessment, and to postpone the decision on the Project until the information from a new Water Supply Assessment is available.

In our comment letter (DEIR Letter) of February 20, 2007 (Letter D26, Volume I, Section 2.0; incorporated here by reference), we expressed our concern about two general issues which received inadequate attention in the Draft EIR *(responses to our comments noted in parentheses)*:

Availability of Water for Project
We believe that the Draft EIR was improperly based on an inaccurate Water Supply Assessment for the Project. Specifically, the Water Supply Assessment is inconsistent with recent court decisions; relying heavily on unverified water supplies, water projects and reports that are under legal challenge. *(Topical Responses 4 & 5)*

Climate Change
We believe that the Draft EIR should have more comprehensively considered:

- The impacts of climate change on water availability for the Project, now and into the future *(Topical Response 6)*
- The impacts of the project's emissions on climate change *(Topical Response 8)*

Availability of Water

The Water Supply Assessment (WSA) in the current FEIR does not analyze the actual reliability of the local groundwater and undeveloped recycled water, identified as the project's supply sources (mentioned in the FEIR response to Comment 2 of the D26 PCL letter). The WSA does not analyze how local groundwater will serve the project's potable needs for the life of the project (at least twenty years) in the backdrop of the region's increased reliance on groundwater, without significantly impacting the aquifer through overdraft and/or water contamination. Additionally, the WSA does not provide infrastructure planes, engineering blueprints, environmental documents or even potential yields of the Newhall Ranch Water Recycling Plant (WRP) to verify that it will serve the project's nonpotable water demands.

On a regional scale, the recent Wanger Decision (Federal Court, Dec. 17th, 2007, Judge Oliver Wanger) will require State Water Project contractors to drastically cut their SWP demands and replace those deliveries with alternative regional sources. One of the substantive points in Topical Responses 4 & 5 seems to be that reliability of water from the State Water Project (SWP) is moot, because the Project's water needs will be met by groundwater and recycled water sources. However, this claim ignores the region-wide impacts of reductions in water supply in and around the CLWA service area. For example, groundwater aquifers in the Castaic Lake region may be in high demand to serve the existing water demand of the area.

In addressing SWP supply reliability, Topical Response 5 (p. TR5-29) optimistically points to the Governor's $6 billion dollar plan for the Delta as showing promise for improving reliability of Delta water deliveries. However, the Governor's plan has not yet been approved by the Legislature and is further endangered by the state's current budget crisis.

Climate Change

In response to the effects of climate change on California's water supplies, the FEIR explains (p. TR6-2) that "...the County has made the factual determination that global climate changes and their effects on California's water supplies are too speculative at this time for any further evaluation." While precise, quantitative predictions as to the specific changes in water supplies may be unavailable, we urge the Commission to recognize that climate change will exacerbate the current stress on California's water supplies.

We ask the Planning Commission to request a new Water Supply Assessment that addresses the inadequacies we have mentioned above before finalizing their decision on this Project.

Sincerely,

Charlotte K. Hodde

Charlotte K. Hodde
Water Policy Specialist

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

December 24, 2007

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice Chair
Esther L. Valadez, Commissioner
Pat Modugno, Commissioner
Wayne Rew, Commissioner

FROM: Samuel Dea, Section Head
Special Projects Section

SUBJECT: LANDMARK VILLAGE
GENERAL/LOCAL/SPECIFIC PLAN AMENDMENT CASE NOS. 00-196-(5)
VESTING TENTATIVE TRACT MAP NO. 53108-(5)
CONDITIONAL USE PERMIT CASE NOS. 00-196-(5) AND 2005-01121-(5)
OAK TREE PERMIT CASE NO. 00-196-(5)
AGENDA ITEM NO. 6 a, b, c, d, e, f, g; January 9, 2008

This item is scheduled before your Commission on the January 9, 2008 consent calendar. A resolution recommending to the Board of Supervisors for adoption of the General/Local/Specific Plan Amendment, findings and conditions recommended for approval of the Tentative Tract Map, Conditional Use Permits and Oak Tree Permit and the Final EIR are attached for your consideration.

PUBLIC HEARING SUMMARY

As you may recall, Landmark Village is the first subdivision proposal within the adopted Newhall Ranch Specific Plan ("Specific Plan"), and proposes to create a maximum of 1,444 dwelling units and 1,033,000 square feet of nonresidential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school on 292.6 gross acres. The project is within the "Riverwood" Village of the Specific Plan, and located north of the Santa Clara River, south of State Route 126 ("SR-126"), east of the Ventura County boundary, and west of Interstate 5 Freeway. A Draft Environmental Impact Report ("EIR") was prepared for the project as a tiered document from the certified Specific Plan EIR, and concluded that impacts could not be mitigated to less than significant, include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources; Noise is the only impact factor for this project that was considered significant different than the certified Specific Plan EIR.

At the January 31, 2007 public hearing, the Commission heard the staff report and was advised by staff that a few minor technical corrections needed to be made to the tentative map. The Commission heard testimony from the project applicant and interested members of the public.

Based on testimony, the Commission requested additional information from staff and the applicant related to the following items: potential incorporation of wireless technology within the project; interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raised about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Castaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society. Consequently, the Commission then continued the public hearing to February 28, 2007 and extended the EIR public comment period to February 20, 2007.

On February 28, 2007, the Commission conducted the continued hearing on Landmark Village. The applicant provided submitted response to the County addressing those items raised by the Commission at the January hearing. At the continued hearing additional testimony was taken, including the applicant's rebuttal. The applicant responded to the items raised by the Commission on January 31, 2007. The Commission then raised additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed.

Staff also reminded the Commission that there were outstanding technical corrections to be made to the map including, minor grading elevation adjustments to match the approved drainage concept, inclusion of an 11,000 square foot fire station, changes in the configuration of the school and park, the inclusion of a trailhead west of Long Canyon Road, minor changes to the off-site improvements exhibit, including proposed water tank locations, and inclusion of various transit related facilities.

At the conclusion of testimony and discussion, the Commission closed the public hearing, directed staff to prepare the Final Environmental Impact Report, project findings and conditions for consideration, directed the applicant to resubmit the tentative tract map for approval by the Subdivision Committee to address the necessary technical corrections and directed the applicant to provide final versions, reflecting Commission directed changes, of the Landmark Planning Booklet and the Landmark Village Sustainability Summary.

TENTATIVE TRACT MAP ACTIVITY

On May 2, 2007, a revised map was submitted for review by the Subdivision Committee. The map included the corrections required by staff and design changes requested by the Commission. The committee has reviewed the revised map and recommends approval based on technical feasibility. The conditions of the Subdivision Committee are included with the project findings and conditions.

SUMMARY OF CHANGES

The following changes to the project have been implemented at the direction of the Regional Planning Commission:

- The applicant will work with the Castaic School District to ensure opening of the Landmark Village Elementary School as soon as possible in accordance with District requirements;

- The applicant has prepared a Sustainability Summary (attached) for Landmark Village pursuant to the Commission's direction. The applicant has agreed to incorporate green building measures into the project (all structures will be built to a standard that is 15% better than existing Title 24) and to identify and incorporate renewable energy into components of the project (i.e., solar, wind, cogeneration, etc.);

- The applicant has redesigned the school/park layout resulting in an increased buffer from the elementary school to SR 126;

- The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians who will provide monitoring and consulting services throughout development of Newhall Ranch;

- The applicant has incorporated the fire station and trailhead into the map and project;

- Pursuant to the letter from the William S. Hart Union School District to the Commission, the applicant has committed to working with the District on a Plan that will address facilities need to accommodate those students generated in Newhall Ranch before the opening of the Newhall Ranch High School. All costs associated with any of the potential solutions identified in the Plan will be the responsibility of the applicant (attachment); and

- The applicant has incorporated language into the Newhall Ranch Affordable Housing Program (attachment) that requires a 15-year resale control (deed restriction) on for-sale homes. In addition, a provision has been added to the Program that allows the homebuyer of the affordable home to share in the future value appreciation based on the length in which the buyer lives at the home (25% of the appreciation/five years, 50% of the appreciation/10 years and 100% of the appreciation/15 years).

ENVIRONMENTAL DOCUMENTATION

As you know, a Draft Environmental Impact Report was prepared for this project and was initially released for public review on November 20, 2006. The Final EIR, including the Responses to Comments, was delivered to Commission on December 6, 2007. Consistent with County policy, the Final EIR was distributed to commenting agencies and members of the public on December 7, 2007 – at 12 days in advance of the Commission potentially certification of the Final EIR to the Board. There have been requests from members of the public and environmental organizations to extend the Commission's meeting on Landmark until early next year. As indicated above, the Landmark Village Draft EIR has been available for public review since November 20, 2006, was the primary topic of the public hearings conducted by the Commission earlier this year, and though not required at this stage (since the Commission is not certifying the EIR) County staff sent the Final EIR (including Responses to Comments) out prior to the Commission's January 9, 2009 meeting. Interested members of the public will also have opportunity to again comment on the Final EIR at the Board level.

Additional materials included for your review are the updated Landmark Village Planning Notebook, the Sustainable Community Design booklet, letter from the Hart District, project findings and conditions, the revised tentative tract map approved by the Subdivision Committee, CEQA findings and Mitigation Monitoring Program.

If you need further information, please call or contact me at (213) 974-6443 or sdea@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SD:sd

Attachments (some of the documents are single-sided)

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT No. 00-196-(5)
TRACT MAP NO. 53108
GPA/LPA/SPA 00-196-(5)
CUP 00-196-(5), 2005-01121-(5)
OTP 00-196-(5)

RPC CONSENT DATE January 9, 2007	
AGENDA ITEM #6 a,b,c,d,e,f,g	
PUBLIC HEARING DATE January 31, and February 28, 2007	

APPLICANT	OWNER	REPRESENTATIVE
Newhall Land and Farming	Newhall Land and Farming	Psomas

REQUEST "Landmark Village"

Tentative Tract Map: 458 lots consisting of 308 single-family, 20 multi-family (11 condominium lots with 282 detached condos, 4 condominium lots with 347 attached condos in 47 buildings, 3 apartment lots with 451 for-lease apartments in 28 buildings, and two condo or for lease lots with 56 units in nine buildings), 14 commercial with 15 for-lease buildings, 10 commercial with no development planned, 12 private driveway, 3 recreation, 2 park, 1 school, 25 open space and 20 open space/desilting basin lots on 292.6 acres

General/Local/Specific Plan Amendments: To remove "A" Street from the County Master Plan of Highways and SCVAP Circulation Plan, and redesignate from a secondary highway to a local collector street

Conditional Use Permits: To ensure compliance with the requirements of development within a Significant Ecological Area/Special Management Area, onsite project grading; and offsite project grading and utilities, including water tanks

Oak Tree Permit: To authorize removal of 67 oak trees (including 10 heritage oaks) and encroachment within the protected zone of 14 oak trees (including three heritage oaks)

LOCATION/ADDRESS	ZONED DISTRICT
North of the Santa Clara River, south of Highway 126, east of Ventura County boundary and west of Interstate 5 ("I-5") Freeway within Newhall Ranch Specific Plan	Newhall
	COMMUNITY Newhall Ranch: Landmark Village
ACCESS State Route ("SR") Highway 126	**EXISTING ZONING** SP (Specific Plan)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
292.6 Gross Acres	Agricultural	Irregular	Slight to steeply sloping

SURROUNDING LAND USES & ZONING

North: Single-family residences, water tank/City of Agoura Hills	**East:** Single-family residences, religious facility and vacant property/City of Agoura Hills
South: Fire station, single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area), A-1-2, A-1-10, O-S (Open Space)	**West:** Single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area) and City of Agoura Hills

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Newhall Ranch Specific Plan	Portions of RW-09, 27, 29, 30, 31, 32, 33, 34a, 34b, 35, 36, 37	1,444 DU	Yes

ENVIRONMENTAL STATUS

Draft Environmental Impact Report: Impacts that cannot be mitigated to less than significant include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources.

DESCRIPTION OF SITE PLAN ("Landmark Village")

The tentative map and exhibit "A" depict the residential and commercial mixed-use development. Residential types include single-family homes, detached and attached condominiums, apartments. Also proposed are for sale and lease-only commercial uses. Onsite project grading consists of 209,000 cubic yards of cut and 5,555,400 cubic yards of fill, with 5,346,400 cubic yards of import. Offsite grading will include Adobe Canyon (cut 6,969,000 cubic yards, fill 218,000 cubic yards, export 5,705,700 cubic yards) and Chiquito Canyon (cut 1,019,100 cubic yards, fill 666,300 cubic yards fill, no export). Open space consists of 20 acres with an additional 16-acrepublic park and an additional approximately 19 acres of open facility open space areas. A minimum 12-foot riding and hiking trail easement is provided along Santa Clara River with additional interpretive/nature trail boardwalk to be maintained by the development's homeowners' association.

KEY ISSUES

- Public has requested that a continuance be granted for the public comment period to the Draft EIR; requests are for either an additional 30 or 60 days. Original public notice period was for 60 days, and extended once to coincide with the public hearing date

(If more space is required, use opposite side)

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		*(O) = Opponents (F) = In Favor
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

Project No. 00-196-(5)

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☒ APPROVAL ☐ DENIAL

☐ No improvements ____ 20 Acre Lots ____ 10 Acre Lots ____ 2½ Acre Lots ____ Sect 191.2

☒ Street improvements X Paving X Curbs and Gutters X Street Lights

X Street Trees ____ Inverted Shoulder X Sidewalks ____ Off Site Paving ____ ft.

☒ Water Mains and Hydrants

☒ Drainage Facilities

☒ Sewer ☐ Septic Tanks ☐ Other _____

☒ Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

Parks & Rec.

Health

Planning

ISSUES AND ANALYSIS

The Draft EIR analyzes potentially significant impacts of the project, and concludes that impacts that cannot be mitigated to less than significant include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources.

A RESOLUTION OF THE REGIONAL PLANNING COMMISSION OF THE COUNTY OF LOS ANGELES RELATING TO THE ADOPTION OF AN AMENDMENT TO THE LOS ANGELES COUNTY GENERAL PLAN, THE SANTA CLARITA VALLEY AREA PLAN, AND THE NEWHALL RANCH SPECIFIC PLAN FOR PROJECT NO. 00-196

WHEREAS, pursuant to article 8 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65450), the County of Los Angeles ("County") is authorized to adopt amendments to its general plan and Specific Plan; and

WHEREAS, the applicant, Newhall Land and Farming, has requested the approval of General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196 to amend the County's Master Plan of Highways to reclassify "A" Street/Wolcott Road from a secondary highway to a local collector street; and

WHEREAS, the Regional Planning Commission of Los Angeles County ("Commission") conducted a public hearing on January 31, and February 28, 2007 regarding the following: (i) General Plan Amendment No. 00-196-(5); (ii) Santa Clarita Valley Area Plan Amendment No. 00-196-(5); (iii) Specific Plan Amendment No. 00-196-(5); (iv) Vesting Tentative Tract Map No. 53108; (v) Conditional Use Permit No. 2005-01121-(5); (vi) Oak Tree Permit No. 00-196-(5); and (vii) CUP No. 00-196-(5), including off-site grading transport and modification of the adopted County Floodway limits (collectively, "Project"); and

WHEREAS, the Project Approvals are sought in connection with Landmark Village, located within the boundary of the Newhall Ranch Specific Plan, which was adopted by the County on May 27, 2003, to guide the long-term development of the 11,963-acre Newhall Ranch community comprised of a broad range of residential, mixed-use, and non-residential developments; and

WHEREAS, the Landmark Village project site is located in unincorporated Los Angeles County, within the Santa Clarita Valley Planning Area, immediately west of the confluence of Castaic Creek and the Santa Clara River. The Santa Clara River forms the southern boundary of the project site, while the northern project boundary is defined by State Route 126 ("SR-126"). The eastern Landmark tract map boundary abuts Castaic Creek, and the City of Santa Clarita is located further east of the project site, just beyond Interstate 5 ("I-5"); and

WHEREAS, the applicant proposes to develop the 292.6-acre Landmark Village tract map site, which includes the development of 1,444 residential dwelling units (308 single-family units, 1,136 multi-family units), up to 1,033,000 square feet of mixed-use/commercial uses, nine-acre elementary school, 16-acre community park, fire station site, public and private recreational facilities, trails, and road improvements; and

WHEREAS, the Regional Planning Commission finds as follows:

1. Within the Vesting Tentative Tract No. 53108, the circulation plan is characterized by a system of local streets that would access the site to and from a road identified as "A" Street. "A" Street traverses within the tract map site in an east-west direction. Two north/south roadways, Wolcott Road and Long Canyon Road, would connect "A" Street to the off-site highway system; and

2. The primary function of "A" Street is to provide connectivity between the Landmark Village neighborhoods and access from local streets to the arterial highway system. However, while "A" Street is an integral component of the Landmark Village circulation system, it is not critical to the overall Specific Plan and areawide circulation system; and, as a result, the applicant is requesting that the existing Secondary Highway designation be amended to a Collector Street; and

3. The forecasted traffic volumes on "A" Street support the change in designation of "A" Street from a Secondary Highway to a Collector Street. A Collector Street can typically accommodate approximately 10,000 average daily trips ("ADT") at a Level of Service ("LOS") C. "A" Street would have traffic volumes substantially less than 10,000 ADT for the entire length of the roadway, except for the short segment between future Long Canyon Road and the roundabout near the future "A" Street/Long Canyon Road intersection. For that segment, which would have volumes ranging from 16,000 ADT to 20,000 ADT, two travel lanes in each direction are proposed. Accordingly, based on the traffic volumes forecasted for "A" Street, the roadway designation can change to a Collector Street; and

General Plan, Highway Plan (see attached Exhibits 1 and 2)

4. The applicant is requesting an amendment to the County's Highway Plan, which is contained within the Transportation Element of the Los Angeles County General Plan ("General Plan"), for purposes of downgrading proposed "A" Street, located with the Landmark Village tract map site, from a four-lane Secondary Highway, as designated in the current General Plan (see attached Exhibit 1), to a two-lane Collector Street (see attached Exhibit 2); and

Area Plan, Circulation Plan (see attached Exhibits 3 and 4)

5. The applicant is requesting an amendment to the Santa Clarita Valley Area Plan, Circulation Plan, to downgrade "A" Street from a Secondary Highway (see attached Exhibit 3) to a Collector Street (see attached Exhibit 4) for the same reasons identified in paragraphs 2 and 3, above; and

Specific Plan Amendment, Circulation Plan (see attached Exhibits 5 and 6)

6. The applicant is requesting an amendment to the previously adopted Newhall Ranch Specific Plan, Master Circulation Plan, to change "A" Street from a

Secondary Highway (see attached Exhibit 5) to a Collector Street (see attached Exhibit 6) for the same reasons identified in paragraphs 2 and 3, above; and

7. Compatibility with surrounding land uses will be ensured through the related subdivision, conditional use permits, and environmental controls; and

8. There is no evidence that the proposed Landmark Village project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site; and

9. The subject property lies within an urban expansion area and is in compliance with the County's Development Monitoring System ("DMS"). The project is consistent with the infrastructure portion (Urban Services Analysis) of DMS since there is or will be adequate water service, sewage discharge capacity, schools, libraries, and fire service. These services were evaluated as part of the environmental analysis and the resultant environmental document; and

10. The project is consistent with the access/social portion of DMS since there is adequate road service, and commercial and employment facilities are located in close proximity. The road service was evaluated as part of the environmental analysis and the resultant environmental document. The proximity to commercial and employment facilities was evaluated as part of the field investigation and/or general plan evaluation and as part of the environmental analysis and the resultant environmental document; and

11. The project is consistent with the environmental portion of the DMS since there are no significant unmitigated geotechnical, flood hazard, or fire impacts, and the project does not affect publicly-held or privately-dedicated open space, as shown in the County's General Plan. Both the Landmark Village Draft and Final EIRs evaluated numerous environmental topics as part of the assessment of the project. Mitigation measures and alternatives were evaluated as part of the environmental analysis in both the Draft and Final EIRs; and

12. In summary, the project:

    (a) avoids premature conversion of undeveloped land to urban uses because it is proximate to, and a natural extension of, existing development, and because the project site is part of the previously approved Newhall Ranch Specific Plan;

    (b) promotes a distribution of population consistent with service system capacity, resource availability, environmental limitations, and accessibility;

    (c) directs urban development and revitalization efforts to protect natural and man-made amenities and to avoid severe hazard areas, such as flood prone areas, active fault zones, steep hillsides, landslide areas, and fire hazard areas;

(d) encourages the efficient use of land through a more concentrated pattern of urban development, including the focusing of new urban growth into areas of suitable development;

(e) ensures that new development in urban expansion areas will occur in a manner consistent with stated plan policies and will pay for public costs that it generates;

(f) focuses urban uses in an area that is part of the previously-approved Newhall Ranch Specific Plan, which is designed to effectively provide public services, including transportation facilities;

(g) provides for housing to meet increasing demand in areas, which will have relatively lesser environmental consequences; and

13. The proposed General Plan, Area Plan, and Specific Plan amendments will not place an undue burden on the community's ability to provide necessary facilities and services, as described in the Landmark Village Draft and Final EIRs; and

14. The proposed General Plan, Area Plan, and Specific Plan amendments are needed, proper, and appropriate because "A" Street is not critical to the overall Specific Plan and areawide circulation system, and because the forecasted traffic volumes on "A" Street support the change in designation of "A" Street from a Secondary Highway to a Collector Street; and

15. The proposed General Plan, Area Plan, and Specific Plan amendments do not change or increase the density or future population projected within the adopted Newhall Ranch Specific Plan; and

16. Approval of the proposed General Plan, Local Plan, and Specific Plan amendments is in the interest of the health, safety, and general welfare, and in conformity with good planning practices, for the reasons stated in paragraph 14, above; and

17. Based on the above findings, the proposed General Plan, Local Plan, and Specific Plan amendments are consistent with the goals, policies, and programs of the General Plan, Local Plan, and Specific Plan, and help to implement the various objectives of the Landmark Village project; and

18. The applicant in this case has satisfied the "Burden of Proof" for the requested General Plan, Local Plan, and Specific Plan amendments, which are needed and appropriate; and

19. The project site, including its inherent biological resources and characteristics, and its proposed development were reviewed by the County's Significant Ecological Technical Advisory Committee ("SEATAC") through various reports

prepared by the applicant's consultants, as required by the Los Angeles County Code for areas designated as SEAs. SEATAC's findings with respect to the above were recorded in the minutes of SEATAC's meetings, and comments were provided to the Regional Planning Commission by planning staff as well as incorporated in the environmental documentation or appendices for the proposed Landmark Village project. Many of SEATAC's recommendations were incorporated in the project design throughout the processing of the project. The Regional Planning Commission has considered the recommendations of SEATAC; and

20. The Draft and Final EIRs for the Landmark Village project have been prepared in accordance with CEQA, the CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Landmark Village Final EIR consists of the Draft EIR and the technical appendices relating thereto; the comments and responses to the Draft EIR; the revised Draft EIR pages; and revised Section 4.4, Biota. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Draft and Final EIRs has been prepared, and its requirements have been incorporated into the conditions of approval for the Landmark Village project. The Regional Planning Commission has independently reviewed the information contained in the Landmark Village Draft and Final EIRs; and

21. Implementation of the project will result in specifically identified significant effects upon the environment. However, except for significant unavoidable effects related to biota, visual qualities, noise, air quality, solid waste services, and agricultural resources, which cannot be found to be completely mitigated, such specifically identified significant effects can be reduced to acceptable levels with the mitigation measures identified in the Landmark Village Draft and Final EIRs, and incorporated into the adopted Mitigation Monitoring Plan for the Landmark Village project; and

22. With respect to the adverse effects upon biota, visual qualities, noise, air quality, solid waste services, and agricultural resources, which cannot be mitigated to below a level of significance, the Regional Planning Commission has determined that the substantial benefits resulting from implementation of the project outweigh the potential significant unavoidable effects and are acceptable based upon the overriding considerations set forth in the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan)." These findings and statement of overriding considerations, which are concurrently adopted by the Regional Planning Commission are incorporated herein by this reference, as if set forth in full; and

23. The mitigation measures set forth in the Landmark Village Draft and Final EIRs are incorporated into the conditions of approval for the Project. The Mitigation Monitoring Plan for the Landmark Village project is attached as an exhibit to the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan)," and it identifies

the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured.

NOW, THEREFORE BE IT RESOLVED that the Regional Planning Commission of the County of Los Angeles hereby recommends that the Board of Supervisors:

1. Hold a public hearing to consider the above recommended general plan/specific plan/local plan amendment;

   Approve the Draft and Final EIRs (SCH No. 2004021002) prepared for the Landmark Village project and certifies that it has reviewed and considered the information contained in that documentation; and

2. Certifies that the Draft and Final EIRs (SCH No. 2004021002) concluding that they have been completed in compliance with CEQA, the CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines; and

3. Certifies that the Regional Planning Commission has reviewed and considered the information contained in the Draft and Final EIRs (SCH No. 2004021002) and that the environmental documentation reflects the independent judgment of the Regional Planning Commission as to the environmental consequences of the project; and

4. Determine that the conditions of approval and mitigation measures discussed in the Landmark Village Draft and Final EIRs, and the Mitigation Monitoring Plan for the project, are the only feasible mitigation measures for the project, and that the significant unavoidable effects of the project, after adoption of the conditions of approval and mitigation measures, are as described in the Landmark Village Draft and Final EIRs; and

5. Determine that the remaining significant unavoidable effects of the Landmark Village project have been reduced to an acceptable level and are outweighed by specific benefits of the project as identified in the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan);" and

6. Approve and adopt the "CEQA Findings and Statement of Overriding Considerations for the Landmark Village Project (a Portion of the Newhall Ranch Specific Plan);" and

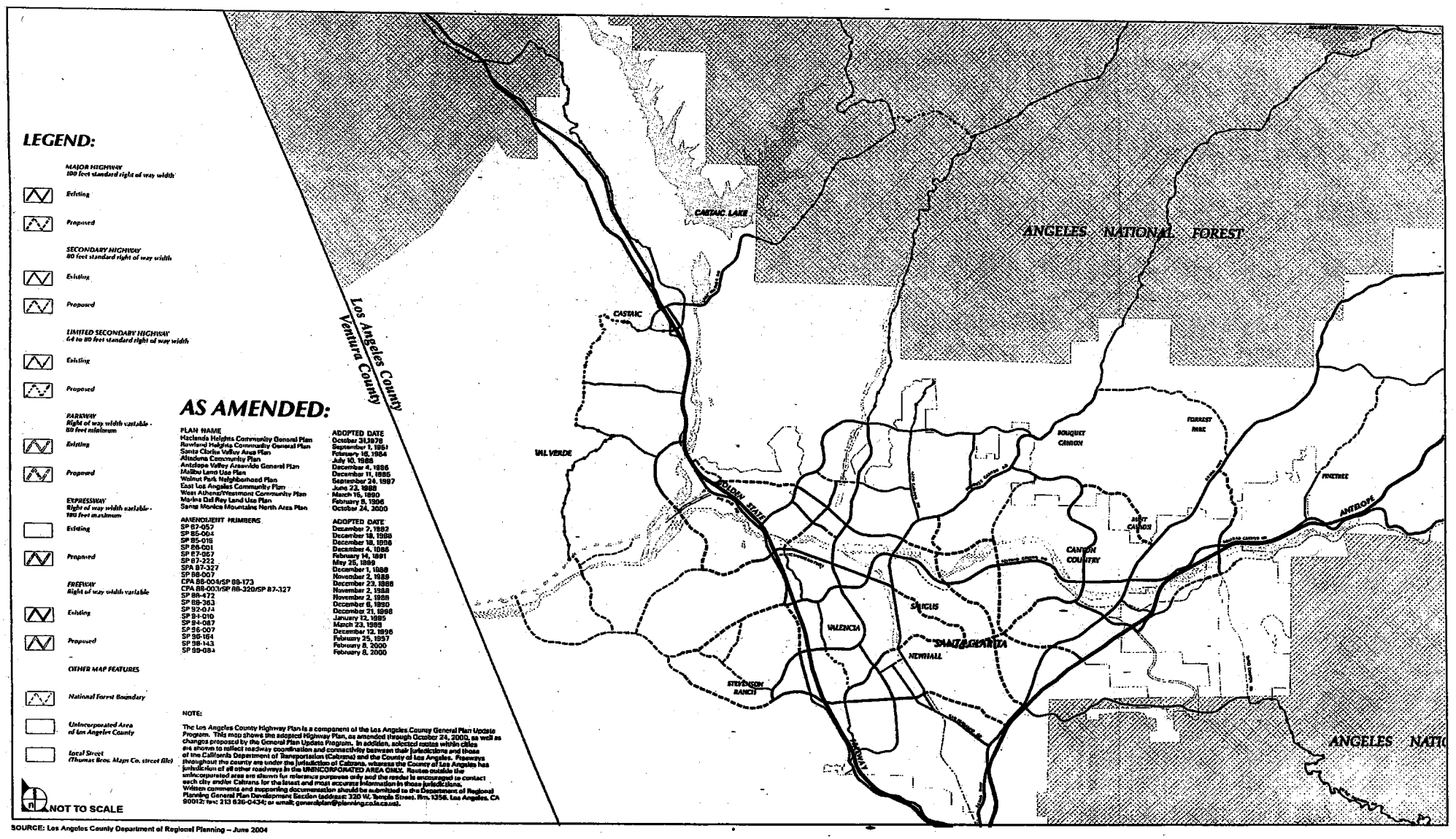
7. Approve and adopt the Mitigation Monitoring Plan for the Landmark Village project, and, pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan, which is incorporated herein by this reference, as if set forth in full, is adequately designed to ensure compliance with the mitigation measures during project implementation; and

8. Find that the recommended general plan amendment is consistent with the goals, policies and programs of the Los Angeles County General Plan, Santa Clarita Valley Area Plan and Newhall Ranch Specific Plan; and

9. Approve and adopt General Plan, Area Plan, and Specific Plan Amendment Nos. 00-196-(5) amending the Highway Plan of the Los Angeles County General Plan, the Circulation Plan of the Santa Clarita Valley Area Plan, and the Circulation Plan of the adopted Newhall Ranch Specific Plan, as depicted on Exhibits 1 through 6 attached hereto and incorporated by reference.

I hereby certify that the foregoing was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on January ___, 2008.

_____
Rosie O. Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

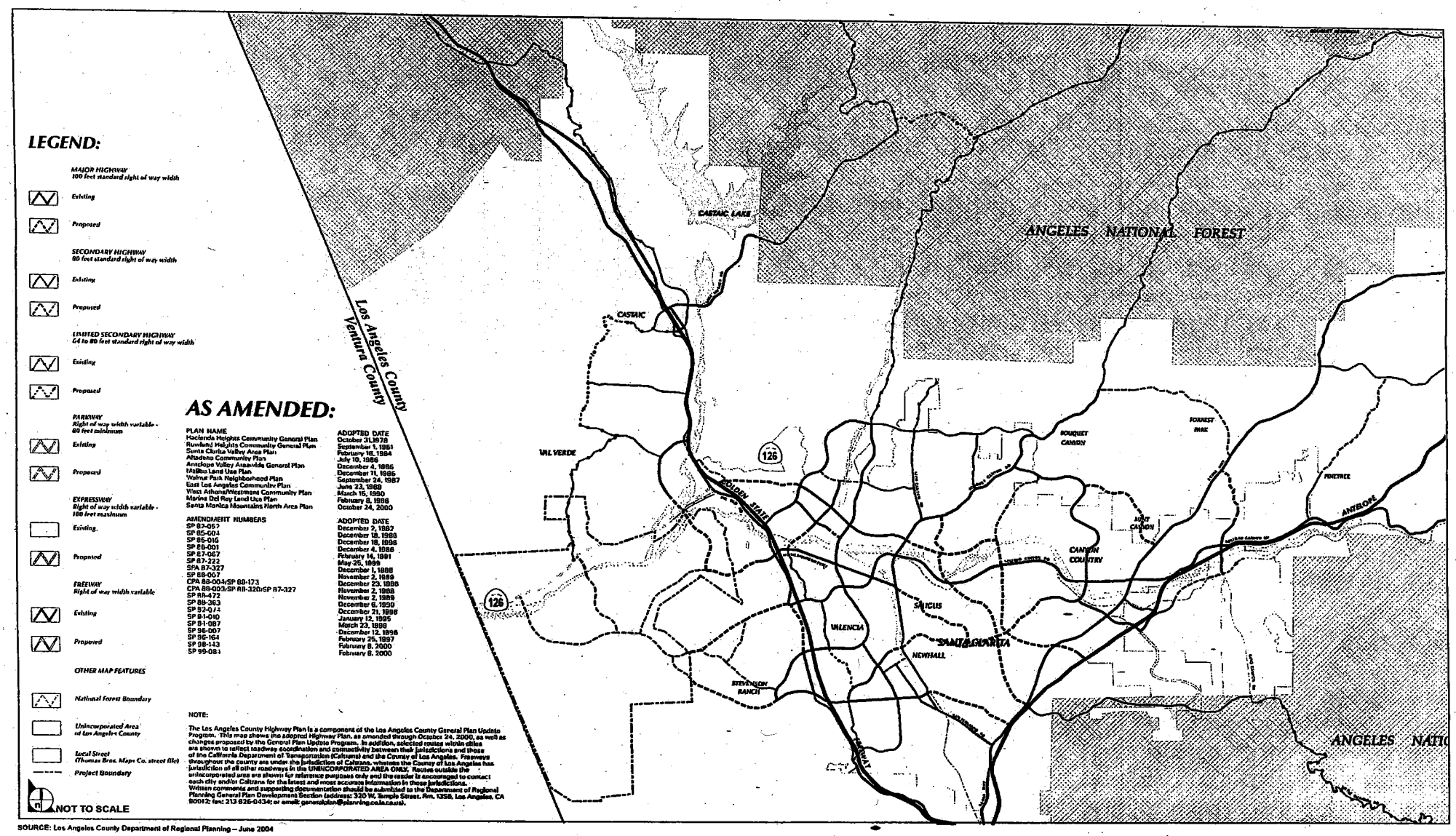


SOURCE: Los Angeles County Department of Regional Planning – June 2004

FIGURE **EXHIBIT 1**

Existing Secondary Highway Designation – General Plan

32-92A-10/07

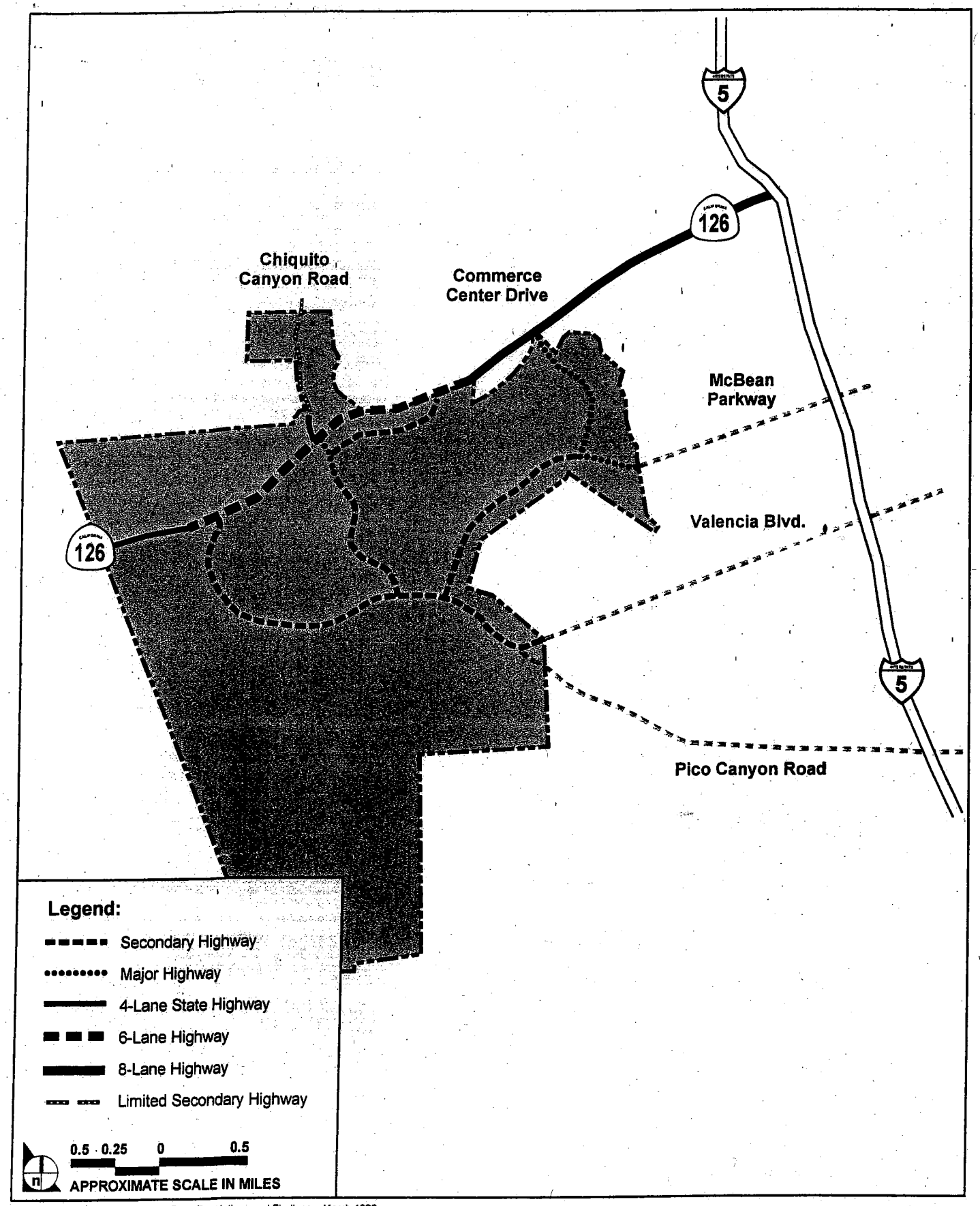


SOURCE: Los Angeles County Department of Regional Planning – June 2004

FIGURE **EXHIBIT 2**

Los Angeles County General Plan – Highway Policy Map – Proposed Amendment

32-92A•10/07

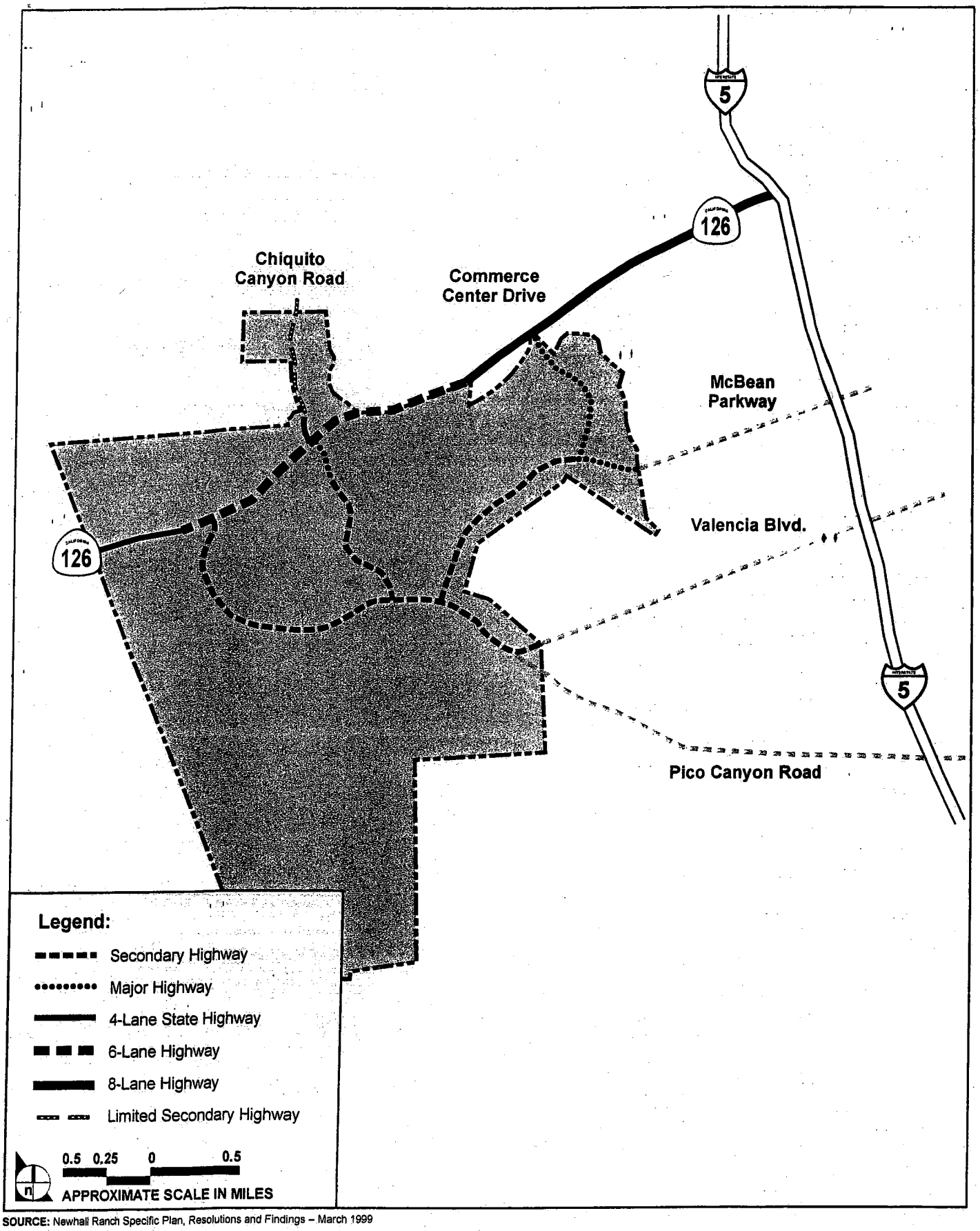


SOURCE: Newhall Ranch Specific Plan, Resolutions and Findings – March 1999

FIGURE **EXHIBIT 3**

Santa Clarita Valley Areawide Plan – Circulation Plan

32-92A•10/'07

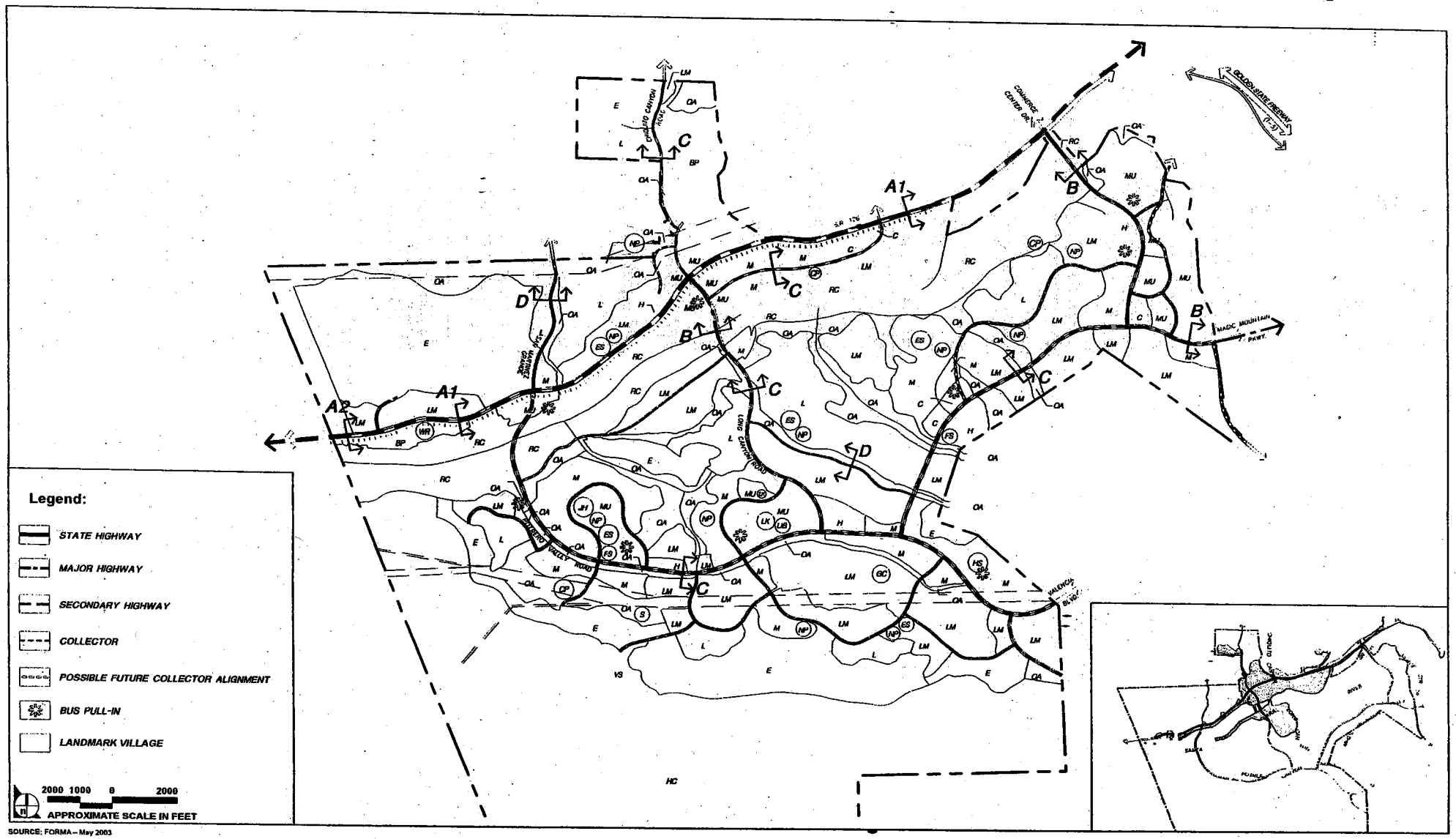


SOURCE: Newhall Ranch Specific Plan, Resolutions and Findings – March 1999

FIGURE **EXHIBIT 4**

Santa Clarita Valley Areawide Plan – Circulation Plan – Proposed Amendment

32-92A-10/07

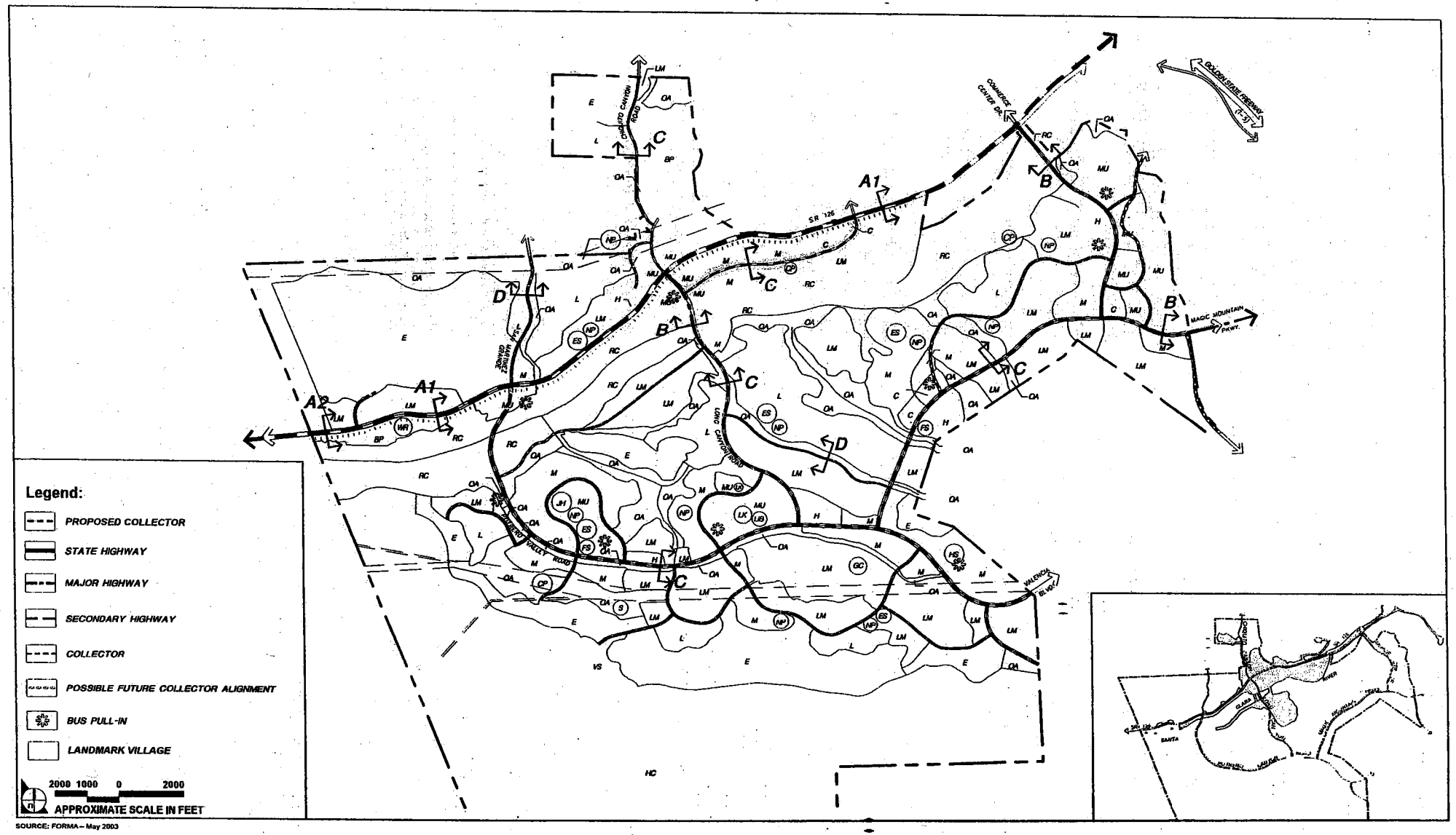


SOURCE: FORMA – May 2003

FIGURE **EXHIBIT 5**

Existing Secondary Highway Designation– Master Circulation Plan of Newhall Ranch Specific Plan

32-92A-10/07



SOURCE: FORMA – May 2003

FIGURE **EXHIBIT 6**

Proposed Collector Street Designation – Master Circulation Plan of Newhall Ranch Specific Plan

32-82A-10/07

CONDITIONAL USE PERMIT AND OAK TREE PERMIT NOs. 00-196-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATE: January 31 and February 28, 2007

SYNOPSIS:
The applicant, Newhall Land and Farming ("Newhall"), approval for a 291-acre master-planned community development (Landmark Village) for the development of maximum 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail/residential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school. This project is within the "Riverwood" village of the adopted Newhall Ranch Specific Plan ("Specific Plan") approved by the Board of Supervisors in 2003.

The proposal requires amendments to the Los Angeles Countywide General Plan ("General Plan") and Santa Clarita Valley Area Plan ("Area Plan") to amend the Master Plan of Highways and Circulation Plan to eliminate "A" Street/Wolcott Road as a secondary highway, and amendment to the Specific Plan to downgrade "A" Street from a secondary highway to a local collector street. The project also requests approval of conditional use permits for compliance with requirements of development within a Significant Ecological Area/Special Management Area ("SEA/SMA"), onsite and offsite project grading and offsite utilities, including water tanks, and transport of materials. An oak tree permit is also required for removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks). The applicant also requests a determination of substantial conformance to the development regulations and implementation procedures of the Specific Plan related to shared parking, street widths, front yard setbacks and hillside resources.

The project site is located north of the Santa Clara River, south of SR-126, east of the Ventura County boundary, and west of Interstate 5 Freeway within the Specific Plan and in the Newhall Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:
<u>January 31, 2007 Public Hearing</u>
A duly noticed public hearing was held before the Regional Planning Commission. Commissioners Valadez, Bellamy, Rew, Helsley and Modugno were present. After opening the public hearing, the Regional Planning Commission heard the staff report, received testimony from the applicant and public testimony with concerns or in opposition to the project, the public hearing was continued to allow for additional time as requested by various agencies and individual citizens, to comment on the project and EIR. The public hearing was

continued to February 28, 2007, and the public comment period for the EIR was extended to February 20, 2007 (total 90-day public comment period). An initial list of comments on the project was also provided by the Commission for the applicant to respond at the continued public hearing to include the following items: potential incorporation of wireless technology within the project, interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raised about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Castaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society.

February 28, 2007 Continued Public Hearing

At the February 28, 2007 continued public hearing, Commissioners Valadez, Bellamy, Rew, and Modugno were present; Commissioner Helsley was absent. The applicant's provided rebuttal to issues and concerns raised by members of the public and responded to the items raised by the Commission at the January 31, 2007. Additional testimony was also taken from members of the public and varies agencies regarding the project. The Commission then raised additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed.

At the conclusion of testimony and discussion, the Commission discussed various issues presented at the public hearing and voted (4-0) to closed the public hearing, directed staff to prepare the Final Environmental Impact Report and prepare findings and conditions for consideration, directed the applicant to including the additional items raised by Commission, resubmit the tentative tract map for review by the Subdivision Committee to address the necessary technical corrections to accommodated the necessary changes reflecting Commission instruction.

Findings

1. The applicant is requesting approval of Conditional Use Permit No. 00-196 is to ensure project compliance with the requirements of developments within a Significant Ecological Area and Special Management Area, on-site grading project and conformance with the Specific Plan. Major engineering features associated with the project include bridge crossing (Long Canyon Road), trails, bank stabilization along the Santa Clara River and desilting basins and swales. Approximately 5.4 million cubic yards of earth to be imported to the tract map site from a borrow site (Adobe Canyon) within the Specific Plan.

2. Oak Tree Permit No. 00-196-(5) is to authorize the removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks) located within Tentative Tract Map No. 53108.

3. Conditional Use Permit and Oak Tree Permit Nos. 00-196-(5) were heard concurrently with General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196 to amend the County's Master Plan of Highways to reclassify "A" Street/Wolcott Road from a secondary highway to a local collector streets, Vesting Tentative Tract Map No. 53108 to create 458 lots for 1,444 dwelling units on 292.6 acres and Conditional Use Permit No. 2005-01121-(5) for offsite project grading and utilities, including water tanks, and transport of materials. The approval of this grant will not become effective until the Board of Supervisors has approved the general plan/local plan/specific plan amendment.

4. The subject property is approximately 292.6 acres in size, and consists of four existing parcels. The total project site, including offsite improvements, is approximately 1,044 gross acres in size (including the utility corridor, Chiquito Canyon and Adobe Canyon grading sites). The property is irregular in shape with slight to steeply sloping terrain in offsite areas where grading is proposed. The subject property is disturbed by historic and ongoing agricultural activity but contains existing sensitive biological resources and habitat types, including upland scrub habitat and sensitive riparian habitat. The project boundary also includes coastal sage chaparral scrub, live oak woodland, southern cottonwood willow riparian habitat; and wildlife habitat including horned lizards, sparrows, blackbirds, kites, hawks and plovers, jackrabbits, woodrats and mountain lion. The Santa Clara River, which within and south of the subdivision boundary, is also an SEA/SMA.

5. The current SP zoning on the subject property became effective on June 26, 2003, following the adoption of Ordinance No. 2003-0031Z, which established Zone Change Case No. 94-087-(5). The zone change was associated with the Specific Plan. The Specific Plan was adopted by the Los Angeles County Board of Supervisors ("Board") on May 27, 2003, along with a general and local (sub-plan) amendments, a conditional use permit and a tentative parcel map. The Specific Plan authorized the development of the approximately 11,963-acre property for 20,885 dwelling units with 423 second units; 629 acres of mixed use development (including 4,101 of the 20,885 units approved); 67 acres of commercial uses; 249 acres of business park land use; 37 acres of visitor-serving uses; 1,010 acres of open area (including 141 acres of community parks and 869 acres of other open areas); 5,159 areas within SMAs; 50 acres within 10 neighborhood parks; a 15-acre lake; public trail system; 18-hole golf course; two fire stations; one public library; one electrical substation; reservation of five

elementary schools, one junior high school and one high school site; a 6.8-million gallon per day WRP; and other associated community facilities, such as roads and bridges.

6. Conditional Use Permit No. 94-087 was approved by the Board that authorized Specific Plan development within the SEA boundary, including bridge crossings, trails, bank stabilization, and other improvements. As part of the Board of Supervisors' project approvals for the Specific Plan, adjustments was made to the existing boundary of Significant Ecological Area (SEA) 23, consistent with General Plan policies requiring protection of natural resources within SEAs, Specific Plan development within the SEA boundary, including bridge crossings (*e.g.*, Long Canyon Road Bridge), trails, bank stabilization, and other improvements. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan "Special Management Area" (SMA) designation over the adjusted SEA 23 boundary.

7. The Specific Plan area is organized in five "villages," with the Landmark project within the "Riverwood" Village. Within the approximately 2,330 acres of Riverwood, 3,210 dwelling units and 234 second units were approved as well as 2,966,000 square feet of nonresidential square footage. The Santa Clara River is also a major Open Area feature within Riverwood.

8. The Land Use Plan of the Specific Plan depict development by various land uses, and within the Riverwood Village for this property, is designated for Low-Medium Density, Medium Density, Mixed Use and Commercial as well as River Corridor. Flexibility was built into the Specific Plan to allow for adjustments, transfers and conversions of uses, boundaries and square footage. The Landmark Village project proposes conversions as well as boundary adjustments. The Medium Density was adjusted with reduction of 1.3 acres, and the adjacent Low-Medium Density area increased by 12.1 acres. The Commercial area was reduced by 4.2 acres, while 5.8 acres of the Low-Medium Density was converted to Mixed Use. The proposal to development 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail uses on the project site is consistent with the parameter established by the Specific Plan.

9. The surrounding properties are zoned as follows:

North: Specific Plan, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing);
East: Specific Plan, A-2-5, M-1-½, P-R (Parking Restricted) and C-R (Commercial-Recreation);
South: Specific Plan; and
West: Specific Plan

10. The subject property is used for agricultural activity and related storage, and consists of four parcels from the previously approved Newhall Ranch Tentative Parcel Map No. 24500).

11. Surrounding land uses consist of the following uses:

    North: SR-126, vacant property, scattered single-family residences, Chiquita Canyon Landfill and business parks;
    East: Castaic Creek, RV park, and further east light industrial uses, agricultural land and Valencia WRP;
    South: Santa Clara River and vacant land; and
    West: Vacant property and agricultural land.

12. Pursuant to Section 22.56.2050 of the County Code, an oak tree report was submitted by Impact Sciences, Inc. Of the 201 oak trees associated with the project and subject to the Oak Tree ordinance as identified in the June 2006 and updated September 2006 report, 82 trees are included in the associated Oak Tree Permit. Sixty-seven (67) oak trees, including 10 heritage oaks are proposed to be removed as part of onsite and offsite improvements. Fourteen (14) oak trees, including three heritage oaks are proposed to be encroached within its protected zone due to potential impacts from construction.

13. Mitigation measures recommended by the County Forester/Fire Warden include replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 214 mitigation trees. A contribution to the Los Angeles County Oak Forest Special Fund would also be required for any tree that dies within two years as a result of a permitted encroachment. The oak tree report also identified 26 trees which would be candidates for relocation within the Specific Plan boundaries.

14. The applicant has submitted an oak tree report prepared by a certified arborist, dated June, 2006. The Los Angeles County Forester and Fire Warden, Forestry Division, has reviewed the oak tree report with the addendum and determined that the document is accurate and complete as to the location, size, condition and species of the oak trees on the site. The County Forester has recommended approval of the requested removals and encroachments, subject to recommended conditions of approval.

15. Vesting Tentative Tract Map No. 53108 and Conditional Use Permit Case Nos. 00-196-(5) and 2005-01121-(5) Exhibit "A", dated May 2, 2007, depict a subdivision of 458 lots consisting of single-family, multi-family, commercial, recreation, park, school, open space and open space/public facility lots on 292.6 gross acres. The housing types range from single-family detached and attached homes as well as live-work units.

16. A range of housing types is provided in various clusters within the project. Traditional single-family lots (i.e. one home on each lot) are clustered in three areas along the southern portion of the subdivision: to the west, across from the proposed elementary school, and to the east. These lots have been designed for garage access from the front, and by alley from the back; and range in size from minimum 3,200 square feet to 6,000 square feet. Multi-family housing is also proposed both as for-lease apartments and for-sale condominiums, and generally in the northern portions of the subdivision and conceptual designs for site layout are depicted on the exhibit maps. Apartments, including 152 senior affordable rental units, are proposed in the western portion, just east of the office and retail center identified in the Specific Plan as the Village Center. A total of 1,444 dwelling units are provided within the residential lots (308 single-family units and 1,136 multi-family units).

17. The Village Center is located east and west of Long Canyon Road on the western portion of the project. Retail and office are anticipated, with an approximate maximum of 1,033,000 square feet of office and retail space.

18. Two park sites (one public and one private) are depicted within the project site, an elementary school site and fire station are also proposed Actual site designs for the school and fire station are to be determined at a later stage. A minimum of 45 open space lots are provided, with 25 lots for open space and 20 lots for open space and utility purposes. These open space lots are depicted along the northern and southern boundaries of the project, adjacent to SR-126 and the Santa Clara River.

19. Access to the development will be served by Long Canyon Road and Wolcott Road. Both Long Canyon Road and Wolcott Road are the two points of connection from SR-126 with "A" Street as the internal main 'spine' collector road through the development. Long Canyon Road is a major highway, and provides at least 119 feet of right-of-way north of "A" Street with bike lanes in both directions of traffic as well as an eight-foot sidewalk and varying center planter widths. SR-126 is expected to be grade-separated (higher) than Long Canyon Road in the future, with the future interchange depicted as five northbound lanes (one left turn dedicated to SR-126, two for thru traffic under SR-126, and two for right turn traffic). Long Canyon Road also spans over the Santa Clara River as a 100-foot wide bridge to be constructed with this project. Wolcott Road is a secondary highway with 106 feet of right-of-way consisting of four travel lanes, a six-foot parkway and six-foot sidewalk on each side, and a 14-foot wide planter in the center. Wolcott Road is also depicted with a future interchange with SR-126.

20. "A" Street is depicted as a collector street with a 110-foot wide right-of-way, with varying widths of improvements. At its widest improvements, which is from Long Canyon Road to 200 feet east of Long Canyon Road, seven travel lanes are provided with bike lane on one side, and four feet of parkway and six feet of sidewalk on both sides; no on-street parking would be provided. At its narrowest, two travel lanes with center lane is provided, along with bike lanes on each side, 10-foot-parkway and six-foot sidewalk on one side, and 24 foot-wide swale and eight-foot trail provided on the other side. Private driveway lots are also proposed within the development, providing internal access in single-family and multi-family neighborhoods between the Village Center and the park/school, with widths ranging from 34 feet to 110 feet wide.

21. The Specific Plan locates the Landmark Village subdivision within its Riverwood Village, and identifies land uses within each Village with associated acreage, density and/or nonresidential square footage. The Specific Plan also includes exhibits for trails, circulation, resource management, drainage and water quality, water and sewer as well as its land use plan. The applicant has demonstrated the project's consistency with the provisions, goals and objectives within the Specific Plan.

22. The Specific Plan also requires affordable housing, with a total of 2,200 affordable units through the Specific Plan area (Specific Plan Section 3.10). Landmark Village proposes 301 affordable units: 161 for-sale homes for moderate income households, and 140 for-rent units for very low families.

23. Traffic studies were performed to indicate that the expected traffic volume can be accommodated with the proposed project circulation system as design. The circulation system includes features such as bike lanes and trails along both sides of the street, roundabouts, curb extensions and rear or alley access intended to reduce design speed, eliminate cul-de-sacs, introduce traffic-calming features, reduced street widths to enhance pedestrian mobility.

24. The Master Plan of Trails within the Specific Plan is general in nature, and detailed trail locations are identified on the subdivision tentative map. These include walkways and parkways along streets, paseos, community trails and the regional river trail, in a hierarchy of trail sizes and functionality. Access points are also identified from the project to the regional river trail system as well as locations for observation and interpretive nature points. The regional river trail system is depicted in greater detail within the project site, and depict both an eight-foot wide County trail outside the subdivision boundary but on top of the bank stabilization, and a 16-foot wide riding and hiking trail that will also serve as the Los Angeles County Flood Control access road, and will be maintained by a Landscape Maintenance District

("LMD"). An interpretive trail is also depicted through private Recreation Lot No. 337 with a lookout point and interpretive nature station.

25. The Specific Plan Master Drainage Plan has been updated to reflect innovative methodologies to meet NPDES (National Pollutant Discharge Elimination System) requirements, and reflects a comprehensive system of flood control and desilting basins to maintain water quality standards. Open space that also double as open facility basins, are located adjacent to the subdivision boundary and the Santa Clara River to the south, as well as along SR-126 to the north. Additional water quality features such as grass swales and depressed roundabouts, provide additional area for water retention.

26. The Master Water Plan was designed in the Specific Plan for this portion with water main and reclaimed water lines along "A" Street. The Potable and Reclaimed Water Plan includes infrastructure lines to serve this development. A 2.7 million gallon water tank that is depicted on the Master Water Plan is depicted within the Chiquito Canyon area. Water tanks are being proposed north of Landmark at Chiquito Canyon within the Valencia Commerce Center, and Round Mountain.

27. The Master Sewer Plan also depicts sewer infrastructure anticipated, with the sewer line system connecting to the Newhall WRP. A detailed Sewer Plan was prepared for this project that provides further refinement to the location of sewer main lines. Sewer service and connections is also proposed by two methods. Connection lines are proposed to extend east to the existing Valencia WRP near the SR-126/I-5 interchange if the Newhall WRP is not operational at the time Landmark requires connection. Eventual connection for the Landmark Village development will be Newhall WRP, which is located further west. Connections for Landmark are shown with both options.

28. The River Corridor allows for certain uses, with mitigation required as stated in Section 2.6-2 of the Specific Plan. These mitigation requirements include restoration as well as enhancement, and establish requirements for management of this area. Access to the SMA through hiking, equestrian and biking trails is permitted as limited to the trail system itself. Adequate transition areas are provided by this development lies to the Santa Clara River. These include provision of a trail between the River Corridor and the development, ungrouted rock or buried bank stabilization where required to protect development areas, and minimum 100-foot buffers adjacent to the Santa Clara River.

29. The Commission has determine that Landmark Village is on substantial conformance with the criteria contained in the Specific Plan for shared

parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria.

30. The applicant requests that reciprocal, offsite parking be included within the Joint Use or Shared Parking Plan option provided in the Specific Plan, with same requirements for making findings at such time when the uses are determined and actual parking requirements calculated.

31. The applicant has also requested a determination of substantial conformance for alternative street sections to reflect the intent of the development to be neotraditional, where emphasis is on pedestrian traffic as opposed to automobile traffic. Features in these alternative street sections include traffic calming devices, like chokers, curb extensions, roundabouts, etc. Such features have been much discussed with Public Works and the Los Angeles County Fire Department ("Fire Department") as well as Regional Planning to ensure that traffic capacity and life/safety issues are still addressed with these alternative street features. These are proposed on "A" Street and internal streets.

32. Within the development regulations of the Specific Plan, setbacks for the garage face are provided at 18 feet. The intent is for cars that are parked in the driveway, not block the sidewalk or travel lanes of the street. However, the Specific Plan did not provide in much detail, front yard setbacks for homes where the garage is oriented for a side entrance, or located in the rear of the lot for alley entrance. In these cases, the applicant has requested that a determination of substantial conformance be made that in these cases, a minimum front yard setback of 10 feet be maintained since driveways will be such that cars parked will not block the street as the intent of the 18-foot setback.

33. In approving this development, the Commission consider the following findings regarding development within an SEA:

    a. The proposed development would be consistent with the adopted General Plan and Area Plan for the Newhall Ranch Specific Plan site. The development such as bridge crossing, trails, bank stabilization, utilities, wells, mitigations sites, transport of grading materials within the SEA 23 boundary will be compatible with the existing biotic resources present, particularly when taking into account major factors influencing the realization of applicable General Plan objectives, including competing priorities between resource preservation and other General Plan policies and objectives;

    b. The development was designed to be highly compatible with biotic resources present in the existing SEA 23, including the setting aside of appropriate and sufficient undisturbed areas;

c. The development was designed to maintain waterbodies, watercourses, and their tributaries in a natural state within the existing SEA 23;

d. The development was designed so that wildlife movement corridors are left in a natural and undisturbed state within the existing SEA 23;

e. The development retained sufficient natural vegetative cover and/or open spaces to buffer critical resources within the existing SEA 23 from the proposed development; and

f. The development provided fences or walls where necessary to buffer important habitat within the existing SEA 23 from proposed development.

34. The Commission also determine the project as proposed is consistent with previously approved SEA CUP No. 94-087-(5), the Landmark Village project bank stabilization is consistent with the following objectives that were developed to balance the environment and flood control issues presented by the Santa Clara River, as required by the County General Plan. These objectives are as follows:

a. The flood corridor must allow for the passage of Los Angeles County Capital Flood flows without the permanent removal of natural vegetation (except at bridge crossings);

b. The bank of the river will generally be outside of the "waters of the United States" as defined by federal laws and regulations, and as determined by the delineation completed by the United States Army Corps of Engineers ("Corps") in August 1993;

c. Where the Corps delineation width is insufficient to contain the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow without the necessity of permanently removing vegetation or significantly increasing velocity;

d. Where development is proposed within the existing Los Angeles County 50-year Capital Floodplain, the land where development is to occur will be elevated in conformance with Los Angeles County policies to remove it from the Floodplain; and

e. Bank stabilization will occur only where necessary to protect against erosion.

35. The Commission finds that the requested oak tree permit is necessary to allow the construction of the single-family residence as proposed due to site constraints such as topography and drainage. The applicant has re-designed the project to reduce the project's impact on oak trees, and the placement of the trees on the subject property precludes the reasonable and efficient use of the subject site for a single-family residence.

36. The proposed oak tree removals and encroachments will not result in soil erosion through the diversion or increased flow of surface waters. All areas disturbed by the proposed grading will be replanted in accordance with County grading and landscaping requirements.

37. The proposed project includes community facilities such as schools, parks, utilities and fire station, which can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of Newhall Ranch Specific Plan, Area Plan, and General Plan.

38. The site is physically suitable for the type of development being proposed, since the project site is relatively level; has access to a County-maintained street; shall be served by public sewers; shall be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and shall have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works. Utilities planned to serve the Landmark Village project include water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics and reclaimed water lines. Much of the utility corridor within the project site is not located within the River Corridor SMA/SEA 23, however, its off-site connections will run through parts of the River Corridor SMA/SEA 23, which is consistent with the approved Newhall Ranch Specific Plan.

39. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the recommended conditions of approval.

40. Notices of public hearing were mailed to property owners within a 1,000-foot radius of the subject property as well as additional notices to those on the courtesty mailing list for projects in the Newhall and Castaic Canyon Zoned Districts. The public hearing notice was published in The Signal and La Opinion on November 20, 2006. The Draft EIR was available for review at the Newhall Library, Valencia Library and Canyon County Jo Anne Darcy Library beginning November 20, 2006. Project materials, including a tentative tract map, site plan, and recommended conditions,

were received at the Newhall Library on December 29, 2006. One large public hearing notice, eight feet wide by four feet high, was posted on the subject property along SR-126 on December 29, 2006. Public hearing materials were also posted on the Department of Regional Planning's website.

41. The applicant has also presented the project on several occasions to the Castaic Area Town Council. Comments have not yet been received from the Castaic Area Town Council regarding the project.

42. Correspondence from interested parties, environmental organizations, and responsible agencies was received in regard to the project. Many comments requested additional time to review the large volume of material associated with the EIR. The EIR comment period was extended for a total of ninety (90) days from November 20, 2006 to February 20, 2007.

43. Comments and recommendations from County departments and other agencies consulted during the environmental review process include the California Department of Fish and Game, Regional Water Quality Control Board, Native American Heritage Commission, California Highway Patrol, California Department of Transportation, Southern California Association of Governments, as well as City of Santa Clarita, County of Ventura, and United Water Conservation District. Other agencies that have provided correspondence include, among others, the Castaic Lake Water Agency, Audubon California, Sierra Club, California Water Network, Santa Clarita Organization for Planning and the Environment, Piru Neighborhood Council and Friends of the Santa Clara River. During the public hearing, much of the public testimony reiterated comments received in written correspondence on the Landmark Village Draft EIR.

During the public hearings, the applicant was requested to provide additional information on the following: potential incorporation of wireless technology within the project, elementary school site plan, community sustainability and smart growth, ownership and maintenance of the passive park, potential revisions to elementary school and public community park design, waste-to-energy facilities, concerns raised by the Native American Tataviam Band, trailhead and trail connections, cul-de-sacs along the project's western edge, setbacks from riparian areas, comments regarding studies from the Nature Conservancy, status of perchlorate clean-up, United Water Conservation District comments, and comments from the Audubon Society. The following responses have been provided:

- It has been determined that high-speed wireless technology (WiFi or its future equivalent) can be incorporated into commercial, mixed-use, and public areas.

- Discussions were held with the Castaic School District and the Los Angeles County Parks Department, which resulted in a proposed school plan depicting a nine-acre site more centrally located and now surrounded on three sides by the community park. The revised design provides additional buffer from the elementary school to SR-126.

- The passive portion of the Community Park will be maintained by a homeowners' association, but will be open to the public.

- Discussions with the Sanitation Districts of Los Angeles County determined that waste-to-energy facilities are no longer considered to be feasible due to permitting and regulatory requirements.

- The trailhead location will generally be located west of Long Canyon Road in a final location to be determined based on discussions with Parks and Recreation.

- The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians and their concerns have been resolved.

- A 100 foot setback is provided from the Santa Clara River, as required by the adopted Newhall Ranch Specific Plan.

- The Castaic Lake Water Agency and local water purveyors are proceeding with a containment and action plan to address perchlorate contamination in portions of the Saugus and Alluvium aquifers.

- The United Water Conservation District provided comments that the EIR complies with the terms of the settlement agreement.

- Additional wintering surveys have been completed for birds cited by Audubon and those surveys are included in the Landmark Village Final EIR. Those surveys do not change the conclusions of the Final EIR. Finally, prior to site disturbance, nesting studies will be undertaken.

- The applicant has prepared a Sustainability Summary, which incorporates sustainability measures into the Landmark Village project.

44. A program-level EIR was certified with the adoption of the Newhall Ranch Specific Plan, which found that there would be significant unavoidable

impacts to biological resources, agricultural resources, visual resources, air quality and solid waste disposal. A Statement of Overriding Considerations was adopted by the Board, which concluded that there were significant overriding benefits with approval of the project. Public benefits include preservation of nearly 1,000 acres of the Santa Clara River, 4,200 acres of the High Country SMA/SEA 20, 1,517 acres of the Salt Creek area and other Open Areas; preservation of the River Corridor SMA/SEA 23 to retain significant riparian vegetation and habitat; over 50 miles of trails included the Santa Clara River Trail; and provisions for improved parks, schools, fire stations and 2,200 affordable homes.

45. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et.seq.) and State and County Guidelines related thereto. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report (EIR) would be required. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: **Aesthetic/Visual Quality, Agricultural Resources, Biota, Noise, Solid Waste Disposal, Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources.**

46. In accordance with state CEQA Guidelines and County Environmental Document Reporting Procedures and Guidelines, an EIR was prepared for the project. Identified potential impacts analyzed in the EIR found to be less than significant with project mitigation, include: **Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources.** The Draft EIR concludes that the project design and/or suggested conditions will result in significant residual and/or cumulative impacts in:

Biota
Aesthetic/Visual Quality
Noise
Agricultural Resources
Solid Waste Disposal

Of these impacts which cannot be mitigated to less than significant, noise is the only category that was not previously identified and included in the Statement of Overriding Considerations adopted as part of the adopted Newhall Ranch Specific Plan Program EIR.

47. A Final EIR for the Landmark Village project has been prepared in compliance with CEQA (Public Resources Code section 21000 *et seq.*), the state CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Landmark Village Final EIR consists of the Draft EIR, the technical appendices to the Draft and Final EIR, the responses to comments, and revised Draft EIR pages.

48. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Final EIR has been prepared. The Mitigation Monitoring Plan identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project is ensured, and its requirements have been incorporated into the conditions of approval for this project.

49. Mitigation measures which have been incorporated into the project, and included in the Mitigation Monitoring Plan, are listed in the Executive Summary of the Landmark Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.

50. The Commission finds substantial benefits resulting from the implementation of the project outweigh its avoidable effects on biota, visual quality, noise, agricultural resources and solid waste disposal.

51. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission'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 is the Section Head of the Major Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;

B. With the attached conditions and restrictions, 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 and 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 Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said 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 facilities as are required;

E. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community;

F. The development has provided adequate vehicular access, parking and loading so as to prevent undue traffic congestion on local streets and highways;

G. That the proposed use with the attached conditions and restrictions will be consistent with the Newhall Ranch Specific Plan;

H. With the attached conditions and restrictions, 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 and general welfare;

I. That the proposed site is adequate in size and shape to accommodate the development features to occur within the River Corridor SMA/SEA 23 in order to integrate said use with the uses in the surrounding area;

J. 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 facilities as are required; and,

K. That the proposed project and the provisions for its design and improvement are consistent with the density, goals and policies of the General Plan and Newhall Ranch Specific Plan, including SEAs, in that:

i. The requested development is designed to be highly compatible with the biotic resources present including the setting side of appropriate and sufficient undisturbed areas;

ii. The requested development is designed to maintain water bodies, watercourses and their tributaries in a natural state;

iii. The requested development is designed so that wildlife movement corridors are left in an undisturbed and natural state;

iv. The requested development retains sufficient natural vegetative cover and/or open space to buffer critical resource areas for said requested development is compatible with the natural biotic, cultural, scenic, and open space resources of the area;

v. Where necessary, fences or walls are provided to buffer important habitat areas from development;

vi. Roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths; and

vii. The approval of the proposed development within the River Corridor SMA/SEA 23, to include project-related improvements, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance, the General Plan, and Newhall Ranch Specific Plan.

L. The proposed development will be accomplished without endangering the health of the remaining oak trees on the subject property that are subject to Part 16 of Title 22 of the Los Angeles County Code, if any;

M. The proposed removal of sixty-seven (67) oak trees and the encroachment into the protected zones of fourteen (14) oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactory mitigated;

N. The proposed removal of the oak trees is necessary as continued existence at their present locations frustrates the proposed use of the subject property to such extent that placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized; and

O. The removal and encroachment into the protected zones of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure;

AND THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for an Oak Tree Permit and Conditional Use Permit as set forth in Sections 22.56.040, 22.56.210, 22.56.2100, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the Final Environmental Impact Report and subject to the Board's final action, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission and determines that that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have either been reduced to an acceptable level or are outweighed by specific social, economic, legal, technological or other considerations of the project as stated in the attached Findings of Fact and Statement of Overriding Considerations for the project, which findings and statement are incorporated herein by reference;

2. Approves and adopts the Mitigation Monitoring Program for the proposed project incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan is adequately designed to ensure compliance with the mitigation measures during project implementation; and

3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 00-196-(5) and Oak tree Permit are approved with the attached conditions subject to the Board's final action.

VOTE

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 00-196-(5)

DRAF CONDITIONS

For Information Only

1. The Landmark Village tract map site is within the boundaries of the approved Newhall Ranch Specific and the permittee is required to comply with its provisions and standards.

2. This grant authorizes the use of the subject property for a maximum total of 1,444 residential units; 1,033,000 square feet of non-residential development; 73 acres of open space; an approximately 16-acre active/passive community park; approximately 5 acres of private recreational facilities; trail system; elementary school; and fire station. This permit also authorizes on-site and off-site project-related infrastructure in order to support the proposed Landmark Village project, including domestic and reclaimed water systems; water tanks; utilities (including sanitary sewers, cable, gas and fiber optics), located in the designated utility corridor; private driveways; and public streets, and authorizes the grading for, and construction of, off-site project-related infrastructure. **Exhibit A** depicts conceptual site development plans. Revised site plans to depict changes to the conceptual site plan shall be subject to the provisions of Section 5.2 of the approved Newhall Ranch Specific Plan.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.

4. This grant shall not be effective for any purpose until a duly authorized representative of the permittee and the owner of the subject property, if other than the permittee, have filed at the Office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 41, below, and until all required monies have been paid pursuant to Condition Nos. 42 and 44, below.

5. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. 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 or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if it 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.

7. 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.

8. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the 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 of the amount of 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.

9. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map 53108 should expire without recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.

10. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 53108 and the conceptual site design depicted on the **Exhibit A**, subject to

the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

11. All development shall comply with the requirements of the approved Newhall Ranch Specific Plan unless specifically modified by this grant, as set forth in these conditions, including the approved **Exhibit A** or revised **Exhibit A** approved by the Director.

12. The mitigation measures set forth in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) are incorporated by this reference and made conditions of this permit and the permittee shall comply with the project's Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval as otherwise required by these conditions and on a annual basis until such time as all mitigation measures have been implemented or completed; and at such time as additional reports are required by the Director.

13. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map ~~No. 53108, and Oak Tree Permit No. 00-196-(5).~~ 9 CUP 94-087

14. All utilities shall be placed underground to the satisfaction of the Department of Public Works.

15. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.

16. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.

17. All grading and construction and appurtenant activities, including engine warm-up, shall be restricted to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00p.m on Saturday. Pile driving and drilling is prohibited on Saturdays. No Sunday, or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences.

18. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Department of Public Works.

19. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activity is completed for the day. All clearing, grading, earthmoving, or excavation shall cease during periods of high wind (*i.e.*, greater than 20 miles per hour average over one hour) to prevent excessive amounts of dust.

20. Grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, borrow sites, and other on-site and off-site improvements shown on the approved **Exhibit A**. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or revised **Exhibit A** approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.

21. Phased grading has been requested and approved. Such grading may require additional interim infrastructure improvements not depicted on the tentative map but necessary to ensure compliance with the County Code such as debris basins, access roads, temporary utility lines, and other similar improvements to the satisfaction of the Department of Public Works.

22. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.

23. No construction equipment or vehicles shall be parked or stored on any existing public or private street.

24. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.

25. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.

26. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

27. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, 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.

28. The permittee shall utilize water saving devices and technology in the construction of this project consistent with the County Building and Plumbing Code and project mitigation measures.

29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project shall fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code section 17921.3, which requires low-flush toilets in all new construction; Title 24 of the California Code of Regulations sections 2-5352 (I) and (J), which requires hot water pipes to be insulated; and Government Code section 7800, which requires lavatories to have self-closing faucets in public restrooms.

30. If during construction soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board.

31. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of the Department of Public Works.

32. During construction, all large size truck trips shall be limited to off-peak commute periods.

33. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy equipment and/or materials, which requires the use of over-size transport vehicles on State highways.

34. The applicant shall provide approximately 73 acres of open space within the Vesting Tentative Tract Map No. 53108.

35. The permittee or its designee shall provide the Director with an annual status report throughout the construction phase of the project, which states the number of residential units constructed, the number affordable housing units constructed, the square footage of all commercial and industrial buildings completed, the dates of dedication or completion for all required

infrastructure and community amenities, and the status of compliance with the project's Mitigation Monitoring Plan or other items as deem necessary by the Director.

36. All commonly owned areas shall be preserved as permanent open space. Such reservation shall be by establishment of a homeowners association, maintenance district, or other appropriate means or methods to ensure to the satisfaction of the Director the permanent reservation and continued perpetual maintenance of required commonly owned areas.

37. As a means to further ensure the permanent reservation of commonly owned areas, no dwelling unit shall be sold, conveyed, or otherwise alienated or encumbered separately from an undivided interest in any commonly owned areas comprising a part of such development. Such undivided interest shall include either an undivided interest in the commonly owned area or a share in the corporation or voting membership in an association owning the commonly owned area.

38. No residential development shall be permitted within lots designated for parks, recreation, open space and public facility purposes (park lots 337 and 344, recreation lots 330, 336 and 340, open space lots 295, 317-324, 348, 355, 356, 362-366, 378-381, 386, 387, 391, 392, 398, 416-419, 422-434, 436-453, 455-458, or debris basin lots 310-316, 382, 383, 390, 393-397, 399-402.

39. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or a revised **Exhibit A** approved by the Director subject to Section 5.2 of the Specific Plan.

Prior to Use of the Grant

41. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the Office of the County Recorder. In addition, upon transfer or lease of all or any portion 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.

42. 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. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of $1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the

Department of Regional Planning 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 site plan on file. The fund provides for ten (10) annual inspections. Inspections shall be unannounced.

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 of Regional Planning 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 payment is due (currently $150.00 per inspection).

43. 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 or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.

44. This project is not de minimus in its effect on fish and wildlife. Upon completion of the appeal period, the permittee shall remit processing fees in the amount of $2,500.00 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 and Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until this fee is paid.

45. Record a covenant with the County agreeing to comply with the approved environmental mitigation measures.

46. Upon completion of the appeal period, the permittee shall deposit the sum of $3,000.00 with the Department of Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the project's Mitigation Monitoring Plan. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant, subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented as reported in the required Mitigation Monitoring Report.

The mitigation measures set forth in the Mitigation Monitoring Plan in the EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the subdivider shall submit Mitigation Monitoring reports to the Department of Regional Planning as frequently as may be required by the department.

47. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm the facilities that may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains, fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Bureau.

Prior to Issuance of a Grading Permit

48. As a means of ensuring the compliance with the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002), the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval prior to the issuance of any grading permits.

49. Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:

    (a) comply with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and

    (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

50. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.

51. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site consistent with the approved mitigation measures to the satisfaction and approval of the Department of Public Works.

Prior to Recordation of a Final Map

52. As a means of ensuring the effectiveness of the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) mitigation monitoring shall be submitted to the Director of Planning (Director) for approval prior to the recordation of a final map.

53. Include conditions in the project CC&Rs, which require continued maintenance of the planting for lots having planted slopes.

54. Provide for the private driveway and fire lanes within the project and provide proof of guaranteed maintenance in the project CC&Rs as well as draft easement documents with exhibits, granting access to respective off-site property owners.

55. Provide in the project CC&Rs restrictions on parking or storage of recreational vehicles as required by Condition No. 38 of Conditional Use Permit 94-087-(5) to the satisfaction of the Director.

56. The permittee shall comply with the provisions of the park development agreement with the Department of Parks and Recreation, including dedication of lot 337 to the County for park purposes. Provide evidence of compliance.

57. Provide in the project CC&Rs for the ownership and maintenance of the passive park (lot 344) by a homeowners' association.

58. Provide in the project CC&Rs for the ownership and maintenance of recreation lots 330, 336, and 340 by a homeowners' association.

59. Dedicate all open space lots (295, 317-324, 348, 355, 356, 362-366, 378-381, 386, 387, 391, 392, 398, 416-419, 422-434, 436-453, 455-458, and debris basin lots 310-316, 382, 383, 390, 393-397, 399-402) to the County or other acceptable agency or provide for their ownership and maintenance by a homeowners' association or by an alternative method, or means, as described in the approved Newhall Ranch Specific Plan.

60. This development shall reserve at least 161 for-sale residential units for moderate-income households or homebuyers and 140 for-rent units for very low income households or renters in accordance with the Newhall Ranch Affordable Housing Implementation Plan dated **September 18, 2007** to the satisfaction of the Director. The applicant shall record and continually administer a covenant and agreement or other mechanism furnished by the applicant deemed appropriate and subject to prior approval by the County Counsel and the Community Development

Commission to effectively insure the continuing availability of the designated affordable housing for qualified persons and families for the time specified in the Plan.

61. The applicant shall submit a form of security such as, but not limited to, letters of credit in an amount sufficient to assure completion of all designated affordable housing units to the satisfaction of the Department of Regional Planning.

Prior to Issuance of a Building Permit

62. Prior to the issuance of any building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed construction:

(a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and

(b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

63. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.

64. Prior to the issuance of building permits for any construction, the applicant shall submit a landscaping plan(s) for the landscaping associated with the construction to be approved by the Director. All graded slopes (cut and fill) shall be revegetated. Three copies of a landscape plan(s), which may be incorporated into a revised site plan, shall be submitted to and approved by the Planning Director before issuance of a building permit. The landscape plan(s) shall show size, type, and location of all plants, trees, and sprinkler facilities, including all landscaping and irrigation. Watering facilities shall consist of a permanent water-efficient irrigation system such as "bubblers" or drip irrigation. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary.

In addition to the review and approval by the Director of Planning, the landscaping plan(s) shall be reviewed by the staff biologist of the Department of Regional Planning, the Los Angeles County Fire

Department, and the Department of Public Works. The review will include an evaluation of the balance of structural diversity (*e.g.*, trees, shrubs and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements and determination of compliance with water conservation requirements.

The landscaping plan(s) must show that landscaped areas must contain 50 percent locally indigenous species, including trees, shrubs, and ground covering. However, if the permittee demonstrates to the satisfaction of the Director that compliance with this requirement is not possible due to County fire safety requirements, then staff may determine that a lower percentage of such planting is required. In those areas where staff approves a reduction to less than 50 percent locally indigenous vegetation, the amount of such planting required shall be at least 30 percent. The landscaping will include trees, shrubs, and ground covering at a mixture and density determined by the Director and the Forester and Fire Warden. Fire retardant plants should be given first consideration.

63. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with the State Seismic Hazard Safety laws to the satisfaction of the Department of Public Works.

64. A determination of substantial conformance in compliance with the provisions of the approved Newhall Ranch Specific Plan has been made relative to front yard setbacks, hillside grading, shared parking, and street widths. Prior to the approval of building permits, the applicant shall submit monitoring reports to demonstrate conformance to the satisfaction of the Director. This may include submittal of a parking program if determined to be necessary.

65. As agreed, the permittee shall comply with the provisions of the project's Sustainability Plan. A covenant shall be recorded agreeing to comply with this Plan, including transferability to future owners of the property. Prior to the issuance of a building permit, a Revised **Exhibit A** and a monitoring report describing compliance shall be submitted to the Director.

66. Prior to the issuance of building permit, the permittee shall provide evidence to the Director of Planning showing compliance with the Hart High School District letter dated October 31, 2007 to execute an update to the Hart School Funding Agreement.

67. The applicant has submitted a Planning Notebook which depicts conceptual building and design standards. Prior to the issuance of building permit, the applicant shall show that the project is substantial compliance with the Planning Notebook date October, 2007 to the satisfaction of the Director of Planning.

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT NO. 00-196

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the County Forester and Fire Warden at either 818-890-5719 or 323-881-2481)

For Information Only

1. This grant authorizes the removal of 67 oak trees and encroachment into the protected zone of 14 trees as shown in the Oak Tree Report and subject to all the following conditions of approval.

2. This grant allows removal of a total of 67 trees in including 63 trees of the Oak genus (Quercus agrifolia) identified as Tree Numbers: 8, 9, 10, 51, 60, 61, 63, 64, **83***, 84, 248, 249, 250, 335, 336, 337, **338***, 339, 340, 341, 342, 343, **344***, 345, 346, 347, 348, **349***, 350, 351, **352***, 354, 355, 356, **357***, 396, 397, 398, 400, 401, **492***, 594, 1588, 1589, 1590, 1592, 1594, 1596, 1598, 3073, **4003***, 4016, 4017, 4018, 4019, 4022, 4025, 4026, 4027, 4028, 4055, 4056 and 4057, and four (4) trees of the Oak genus (Quercus lobata) numbered **87***, 1587, **1597*** and 1591 on the applicant's site plan and Oak tree report. A total of ten (10) of these trees to be removed are identified as **Heritage*** (in bold with an asterisk*) having a diameter greater than 36 inches.

3. This grant allows encroachment within the protected zone of 14 trees of the Oak genus identified as Tree numbers: 92, 93, 98, 99, 100, 439, 448, **488***, **489***, 498, **503***, 592, 1605, 4007 on the applicant's site plan and Oak Tree Report. Three (3) of these trees are identified as **Heritage***. Trenching, excavation or clearance of vegetation within the protected zone of an oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

4. 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.

5. The subject property shall be developed, 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.

6. 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.

7. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.

8. The term "Oak Tree Report" refers to the updated document on file at the Department of Regional Planning by Impact Sciences, Inc. the consulting arborist, dated June, 2006.

9. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Tentative Tract Map No. 53108.

10. The permittee shall keep copies of the Oak Tree Report, Oak Tree Map, Mitigation Planting Plan and Conditions of Approval on the project site and available for review. All Individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, and conditions of approval.

11. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two inches in diameter or less accordance with the guidelines published by the national Arborist Association. Copies of these guidelines are available from the Forestry Division of the County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.

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

13. The permittee shall provide mitigation trees of the Oak genus at a rate of 2:1 for each tree removed and at a rate of 10:1 for each Heritage tree removed for a total of 214 mitigation trees.

14. Each mitigation tree shall be at least a fifteen-gallon specimen in size and measure one inch or more in diameter one foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees shall measure a minimum of one inch in diameter one foot above the base.

15. Mitigation trees shall be at a ratio consistent with the species of Oaks removed for a total of one-hundred ninety (190) Quercus agrifolia and twenty-four (24) Quercus lobata of indigenous varieties grown from a local seed source.

16. The permittee shall plant one acorn of the Quercus agrifolia variety for each mitigation tree planted. The acorns shall be planted in the same watering zone as each mitigation.

17. Mitigation trees shall be planted within one year of the permitted oak tree removals. Additional mitigation trees shall be planted within one year of the death of any tree which results from permitted encroachment. Mitigation trees shall be planted on-site or within the Specific Plan boundaries in locations approved by the project arborist in consultation with the County Forester. In circumstances where on-site planting is shown to be infeasible, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resources loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".

18. If the replacement trees are to be planted on the subject property, the permittee shall plant one acorn of the *Quercus agrifolia* variety for each replacement tree planted. The acorns shall be planted at the same time as and within the watering zone of each replacement tree.

19. All replacement trees shall be planted on native undisturbed soil. The first two irrigations or watering of planted trees shall incorporate the addition of a mycorrhizae product (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopies of removed trees shall also be applied to the area beneath the canopies of replacement trees to further promote the establishment of mycorrhizae within their rooting zones. The seed source for the replacement trees shall be local to the project site.

20. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to lack of proper care and maintenance with a tree meeting the specifications set forth above. The five-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

21. The project arborist shall inspect all mitigation trees on a quarterly basis for two years after completion of construction. The arborist's observations shall be reported to the County Forrester, including any loss of trees.

22. All mitigation oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance, once the trees have survived the required maintenance period.

23. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

24. Trenching, excavation or clearance of vegetation within the protected zone of an oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

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

26. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/ loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forrester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

27. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.

28. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.

29. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any oak tree. No temporary structures shall be placed within the protected zone of any oak.

30. Violations of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.

31. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance.

32. 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 or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it 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 as to be a nuisance.

33. The permittee shall defend, indemnify and hold harmless Los Angeles County (the "County), it 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 such claim, action, or proceeding and the County shall reasonably cooperate in the defense.

34. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed an deducted for the purpose of defraying the expense 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 by the department reach 80 percent of the amount on deposit 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.

    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 permittee according to Section 2.170.010 of the Los Angeles County Code.

35. As a means of ensuring the effectiveness of the mitigation monitoring measures set forth in the attached Mitigation Monitoring Program, the permitee shall submit mitigation monitoring reports to the Director. The reports shall describe the status of compliance with the mitigation measures adopted as conditions of this grant. The reports shall be submitted and approved in the following sequence:

    a) Prior to the submittal of a Revised Exhibit A to be approved by Regional Planning prior to the issuance of grading permits;

    b) Prior to the recordation of a final map;

    c) Prior to issuance of building permits;

    d) On an annual basis until such time as all mitigation measures have been implemented or completed; and

    e) Additional reports as required by the Director.

36. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map No. 53108 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map.

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.

37. This grant shall terminate upon the completion of all authorized oak tree removals and the completion of all required mitigation and monitoring to the satisfaction of the Department of Regional Planning and County of Los Angeles Forester and Fire Warden, Forestry Division.

38. Except as otherwise modified herein, the permittee shall comply with all recommended conditions and requirements set forth in the attached County of Los Angeles Forester and Fire Warden letter dated December 4, 2006, to the satisfaction of the Forester and Fire Warden.

Prior to Use of Permit

39. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and that the conditions have been recorded as required by Condition No. 40 and until all required monies have been paid pursuant to Condition No. 41 and 42.

40. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the terms of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.

41. Within five (5) days of 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 $ 2,500.

42. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of $5000.00. Such fees shall be used to compensate the County Forester to cover expenses incurred while inspecting the project to determine the permittee's compliance with these conditions of approval.

    The above fees provide for one (1) pre-construction meeting required to determine fencing placement in order to secure the protected zone of all remaining Oak trees, inspection of temporary fencing prior to the commencement of any construction and a subsequent five (5) year monitoring period requiring inspections until the conditions of approval have been met.

The Director of Planning and the County Forester shall retain the right to make regular and unannounced site visits.

43. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Planning and County Forester any failure to fully comply with the conditions of this grant. The arborist shall submit at the end of each year an annual monitoring report. The report shall include a diagram showing the exact number and location of all migration trees planted and describe the health, planting dates, any mortality and mitigation timeframe relating to permit compliance.

Prior to Issuance of a Grading Permit

41. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site to be determined prior to any grading. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester or the Director of Planning. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak Tree (before pruning) or 15 feet from the trunk, whichever is greater.

42. Prior to the planting of the trees, and before issuance of a grading permit the biologist/ arborist for the permittee shall determine planting sites, prepare planting plans and specifications, and a monitoring program, all of which shall be approved by the County Forester and the Department of Regional Planning.

43. Installation of fencing around the perimeter of the properties shall be of wrought iron or wood post type construction wherever the fencing passes within 10 feet of any oak trunk. No block walls or other type of fence or wall construction which requires substantial trenching for foundations shall be located within ten feet of any Oak tree in order to limit damage caused by such types of construction.

Attachments:
December 4, 2006: Letter from County Forester

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

RECEIVED
DEC 07 2006

December 4, 2006

Daniel Fierros, Regional Planning Assistant
Los Angeles County Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Fierros:

OAK TREE PERMIT #00-196, LANDMARK VILLAGE (RIVER VILLAGE) PROJECT, TM #53108

We have reviewed the "Request for Oak Tree Permit #00-196. The project is located south of State Route 126 near the intersection of Chiquito Canyon Rd., north of the Santa Clara River and west of Interstate 5. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on site. The term "Oak Tree Report" refers to the document on file by Impact Sciences the consulting arborist, dated June, 2006.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant.

   Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of $5000. Such fees shall be used to compensate the County Forester to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval.

   The above fees provide for one (1) pre-construction meeting required to determine fencing placement in order to secure the protected zone of all remaining Oak trees, inspection of temporary fencing prior to the commencement of any construction and a subsequent five (5) year monitoring period requiring inspections until the conditions of approval have been met.

   The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant.

   The arborist shall submit at the end of each year an annual monitoring report. The report shall include a diagram showing the exact number and locations of all mitigation trees planted and describe their health, planting dates, any mortality and mitigation timeframe relating to permit compliance.

4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.

5. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site to be determined prior to any grading. The fencing shall be determined and installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.

6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of a total of sixty-seven (67) Oak trees. Sixty-three (63) trees are of the Oak genus (*Quercus agrifolia*) numbered : 8, 9, 10, 51, 60, 61, 63, 64, **83***, 84, 248, 249, 250, 335, 336, 337, **338***, 339, 340, 341, 342, 343, **344***, 345, 346, 347, 348, **349***, 350, 351, **352***, 354, 355, 356, **357***, 396, 397, 398, 400, 401, **492***, 594, 1588, 1589, 1590, 1592, 1594, 1596, 1598, 3073, **4003***, 4016, 4017, 4018, 4019, 4022, 4025, 4026, 4027, 4028, 4055, 4056, 4057. Four (4) trees are of the of the genus (*Quercus lobata*) numbered **87***, 1587, **1597***, and 1591 on the applicants site plan and Oak tree report. A total of ten (10) of these trees to be removed are identified as **Heritage*** (in bold with an asterisk*), having a diameter greater than 36 inches.

   This grant allows encroachment within the protected zone of fourteen (14) trees of the Oak genus identified as Tree Numbers: 92, 93, 98, 99, 100, 439, 448, **488***, **489***, 498, **503***, 592, 1605, 4007 on the applicant's site plan map and Oak Tree Report. Three (3) of these trees are identified as **Heritage***. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two (2) inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one (1) tree be removed.

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

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for each tree removed and at a rate of ten to one (10:1) for each Heritage tree removed for a total of 214 mitigation trees.

11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base.

12. Mitigation trees shall be at a ratio consistent with the species of Oaks removed for a total of one hundred ninety (190) *Quercus agrifolia* and twenty four (24) *Quercus lobata* of indigenous varieties grown from a local seed source.

13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) year of the death of any tree, which results from its permitted encroachment. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The five-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five (5) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

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

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.

19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.

20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.

21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.

22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

If you have any additional questions, please contact this office at (323) 890-4330.

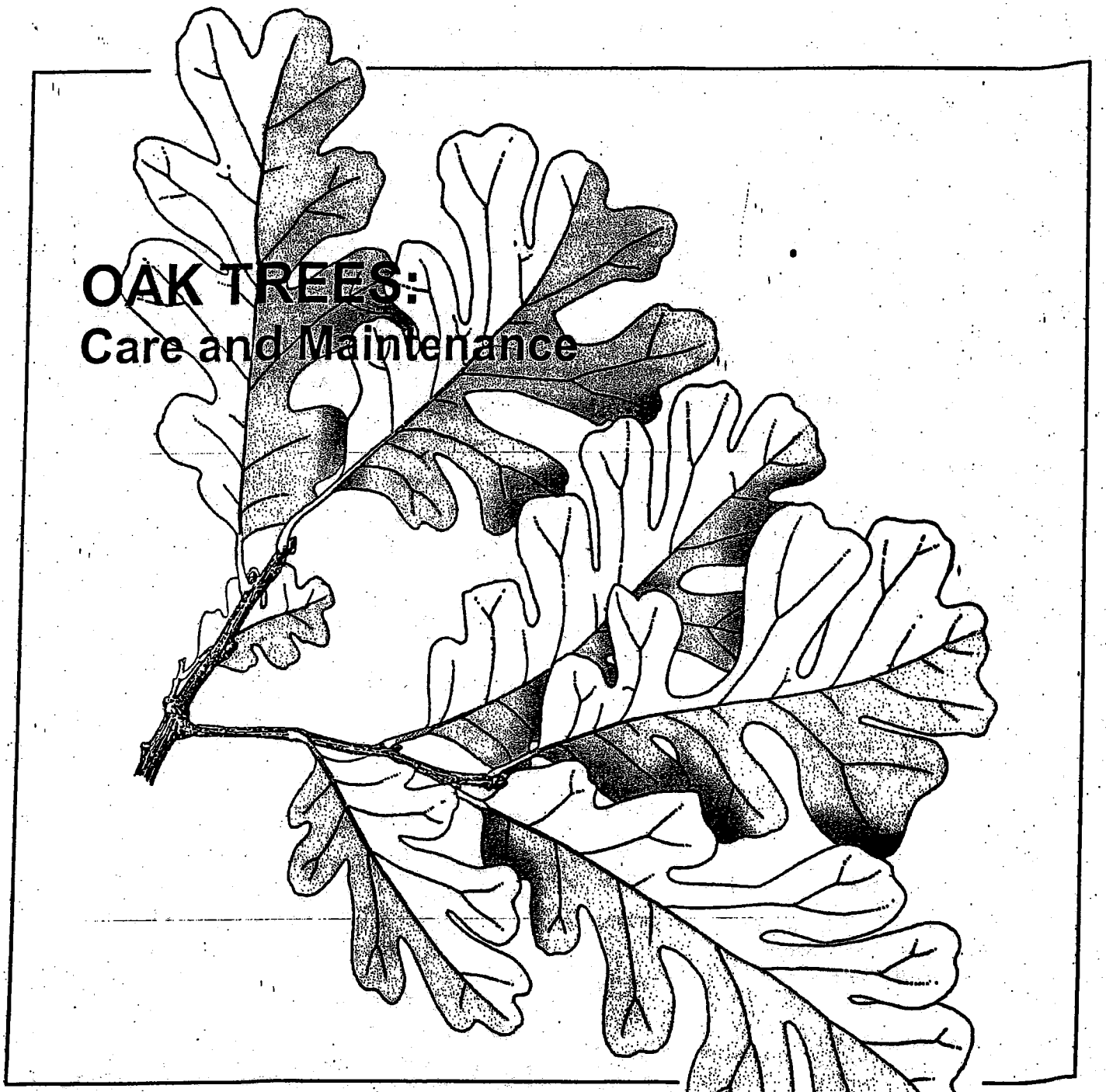
Very truly yours,

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:es

Enclosure

OAK TREES:
Care and Maintenance



This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or
- equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
http://planning.co.la.ca.us

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.

Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 3"-4" LONG: PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS: FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERELY BY AGRICULTURE AND URBAN DEVELOPMENT.

Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG: SPINY, ROUNDED, AND HOLLY-LIKE: BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.

Interior Live Oak
QUERCUS WISLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD OR WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS:
CALIFORNIA BLACK OAK: QUERCUS KELLOGGI
CANYON LIVE OAK: QUERCUS CHRYSOLEPIS
ENGELMANN OAK: QUERCUS ENGELMANNII

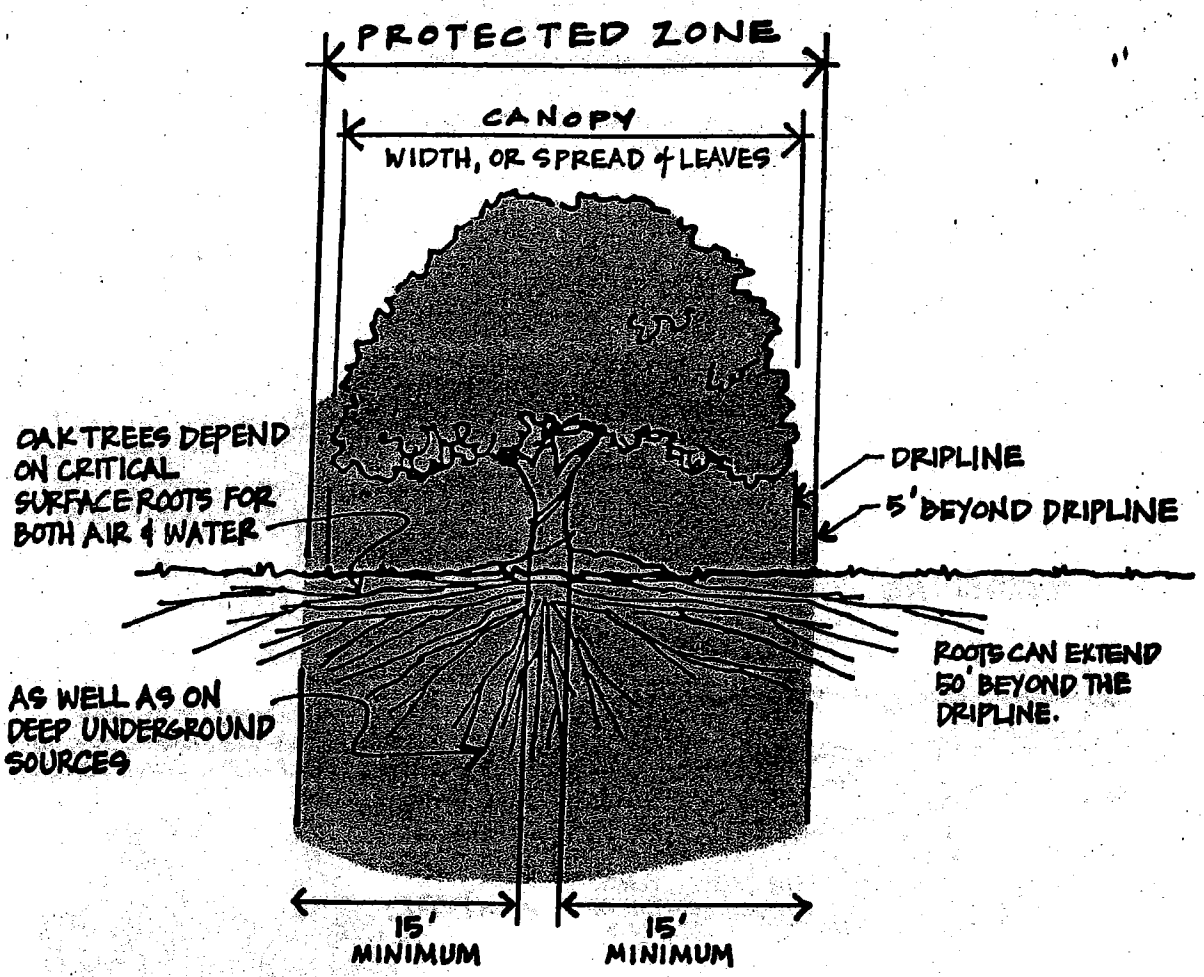
THE PROTECTED ZONE

The *protected zone* defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

> "The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

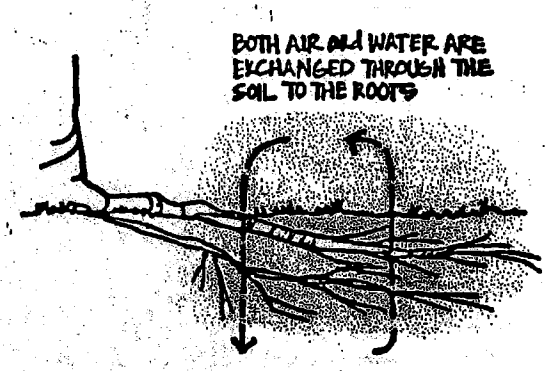
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

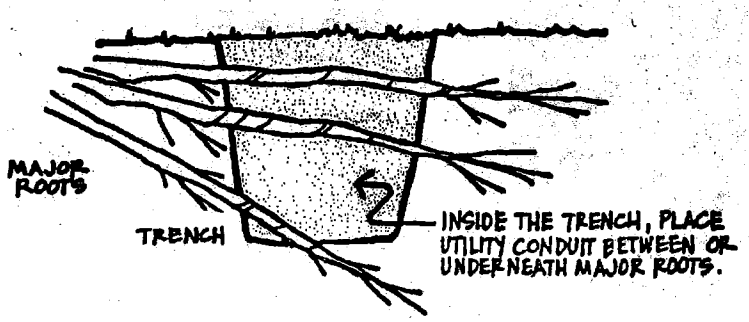
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

SOIL COMPACTION



TRENCHING



MAINTENANCE

Watering

The key is prevention – **do not over water.** Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require any additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

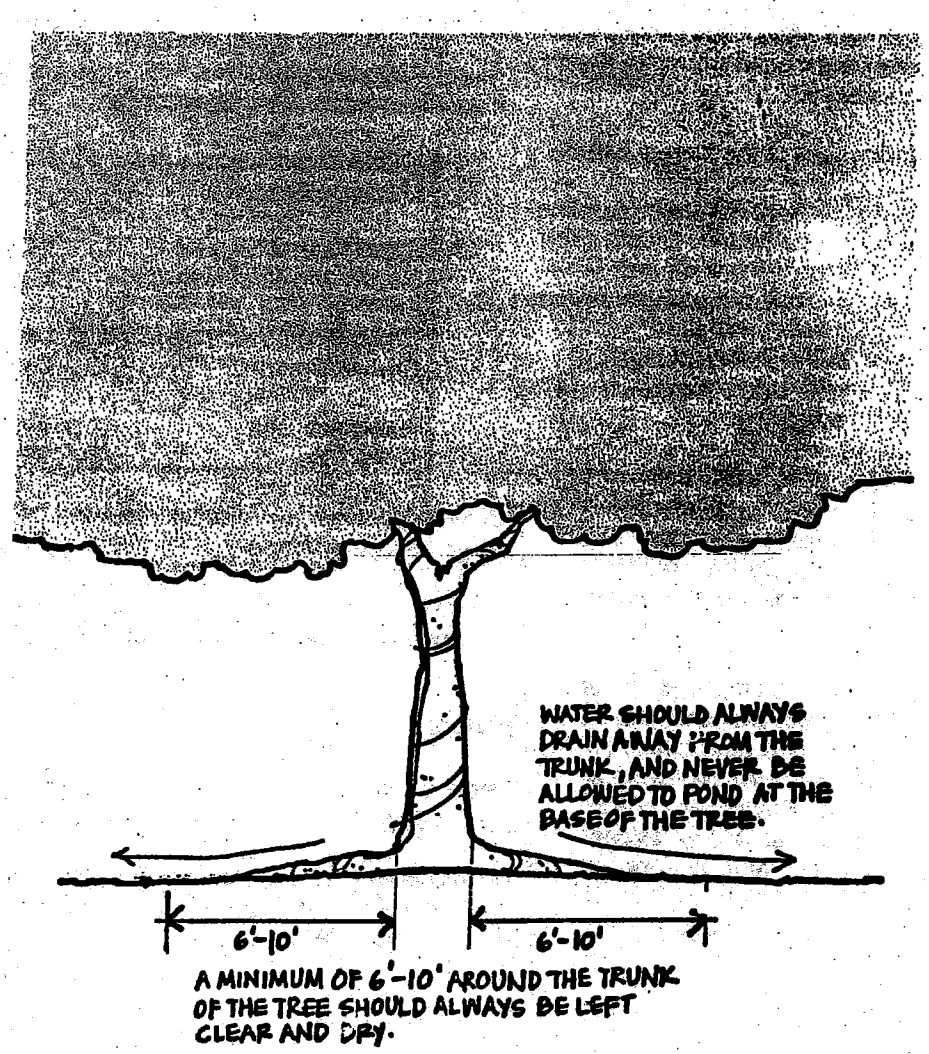
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
Arctostaphylos densiflora 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
Arctostaphylos edmundsii Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
Arctostaphylos hookeri Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
Ceanothus griseus horizontalis Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
Heuchera spp. Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
Mahonia aquifolium compacta Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
Ribes viburnifolium Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the *Sunset Western Garden Book* to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
http://lacofd.org/forestry.htm

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
http://danr.ucop.edu/ihrmp

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

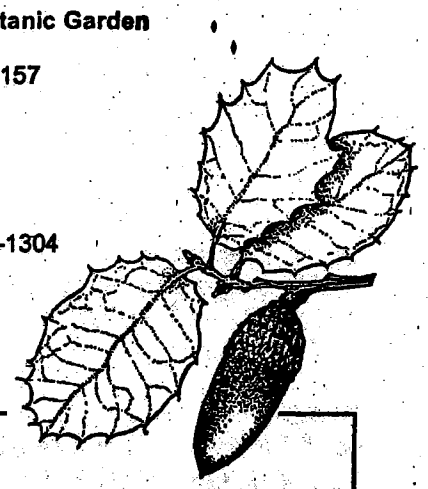
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.

County of Los Angeles Fire Department
Forestry Division

County of Los Angeles
Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

GENERAL PLAN, SANTA CLARITA VALLEY AREA AND SPECIFIC PLAN AMENDMENT
BURDEN OF PROOF

Request

Newhall Land is requesting an amendment to the Los Angeles County General Plan, the Santa Clarita Valley Area-wide Plan (SCVAP), and the Newhall Ranch Specific Plan to modify the existing "secondary highway" designation for the "A" Street/Wolcott Road (also referred to as the Franklin Avenue extension), located between Long Canyon Road and SR-126, within the Newhall Ranch Specific Plan, which was approved by the County on May 27, 2003. The proposed amendment would reclassify "A" Street/Wolcott Road from a secondary highway to a collector street, and result in the removal of "A" Street/Wolcott Road from the General Plan's "Master Plan of Highways," since collector streets are not shown on this policy map. The proposed amendment would also result in the removal of "A" Street/Wolcott Road from the Circulation Plan of the SCVAP and would modify the street's designation on the approved Newhall Ranch Specific Plan's "Mobility Plan," on the Specific Plan's "Master Circulation Plan" exhibit, and on accompanying cross-sections.

The requested amendment is necessary to achieve a street designation that is safest, most consistent with, and most appropriate for the level of permitted development and anticipated circulation requirements under the "Traditional Neighborhood Development" (TND) land-use plan for the Landmark Village development within the Newhall Ranch Specific Plan. Since the street's original classification as a secondary highway, changes in circumstances have occurred to render the existing street classification inappropriate, unnecessary, and potentially unsafe for the current type and level of development proposed.

Background

In 1994, Newhall Land filed its entitlement application for the future development of Newhall Ranch, including the Newhall Ranch Specific Plan (NRSP), with the Department of Regional Planning (DRP). Among the entitlement applications submitted concurrently with the NRSP were requests for amendments to the Los Angeles County General Plan, the SCVAP, and the Newhall Ranch Specific Plan, to establish what is now referred to as "A" Street/Wolcott Road as a secondary highway within the future Landmark Village community. At the time, the secondary highway designation was appropriate based on the projected future traffic demands on this street segment. The Specific Plan proposed a maximum of 24,700 residential dwelling units and a total of approximately 5.7 million square feet (sf) of non-residential development within Newhall Ranch. Of those totals, 1,750 dwelling units and 1 million sf of non-residential floor-area were proposed for the portion of Newhall Ranch adjacent to and containing the proposed "A" Street and Wolcott Road. This Newhall Ranch community, referred to as "Landmark Village," is the area within Vesting Tentative Tract Map No. 53108.

Based on the proposed development for Landmark Village (1,750 dwelling units and 1 million sf of non-residential uses) and Newhall Ranch overall, future traffic volumes on "A" Street/Wolcott Road were projected to equal approximately 30,000 average daily trips (ADTs). (Austin-Foust

Associates, *Newhall Ranch Traffic Analysis*, July 1996.) This level of traffic warranted designation of the street as a secondary highway, which provides traffic capacities of 32,000 ADT's.

In October 1996, the Regional Planning Commission held its first meeting regarding the Newhall Ranch Specific Plan and directed Newhall Land to reduce the overall scale and intensity of proposed development. Newhall Land revised the Specific Plan to provide for a reduced number of proposed dwelling units and a lower level of non-residential development. In December 1997, the Regional Planning Commission approved the NRSP with the scaled-back development proposal. The Board of Supervisors further reduced the level of development permitted by the Specific Plan during its reviews in 1998 and 2003.

As a result of these changes to Newhall Ranch, the approved Specific Plan now permits a maximum of up to 20,885 residential dwelling units and a maximum of 5.5 million square feet of non-residential uses. This represents a reduction of approximately 15 percent from the 24,700 dwelling units originally proposed, and a decrease of approximately 3 percent in permitted non-residential development from that originally requested in 1994. For the Landmark Village community of Newhall Ranch, the maximum number of residential units was reduced from 1,750 dwelling units to a maximum of up to 1,444 dwelling units. This represents a reduction of approximately 17 percent in permitted residential development. (There was no change to the permitted non-residential development at Landmark Village.)

In addition to the general reduction in the scale of development and number of permitted residential units and non-residential floor-area, another significant change in circumstances has occurred since the development plan was first submitted in 1994 that warrants a "downgrading" of "A" Street/Wolcott Road from a secondary highway to a collector street classification. In its more detailed development plan for Landmark Village prepared following approval of the Specific Plan, Newhall Land has chosen a TND land-use plan for Landmark Village, which emphasizes pedestrian safety, comfort and the concept of "walkability." In summary, the land plan has been developed so that key community features, such as parks, schools and shopping, are within a reasonable walking distance from most homes. In order for the land plan to be effective, streets must be designed to promote pedestrian safety and prevent excessive traffic (including "cut-through" traffic) and unsafe vehicle speeds. In fact, the failure to appropriately match street design to the land plan could result in increased risk of accidents, greater public liability, and degraded pedestrian safety.

As part of this TND approach, the intended function and design of "A" Street/Wolcott Road, has changed over the years. "A" Street/Wolcott Road was originally conceived as an arterial highway extension of Franklin Avenue, in the Commerce Center area northeast of Landmark Village, connecting with Long Canyon Road. Under the TND approach, the function of "A" Street/Wolcott Road would be limited to providing connectivity between Landmark Village neighborhoods and from the local streets to the arterial highway system. In this way, "A" Street/Wolcott Road would discourage "cut-through" traffic as an alternative to SR-126. The street design was adjusted to match this shift in intended function. The alignment was made curvilinear, lengthening the total roadway distance; traffic-calming design features such as a

periodic landscaped median, curb bulb-outs, and on-street parking were incorporated; and modern roundabouts are proposed.

With the reduced scale of development permitted by the revised NRSP and the shift in the street's intended function as part of the TND land plan, projected traffic volumes on "A" Street/Wolcott Road may now be accommodated by a collector street, which has a capacity of approximately 10,000 ADT. Traffic volumes on "A" Street/Wolcott Road are projected to be less than 10,000 ADT's for all but a short segment on the west end, which is proposed to be served by a higher-capacity, four-lane section providing adequate capacity. (Austin-Foust Associates, *Landmark Village Traffic Impact Analysis*, October 2003.)

In summary, a change in street classification for "A" Street/Wolcott Road from a four-lane secondary highway to a collector street is appropriate and warranted because of the reduction in proposed development, the implementation of a TND land-use plan, and the resulting decrease in projected traffic volumes. Projected traffic volumes would be adequately served by a collector street designation, and the existing secondary highway designation would provide unnecessarily excessive capacity. Furthermore, requiring the secondary highway could result in the potential for increased vehicular speeds under the proposed TND land plan, while the collector street would be the appropriate context-sensitive designation.

Justification

Due to the changes in circumstances since the Newhall Ranch Specific Plan and accompanying entitlements were first filed and approved, as detailed above, the existing secondary highway street classification is no longer appropriate for "A" Street/Wolcott Road. In addition to the justification provided above, the following four responses must be demonstrated in the affirmative in support of this request for a General Plan/Specific Plan Amendment.

Response No. 1

A need for the proposed General Plan Amendment exists because:

The proposed General Plan/Specific Plan Amendment is necessary and appropriate to provide a street classification that corresponds with the projected level of traffic demand, while at the same time providing a safe pedestrian environment consistent with the adjacent land-use plan. Without the requested General Plan/Specific Plan amendment, the street classification would require that "A" Street/Wolcott Road be improved to provide excessive capacity, with more than three times the capacity (32,000 ADT's) of the projected future volumes (fewer than 10,000 ADT's). In addition, requiring "A" Street/Wolcott Road to be built to secondary highway standards while its functional use is as a collector street providing connectivity between neighborhoods and the local street system would result in the potential for unsafe conditions, including increased frequency of accidents, increased severity of injury and property damage/loss, and the potential for increased public liability. These safety and liability risks of maintaining the secondary highway designation in lieu of the requested collector street classification are discussed in more detail in Response No. 4, below.

Response No. 2

The particular amendment proposed is appropriate and proper because:

As noted above, the requested collector street designation, with a capacity of approximately 10,000 ADT's, is appropriate for the projected traffic demand of fewer than 10,000 ADT's. In addition, the collector street designation is the most appropriate choice in the context of the proposed TND land-use plan for Landmark Village. The TND land-use plan places importance on pedestrian safety and comfort, as community uses, such as schools, recreation, and shopping, are located within walking distance of most residences. The higher-speed, higher-volume secondary highway would be inconsistent with the land-use plan as well as providing traffic capacity far in excess of projected demand.

Response No. 3

Modified conditions warrant a revision to the County of Los Angeles General Plan because:

As discussed above, the following are the key changes in circumstances that result in the need for the requested General Plan/Specific Plan Amendment:

1. The level of permitted development, including the number of homes and the amount of proposed non-residential floor-area, has been scaled back significantly from the original Newhall Ranch proposal, in general, and in Landmark Village, specifically.

2. Following approval of the Newhall Ranch Specific Plan, Newhall Land selected a "Traditional Neighborhood Development" land-use plan for Landmark Village, which would change the intended function of "A" Street/Wolcott Road from a secondary highway – as originally planned, providing a connection from Commerce Center, on the northeast, to the western portion of Landmark Village and areas of Newhall Ranch to the south – to a collector street intended to provide internal connectivity within Landmark Village only, between neighborhoods and connecting to the local street system. The change in intended street function, as implemented in the curvilinear street design with traffic-calming features, would eliminate "cut-through" traffic. The TND land-use plan would also reduce the number of vehicle trips generated from the project, by encouraging residents to walk to near-by destinations.

3. The reduced level of permitted development, combined with the selection of a "TND" land-use plan, have significantly reduced the projected traffic levels on "A" Street/Wolcott Road. The projected traffic levels on "A" Street/Wolcott Road were originally estimated at approximately 30,000 ADT's, which required a secondary highway classification. Under the proposed Landmark Village development, the projected traffic levels have been significantly reduced to approximately 10,000 ADT's or less, which justifies the change in classification from a secondary highway to a collector street.

Response No. 4

Approval of the proposed General Plan Amendment will be in the interest of public health, safety, and general welfare and in conformity with good planning practices because:

Approval of the requested General Plan/Specific Plan Amendment will result in significant contributions to the public health, safety and general welfare, including the following:

1. The requested collector street classification will result in safer conditions when compared to the existing secondary highway designation.

   a. Based on research compiled by Newhall Land (*Traditional Neighborhood Development at Landmark Village, Newhall Ranch: The Role of Alternative Street Design in Traditional Neighborhood Development, Volumes I and II,* November, 2001; March, 2002), the number of traffic accidents would be reduced with the requested street designation, as demonstrated below.

   b. In addition, as noted in the research referenced above, accident severity would also be diminished. Injuries to both motorists and pedestrians would be less severe under the requested street classification, generating fewer fatalities and less-severe injuries.

      i. Motor vehicle accidents are the leading cause of accidental death in California, and 20 percent of accidents involve pedestrians. (*Dangerous by Design: Pedestrian Safety in California,* Surface Transportation Policy Project, and September 2000.)
      ii. The second-leading cause of death for California children (ages 5-12) is pedestrian fatality. (*Ibid.*)
      iii. There is a direct correlation between roadway width and vehicle speeds. (*Residential Street Typology and Injury Accident Frequency*, Swift, 2001.)
      iv. Slower vehicle speeds result in greater stopping distance, a lower frequency of accidents, and reduced severity of injury from the smaller number of resulting accidents. (*Traditional Neighborhood Development Street Design Guidelines*, Institute of Transportation Engineers, October, 1999.)

2. By enhancing the pedestrian environment, the requested street classification would promote a healthier community.

   a. The less-intrusive collector street classification would contribute toward the TND's goal of promoting walking as an alternative to driving to community destinations. For example, safe streets would allow children to walk to neighborhood schools. Studies show that walkable communities promote their residents' health. ("Healthy Neighborhood Streets – The Key to Stronger Communities", *On Common Ground,* Winter 2002.)

   b. The safer, more comfortable pedestrian environment would also promote walking, jogging, bicycling and other recreational opportunities.

3. The requested street classification would promote the general welfare with enhanced property benefits:

   a. Property owners would benefit from less property damage and fewer injuries associated with motor-vehicle accidents, as noted above.

   b. Property owners could benefit from alternative financing programs provided to TND communities; such as the "location-efficient mortgage"[1] that recognizes the benefits of a safe and walkable community.

   c. Studies show that property values are enhanced in "smart growth" communities such as a TND, when compared with the values of homes in conventional subdivisions. (Smart Growth Gateway, www.smartgrowthgateway.org.)

4. The requested amendment is consistent with good planning practices.

   a. This request is consistent with the following American Planning Association's "Principals for Smart Growth:"
      i. Create walkable neighborhoods;
      ii. Foster distinctive, attractive places with a strong sense of place;
      iii. Provide a variety of transportation choices; and
      iv. Take advantage of compact building design.

   b. This request is consistent with the following "Ahwahnee Principles," developed by the Local Government Commission to promote livable communities:
      i. Community size should be designed so that housing, jobs, daily needs and other activities are within easy walking distance of each other;
      ii. As many activities as possible should be located within easy walking distance of transit stops;
      iii. Streets, pedestrian paths and bike paths should contribute to a system of fully-connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees and lighting; and by discouraging high speed traffic; and
      iv. The community design should help conserve resources and minimize waste.

[1] The Location Efficient Mortgage®, (LEM) is a mortgage that helps people become homeowners in location efficient communities. These are convenient neighborhoods in which residents can walk from their homes to stores, schools, recreation, and public transportation. People who live in location efficient communities have less need to drive, which allows them to save money (with greater financial resources available for housing costs) and improves the environment for everyone. The LEM combines a low down payment, competitive interest rates, and flexible criteria for financial qualification to allow more people to own the home of their dreams. For additional information, please refer to www.locationefficiency.com.

CONDITIONAL USE PERMIT NO. 2005-01121-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATE: January 31 and February 28, 2007

SYNOPSIS:
The applicant, Newhall Land and Farming ("Newhall"), approval for a 291-acre master-planned community development (Landmark Village) for the development of maximum 1,444 residential units and 1,033,000 square feet of mixed-use commercial/retail/residential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school. This project is within the "Riverwood" village of the adopted Newhall Ranch Specific Plan ("Specific Plan") approved by the Board of Supervisors in 2003.

The proposal requires amendments to the Los Angeles Countywide General Plan ("General Plan") and Santa Clarita Valley Area Plan ("Area Plan") to amend the Master Plan of Highways and Circulation Plan to eliminate "A" Street/Wolcott Road as a secondary highway, and amendment to the Specific Plan to downgrade "A" Street from a secondary highway to a local collector street. The project also requests approval of conditional use permits for compliance with requirements of development within a Significant Ecological Area/Special Management Area ("SEA/SMA"), onsite and offsite project grading and offsite utilities, including water tanks, and transport of materials. An oak tree permit is also required for removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks). The applicant also requests a determination of substantial conformance to the development regulations and implementation procedures of the Specific Plan related to shared parking, street widths, front yard setbacks and hillside resources.

The project site is located north of the Santa Clara River, south of SR-126, east of the Ventura County boundary, and west of Interstate 5 Freeway within the Specific Plan and in the Newhall Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:
January 31, 2007 Public Hearing
A duly noticed public hearing was held before the Regional Planning Commission. Commissioners Valadez, Bellamy, Rew, Helsley and Modugno were present. After opening the public hearing, the Regional Planning Commission heard the staff report, received testimony from the applicant and public testimony with concerns or in opposition to the project, the public hearing was continued to allow for additional time as requested by various agencies and individual citizens, to comment on the project and EIR. The public hearing was

continued to February 28, 2007, and the public comment period for the EIR was extended to February 20, 2007 (total 90-day public comment period). An initial list of comments on the project was also provided by the Commission for the applicant to respond at the continued public hearing to include the following items: potential incorporation of wireless technology within the project, interim elementary school plan; community sustainability/smart growth; redesign of the school and park layout (furthering buffering the school from SR 126) and ownership and maintenance of the passive park; issues raised about the status of the Native American Fernandeno Tataviam Tribe; trailhead and trail connections; setbacks from riparian areas along Castaic Creek; perchlorate contamination and clean-up status; and, comments related to inadequate avian surveys from the Audubon Society.

February 28, 2007 Continued Public Hearing

At the February 28, 2007 continued public hearing, Commissioners Valadez, Bellamy, Rew, and Modugno were present; Commissioner Helsley was absent. The applicant's provided rebuttal to issues and concerns raised by members of the public and responded to the items raised by the Commission at the January 31, 2007. Additional testimony was also taken from members of the public and varies agencies regarding the project. The Commission then raised additional items in regards to the proposed affordable housing program, the project's potential for incorporation of "green building" standards and renewable energy, park design and maintenance, and potential impacts related to interim housing of Landmark Village high school students until the Newhall Ranch High School is constructed.

At the conclusion of testimony and discussion, the Commission discussed various issues presented at the public hearing and voted (4-0) to closed the public hearing, directed staff to prepare the Final Environmental Impact Report and prepare findings and conditions for consideration, directed the applicant to including the additional items raised by Commission, resubmit the tentative tract map for review by the Subdivision Committee to address the necessary technical corrections to accommodated the necessary changes reflecting Commission instruction.

Findings

1. Conditions Use Permit No. 2005-01121-(5) is a request pursuant to Section 22.56.210 of the Los Angeles County Code to authorize off-site project grading, and off-site utilities, including water tanks and transport of graded materials, in association with the Landmark Village.

2. Approximately 7.3 million cubic yards of grading will take place at the Adobe Canyon borrow site. The Landmark Village project requires the import of approximately 5.4 million cubic yard of earth from the Adobe Canyon borrow site to the Landmark subdivision site and the balance will be export for the

off-site utilities. Adobe Canyon is located approximately 4,000 feet south of SR-126, which is south of Landmark Village, south of the Santa Clara River, and east of the planned future Long Canyon Road. This is proposed to raise the boundary to avoid flooding issues with proximity to the Santa Clara River, and would use two haul routes on an existing agricultural crossing. This would required an adjustment to the County Floodway Boundary is needed to account for changes to the floodplain boundary resulting from the proposed project's flood protection improvements.

3. Grading will be required for utility installation involves earthwork such as excavation of trenches and stockpiling of soils. Earthwork volume estimates for installation of the utilities along SR126 utility corridor to the Newhall Ranch Water Reclamation Plan (WRP) to the west and the Valencia District WRP to the east is approximately 2.1 million cubic yards to be imported from the Adobe borrow site.

4. The Chiquito Canyon grading site located north of SR-126 will also require grading and will occur concurrently with the grading required for the widening of SR-126. The grading for the debris basins and water storage tanks in Chiquito Canyon and the widening of SR-126 combined will involve 1,019,000 cubic yards of raw cut. The net volume (after shrinkage) of 866,000 cubic yards will be placed as fill in accordance with County Ordinance requirements in three designated locations as indicated on the exhibit.

5. Off-site grading will also occur within the Santa Clara River, as part of the project's mitigation and habitat restoration. The removal of dirt will create a new edge of the river and occur concurrently with the bank stabilization efforts.

6. Conditional Use Permit No. 2005-01121-(5) was heard concurrently with Conditional Use Permit No. 00-196, Oak Tree Permit No. 00-196, General Plan/Local Plan/Specific Plan Amendment Case Nos. 00-196. The approval of this grant will not become effective until the Board of Supervisors has approved the general plan/local plan/specific plan amendment.

7. The total project, including offsite grading sites, is approximately 1,044 gross acres in size (including the utility corridor, Chiquito Canyon and Adobe Canyon grading sites). The property is irregular in shape with slight to steeply sloping terrain in offsite areas where grading is proposed. The subject property is disturbed by historic and ongoing agricultural activity but contains existing sensitive biological resources and habitat types, including upland scrub habitat and sensitive riparian habitat. The project boundary also includes coastal sage chaparral scrub, live oak woodland, southern cottonwood willow riparian habitat; and wildlife habitat including horned lizards, sparrows, blackbirds, kites, hawks and plovers, jackrabbits,

woodrats and mountain lion. The Santa Clara River, which within and south of the subdivision boundary, is also an SEA/SMA.

8. The current SP zoning on the subject property became effective on June 26, 2003, following the adoption of Ordinance No. 2003-0031Z, which established Zone Change Case No. 94-087-(5). The zone change was associated with the Specific Plan. The Specific Plan was adopted by the Los Angeles County Board of Supervisors ("Board") on May 27, 2003, along with a general and local (sub-plan) amendments, a conditional use permit and a tentative parcel map. The Specific Plan authorized the development of the approximately 11,963-acre property for 20,885 dwelling units with 423 second units; 629 acres of mixed use development (including 4,101 of the 20,885 units approved); 67 acres of commercial uses; 249 acres of business park land use; 37 acres of visitor-serving uses; 1,010 acres of open area (including 141 acres of community parks and 869 acres of other open areas); 5,159 areas within SMAs; 50 acres within 10 neighborhood parks; a 15-acre lake; public trail system; 18-hole golf course; two fire stations; one public library; one electrical substation; reservation of five elementary schools, one junior high school and one high school site; a 6.8-million gallon per day WRP; and other associated community facilities, such as roads and bridges.

9. Conditional Use Permit No. 94-087 was approved by the Board that authorized Specific Plan development within the SEA boundary, including bridge crossings, trails, bank stabilization, and other improvements. As part of the Board of Supervisors' project approvals for the Specific Plan, adjustments was made to the existing boundary of Significant Ecological Area (SEA) 23, consistent with General Plan policies requiring protection of natural resources within SEAs, Specific Plan development within the SEA boundary, including bridge crossings (*e.g.*, Long Canyon Road Bridge), trails, bank stabilization, and other improvements. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan "Special Management Area" (SMA) designation over the adjusted SEA 23 boundary.

10. The Specific Plan area is organized in five "villages," with the Landmark project within the "Riverwood" Village. Within the approximately 2,330 acres of Riverwood, 3,210 dwelling units and 234 second units were approved as well as 2,966,000 square feet of nonresidential square footage. The Santa Clara River is also a major Open Area feature within Riverwood.

11. The surrounding properties are zoned as follows:

North: Specific Plan, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing);

East: Specific Plan, A-2-5, M-1-½, P-R (Parking Restricted) and C-R (Commercial-Recreation);
South: Specific Plan; and
West: Specific Plan

12. The subject property is used for agricultural activity and related storage, and consists of four parcels from the previously approved Newhall Ranch Tentative Parcel Map No. 24500).

13. Surrounding land uses consist of the following uses:

North: SR-126, vacant property, scattered single-family residences, Chiquita Canyon Landfill and business parks;
East: Castaic Creek, RV park, and further east light industrial uses, agricultural land and Valencia WRP;
South: Santa Clara River and vacant land; and
West: Vacant property and agricultural land.

14. A range of housing types is provided in various clusters within Landmark Village. Traditional single-family lots (i.e. one home on each lot) are clustered in three areas along the southern portion of the subdivision: to the west, across from the proposed elementary school, and to the east. These lots have been designed for garage access from the front, and by alley from the back; and range in size from minimum 3,200 square feet to 6,000 square feet. Multi-family housing is also proposed both as for-lease apartments and for-sale condominiums, and generally in the northern portions of the subdivision and conceptual designs for site layout are depicted on the exhibit maps. Apartments, including 152 senior affordable rental units, are proposed in the western portion, just east of the office and retail center identified in the Specific Plan as the Village Center. A total of 1,444 dwelling units are provided within the residential lots (308 single-family units and 1,136 multi-family units).

15. The Village Center is located east and west of Long Canyon Road on the western portion of the project. Retail and office are anticipated, with an approximate maximum of 1,033,000 square feet of office and retail space.

16. Two park sites (one public and one private) are depicted within the project site, an elementary school site and fire station are also proposed Actual site designs for the school and fire station are to be determined at a later stage. A minimum of 45 open space lots are provided, with 25 lots for open space and 20 lots for open space and utility purposes. These open space lots are depicted along the northern and southern boundaries of the project, adjacent to SR-126 and the Santa Clara River.

17. Access to the development will be served by Long Canyon Road and Wolcott Road. Both Long Canyon Road and Wolcott Road are the two points of connection from SR-126 with "A" Street as the internal main 'spine' collector road through the development. Long Canyon Road is a major highway, and provides at least 119 feet of right-of-way north of "A" Street with bike lanes in both directions of traffic as well as an eight-foot sidewalk and varying center planter widths. SR-126 is expected to be grade-separated (higher) than Long Canyon Road in the future, with the future interchange depicted as five northbound lanes (one left turn dedicated to SR-126, two for thru traffic under SR-126, and two for right turn traffic). Long Canyon Road also spans over the Santa Clara River as an 100-foot wide bridge to be constructed with this project. Wolcott Road is a secondary highway with 106 feet of right-of-way consisting of four travel lanes, a six-foot parkway and six-foot sidewalk on each side, and a 14-foot wide planter in the center. Wolcott Road is also depicted with a future interchange with SR-126.

18. "A" Street is depicted as a collector street with a 110-foot wide right-of-way, with varying widths of improvements. At its widest improvements, which is from Long Canyon Road to 200 feet east of Long Canyon Road, seven travel lanes are provided with bike lane on one side, and four feet of parkway and six feet of sidewalk on both sides; no on-street parking would be provided. At its narrowest, two travel lanes with center lane is provided, along with bike lanes on each side, 10-foot-parkway and six-foot sidewalk on one side, and 24 foot-wide swale and eight-foot trail provided on the other side. Private driveway lots are also proposed within the development, providing internal access in single-family and multi-family neighborhoods between the Village Center and the park/school, with widths ranging from 34 feet to 110 feet wide.

19. The Specific Plan locates the Landmark Village subdivision within its Riverwood Village, and identifies land uses within each Village with associated acreage, density and/or nonresidential square footage. The Specific Plan also includes exhibits for trails, circulation, resource management, drainage and water quality, water and sewer as well as its land use plan. The applicant has demonstrated the project's consistency with the provisions, goals and objectives within the Specific Plan.

20. The Specific Plan also requires affordable housing, with a total of 2,200 affordable units through the Specific Plan area (Specific Plan Section 3.10). Landmark Village proposes 301 affordable units: 161 for-sale homes for moderate income households, and 140 for-rent units for very low families.

21. Traffic studies were performed to indicate that the expected traffic volume can be accommodated with the proposed project circulation system as design. The circulation system includes features such as bike lanes and

trails along both sides of the street, roundabouts, curb extensions and rear or alley access intended to reduce design speed, eliminate cul-de-sacs, introduce traffic-calming features, reduced street widths to enhance pedestrian mobility.

22. The Master Plan of Trails within the Specific Plan is general in nature, and detailed trail locations are identified on the subdivision tentative map. These include walkways and parkways along streets, paseos, community trails and the regional river trail, in a hierarchy of trail sizes and functionality. Access points are also identified from the project to the regional river trail system as well as locations for observation and interpretive nature points. The regional river trail system is depicted in greater detail within the project site, and depict both an eight-foot wide County trail outside the subdivision boundary but on top of the bank stabilization, and a 16-foot wide riding and hiking trail that will also serve as the Los Angeles County Flood Control access road, and will be maintained by a Landscape Maintenance District ("LMD"). An interpretive trail is also depicted through private Recreation Lot No. 337 with a lookout point and interpretive nature station.

23. The Specific Plan Master Drainage Plan has been updated to reflect innovative methodologies to meet NPDES (National Pollutant Discharge Elimination System) requirements, and reflects a comprehensive system of flood control and desilting basins to maintain water quality standards. Open space that also double as open facility basins, are located adjacent to the subdivision boundary and the Santa Clara River to the south, as well as along SR-126 to the north. Additional water quality features such as grass swales and depressed roundabouts, provide additional area for water retention.

24. The Master Water Plan was designed in the Specific Plan for this portion with water main and reclaimed water lines along "A" Street. The Potable and Reclaimed Water Plan includes infrastructure lines to serve this development. A 2.7 million gallon water tank that is depicted on the Master Water Plan, is depicted within the Chiquito Canyon area. Water tanks are being proposed north of Landmark at Chiquito Canyon within the Valencia Commerce Center, and Round Mountain.

25. The Master Sewer Plan also depicts sewer infrastructure anticipated , with the sewer line system connecting to the Newhall WRP. A detailed Sewer Plan was prepared for this project that provides further refinement to the location of sewer main lines. Sewer service and connections is also proposed by two methods. Connection lines are proposed to extend east to the existing Valencia WRP near the SR-126/I-5 interchange if the Newhall WRP is not operational at the time Landmark requires connection. Eventual connection for the Landmark Village development will be Newhall WRP,

which is located further west. Connections for Landmark are shown with both options.

26. The River Corridor allows for certain uses, with mitigation required as stated in Section 2.6-2 of the Specific Plan. These mitigation requirements include restoration as well as enhancement, and establish requirements for management of this area. Access to the SMA through hiking, equestrian and biking trails is permitted as limited to the trail system itself. Adequate transition areas are provided by this development lies to the Santa Clara River. These include provision of a trail between the River Corridor and the development, ungrouted rock or buried bank stabilization where required to protect development areas, and minimum 100-foot buffers adjacent to the Santa Clara River.

27. The Commission has determine that Landmark Village is on substantial conformance with the criteria contained in the Specific Plan for shared parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria.

28. The applicant requests that reciprocal, offsite parking be included within the Joint Use or Shared Parking Plan option provided in the Specific Plan, with same requirements for making findings at such time when the uses are determined and actual parking requirements calculated.

29. The applicant has also requested a determination of substantial conformance for alternative street sections to reflect the intent of the development to be neotraditional, where emphasis is on pedestrian traffic as opposed to automobile traffic. Features in these alternative street sections include traffic calming devices, like chokers, curb extensions, roundabouts, etc. Such features have been much discussed with Public Works and the Los Angeles County Fire Department ("Fire Department") as well as Regional Planning to ensure that traffic capacity and life/safety issues are still addressed with these alternative street features. These are proposed on "A" Street and internal streets.

30. Within the development regulations of the Specific Plan, setbacks for the garage face are provided at 18 feet. The intent is for cars that are parked in the driveway, not block the sidewalk or travel lanes of the street. However, the Specific Plan did not provide in much detail, front yard setbacks for homes where the garage is oriented for a side entrance, or located in the rear of the lot for alley entrance. In these cases, the applicant has requested that a determination of substantial conformance be made that in these cases, a minimum front yard setback of 10 feet be maintained since driveways will be such that cars parked will not block the street as the intent of the 18-foot setback.

31. In approving this development, the Commission consider the following findings regarding development within an SEA:

    a. The proposed development would be consistent with the adopted General Plan and Area Plan for the Newhall Ranch Specific Plan site. The development such as bridge crossing, trails, bank stabilization, utilities, wells, mitigations sites, transport of grading materials within the SEA 23 boundary will be compatible with the existing biotic resources present, particularly when taking into account major factors influencing the realization of applicable General Plan objectives, including competing priorities between resource preservation and other General Plan policies and objectives;

    b. The development was designed to be highly compatible with biotic resources present in the existing SEA 23, including the setting aside of appropriate and sufficient undisturbed areas;

    c. The development was designed to maintain waterbodies, watercourses, and their tributaries in a natural state within, the existing SEA 23;

    d. The development was designed so that wildlife movement corridors are left in a natural and undisturbed state within the existing SEA 23;

    e. The development retained sufficient natural vegetative cover and/or open spaces to buffer critical resources within the existing SEA 23 from the proposed development; and

    f. The development provided fences or walls where necessary to buffer important habitat within the existing SEA 23 from proposed development.

32. The Commission also determine the request as proposed is consistent with previously approved SEA CUP No. 94-087-(5), the Landmark Village project bank stabilization is consistent with the following objectives that were developed to balance the environment and flood control issues presented by the Santa Clara River, as required by the County General Plan. These objectives are as follows:

    a. The flood corridor must allow for the passage of Los Angeles County Capital Flood flows without the permanent removal of natural vegetation (except at bridge crossings);

    b. The bank of the river will generally be outside of the "waters of the United States" as defined by federal laws and regulations, and as

determined by the delineation completed by the United States Army Corps of Engineers ("Corps") in August 1993;

c. Where the Corps delineation width is insufficient to contain the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow without the necessity of permanently removing vegetation or significantly increasing velocity;

d. Where development is proposed within the existing Los Angeles County 50-year Capital Floodplain, the land where development is to occur will be elevated in conformance with Los Angeles County policies to remove it from the Floodplain; and

e. Bank stabilization will occur only where necessary to protect against erosion.

33. The proposed project includes community facilities such as schools, parks, utilities and fire station, which can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of Newhall Ranch Specific Plan, Area Plan, and General Plan.

34. The Landmark Village site is physically suitable for the type of development being proposed, since the project site is relatively level; has access to a County-maintained street; shall be served by public sewers; shall be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and shall have flood hazards and geological hazards mitigated in accordance with the requirements of the Department of Public Works. Utilities planned to serve the Landmark Village project include water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics and reclaimed water lines. Much of the utility corridor within the project site is not located within the River Corridor SMA/SEA 23, however, its off-site connections will run through parts of the River Corridor SMA/SEA 23, which is consistent with the approved Newhall Ranch Specific Plan.

35. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the recommended conditions of approval.

36. Notices of public hearing were mailed to property owners within a 1,000-foot radius of the subject property as well as additional notices to those on the courtesty mailing list for projects in the Newhall and Castaic Canyon Zoned

Districts. The public hearing notice was published in The Signal and La Opinion on November 20, 2006. The Draft EIR was available for review at the Newhall Library, Valencia Library and Canyon County Jo Anne Darcy Library beginning November 20, 2006. Project materials, including a tentative tract map, site plan, and recommended conditions, were received at the Newhall Library on December 29, 2006. One large public hearing notice, eight feet wide by four feet high, was posted on the subject property along SR-126 on December 29, 2006. Public hearing materials were also posted on the Department of Regional Planning's website.

37. The applicant has also presented the project on several occasions to the Castaic Area Town Council. Comments have not yet been received from the Castaic Area Town Council regarding the project.

38. Correspondence from interested parties, environmental organizations, and responsible agencies was received in regard to the project. Many comments requested additional time to review the large volume of material associated with the EIR. The EIR comment period was extended for a total of ninety (90) days from November 20, 2006 to February 20, 2007.

39. Comments and recommendations from County departments and other agencies consulted during the environmental review process include the California Department of Fish and Game, Regional Water Quality Control Board, Native American Heritage Commission, California Highway Patrol, California Department of Transportation, Southern California Association of Governments, as well as City of Santa Clarita, County of Ventura, and United Water Conservation District. Other agencies that have provided correspondence include, among others, the Castaic Lake Water Agency, Audubon California, Sierra Club, California Water Network, Santa Clarita Organization for Planning and the Environment, Piru Neighborhood Council and Friends of the Santa Clara River. During the public hearing, much of the public testimony reiterated comments received in written correspondence on the Landmark Village Draft EIR.

During the public hearings, the applicant was requested to provide additional information on the following: potential incorporation of wireless technology within the project, elementary school site plan, community sustainability and smart growth, ownership and maintenance of the passive park, potential revisions to elementary school and public community park design, waste-to-energy facilities, concerns raised by the Native American Tataviam Band, trailhead and trail connections, cul-de-sacs along the project's western edge, setbacks from riparian areas, comments regarding studies from the Nature Conservancy, status of perchlorate clean-up, United Water Conservation District comments, and comments from the Audubon Society. The following responses have been provided:

- It has been determined that high-speed wireless technology (WiFi or its future equivalent) can be incorporated into commercial, mixed-use, and public areas.

- Discussions were held with the Castaic School District and the Los Angeles County Parks Department, which resulted in a proposed school plan depicting a nine-acre site more centrally located and now surrounded on three sides by the community park. The revised design provides additional buffer from the elementary school to SR-126.

- The passive portion of the Community Park will be maintained by a homeowners' association, but will be open to the public.

- Discussions with the Sanitation Districts of Los Angeles County determined that waste-to-energy facilities are no longer considered to be feasible due to permitting and regulatory requirements.

- The trailhead location will generally be located west of Long Canyon Road in a final location to be determined based on discussions with Parks and Recreation.

- The applicant has entered into an agreement with the Fernandeno Tataviam Band of Mission Indians and their concerns have been resolved.

- A 100 foot setback is provided from the Santa Clara River, as required by the adopted Newhall Ranch Specific Plan.

- The Castaic Lake Water Agency and local water purveyors are proceeding with a containment and action plan to address perchlorate contamination in portions of the Saugus and Alluvium aquifers.

- The United Water Conservation District provided comments that the EIR complies with the terms of the settlement agreement.

- Additional wintering surveys have been completed for birds cited by Audubon and those surveys are included in the Landmark Village Final EIR. Those surveys do not change the conclusions of the Final EIR. Finally, prior to site disturbance, nesting studies will be undertaken.

- The applicant has prepared a Sustainability Summary, which incorporates sustainability measures into the Landmark Village project.

40. A program-level EIR was certified with the adoption of the Newhall Ranch Specific Plan, which found that there would be significant unavoidable impacts to biological resources, agricultural resources, visual resources, air quality and solid waste disposal. A Statement of Overriding Considerations was adopted by the Board, which concluded that there were significant overriding benefits with approval of the project. Public benefits include preservation of nearly 1,000 acres of the Santa Clara River, 4,200 acres of the High Country SMA/SEA 20, 1,517 acres of the Salt Creek area and other Open Areas; preservation of the River Corridor SMA/SEA 23 to retain significant riparian vegetation and habitat; over 50 miles of trails included the Santa Clara River Trail; and provisions for improved parks, schools, fire stations and 2,200 affordable homes.

41. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et.seq.) and State and County Guidelines related thereto. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report (EIR) would be required. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: **Aesthetic/Visual Quality, Agricultural Resources, Biota, Noise, Solid Waste Disposal, Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources.**

42. In accordance with state CEQA Guidelines and County Environmental Document Reporting Procedures and Guidelines, an EIR was prepared for the project. Identified potential impacts analyzed in the EIR found to be less than significant with project mitigation, include: **Cumulative Effects, Cultural/Paleontological Resources, Education, Environmental Safety, Fire Protection/Hazards, Floodplain Modification, Geology and Soils, Hydrology, Libraries, Mineral Resources, Parks and Recreation, Sheriff Services, Traffic/Access, Utilities, Wastewater Disposal, Water Quality and Water Resources.** The Draft EIR concludes that the project design and/or suggested conditions will result in significant residual and/or cumulative impacts in:

Biota
Aesthetic/Visual Quality
Noise
Agricultural Resources
Solid Waste Disposal

Of these impacts which cannot be mitigated to less than significant, noise is the only category that was not previously identified and included in the Statement of Overriding Considerations adopted as part of the adopted Newhall Ranch Specific Plan Program EIR.

43. A Final EIR for the Landmark Village project has been prepared in compliance with CEQA (Public Resources Code section 21000 *et seq.*), the state CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Landmark Village Final EIR consists of the Draft EIR, the technical appendices to the Draft and Final EIR, the responses to comments, and revised Draft EIR pages.

44. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the Landmark Village Final EIR has been prepared. The Mitigation Monitoring Plan identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project is ensured, and its requirements have been incorporated into the conditions of approval for this project.

45. Mitigation measures which have been incorporated into the project, and included in the Mitigation Monitoring Plan, are listed in the Executive Summary of the Landmark Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.

46. The Commission finds substantial benefits resulting from the implementation of the project outweigh its avoidable effects on biota, visual quality, noise, agricultural resources and solid waste disposal.

47. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission'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 is the Section Head of the Major Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;

B. With the attached conditions and restrictions, 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 and 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 Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said 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 facilities as are required;

E. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community;

F. The development has provided adequate vehicular access, parking and loading so as to prevent undue traffic congestion on local streets and highways;

G. That the proposed use with the attached conditions and restrictions will be consistent with the Newhall Ranch Specific Plan;

H. With the attached conditions and restrictions, 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 and general welfare;

I. That the proposed site is adequate in size and shape to accommodate the development features to occur within the River Corridor SMA/SEA 23 in order to integrate said use with the uses in the surrounding area;

J. 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 facilities as are required; and,

K. That the proposed project and the provisions for its design and improvement are consistent with the density, goals and policies of the General Plan and Newhall Ranch Specific Plan, including SEAs, in that:

i.. The requested development is designed to be highly compatible with the biotic resources present including the setting side of appropriate and sufficient undisturbed areas;

ii. The requested development is designed to maintain water bodies, watercourses and their tributaries in a natural state;

iii. The requested development is designed so that wildlife movement corridors are left in an undisturbed and natural state;

iv. The requested development retains sufficient natural vegetative cover and/or open space to buffer critical resource areas for said requested development is compatible with the natural biotic, cultural, scenic, and open space resources of the area;

v. Where necessary, fences or walls are provided to buffer important habitat areas from development;

vi. Roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths; and

vii. The approval of the proposed development within the River Corridor SMA/SEA 23, to include project-related improvements, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance, the General Plan, and Newhall Ranch Specific Plan.

AND THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.040 and 22.56.210, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the Final Environmental Impact Report and subject to the Board's final action, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission and determines that that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have either been reduced to an acceptable level or are outweighed by specific social, economic, legal,

technological or other considerations of the project as stated in the attached Findings of Fact and Statement of Overriding Considerations for the project, which findings and statement are incorporated herein by reference;

2. Approves and adopts the Mitigation Monitoring Program for the proposed project incorporated in the Final EIR, and pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan is adequately designed to ensure compliance with the mitigation measures during project implementation; and

3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 2005-01121-(5) is approved with the attached conditions subject to the Board's final action.

VOTE

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT NO. 2005-00112-(5)
(OFF-SITE GRADING, WATER TANKS, UTILITIES CORRIDOR)

Draft Conditions

For Information Only

1. The Landmark Village tract map site is within the boundaries of the approved Newhall Ranch Specific and the permittee is required to comply with its provisions and standards.

2. This grant authorizes the use of the subject property for the associated project grading for Landmark Village consisting of 1,444 residential units, 1,033,000 square feet of non-residential development; 73 acres of open space; an approximately 16-acre active/passive community park; approximately 5 acres of private recreational facilities; trail system; elementary school; and fire station. This permit also authorizes on-site and off-site project-related infrastructure in order to support the proposed Landmark Village project, including domestic and reclaimed water systems; water tanks; utilities (including sanitary sewers, cable, gas and fiber optics), located in the designated utility corridor; private driveways; and public streets. This grant ensures the project is consistent with provisions for development within a Significant Ecological Area (SEA) and authorizes the grading for, and construction of, off-site project-related infrastructure. **Exhibit A** depicts conceptual site development plans. Revised site plans to depict changes to the conceptual site plan shall be subject to the provisions of Section 5.2 of the approved Newhall Ranch Specific Plan.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.

4. This grant shall not be effective for any purpose until a duly authorized representative of the permittee and the owner of the subject property, if other than the permittee, have filed at the Office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 41, below, and until all required monies have been paid pursuant to Condition Nos. 42 and 44, below.

5. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. 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 or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if it 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.

7. 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.

8. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the 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 of the amount of 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.

9. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 53108. In the event that Vesting Tentative Tract Map 53108 should expire without recordation of a final map, this grant shall terminate upon the expiration of the tentative

map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.

10. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 53108 and the conceptual site design depicted on the **Exhibit A**, subject to the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

11. All development shall comply with the requirements of the approved Newhall Ranch Specific Plan unless specifically modified by this grant, as set forth in these conditions, including the approved **Exhibit A** or revised **Exhibit A** approved by the Director.

12. The mitigation measures set forth in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) are incorporated by this reference and made conditions of this permit and the permittee shall comply with the project's Mitigation Monitoring Plan. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval as otherwise required by these conditions and on a annual basis until such time as all mitigation measures have been implemented or completed; and at such time as additional reports are required by the Director.

13. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 53108, and Oak Tree Permit No. 00-196-(5).

14. All utilities shall be placed underground to the satisfaction of the Department of Public Works.

15. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.

16. Detonation of explosives or any other blasting devices or material is prohibited unless all required permits have been obtained and adjacent property owners have been notified.

17. All grading and construction and appurtenant activities, including engine warm-up, shall be restricted to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00p.m on Saturday. Pile driving and drilling is prohibited on Saturdays. No Sunday, or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise

protected in a manner that will minimize noise inconvenience to adjacent residences.

18. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Department of Public Works.

19. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activity is completed for the day. All clearing, grading, earthmoving, or excavation shall cease during periods of high wind (*i.e.*, greater than 20 miles per hour average over one hour) to prevent excessive amounts of dust.

20. Grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, borrow sites, and other on-site and off-site improvements shown on the approved **Exhibit A**. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or revised **Exhibit A** approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.

21. Phased grading has been requested and approved. Such grading may require additional interim infrastructure improvements not depicted on the tentative map but necessary to ensure compliance with the County Code such as debris basins, access roads, temporary utility lines, and other similar improvements to the satisfaction of the Department of Public Works.

22. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.

23. No construction equipment or vehicles shall be parked or stored on any existing public or private street.

24. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.

25. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County of Los Angeles.

26. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

27. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, 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.

28. The permittee shall utilize water saving devices and technology in the construction of this project consistent with the County Building and Plumbing Code and project mitigation measures.

29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project shall fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code section 17921.3, which requires low-flush toilets in all new construction; Title 24 of the California Code of Regulations sections 2-5352 (I) and (J), which requires hot water pipes to be insulated; and Government Code section 7800, which requires lavatories to have self-closing faucets in public restrooms.

30. If during construction soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board.

31. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of the Department of Public Works.

32. During construction, all large size truck trips shall be limited to off-peak commute periods.

33. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy equipment and/or materials, which requires the use of over-size transport vehicles on State highways.

34. The applicant shall provide approximately 73 acres of open space within the Vesting Tentative Tract Map No. 53108.

35. The permittee or its designee shall provide the Director with an annual status report throughout the construction phase of the project, which states the number of residential units constructed, the number affordable housing units constructed, the square footage of all commercial and industrial buildings completed, the dates of dedication or completion for all required infrastructure and community amenities, and the status of compliance with the project's Mitigation Monitoring Plan or other items as deem necessary by the Director.

36. No additional grading or development shall be permitted beyond that depicted on the approved **Exhibit A** or a revised **Exhibit A** approved by the Director subject to Section 5.2 of the Specific Plan.

Prior to Use of the Grant

41. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the Office of the County Recorder. In addition, upon transfer or lease of all or any portion 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.

42. 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. Within 30 days of the effective date of this grant, the permittee shall deposit with the County of Los Angeles the sum of $1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning 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 site plan on file. The fund provides for 10 annual inspections. Inspections shall be unannounced.

    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 of Regional Planning 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 payment is due (currently $150.00 per inspection).

43. 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 or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary costs associated with such hearing.

44. This project is not de minimus in its effect on fish and wildlife. Upon completion of the appeal period, the permittee shall remit processing fees in the amount of $2,500.00 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 and Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until this fee is paid.

45. Record a covenant with the County agreeing to comply with the approved environmental mitigation measures.

46. Upon completion of the appeal period, the permittee shall deposit the sum of $3,000.00 with the Department of Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the project's Mitigation Monitoring Plan. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant, subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented as reported in the required Mitigation Monitoring Report.

    The mitigation measures set forth in the Mitigation Monitoring Plan in the EIR for the project are incorporated by this reference and made conditions of the tentative map. To ensure the effectiveness of the mitigation measures, the subdivider shall submit Mitigation Monitoring reports to the Department of Regional Planning as frequently as may be required by the department.

47. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm the facilities that may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to, water mains,

fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Bureau.

Prior to Issuance of a Grading Permit

48. As a means of ensuring the compliance with the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002), the permittee shall submit mitigation monitoring reports to the Director of Planning (Director) for approval prior to the issuance of any grading permits.

49. Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:

    (a) comply with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan and Section 22.56.210 of the County Code; and

    (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

50. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of onsite infrastructure and other features as deem necessary by the Director.

51. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site consistent with the approved mitigation measures to the satisfaction and approval of the Department of Public Works.

Prior to Recordation of a Final Map

52. As a means of ensuring the effectiveness of the mitigation measures found in the Landmark Village Final Environmental Impact Report (EIR) (SCH No. 2004021002) mitigation monitoring shall be submitted to the Director of Planning (Director) for approval prior to the recordation of a final map.

Prior to Issuance of a Building Permit

53. Prior to the issuance of any building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53108 shall be submitted to and approved by the Director indicating that the proposed construction:

    (a) complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan; and

    (b) is compatible with hillside resources as required by the substantial conformance provisions found in Section 5.2 of the Newhall Ranch Specific Plan.

54. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, transport route, preservation of natural features, landscaping of altered open space and graded slopes, and other features as deem necessary by the Director.

55. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with the State Seismic Hazard Safety laws to the satisfaction of the Department of Public Works.

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

February 22, 2007

TO: Esther L. Valadez, Chair
Harold V. Helsley, Vice Chair
Leslie G. Bellamy, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Susan Tae, AICP, Section Head SMT
Land Divisions Section

SUBJECT: "LANDMARK VILLAGE"
GENERAL/LOCAL/SPECIFIC PLAN AMENDMENT CASE NOS. 00-196-(5)
VESTING TENTATIVE TRACT MAP NO. 53108-(5)
CONDITIONAL USE PERMIT CASE NOS. 00-196-(5) AND 2005-01121-(5)
OAK TREE PERMIT CASE NO. 00-196-(5)
AGENDA ITEM NO. 6 a, b, c, d, e, f, g; FEBRUARY 28, 2007

PROJECT BACKGROUND

As you may recall, Landmark Village is the first subdivision proposal within the adopted Newhall Ranch Specific Plan ("Specific Plan"), and proposes to create a maximum of 1,444 dwelling units and 1,033,000 square feet of nonresidential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school on 292.6 gross acres. The project is within the "Riverwood" Village of the Specific Plan, and located north of the Santa Clara River, south of State Route 126 ("SR-126"), east of the Ventura County boundary, and west of Interstate 5 Freeway. A Draft Environmental Impact Report ("EIR") was prepared for the project as a tiered document from the certified Specific Plan EIR, and concluded that impacts could not be mitigated to less than significant, include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources; Noise is the only impact factor for this project that was considered significant different than the certified Specific Plan EIR.

On January 31, 2007, after opening the public hearing and taking public testimony with concerns or in opposition to the project, the public hearing was continued to allow for additional time as requested by various agencies and individual citizens, to comment on the project and EIR. The public hearing was continued to February 28, 2007, and the public comment period for the EIR was continued to February 20, 2007 (total 90-day public comment period). An initial list of comments on the proejct was also provided by the Regional Planning Commission ("Commission") for the applicant to respond at the February public hearing.

PROJECT COMMENTS

The applicant has submitted a letter dated February 15, 2007, which provides responses to the comments provided at the January 31, 2007 public hearing (please see attached).

The following is the list of comments as well as a summary of the applicant's responses:

- **Potential incorporation of wireless technology within the project**

The applicant was requested to evaluate the potential for providing wireless technology within this project and the overall Newhall Ranch project. The applicant has responded that Newhall Land has an affiliation with SBC (AT&T) and that given the nature of constantly evolving technology, the project would be best able to incorporate highspeed wireless technology (e.g. WiFi or its future equivalent) in commercial and mixed use areas, and public spaces (e.g. parks, libraries, private community centers). Individual single-family homes would have various means for internet service.

- **Interim elementary school plan**

The Commission requested additional information for an interim school plan until enough students are generated from the project to open the elementary school. The applicant has responded that they have been working with the Castaic School District ("School District"), and anticipate that the first occupancies would arrive in mid to late 2009. The elementary school is anticipated to be open in fall of 2010, therefore leaving a nine to 12 month period where children from theproject will be bussed to an existing school.

- **Community sustainability/smart growth**

The Commission also requested additional information regarding sustainability and smart growth elements within the Landmark Village project. The applicant has responded with various elements of the project that meet community sustainability and smart growth elements, including provision of jobs; provision of transit; open space, recreation and preservation of sensitive resource areas; reduction of impermeable surfaces; and water conservation and reuse.

The project is proposed in a Traditional Neighborhood Design, and proposes a mix of uses, including housing types, commercial, office and public facility uses within the project. The project is also designed to place residential near commercial services and/or public spaces, to promote walkability and more 'vibrant' neighborhoods.

Other components of sustainable development, including energy conservation, alternative energy sources, and 'green building.' The applicant has indicated that they are in the process of preparing a formal Sustainability Plan that will incorporate and in more detail, define energy conservation techniques, potential alternative energy sources and incorporation of green building designs within the entire Specific Plan area. This Sustainability Plan is currently being prepared, and will be completed before final approval of the project. The applicant indicated that they will be providing additional information during the February 28, 2007 continued hearing.

- **Ownership and maintenance of passive park**

The Commission requested clarification of ownership and maintenance of the passive park, which is located in the center of the project across "A" Street from the public park and elementary school. The applicant has stated that the passive park, which includes the interpretive trail and river lookout, will be maintained by the project's homeowners association but open to the public.

- **Potential revisions to elementary school and public community park design**

The Commission provided comments and direction regarding the design of the elementary school and public park site, specifically with respect to uses adjacent to SR-126 and the circulation and parking design for the school. At the Commission's direction, the applicant has worked with the School District and Los Angeles County Department of Parks and Recreation ("Parks and Recreation"), and has prepared a revised conceptual plan (attached) that depicts a nine-acre school site more centrally located, and the public park 'wrapped' around the school with roadway provided in between. By revising the original design of park and school side-by-side, this creates an additional buffer from SR-126-related impacts to the school and provides additional stacking space for the school.

A pedestrian bridge is also depicted crossing "A" Street, which may or may not be incorporated into the final project design. At this time, it is still being determined whether traffic signals will be required at the two intersections of the roads with "A" Street as they wrap around the school site. If traffic signals are to be installed at those locations, a separate pedestrian bridge will be not be necessary.

- **Waste-to-energy facility**

The Commission had requested additional information regarding a waste-to-energy incinerator facility and the feasibility of incorporating one within the project or vicinity. Newhall Land has met with the Los Angeles County Sanitation District ("Sanitation District"), and was informed that while an existing facility is being operated by the Sanitation District in the City of Commerce, a new waste-to-energy facility has not been proposed in California since 1990, and are no longer feasible considering policy changes and environmental regulations, including those from the Air Quality Management District.

- **Concerns regarding the Native American Tataviam tribe**

Testimony was taken on January 31, 2007 regarding the Cultural Resources Report prepared for the Draft EIR. The testifier objected to language within the report that described the Tataviam tribe as culturally extinct. The Tataviam tribe is not extinct, and the consultants have already personally apologized to the Tataviam tribe. Newhall Land has also worked with the Fernandeño Tataviam tribe on other projects in the Santa Clarita Valley, and will continue to work with them through the development of Newhall Ranch.

- **Trailhead and trail connections**

The Commission requested additional information regarding trails and in particular, the potential inclusion of a trailhead within the project. The applicant has agreed to work with Parks and Recreation for the siting of a trailhead location, and will likely be within the commercial area directly west of Long Canyon Road with direct access to the Santa Clara River Regional Trail.

Additional information was also requested regarding the trail connection across the river, and across SR-126. The main equestrian trail connection across SR-126 is located west of this project, within the adjacent pending subdivision known as Homestead (Vesting Tentative Tract Map No. 060678). The trail connection is proposed under a box culvert that is approximately 14 feet high, and at minimum height to travel through without dismounting a horse.

- **Cul-de-sacs along the western side of the project site**

The Commission requested clarification regarding the cul-de-sacs that were proposed on the west side of the project. The cul-de-sacs that were identified are in fact trail connections, and provide access from the development to the trails that run parallel to the Santa Clara River.

- **Setbacks from riparian area**

Setbacks or minimum distances between development and the Santa Clara River, are described in the Specific Plan. The Commission requested that the applicant clarify what was required, and what is being provided by the project. A letter has been provided by Impact Sciences, dated February 15, 2007 (attached) that discusses the riparian buffer and the various iterations through the public hearing process for the original Specific Plan. The Specific Plan was adopted with a minimum 100-foot buffer from top of river-side of the bank stabilization and project development, with provisions for a lesser buffer if riparian resources are still adequately protected. The tentative map and Draft EIR include a minimum 100-foot buffer, within which trails and open space/detention basins may be permitted, along the Santa Clara River Special Management Area. In one portion of the project , the riparian buffer is reduced from 100 feet to 70 feet, which is along Chiquito Canyon Road/Long Canyon Road, adjacent to SR-126 and heavily disturbed. A more detailed, written response will be provided in the Final EIR as part of response to comments.

- **Comments regarding studies from The Nature Conservancy and Santa Clarita Valley Preservation funds**

Testimony was given during the January 31, 2007 public hearing that studies from the Nature Conservancy and Santa Clarita Valley Preservation regarding funds to purchase property, should be evaluated. There are no additional comments regarding this comment at this time.

- **Perchlorate contamination and status of clean-up**

Ammonium perchlorate has been detected in groundwater basins underlying the Santa Clarita Valley, and testimony was received during the January 31, 2007 public hearing regarding this concern. The EIR consultant, Impact Sciences, has submitted a letter dated February 15, 2007 (attached) that states the Draft EIR includes discussion for remediation planning already underway for perchlorate contamination and restoration of the impacted well capacity. The Castaic Lake Water Agency together with local water purveyors, is proceeding with a two-prong perchlorate contamination remediation program (Interim Remedial Action Plan) with action program. Substantial progress has been made towards full implementation of the program. A more detailed, written response will be provided in the Final EIR as part of response to comments.

- **United Water Conservation District comments**

The Commission requested that additional information be provided from the United Water Conservation District ("United Water") regarding the project. A letter from United Water dated February 7, 2007, was received by staff, and included in this package. The letter states that United Water has reviewed the Draft EIR, and finds that it complies with the terms established in the settlement agreement.

- **Comments from the Audobon Society**

Detailed comments were received for the January 31, 2007 public hearing from the Audobon Society regarding the Draft EIR, and specifically the analysis and studies related to birds. The applicant was asked to respond, and Impact Sciences, the EIR consultant, has provided a letter dated February 15, 2007 (attached). In this letter, Impact Sciences responded with a discussion of the methodology used in the Draft EIR, and from the methodology focused on special-status species that have been observed, known to occur, or that have the potential based on habitat or known range. The birds cited by the Audobon Society as been omitted from the studies, for example the California condor and two owl species, are not considered special-status birds and therefore were not included. Prior to disturbance on the property, surveys would be required for native birds nesting. A more detailed, written response will be provided in the Final EIR as part of response to comments.

STAFF EVALUATION

Additional minor changes or corrections are required to the tentative map, which include those discussed during the public hearing process. These include:

- Minor grading elevation adjustments to match approved drainage concept;
- Inclusion of 11,000-square foot fire station within commercial area east of Long Canyon Road, south of "Y" Street, already analyzed in the Draft EIR, and location confirmed with Los Angeles County Fire Department, to be located outside river corridor buffer;
- If given direction by your Commission, change of school and park configuration
- Correct depiction of offsite improvements, including proposed water tank locations;
- Inclusion of five bus stops, including two pull-in areas, as confirmed with Santa Clarita Transit;
- More clear delineation of Metrolink right-of-way to be reserved by project; and
- Inclusion of trailhead location, based on further discussions with Parks and Recreation.

The updated tentative map will be circulated for Los Angeles County Subdivision Committee, with updated conditions and map presented to your Commission before final action on the project.

California Department of Fish and Game fees have also increased, effective January 1, 2007. Therefore, at this time the fees required for this project are $2,500 plus a $50 recording fee. As fees are in effect at time of paying, this number may also increase subject to changes by the State. No project is considered approved and/or vested without payment of these fees.

Additional correspondence received to time of writing, have been included for your Commission's consideration. The public comment period for the Draft EIR was continued from January 31, 2007 to February 20, 2007 (total 90 days) and no other public comments received after February 20, 2007 will be included in the response to comments portion of the Final EIR. However, the one EIR comment letter received after close of the public comment period, has been provided as part of comments on the project.

Staff feels that the project, including the changes to the tentative map discussed above, is consistent with adopted Specific Plan (see Staff Evaluation section of the January 31, 2007 staff analysis). While the EIR concluded that not all impacts from Landmark Village can be mitigated to less than significant, all but one factor was already identified as part of the Specific Plan, and the project was approved with the Statement of Overriding Considerations.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

If the Regional Planning Commission agrees with staff's evaluation, staff recommends that the Commission close the public hearing; indicate its intent to approve Vesting Tentative Tract Map No. 53108, Conditional Use Permits 00-196 and 2005-01121, and Oak Tree Permit No. 00-196; indicate its intent to recommend approval of General, Local and Specific Plan Amendments 00-196 to the Board of Supervisors; and direct staff to prepare the final conditions, findings for approval and resolutions as well as Final EIR including response to comments and statement of overriding considerations.

The project will return at a future date for Commission final action on the Final EIR and the project findings and conditions.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing; indicate its intent to approve Vesting Tentative Tract Map No. 53108, Conditional Use Permits 00-196 and 2005-01121, and Oak Tree Permit No. 00-196; indicate its intent to recommend approval of General, Local and Specific Plan Amendments 00-196 to the Board of Supervisors; and direct staff to prepare the final conditions, findings for approval and resolutions as well as Final EIR including response to comments and statement of overriding considerations."

SMT:st
02/22/07

NEWHALL LAND

A LENNAR/LNR COMPANY

February 15, 2007

Ms. Susan Tae, AICP
Los Angeles County Department of Regional Planning
320 West Temple Street
13th Floor
Los Angeles, CA 90012

RE: Newhall Land Responses to Commission Comments from the January 31, 2007 Landmark Village Public Hearing

Dear Ms. Tae:

This letter serves to address the comments directed to Newhall Land from the Regional Planning Commission at the January 31, 2007 public hearing on Landmark Village. The comments have been underlined with Newhall Land's responses directly below.

Potential Incorporation of Wireless Technology into Newhall Ranch

Newhall Land currently has an alliance with SBC for introduction of new technology into our communities. This could include the potential incorporation of wireless technology in portions of Newhall Ranch. The portions of Newhall Ranch that are being explored for this coverage would include commercial areas and public spaces (parks, library, and private community centers). It should be noted that each of the homes and commercial businesses within Newhall Ranch will incorporate the best available technology into their design.

Interim Elementary School Plan

Newhall Land is currently working with the Castaic School District on a plan that could include the initial bussing of Landmark generated elementary school students to an existing school within the District until such time that Landmark generates enough students to open the Landmark Village Elementary School. As indicated at the last Commission hearing, the first occupancies in Landmark are anticipated in mid to late 2009. The anticipated opening of the Landmark Village elementary school is fall 2010. In summary, there will likely be a 9-12 month period where elementary students generated in Landmark would be bussed to an existing school within the Castaic District.

THE NEWHALL LAND AND FARMING COMPANY
23823 VALENCIA BOULEVARD, VALENCIA, CALIFORNIA 91355-2194 • PHONE 661.255.4000 FAX 661.255.3960 WWW.NEWHALL.COM

Community Sustainability/Smart Growth

There are many different components that make a community sustainable or qualify it as a smart growth project. These include a proper mix of land use, provision of jobs, design for future transit uses in the plan, provision of open space and recreation, connectivity (trails), preservation of natural areas, the reduction of impermeable surfaces, water conservation and re-use, energy conservation - potentially including the use of alternative energies (solar, wind, cogeneration, etc.), and the incorporation of green building techniques.

As is evidenced below, Landmark Village, as with all of Newhall Ranch, incorporates the components of a sustainable or smart growth community. Furthermore, the Landmark Village Planning Booklet clearly identifies additional Traditional Neighborhood Design features that have been incorporated into Landmark. Components of a sustainable or smart growth community include:

- Mix of Land Uses – Landmark Village, along with the other villages in Newhall Ranch will include a broad range of housing types, including affordable housing, along with commercial, office and public facilities.
- Provision of Jobs – Landmark Village combined with the other villages of Newhall Ranch will create approximately 20,000 permanent jobs in the Santa Clarita Valley. Newhall Ranch is adjacent to Valencia Gateway, which presently provides 50,000 jobs. Additional development within Valencia Gateway will create an additional 30,000 jobs. When completed, the job centers in Newhall Ranch and Valencia will have resulted in the creation of approximately 100,000 jobs in the Santa Clarita Valley.
- Locating of Residential Uses in Close Proximity to Commercial Services/Public Spaces - Nearly 60% of the residential units in Newhall Ranch will be located within walking distance of village or commercial centers. This is clearly documented by the Landmark Village land plan. Residents within Landmark Village will be able to utilize paseos and/or the Santa Clara River Regional Trail to walk to commercial centers, private recreational facilities, the elementary school and a community park.
- Provision of Transit - Newhall Ranch, including Landmark Village, will be part of the Santa Clarita Transit system and will pay its fair share for transit service to the community. Transit improvements within the Ranch will include a park-and-ride lot, future transit station, transfer station, bus stops and preservation of light rail right-of-way. Landmark Village will include a total of five bus stops, a park-and-ride lot and the preservation of light rail right-of-way along SR 126.
- Open Space, Recreation and Preservation of Sensitive Resource Areas - Newhall Ranch, of which Landmark Village is a part, includes the preservation of the High Country, Salt Creek Corridor and the Santa Clara River - a total of nearly 6,700 acres. A total of three community parks (Landmark includes the first) and

up to ten neighborhood parks will be provided as part of Newhall Ranch. Finally, private recreation facilities will be provided throughout the entire Ranch providing additional recreational opportunities to residents.

- Hierarchy of Trails – Newhall Ranch will include over 50 miles of trails to encourage pedestrian mobility. Landmark Village includes a two-mile extension of the Santa Clara River trail, with direct connections to residential, commercial and park uses, and various paseos including the paseo running along "A" Street or the Landmark Village Spine Road.
- Reducing Impermeable Surfaces - Newhall Ranch, including Landmark Village, will utilize smaller street sections where possible, increased native landscape areas, and non-structural water quality treatment improvements.
- Water Conservation and Re-Use – Newhall Ranch, including Landmark Village, will utilize native, drought tolerant species, evapotransporation controllers, and reclaimed water.

Other components associated with smart growth and sustainability include the use of energy conservation techniques or alternative energy sources and green building design. Newhall Land is working on a formal "Sustainability Plan" that will incorporate and define in more detail the use of energy conservation techniques, potential alternative energy sources and the incorporation of green building designs into the entire Newhall Ranch community. Newhall Land will provide additional detail on this subject at the Commission hearing on February 28.

Ownership and Maintenance of the Passive Park

Landmark Village includes a community park that would be utilized for both active and passive recreation. The passive area of the park is located south of the active portion of the park and directly south of the Spine Road ("A" Street). This passive portion of the park will be owned and maintained by the Homeowners Association and will be open to the public.

Potential Revisions to the Elementary School/Community Park Design

Per the Commission's direction, Newhall Land has worked with the Castaic School District and County Parks to prepare a conceptual revised school/park plan. If supported by the Commission, we would work with both agencies to finalize this conceptual plan and incorporate it into the tract map. This plan is attached to this letter.

The Landmark Village tract map presently places the school and park side-by-side with the school being the easterly parcel and the park being the westerly parcel. The revised conceptual plan would move the school away from SR 126, utilizing the park as a buffer along SR 126 and the adjacent residential areas. This design also provides additional stacking space for dropping off and picking up students at the school.

Waste- To-Energy Facility

Pursuant to the Commission's direction, Newhall Land had several discussions with the Los Angeles County Sanitation District in an effort to gather more information on a waste-to-energy incinerator. The Sanitation District presently operates this type of facility in the City of Commerce. The facility was built in 1986 and provides power for up to 20,000 homes. The facility includes a large incinerator with a smoke stack approximately 150 feet tall. According to the Sanitation District, there has not been a waste-to-energy facility proposed in California since 1990. There are presently a total of three in the State.

Policy changes and environmental regulations have made it extremely difficult to build new waste-to-energy facilities within the State. State and Federal regulations no longer consider these facilities as a safe and environmentally sound alternative to landfills. Federal incentives, investment tax credits, favorable tax treatment and reasonable permitting no longer exist for these facilities. An example is that these facilities are no longer eligible for emission offset credits by the AQMD. Finally, several environmental organizations argue that these facilities not be considered as a renewable energy source.

As indicated earlier in the letter, we are exploring other potential alternative energy sources and believe those sources are more desirable than a waste-to-energy facility. These other sources could include cogeneration, wind and solar opportunities.

Landmark Village Cultural Resources Report

A speaker at the January 31 hearing cited a concern with language contained within the Landmark Village Cultural Resources Report prepared by W & S Consultants. This language indicates that the Tataviam Tribal community was culturally extinct. This statement is not accurate and W & S Consultants has personally apologized to the Tataviam Tribe, via a letter dated February 15, 2007, for this inaccurate statement. Additionally, W & S will amend the Landmark Village Cultural Resources Report to remove this language and replace it with language that reflects the existence of the Tataviam Tribe as documented by the Ethnographic Overview of the Angeles National Forest, Tataviam and San Gabriel Mountain Serrano Ethnohistory (2004).

Newhall Land has worked with the Fernandeño Tataviam Band of Mission Indians on projects within the City of Santa Clarita and in the Valencia Commerce Center. We value our relationship with them and will continue to consult and work with the Fernandeño Tataviam during the buildout of Newhall Ranch.

Trailhead

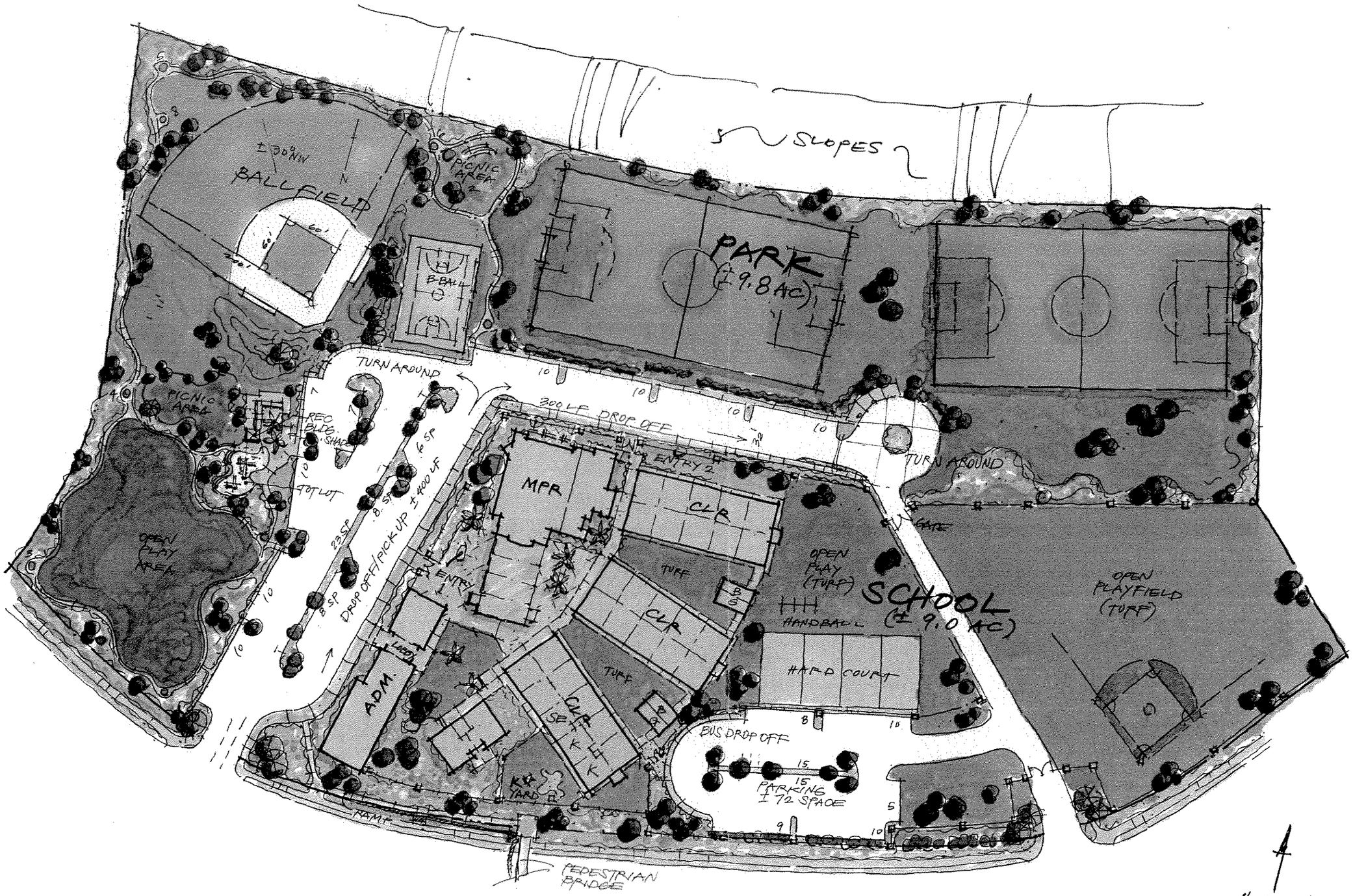
Newhall Land will work with the County of Los Angeles Department of Parks and Recreation on the locating of a trailhead within the Landmark Village project. This trailhead will likely be located within the commercial/mixed use area directly west of

Long Canyon Road and would be placed in a location with direct access to the Santa Clara River Regional Trail.

I want to thank you for your consideration of these responses. If you have any questions regarding this letter please feel free to contact me at (661) 255-4003. We look forward to the hearing on February 28, 2007.

Sincerely,

Glenn Adamick
Vice President, Planning and Entitlements



ALT. 3C
CONCEPT PLAN
K-5 SCHOOL SITE

WHA INC
2007074 2-20-07
LANDMARK
NEWHALL LAND

Directors
ır E. Orr, President
ə E. Dandy, Vice President
ırt Eranio, Secretary/Treasurer
don G. Berger
Maulhardt
el C. Naumann
Richardson

Counsel
ɔ C. Drescher

al Manager
ı L. Wisehart

UNITED WATER CONSERVATION DISTRICT

"Conserving Water Since 1927"

RECEIVED
FEB 12 2007
NEWHALL RANCH

February 7, 2007

Susie Tae
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Tae,

The United Water Conservation District has reviewed the Landmark Village Draft EIR and finds that it complies with the terms established in our settlement agreement with Newhall Land.

Through the MOU process that was established pursuant to our settlement agreement with Newhall Land and the County of L.A., we have established an avenue of communication that gives United Water Conservation District a high level of trust in Newhall Land's desire to protect water resources as they develop the Newhall Ranch Project.

We don't have any additional comments at this time and look forward to working with Newhall Land as well as the water purveyors in the Upper Santa Clara River Watershed.

Sincerely,

Dana L. Wisehart

Dana L. Wisehart
General Manager

cc: Glenn Adamick, Newhall Land
Robert DiPrimio, Valencia Water Co.

File: Newhall Land
Cross Reference: Upper River MOU
J:\ADMIN\Correspondence\2007 General Correspondence\Landmark Village Letter.doc

106 N. 8th Street • Santa Paula, California 93060 • Phone (805) 525-4431 • FAX: (805) 525-2661

RPC MEETING DATE
January 31, 2007
AGENDA ITEM NO.
6 a, b, c, d, e, f, g

REGIONAL PLANNING COMMISSION TRANSMITTAL CHECKLIST

PROJECT NO: 00-196-(5)

CASE NO. Vesting Tentative Tract Map No. 53108
General Plan/Local Plan/Specific Plan Amendment
Case Nos. 00-196-(5)
Conditional Use Permit Case No. 00-196-(5)
Conditional Use Permit Case No. 2005-01121-(5)
Oak Tree Permit Case No. 00-196-(5)

CONTACT PERSON: Susan Tae

- ☒ STAFF REPORT
- ☒ DRAFT CONDITIONS
- ☒ BURDEN OF PROOF STATEMENT (Zoning or Plan Amendment Requests)
- ☐ ENVIRONMENTAL DOCUMENTATION - Previously submitted
- ☒ THOMAS BROTHERS MAP (Identifying Subject Property)
- ☒ LAND USE RADIUS MAP
- ☒ TENTATIVE TRACT MAP
- ☒ EXHIBIT "A" MAP
- ☒ PHOTOGRAPHS
- ☒ CORRESPONDENCE
- ☒ GIS-NET MAP
- ☒ APPLICANT: LANDMARK PLANNING NOTEBOOK, JAN 2007
- ☐

Reviewed By: [illegible]

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT No. 00-196-(5)
TRACT MAP NO. 53108
GPA/LPA/SPA 00-196-(5)
CUP 00-196-(5), 2005-01121-(5)
OTP 00-196-(5)

RPC MEETING DATE	CONTINUE TO
AGENDA ITEM #6 a,b,c,d,e,f,g	
PUBLIC HEARING DATE January 31, 2007	

APPLICANT	OWNER	REPRESENTATIVE
Newhall Land and Farming	Newhall Land and Farming	Psomas

REQUEST **"Landmark Village"**

Tentative Tract Map: 415 lots consisting of 308 single-family, 20 multi-family (11 condominium lots with 282 detached condos, 4 condominium lots with 347 attached condos in 47 buildings, 3 apartment lots with 451 for-lease apartments in 28 buildings, and two condo or for lease lots with 56 units in nine buildings), 14 commercial with 15 for-lease buildings, 10 commercial with no development planned, 12 private driveway, 3 recreation, 2 park, 1 school, 25 open space and 20 open space/desilting basin lots on 292.6 acres

General/Local/Specific Plan Amendments: To remove "A" Street from the County Master Plan of Highways and SCVAP Circulation Plan, and redesignate from a secondary highway to a local collector street

Conditional Use Permits: To ensure compliance with the requirements of development within a Significant Ecological Area/Special Management Area, onsite project grading; and offsite project grading and utilities, including water tanks

Oak Tree Permit: To authorize removal of 67 oak trees (including 10 heritage oaks) and encroachment within the protected zone of 14 oak trees (including three heritage oaks)

LOCATION/ADDRESS
North of the Santa Clara River, south of Highway 126, east of Ventura County boundary and west of Interstate 5 ("I-5") Freeway within Newhall Ranch Specific Plan

ACCESS
State Route ("SR") Highway 126

ZONED DISTRICT
Newhall

COMMUNITY
Newhall Ranch: Landmark Village

EXISTING ZONING
SP (Specific Plan)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
292.6 Gross Acres	Agricultural	Irregular	Slight to steeply sloping

SURROUNDING LAND USES & ZONING

North: Single-family residences, water tank/City of Agoura Hills

East: Single-family residences, religious facility and vacant property/City of Agoura Hills

South: Fire station, single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area), A-1-2, A-1-10, O-S (Open Space)

West: Single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area) and City of Agoura Hills

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Newhall Ranch Specific Plan	Portions of RW-09, 27, 29, 30, 31, 32, 33, 34a, 34b, 35, 36, 37	1,444 DU	Yes

ENVIRONMENTAL STATUS

Draft Environmental Impact Report: Impacts that cannot be mitigated to less than significant include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources.

DESCRIPTION OF SITE PLAN ("Landmark Village")

The tentative map and exhibit "A" depict the residential and commercial mixed-use development. Residential types include single-family homes, detached and attached condominiums, apartments. Also proposed are for sale and lease-only commercial uses. Onsite project grading consists of 209,000 cubic yards of cut and 5,555,400 cubic yards of fill, with 5,346,400 cubic yards of import. Offsite grading will include Adobe Canyon (cut 6,969,000 cubic yards, fill 218,000 cubic yards, export 5,705,700 cubic yards) and Chiquito Canyon (cut 1,019,100 cubic yards, fill 666,300 cubic yards fill, no export). Open space consists of 20 acres with an additional 16-acrepublic park and an additional approximately 19 acres of open facility open space areas. A minimum 12-foot riding and hiking trail easement is provided along Santa Clara River with additional interpretive/nature trail boardwalk to be maintained by the development's homeowners' association.

KEY ISSUES

- Public has requested that a continuance be granted for the public comment period to the Draft EIR, requests are for either an additional 30 or 60 days. Original public notice period was for 60 days, and extended once to coincide with the public hearing date

(If more space is required, use opposite side)

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		*(O) = Opponents (F) = In Favor
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

Project No. 00-196-(5)

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☐ APPROVAL ☐ DENIAL

☐ No improvements ____20 Acre Lots ____10 Acre Lots ____2½ Acre Lots ____Sect 191.2

☒ Street improvements _X_ Paving _X_ Curbs and Gutters _X_ Street Lights

_X_ Street Trees ____ Inverted Shoulder _X_ Sidewalks ____ Off Site Paving _____ft.

☒ Water Mains and Hydrants

☒ Drainage Facilities

☒ Sewer ☐ Septic Tanks ☐ Other _____

☒ Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

Parks & Rec.

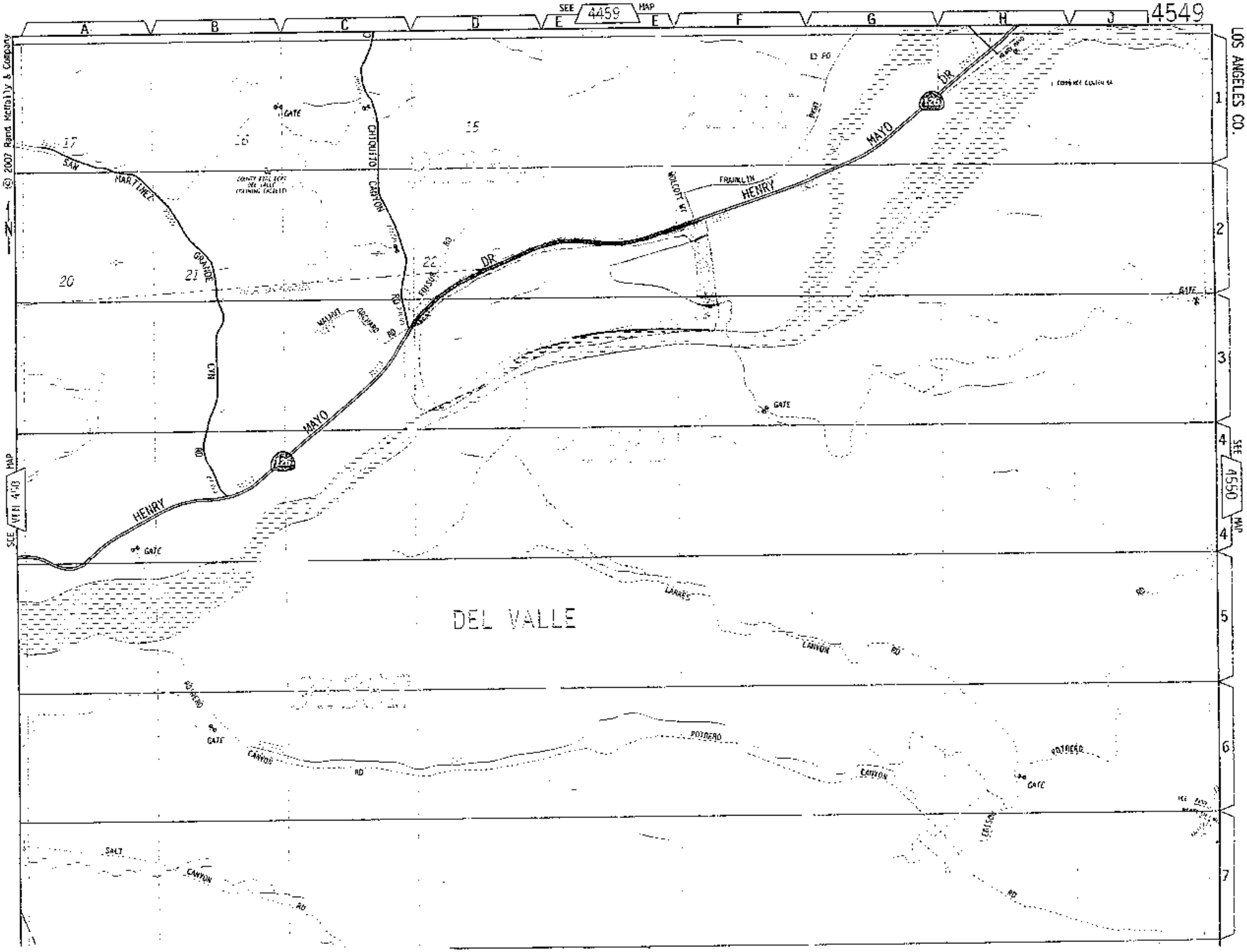
Health

Planning

ISSUES AND ANALYSIS

The Draft EIR analyzes potentially significant impacts of the project, and concludes that impacts that cannot be mitigated to less than significant include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources.

Prepared by: Susan Tae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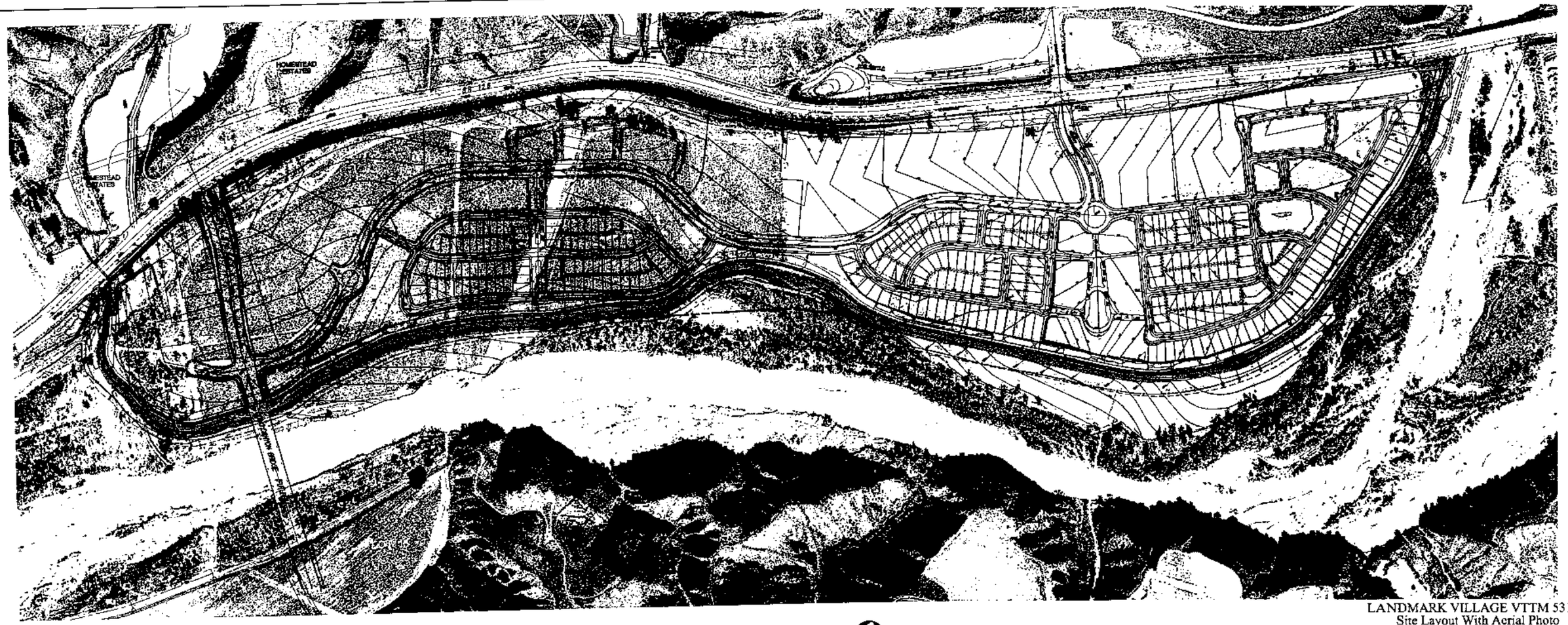

LANDMARK VILLAGE VTTM 53108
Site Layout With Aerial Photo
Exhibit

PSOMAS

DATE: 04-05-06 REVISED ON:
JOB No:
SHEET 1 OF 1
RV094-01

NEWHALL RANCH.

PROJECT NO. 00-196-(5)
GENERAL PLAN AMENDMENT CASE NO. 00-196-(5)
LOCAL PLAN AMENDMENT CASE NO. 00-196-(5)
SPECIFIC PLAN AMENDMENT CASE NO. 00-196-(5)
VESTING TENTATIVE TRACT MAP NO. 53108
CONDITIONAL USE PERMIT CASE NO. 00-196-(5)
CONDITIONAL USE PERMIT CASE NO. 2005-01121-(5)
OAK TREE PERMIT CASE NO. 00-196-(5)

STAFF ANALYSIS
January 31, 2007 REGIONAL PLANNING COMMISSION PUBLIC HEARING

PROJECT OVERVIEW

The applicant, Newhall Land and Farming Company, proposes a 291-acre master-planned neotraditional community development (known as Landmark Village) of a maximum 1,444 residential units and 1,033,000 square feet of nonresidential uses as well as 45 acres of open space, including a 16-acre community park, trail system, and elementary school. This project is within the "Riverwood" village of the adopted Newhall Ranch Specific Plan ("Specific Plan"). This project is the first within the boundaries of the Specific Plan, and located north of the Santa Clara River, south of State Route 126 ("SR-126"), east of the Ventura County boundary, and west of Interstate 5 Freeway.

The proposal requires amendments to the Los Angeles Countywide General Plan ("General Plan") and Santa Clarita Valley Area Plan ("Area Plan") to amend the Master Plan of Highways and Circulation Plan to eliminate "A" Street/Wolcott Road as a secondary highway, and amendment to the Specific Plan to downgrade "A" Street from a secondary highway to a local collector street. The project also requests approval of conditional use permits for compliance with requirements of development within a Significant Ecological Area/Special Management Area ("SEA/SMA"), onsite and offsite project grading and offsite utilities, including water tanks, and transport of materials. An oak tree permit is also required for removal of 67 oak trees (including 10 heritage oaks) and encroachment into the protected zone of 14 oak trees (including three heritage oaks). The applicant alsos requests a determination of substantial conformance related to shared parking, street widths, front yard setbacks and hillside resources. The Specific Plan includes a procedure for such determinations, and gives authority to the Director of the Los Angeles County Department of Regional Planning ("Planning Director") to refer to the Commission for public hearing. Such determinations for substantial conformance may apply to future projects within the Specific Plan boundary.

Access to the subject property is provided by SR-126, with internal access provided by "A" Street as a 'spine' road that provides 110 feet of right-of-way through most of the project. Connections from Highway 126 to "A" Street is provided by major highway Long Canyon Road to the west, and collector Wolcott Road to the east. The Long Canyon Road bridge is part of this project, and will span the Santa Clara River, approximately 1,100 feet in length and 100 feet in width. Two traffic circles, or 'roundabouts,' are also proposed on "A" Street within the development.

Major engineering features associated with the project include bank stabilization along the Santa Clara River and desilting basins and swales. Major offsite improvements include the creation of the utility corridor consisting of sewer trunklines to the future Newhall Ranch Water Reclamation Plan ("WRP") and existing Los Angeles County Sanitation District No. 32 WRP, and water mainline extensions; offsite debris basins and water tanks. Approximately 209,000 cubic yards of cut and approximately 5.5 million cubic yards of fill are proposed for the project, with net export from Adobe Canyon the south at 5,705,700 cubic yards. Offsite grading is also proposed at Chiquito Canyon,

north of SR-126, with approximately 1 million cubic yards of cut and 866,300 cubic yards of fill and no export.

The Draft Environmental Impact Report ("EIR"), which is a tiered document from the certified Specific Plan EIR, analyzes potentially significant impacts of the project, including Geology and Soils, Hydrology, Water Quality, Bioa, Floodplain Modifications, Visual Qualities, Traffic/Access, Noise, Air Quality, Water Resources, Wastewater Disposal, Solid Waste Disposal, Sheriff Services, Fire Services/Hazards, Education, Parks and Recreation, Libraries, Agricultural Resources, Utilities, Mineral Resources, Environmental Safety and Cultural/Paleontological Resources. Impacts that cannot be mitigated to less than significant include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Disposal and Cumulative Agricultural Resources.

DESCRIPTION OF PROJECT PROPERTY

Location: The project site is located north of the Santa Clara River, south of SR-126, east of the Ventura County boundary, and west of Interstate 5 Freeway within the Specific Plan and in the Newhall Zoned District. The project is also surrounded by area within the Castaic Area Community Standards District, but is exempt from its provisions.

Physical Features: The subject property is approximately 292.6 acres in size, and consists of four parcels. The total project, including offsite improvements, is approximately 1,044 gross acres in size. The property is irregular in shape with slight to steeply sloping terrain in offsite areas where grading is proposed. The subject property is disturbed by historic and ongoing agricultural activity but contains existing sensitive biological resources and habitat types, including upland scrub habitat and sensitive riparian habitat. The project boundary aso includes coastal sage chaparral scrub, live oak woodland, southern cottonwood willow riparian habitat; and wildlife habitat including horned lizards, sparrows, blackbirds, kites, hawks and plovers, jackrabbits, woodrats and mountain lion. The Santa Clara River, which within and south of the subdivison boundary, is also an SEA/SMA.

Access: SR-126 serves as primary access to the site, with connections provided by Long Canyon Road and Wolcott Road to "A" Street that provides main internal access. Numerous public street and private driveways also serve areas within the subdivision from "A" Street.

Services: Domestic water will be provided by Valencia Water Company. Reclaimed water will be provided by either the proposed Newhall Ranch WRP, if operational at the time Landmark Village will be occupied, or the existing Valencia WRP. Sanitary service will be provided by the Sanitation District via the Newhall Ranch WRP, or existing Valencia WRP if the Newhall WRP is not yet operational. Gas utilities will be provided by Southern California Gas Company, and electricity by Southern California Edison Company. The project is within the boundaries of the Castaic School District and the William S. Hart Union High School District. Shopping and employment exist nearby including the Valencia Commerce Center directly north and east of the project. Nearby recreation areas include Magic Mountain Amusement Park and Val Verde Regional Park as well as Castaic Lake Recreation Area.

ENTITLEMENTS REQUESTED

General Plan Amenmdent: The applicant requests a General Plan Amendment to amend the County's Master Plan of Highways to remove "A" Street/Wolcott Road as a secondary highway as local collector streets are not shown.

Local Plan Amendment: The applicant requests to amend the Circulation Plan of the Area Plan to eliminate "A" Street/Wolcott Road as a secondary highway and redesignate as a local collector street.

Specific Plan Amendment: The aplicant requests to amend the Specific Plan's Master Circulation Plan to change "A" Street/Wolcott Road from a secondary highway to a local collector street.

Vesting Tentative Tract Map: The applicant requests approval of a vesting tentative tract map to create 415 lots consisting of 308 single-family and 20 multi-family (11 condominium lots with 282 detached condos, 4 condominium lots with 347 attached condos in 47 buildings, 3 apartment lots with 451 for-lease apartments in 28 buildings, and two condo or for lease lots with 56 units in nine buildings) lots [total of 1,444 residential units], 14 commercial lots with 15 for-lease buildings, 10 commercial lots with no development planned (reserved as rail right-of-way), 12 private driveway lots, 3 recreation lots, 2 park lots, 1 school lot, 25 open space lots and 20 open space/desilting basin lots. The applicant requests unit phasing.

Conditional Use Permit: The applicant requests approval of conditional use permits ("CUP") to ensure compliance with the requirements of development within an SEA/SMA and onsite project grading; and offsite project grading and utilities, including water tanks, and transport of materials.

Oak Tree Permit: The applicant requests approval of an Oak Tree Permit to remove 67 oak trees (including 10 heritage oaks), and encroach into the protected zone of 14 oak trees (including three heritage oaks).

While not technically an entitlement, the applicant also requests a determination of substantial conformance with the Specific Plan for shared parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria. Section 5.2.2 of the Specific Plan contains procedures for makng substantial conformance determinations, with authority lying with the Planning Director of the Los Angeles County Department of Regional Planning ("Regional Planning") and the Director of the Los Angeles County Department of Public Works ("Public Works"), with discretion by the Planning Director to refer to a public hearing. While this request for substantial conformance is associated with this project, such determinations for substantial conformance may apply to future projects within the Specific Plan boundary.

EXISTING ZONING

Subject Property: The subject property is zoned SP (Specific Plan).

Surrounding Properties: Surrounding zoning is as follows:

North: SP, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing);
East: SP, A-2-5, M-1-½, P-R (Parking Restricted) and C-R (Commercial-Recreation);
South: SP; and
West: SP.

EXISTING LAND USES

Subject Property: The subject property is used for agricultural activity and related storage, and consists of four parcels from the previously approved Newhall Ranch Tentative Parcel Map No. 24500).

Surrounding Properties: Surrounding uses are as follows:

North: SR-126, vacant property, scattered single-family residences, Chiquita Canyon Landfill and business parks;
East: Castaic Creek, RV park, and further east light industrial uses, agricultural land and Valencia WRP;
South: Santa Clara River and vacant land; and
West: Vacant property and agricultural land.

PREVIOUS CASE/ZONING HISTORY

The current SP zoning on the subject property became effective on June 26, 2003, following the adoption of Ordinance No. 2003-0031Z, which established Zone Change Case No. 94-087-(5). The zone change was associated with the Specific Plan.

The Specific Plan was adopted by the Los Angeles County Board of Supervisors ("Board") on May 27, 2003, along with a general and local (sub-plan) amendments, a conditional use permit and a tentative parcel map. The Specific Plan authorized the development of the approximately 11,963-acre property for 20,885 dwelling units with 423 second units; 629 acres of mixed use development (including 4,101 of the 20,885 units approved); 67 acres of commercial uses; 249 acres of business park land use; 37 acres of vistor-serving uses; 1,010 acres of open area (including 141 acres of community parks and 869 acres of other open areas); 5,159 areas within SMAs; 50 acres within 10 neighborhood parks; a 15-acre lake; public trail system; 18-hole golf course; two fire stations; one public library; one electrical substation; reservation of five elementary schools, one junior high school and one high school site; a 6.8-million gallon per day WRP; and other associated community facilities, such as roads and bridges.

The Specific Plan area is organized in five "villages," with the Landmark project within the "Riverwood" Village. Within the approximately 2,330 acres of Riverwood, 3,210 dwelling units and 234 second units were approved as well as 2,966,000 square feet of nonresidential square footage. The Santa Clara River is also a major Open Area feature within Riverwood.

A program-level EIR (and project-level for the Newhall WRP) was also certified with adoption of the Specific Plan, which had concluded that the project had significant unavoidable impacts to biological resources, agricultural resources, visual resources, air quality and solid waste disposal. In approving the project, the Board also adopted a Statement of Overriding Considerations that concluded that there were significant overriding public benefits with approval of the project. These included preservation of nearly 1,000 acres of the Santa Clara River and open areas; over 50 miles of trails including the Santa Clara River Trail; provision of improved parks, library and fire station which were 'above and beyond' mitigations required by CEQA; provision of 2,200 affordable homes; and preservation of the River Corridor to retain Santa Clara River's significant riparian vegetation and habitat.

PROJECT DESCRIPTION

Vesting Tentative Tract Map No. 53108 and Conditional Use Permit Case Nos. 00-196-(5) and 2005-01121-(5) Exhibit "A", dated November 7, 2005, depict a subdivision of 415 lots consisting of single-family, multi-family, commercial, recreation, park, school, open space and open space/public facility lots on 292.6 gross acres. The housing types range from single-family detached and attached homes as well as live-work units. Fourteen (14) commercial lots are also proposed with 15 for-lease buildings, 12 private driveway lots, three recreation lots, two park lots, and one school lot. Ten (10) commercial lots are also proposed with no development planned, and serve as reservation of future right-of-way for Metrolink. Twenty-five (25) open space lots as well as 20 open space/desilting basin lots are also depicted.

Residential

A range of housing types is provided in various clusters within the subdivision. Traditional single-family lots (i.e. one home on each lot) are clustered in three areas along the southern portion of the subdivision: to the west, across from the proposed elementary school, and to the east. These lots have been designed for garage access from the front, and by alley from the back; and range in size from minimum 3,200 square feet to 6,000 square feet.

Multi-family housing is also proposed both as for-lease apartments and for-sale condominiums, and generally in the northern portions of the subdivision and conceptual designs for site layout are depicted on the exhibit maps. Apartments, including 152 senior affordable rental units, are proposed in the western portion, just east of the office and retail center identified in the Specific Plan as the Village Center. Additional condominiums are proposed near the Village Center, north and south of "A" Street as well as north of "A" Street east of the elementary school and near Wolcott Road, with 144 single-family condo units reserved for moderate income (81 to 120 percent of the Los Angeles County median income, adjusted for family size) families between the elementary school and the commercial lots off of Wolcott Road. A total of 1,080 residential units are provided in 357 buildings.

A total of 1,388 dwelling units are provided within the residential lots.

Commercial

The Village Center, as described in the Specific Plan, is located east and west of Long Canyon Road on the western portion of the subdivision. Retail and office are anticipated, with an approximate

maximum of 1,795,450 square feet as well as 2,958 parking spaces based on estimates of office and retail use. Internal access within the Village Center is proposed by 28-foot wide drive aisles.

Commercial is also proposed near Wolcott Road with an approximate maximum of 762,450 square feet with 490 parking spaces and 26-foot wide drive aisles.

A total of 1,033,000 square feet of office and retail commercial is proposed as well as provision of 3,448 parking spaces for 15 buildings.

Commercial – No Development Planned
Ten (10) commercial lots are proposed with no development planned. These reflect future reservation of right-of-way for Metrolink, and are located just south of SR-126 along the northern subdivision boundary, and vary in width from 35 feet to 50 feet in width.

Mixed Use
Live/work units are proposed within Lot Nos. 334 and 335 for a total of 56 dwelling units and 255,608 square feet of nonresidential uses. One hundred twelve (112) parking spaces are also provided as part of the residential component along with 30 guest parking spaces.

The project totals a maximum of 1,444 dwelling units throughout the subdivision.

Elementary School
A nine-acre elementary school site (Lot No. 345) is depicted in the approximate center of the subdivision property, north of "A" Street, and with 157 parking spaces provided at one parking space per classroom. Actual site designs for the school are to be determined through design workshops with the school district. There is a potential for joint use with the adjacent public park.

Parks/Recreation/Open Space
Two park lots are depicted within the subdivision. North of "A" Street, a public park (Lot No. 344) is proposed with active recreation, and potential for joint use with the elementary school. A passive park (Lot No. 337), south of "A" Street, will be owned and maintained by the project's homeowners' association ("HOA"). The passive park will include connections to the Regional River Trail, a 12-foot wide trail that travels along the entire length of the Santa Clara River within this development, as well as drainage and water quality basins that can also serve as additional play areas. A private interpretive trail is also proposed with an outlook point towards the Santa Clara River.

Three private recreation lots (Lot Nos. 330, 336 and 340) are proposed, with proposed improvements with grass play area, swimming pool/tot lot and recreation buildings. A total of 103 onsite parking spaces is also depicted for all three recreation lots.

A total of 45 open space lots are provided, with 25 lots for open space and 20 lots for open space and desilting purposes. These open space lots are depicted along the northern and souther boundaries of the subdivision, adjacent to SR-126 and the Santa Clara River.

Alternate Site Plans

Alternate site plans are depicted for two areas of the subdivision. One depicts a debris basin (Lot No. 409) where detached condominiums are proposed, off of "T" Drive north of "A" Street. The inclusion of the debris basin would result in a reduction of 20 condominium units.

The other alternate site plan is for Apartment/Condominium Lot No. 349, which depicts 20 additional units from 155 to 175 attached units, in nine buildings, with associated parking increase. Total parking provided, including guest parking, is 394 parking spaces with the 175-unit alternate.

Access and Roads

Long Canyon Road and Wolcott Road are the two points of connection from SR-126 with "A" Street as the main 'spine' collector road through the development. Long Canyon Road is a major highway, and provides at least 119 feet of right-of-way north of "A" Street with bike lanes in both directions of traffic as well as an eight-foot sidewalk and varying center planter widths. SR-126 is expected to be grade-separated (higher) than Long Canyon Road in the future, with the future interchange depicted as five northbound lanes (one left turn dedicated to SR-126, two for thru traffic under SR-126, and two for right turn traffic). Long Canyon Road also spans over the Santa Clara River as an 100-foot wide bridge to be constructed with this project. Wolcott Road is a secondary highway with 106 feet of right-of-way consisting of four travel lanes, a six-foot parkway and six-fot sidewalk on each side, and a 14-foot wide planter in the center. Wolcott Road is also depicted with a future interchange with SR-126. "A" Street is depicted as with a 110-foot wide right-of-way, with varying widths of improvements. At its widest improvements, which is from Long Canyon Road to 200 feet east of Long Canyon Road, seven travel lanes are provided with bike lane on one side, and four feet of parkway and six feet of sidewalk on both sides; no on-street parking would be provided. At its narrowest, two travel lanes with center lane is provided, along with bike lanes on each side, 10-foot-parkway and six-foot sidewalk on one side, and 24 foot-wide swale and eight-foot trail provied on the other side.

Private driveway lots are also proposed within the development, providing internal access in single-family and multi-family neighborhoods between the Village Center and the park/school, with widths ranging from 34 feet to 110 feet wide.

Other features of the local roads within the subdivision are curb extensions, which serve as traffic calming details by narrowing the road to promote slowing down traffic mid-block and at intersections. Roads are depicted at minimum 26 feet wide with mid-block lanes as narrow as 24 feet wide before combining to 62 feet wide.

Grading – Onsite and Offsite

Onsite grading consists of 209,000 cubic yards of cut and 5,555,400 cubic yards of fill.

Offsite project grading is proposed in mainly three locations: Adobe Canyon, Chiquito Canyon and the Santa Clara River. Adobe Canyon is located south of the subdivision on the south side of the Santa Clara River, and will serve as a borrow site for Landmark Village. From Adobe Canyon, approximately 5.7 million cubic yards of earthwork will be moved to Landmark through haul routes that coincide with existing agricultural roads. These are existing river crossings through Santa Clara River, which also crosses the SEA/SMA, which are currently permitted as operational agricultural river crossings permitted by the California Department of Fish and Game. Adobe Canyon is within the

Specific Plan boundary and offsite transport of materials is one of the factors eligible for a determination of substantial conformance, and being considered as part of the proposal. This borrow site is also within the boundaries of a pending subdivision known as Heritage (Vesting Tentative Tract Map No. 060678) currently being reviewed by the Los Angeles County Subdivision Committee ("Subdivision Committee"), and once approved and developed, will not remain as the graded condition depicted for the borrow site.

The Chiquito Canyon grading site proposes approximately 1 million cubic yards of cut and approximately 866,000 cubic yards of fill with no export proposed. Two debris basins are also depicted within the Chiquito Canyon area. This is also within a pending subdivision within the Specific Plan boundary within Heritage, and depicted as a future business park within the Specific Plan.

Grading is also proposed outside the boundaries of the subdivision, and within the Santa Clara River, as part of the project's mitigation and habitat restoration. The dirt that will be removed from the Santa Clara River, will be placed onto the property and the new 'edge' of the Santa Clara River would be created with the bank stabilization efforts.

Other offsite Improvements
The project also proposes offsite installation of utility extensions, including water, sanitary sewer, gravity sewer, irrigation, cable, gas, fiber optics and reclaimed water lines. Described as a utility corridor, these lines will extend east to the Valencia WRP (Los Angeles County Sanitation District No. 32) southwest of the SR-126/I-5 interchange, and extend west to the proposed Newhall WRP. Utility lines were approved as part of the Newhall Ranch CUP to be hung from the Long Canyon bridge to provide potable water, reclaimed water, etc. to areas south, and now as part of this project is proposed to be buried under the Santa Clara River to provide permanent utility connections.

The project design has been reviewed by the Los Angeles County Subdivision Committee for technical feasibility and recommended project conditions are attached.

SPECIFIC PLAN CONSISTENCY

The Newhall Ranch Specific Plan was adopted by the Board on May 27, 2003 which authorized the development of the approximately 11,963-acre property for residential, mixed use, commercial business park, visitor-serving, open area, parks, trails, schools, library, fire stations and infrastructure including roads, bridges and a water reclamation plant. The Specific Plan locates the Landmark Village subdivision within its Riverwood Village, and identifies land uses within each Village with associated acreage, density and/or nonresidential square footage. The Specific Plan also includes exhibits for trails, circulation, resource management, drainage and water quality, water and sewer as well as its land use plan.

The applicant has provided a booklet, titled "Landmark Planning Notebook" ("Notebook") which staff will refer to in discussion of consistency . This Notebook provides the detailed exhibits and tables that update the Specific Plan within the Landmark subdivision boundary, and identify goals and objectives within the Specific Plan that these project features achieve.

Affordable Housing (Notebook Section 1.7, Page 19)
The Specific Plan also requires affordable housing, with a total of 2,200 affordable units through the Specific Plan area (Specific Plan Section 3.10). These include housing units for Very Low Income households (of which 440 are reserved for seniors), Low Income households, Low Income Affordable, and Moderate Income Affordable; and may be rental, for-sale and any units supported by state, local or private affordable housing assistance. An affordable housing monitoring program is required as the tentative map with the 5,000th unit has already been filed with the County.

Landmark Village proposes 296 affordable units: 144 for-safe homes for moderate income households, and 152 for-rent units for very low income seniors. While the Specific Plan states a reservation of seniors 62 years or older, the definition of "senior citizen" as defined in Civil Code Section 51.3 defines as a person 62 years of age or older, or 55 years of age or older in a senior citizen housing development.

Circulation (Notebook Section 2.1, Pages 21-26)
The applicant has requested amendments to the General Plan and Area Plan as well as the Specific Plan to redesgnate "A" Street/Wolcott Road as a local collector street rather than a secondary highway. Traffic studies were performed to indicate that the traffic volume can be accommodated with the main road as a collector, and regional circulation is still ensured despite this change.

"A" Street is depicted in illustrative terms on page 23 of the Notebook, and depict "A" Street with onstreet parking, bike lanes and trails along both sides of the street. Additional photo examples of other road features within Landmark are depicted on page 26 of the Notebook, including 'round points' or roundabouts, curb extensions and rear or alley access.

While the street cross-sections proposed for Landmark are different than what was approved by the Specific Plan, a determination of substantial conformance can be made (see section below for additional information) with respect to these street cross-section differences. These changes are intended to reduce design spee, eliminate cul-de-sacs, introduce traffic-calming features, reduce street widths as pedestrian crossings, and reduce curb cuts.

Trails (Notebook Section 2.2, Pages 27-28)
The Master Plan of Trails within the Specific Plan is general in nature, and detailed trail locations are identified on the subdivision tentative map. These include walkways and parkways along streets, paseos, community trails and the regional river trail, in a hierarchy of trail sizes and functionality. Access points are also identified from the project to the regional river trail system as well as locations for observation and interpretive nature points.

The regional river trail system is depicted in greater detail on the tentative map, and depict both an eight-foot wide County trail outside the subdivision boundary but on top of the bank stabilization, and a 16-foot wide riding and hiking trail that will also serve as the Los Angeles County Flood Control access road, and will be maintained by a Landscape Maintenance District ("LMD").

An interpretive trail is also depicted through private Recreation Lot No. 337 with a lookout point and interpretive nature station.

Resource Management (Notebook Section 2.3, Pages 29-32)
The Specific Plan also identifies viewsheds as a significant resource, and a viewshed exhibit is provided that demonstrates how the subdivision as designed is compatible with the exhibits presented to the Commission as part of the Specific Plan public hearings.

The exhibit on page 30 identifies the viewsheds unaltered by the project, substantially altered by the project development and transportation improvements, and partially altered by the project. The ares substantially altered by development, depicted in purple as B, reflect the Village Center on the western side of the development, and the single-family and mixed use development off of Wolcott Road on the eastern side. By comparison, the original viewshed exhibit depicted on page 29 reflects a larger purple area, indicating that the current analysis depicts a smaller area extent of viewshed impacts than first presented.

Additional viewshed exhibits on pages 31 and 32 depict sound attenuation walls and plexiglass walls that will also affect the viewshed from SR-126, with illustrations are provided on page 32.

The Specific Plan also includes Design Guidelines (Specific Plan Section 4.2) requirements for design review and guidelines for development along SR-126. While specific development details are not available at this time, the project will be required to undergo review for compliance, including design of the community park and building elevation reviews adjacent to SR-126.

Drainage and Water Quality Plan (Notebook Section 2.4, Pages 33-36)
The Specific Plan Master Drainage Plan has been updated to reflect innovative methodologies to meet NPDES (National Pollutant Discharge Elimination System) requirements, and reflects a comprehensive system of flood control and desilting basins to maintain water quality standards.

Open space that also double as open facility basins, are located adjacent to the subdivision boundary and the Santa Clara River to the south, as well as along SR-126 to the north. Additional water quality features such as grass swales and depressed roundabouts, provide additional area for water retention (example photos provided on page 36).

Water Plan (Notebook Section 2.5, Page 37-38)
The Master Water Plan was designed in the Specific Plan for this portion with water main and reclaimed water lines along "A" Street. The Potable and Reclaimed Water Plan on page 38 depictes in greater detail, the infrastructure lines to serve the development. The water mains still run generally along "A" Street, with connections now to residential neighborhoods north and south of "A" Street.

A 2.7 million gallon water tank that is depicted on the Master Water Plan, is depicted within the Chiquito Canyon area. Water tanks are being proposed north of Landmark at Chiquito Canyon within the Valencia Commerce Center, and Round Mountain. The potable tanks are anticipated to be approximately 32 feet high and 152 feet in diameter, with a capacity of 4 million gallons. The reclaimed tanks are anticipated to be 32 feet high, and 132 feet in diameter with a capacity of 3 million gallons.

Sewer Plan (Notebook Section 2.5, Pages 39-40)
The Master Sewer Plan also depicts sewer infrastructure anticipated , with the sewer line system connecting to the Newhall WRP. A detailed Sewer Plan was prepared for Landmark (page 40) that provides further refinement to the location of sewer main lines. Sewer service and connections is also proposed by two methods. Connection lines are proposed to extend east to the existing Valencia WRP near the SR-126/I-5 interchange if the Newhall WRP is not operational at the time Landmark requires connection. Eventual connection for the Landmark Village development will the be Newhall WRP, which is located further west. Connections for Landmark are shown with both options.

Land Use Plan (Notebook Section 3.1, Pages 41-44)
The Land Use Plan of the Specific Plan depict development by various land uses, and within the Riverwood Village for this property, is designated for Low-Medium Density, Medium Density, Mixed Use and Commercial as well as River Corridor. As described on page 42, flexibility was built into the Specific Plan to allow for adjustments, transfers and conversions of use, boundaries, square footage, etc. (Specific Plan Section 5.2-5, beginning Page 5-14).

The project proposes conversions as well as boundary adjustments. The Medium Density was adjusted with reduction of 1.3 acres, and the adjacent Low-Medium Density area increased by 12.1 acres. The Commercial area was reduced by 4.2 acres, while 5.8 acres of the Low-Medium Densty was converted to Mixed Use. All of these changes are described in a table format on page 44, with exhibits on pages 42 and 43, and reflect that these changes are within the 20 percent adjustment established by the Specific Plan.

The elementary school as well as the community park are part of land use overlays, and are 'flexible' within the Specific Plan with respect to location. The land use overaly adjustments are also permitted by Section 5.2-5 of the Specific Plan with respect to size, quantity and locatin of public service facilities like parks and schools.

The River Corridor allows for certain uses, with mitigation required as stated in Section 2.6-2 of the Specific Plan. These mitigation requirements include restoration as well as enhancement, and establish requirements for management of this area. Access to the SMA through hiking, equestrian and biking trails is permitted as limited to the trail system itself. Transition areas are also required from where development lies and the Santa Clara River, which is described in greater detail in Section 2.6-2.a.(3).(b), which provides standards for the design of these transition areas. These include provision of a trail between the River Corridor and development, ungrouted rock or buried bank stabilization where required to protect development areas, and minimum 100-foot buffers adjacent to the Santa Clara River. Uses permitted within this buffer include flood control access; sewer, water and utility easements; abutments; and trails and parks; all of which are subject to the CUP provisions for development in an SEA/SMA. Grading guidelines are also provided as well as a long-term management plan.

SUBSTANTIAL CONFORMANCE

Section 5.2-2 of the Specific Plan provides a process for making determinations of substantial conformance, with authority lying with the Planning Director and in some cases, the Director of Public

Works. This section also provides the Planning Director with discretion to refer such substantial conformance to a Commission public hearing.

The applicant requests determinations of substantial conformance for shared parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria.

Shared Parking
Parking is discussed in Section 3.7 of the Specific Plan under Development Regulations. Section 3.7-3 also identified parking programs, where joint use or shared parking plans can be requested as part of a substantial conformance review. Such a program was intended to reduce the total number of parking spaces required, and provides findings for such determination.

However, the Specific Plan does not directly address offsite, reciprocal parking, where spaces for a particular use may be provided in the number required, but may not be located on the same parcel of land as the use, and therefore would not meet the County standards for parking provision.

The applicant requests that reciprocal, offsite parking be included within the Joint Use or Shared Parking Plan option provided in the Specific Plan, with same requirements for making findings at such time when the uses are determined and actual parking requirements calculated.

Street Widths
The applicant has also requested a determination of substantial conformance for alternative street sections to reflect the intent of the development to be neotraditional, where emphasis is on pedestrian traffic as opposed to automobile traffic. Features in these alternative street sections include traffic calming devices, like chokers, curb extensions, roundabouts, etc.

Such features have been much discussed with Public Works and the Los Angeles County Fire Department ("Fire Department") as well as Regional Planning to ensure that traffic capacity and life/safety issues are still addressed with these alternative street features. These are proposed on "A" Street and internal streets.

Front Yard Setbacks
Within the development regulations of the Specific Plan, setbacks for the garage face are provided at 18 feet. The intent is for cars that are parked in the driveway, not block the sidewalk or travel lanes of the street. However, the Specific Plan did not provide in much detail, front yard setbacks for homes where the garage is oriented for a side entrance, or located in the rear of the lot for alley entrance. In these cases, the applicant is requesting that a determination of substantial conformance be made that in these cases, a minimum front yard setback of 10 feet be maintained since driveways will be such that cars parked will not block the street as the intent of the 18-foot setback.

This is a determination of substantial conformance that could apply to all area within the Specific Plan boundary.

Offsite Transport of Materials and Hillside Grading

The Landmark project also proposes offsite transport of materials from the Adobe Canyon borrow site to the Landmark subdivision site. This is proposed to raise the boundary to avoid flooding issues with proximity to the Santa Clara River, and would use two haul routes on an existing agricultural crossing.

Grading for subdivisions with slopes over 25 percent slope, are also required to be consistent with grading and hillside guidelines. The grading that is proposed both in the Adobe Canyon borrow site and Chiquito Canyon, are within areas of the Specific Plan where other development is proposed. Therefore, the grading that will result from that needed for Landmark, will be re-graded to accommodate that proposed for Homestead (TR 060678), a pending subdivision already filed and being reviewed by the County.

While this request for substantial conformance is associated with this project, such determinations for substantial conformance may apply to future projects within the Specific Plan boundary. Draft findings of substantial conformance as proposed by the applicant are attached.

GENERAL PLAN AMENDMENT / LOCAL PLAN AMENDMENT / SPECIFIC PLAN AMENDMENT

The applicant requests an amendment to the General Plan Master Plan of Highways to delete "A" Street/Wolcott Road as a secondary highway since local collector streets are not shown on this map, and amend the Area Plan Circulation Plan and and the Specific Plan Master Circulation Plan to redesignate "A" Street from a secondary highway to a local collector. Based on additional traffic analyses done for Landmark, it was determined that the traffic capacity necessary to serve Landmark Village, can be accommodated using local collector standards as opposed to wider, secondary highway standards, while ensuring a functional regional circulation system.

Within the Specific Plan, the redesignation of "A" Street/Wolcott Road would be modified on the Specific Plan Mobility Plan, Master Circulation Plan and on the accompanying cross-sections.

The applicant must meet the following burden of proof required for a plan amendment:

A. A need for the proposed General and Local Plan Amendment exists;
B. The particular amendment proposed is approximate and proper;
C. Modified conditions warrant a revision to the General Plan and Area Plan; and
D. Approval of the proposed General Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practices.

The applicant's Burden of Proof responses are attached.

CONDITIONAL USE PERMIT

Pursuant to Table 3.4-2 Footnote 16, and Section 5.2-3 of the Specific Plan, and Section 22.56.215 of the Los Angeles County Code ("County Code"), the applicant has requested a CUP, and submitted an

Exhibit "A", to demonstrate compliance with requirements of development within a SEA, project grading (onsite and offsite), and offsite utilities, including water tanks.

Within the SEA/SMA, the project proposes the following improvements: Long Canyon Road bridge, trails and scenic vista points, bank stabilization, utilities, agricultural wells, riparian mitigation, and Metrolink right-of-way easements.

The Long Canyon Road bridge will cross the Santa Clara River, and is proposed to be 1,100 feet long and 100 feet wide. The bridge crossing itself was approved as part of the adoption of the Specific Plan, where the Board found that given various options for bridge alignments and bridge span alternatives, this was one of three bridge crossings that were approved.

In addition to the standard burden of proof required for a CUP, the applicant must also meet the following burdens of proof required for:

Development within an SEA:

A. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas; and

B. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state; and

C. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state; and

D. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development; and.

E. That where necessary, fences or walls are provided to buffer important habitat areas from development; and

F. That roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.

The applicant's Burden of Proof responses are attached.

OAK TREE PERMIT

Pursuant to Section 22.56.2050 of the County Code, an oak tree report was submitted by Impact Sciences, Inc. Of the 201 oak trees associated with the project and subject to the Oak Tree ordinance as identified in the June 2006 and updated September 2006 report, 82 trees are included in the associated Oak Tree Permit.

Sixty-seven (67) oak trees, including 10 heritage oaks are proposed to be removed as part of onsite and offsite improvements. Fourteen (14) oak trees, including three heritage oaks are proposed to be encroached within its protected zone due to potential impacts from construction.

Mitigation measures recommended by the County Forester/Fire Warden include replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 214 mitigation trees. A contribution to the Los Angeles County Oak Forest Special Fund would also be required for any tree that dies within two years as a result of a permitted encroachment. The oak tree report also identified 26 trees which would be candidates for relocation within the Specific Plan boundaries.

Pursuant to Section 22.56.2100 of the County Code, the applicant must meet the following burden of proof:

A. That the proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property; and

B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and

C. That in addition to the above facts, at least one of the following findings apply:
   1. That the removal or relocation of the oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
      a. Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
      b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized; or
   2. That the oak tree(s) proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s); or
   3. That the condition of the oak tree(s) proposed for removal with reference to seriously debilitating disease or danger of falling is such that it cannot be remedied through reasonable preservation procedures and practices; and

D. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

The applicant's Burden of Proof responses are attached.

ENVIRONMENTAL DOCUMENTATION

The program-level Specific Plan EIR was certified along with adoption of the Specific Plan and a Statement of Overriding Considerations. The Board found that there were overriding public benefits, and included preservation of nearly 1,000 acres of the Santa Clara River and open areas; over 50 miles of trails including the Santa Clara River Trail; provision of improved parks, library and fire station which were 'above and beyond' mitigations required by CEQA; provision of 2,200 affordable homes; and preservation of the River Corridor to retain Santa Clara River's significant riparian vegetation and habitat. Within the Specific Plan EIR, six alternatives were discussed, and include project designs with reduction in 20, 39, and 68 percent of the development. While the development with 68-percent reduction was identified as the environmentally superior alternative, the Specific Plan was eventually

adopted by the Board with a revised project and mitigation measures along with certification of the EIR.

In accordance with State and County CEQA guidelines, a project-level Draft EIR, which is tiered from the certified Specific Plan program EIR, was prepared for Landmark Village. The Draft EIR concludes that certain potentially significant impacts are less than significant with implementation of the proposed mitigation measures in the Mitigation Monitoring Program. However, the Draft EIR concludes that the project design and/or suggested conditions will result in certain significant impacts are unavoidable, and cannot be mitigated to less than significant. Copies of the Draft EIR were distributed to the Commission.

Identified potential impacts found to be less than significant with project mitigation, include:

- Geology and Soils
- Hydrology
- Water Quality
- Floodplain Modification
- Traffic/Access
- Environmental Safety
- Cultural/Paleontological Resources
- Utilities
- Mineral Resources
- Water Resources
- Wastewater Disposal
- Sheriff Services
- Fire Protection/Hazards
- Education
- Libraries
- Parks and Recreation

Identified potentially impacts that cannot be mitigated to less than significant, and will result in significant residual and/or cumulative impacts, include:

- Biota
- Visual Quality
- Noise
- Agricultural Resources
- Solid Waste Disposal

Of these impacts that cannot be mitigated to less than significant, Noise is the only factor that was not previously identified and adopted with a Statement of Overriding Considerations as part of the certified Specific Plan program EIR. Noise impacts result from pile-driving of piers, the construction of the Long Canyon Road bridge, and potential impacts to future residents on Landmark Village if bridge construction begins after the subdivision is built and occupied.

Mitigation measures which have been incorporated into the project, and included in the Mitigation Monitoring Program ("MMP"), are listed in the Executive Summary of the Landmark Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.

Four alternatives to the Landmark project are also discussed in the Draft EIR as required by CEQA guidelines. These include: (1) No Project/No Development Alternative; (2) No Project/Future Development; (3) Floodplain Avoidance; and (4) Cluster Design. Each alternative is evaluated for potential impacts and the environmentally superior alternative is identified.

Within this Draft EIR, the Cluster Alternative No. 4 (Draft EIR dated November 2006, Pages 5.0-20 through 5.0-35) is identified as the environmentally superior alternative. This alternative retains the overall layout of the proposed Landmark Village, except for 106 acres in the most western portion of the property that is to remain for agricultural uses. This would result in a reduction of 507 dwelling units along with 828,000 square feet of commercial space. This Alternative would retain the elementary school and 16-acre community park, and bank stabilization would still be required along the edge of the Santa Clara River. This project would result in the same factors impacted by development, and would increase the impact to water service and water quality.

The technical appendices include geological and geotechnical reports, an air quality analysis, drainage concept, biota report, sensitive plant report, spadefoot toad habitat monitoring report, water supply analysis, noise report, water quality reports, cultural resources assessment, Santa Clara river fluvial study, an archeological survey, and other technical documents supporting the Draft EIR.

The formal public review period for the Draft EIR was for a period of 60 days, from November 20, 2006 to January 22, 2007. A Notice of Public Review Period Time Continuation was also distributed, which extended the Draft EIR public review period up until January 31, 2007 at this time.

All written comments received prior to the close of the public hearing will be considered in the Final EIR. Copies of written correspondence on the Draft EIR, including requests for additional review time, are attached.

COUNTY DEPARTMENT AND AGENCY COMMENTS AND RECOMMENDATIONS

Subdivision Committee consists of the Departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Public Health. The Subdivision Committee has reviewed the Tentative Tract and Exhibit "A" maps dated November 7, 2005, and recommends the attached conditions.

Comments and recommendations from County Departments and other agencies consulted during the environmental review process include the California Department of Fish and Game ("Fish and Game"), Regional Water Quality Control Board, Native American Heritage Commission, California Highway Patrol ("CHP"), California Department of Transportation ("Caltrans"), Southern California Assocation of Governments ("SCAG") as well as City of Santa Clarita and County of Ventura. Other agencies that have provided correspondence include the Castaic Lake Water Agency, Sierra Club, California Water Network. Santa Clarita Organization for Planning and the Environment (SCOPE), Piru Neighborhood Council and Friends of the Santa Clara River.

Most comments received indicate that due to the volume of material associated with this EIR, an additional 30 to 60 days is requested as part of the public review period. The EIR was circulated with an original public review period of 60 days, and has been extended once for an additional nine days to coincide with the Commission public hearing date.

Comments were received from Audobon California that state that insufficient bird surveys were done as part of the Draft EIR along with mischaracterizations of the status, range and impacts to bird species, and lack of specific mitigation measures for maximum feasible mitigation. Comments were

also received from the SCAG indicating that the Draft EIR analysis is consistent with the Regional Comprehensive Plan and Guide (RCPG), as well as from CHP that indicate concerns with increased traffic flow where currently little development exists.

All comments received in response to the Draft EIR are attached and will be incorporated into the Final EIR.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

Approximately five notices of public hearing were mailed to property owners within a 1,000-foot radius of the subject property as well as additional notices to those on the courtesty mailing list for projects in the Newhall and Castaic Canyon Zoned Districts. The public hearing notice was published in The Signal and La Opinion on November 20, 2006. The Draft EIR was available for review at the Newhall Library, Valencia Library and Canyon County Jo Anne Darcy Library beginningNovember 20, 2006. Project materials, including a tentative tract map, site plan, and recommended conditions, were received at the Newhall Library on December 29, 2006. One large public hearing notice, eight feet wide by four feet high, was posted on the subject property along SR-126 on December 29, 2006. Public hearing materials were also posted on the Department of Regional Planning's website.

The applicant has also presented theproject on several occasions to the Castaic Area Town Council. Comments have not yet been received from the Castaic Area Town Council regarding the project.

CORRESPONDENCE RECEIVED BEFORE PUBLIC HEARING

Most correspondence received to date, comment on the Draft EIR and request additional time for review. Some comments have been received, and are discussed in summary detail above. Comments have been received in opposition to this project, with several references to the timing of this project with an Environmental Impact Statement (a federal environmental document) for the Santa Clara River. One letter has also been received in favor of the project, with desire expressed to live within this community once developed.

All correspondence received to date has been attached as part of this package.

STAFF EVALUATION

The Newhall Ranch Specific Plan was adopted by the Board on May 27, 2003 after numerous public hearings before the Commission and Board, and through public participation from many organizations and community groups as well as interested individuals and through changes as a result of litigation. Within its boundary, the Specific Plan itself is the comprehensive document to guide future development, with plans, development regulations, design guidelines and implementation procedures.

An EIR was prepared for the Specific Plan, which indicated that certain impacts could not be mitigated to less than significant, and with adoption of the Specific Plan, the Board also adopted a Statement of

Overriding Considerations as there were overriding public benefits to approval of the project. These included that the project was designed to preserve over nine square miles, including the Santa Clara River; 'buried bank stabilization' as proposed by the City of Santa Clarita, has been incorporated into the project which is above and beyond the requirements of the County's General and Area Plan; the project uses 'livable community' concepts, including the mixed use category to combine commercial with residential and recreational, provide over 50 miles of pedestrian and bicycle trails, provide bus pull-ins, and a park-and-ride facility is planned; and new Water Reclamation Plant will be constructed.

The Specific Plan is adopted for a total maximum of 21,308 dwelling units as well as approximately 5.5 million square feet of nonresidential uses over 11,963.9 gross acres.

Landmark Village is the first subdivision within the Specific Plan, and proposes a maximum of 1,444 dwelling units and 1,033,000 square feet of nonresidential uses on 292 acres. The property proposes single-family, for sale and lease attached and detached multi-family units, mixed use, office and retail commercial, and open space, including trails, parks and neighborhood recreation areas. An elementary school is also proposed as well as fire station (not yet incorporated into the tentative map).

As an implementation tool of the Specific Plan, a subdivision is submitted and evaluated for compliance with the Title 21 of the County Code (Subdivision Ordinance) as well as the California Map Act. Subdivisions are also evaluated for consistency with the Specific Plan, including density within portions of the property, siting of streets and recreation, and parking as necessary to accommodate multi-family and commercial uses as well as other development standards.

In addition, the Specific Plan contains language for determinations of substantial conformance for changes, either approved, approved with conditions or denied, that based on whether it can be found that the request substantially conforms with all applicable provisions of the Specific Plan and County ordinances; will not adversely affect public health, safety and welfare; and will not adversely affect adjacent property. The project seeks determinations of substantial conformance related to offsite reciprocal parking, street widths, front yard setbacks, and offsite transport of materials with conformance with grading and hillside management criteria.

Adjustments to the land use designations are also permitted within the Specific Plan, including conversion of uses and adjustments of boundaries. The project proposes adjustment of the land use boundaries as well as conversion of Low-Medium Density to Mixed Use, which comply with the parameters for such adjustments and conversions as stated in the Specific Plan.

The project also proposed development with the SEA/SMA, the Santa Clara River, including grading, bank stabilization, haul routes, and Long Canyon Road bridge. Long Canyon Road bridge is one of the bridge crossings originally considered by the Board for the Specific Plan, and was approved as part of the Specific Plan in that location. Haul routes are proposed to use existing river crossings that are permitted by the Army Corps of Engineers for agricultural uses. Grading is proposed as habitat restoration as well as bank stabilization to revegetate with native vegetation. One hundred-foot buffers are required to be provided by the Specific Plan, and may include bank stabilization, water quality basins, trails and other public facility related uses.

While the EIR concluded that not all impacts from Landmark Village can be mitigated to less than significant, all but one factor was already identified as part of the Specific Plan, and the project was approved with the Statement of Overriding Considerations.

Additional time was requested by many organizations to allow time to further evaluate the project. These included requests for approval timing with an evaluation of an EIS for the Santa Clara River itself.

FEES/DEPOSITS

If approved as recommended by staff, the following shall apply:

California Department of Fish and Game:

1. Processing fee of $875.00 associated with the filing and posting of a Notice of Determination with the County Clerk, to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game.

Fire Department:

2. Cost recovery deposit of $5,000.00 to cover a preconstruction meeting, and subsequent monitoring over a five-year period to determine compliance with the Oak Tree Permit.

Department of Regional Planning, Impact Analysis:

3. Deposit of $3,000.00 to defray the costs of reviewing the subdivider's reports and verifying compliance with the information required by the Mitigation Monitoring Program.

Department of Regional Planning, Zoning Enforcement:

4. Cost recovery deposit of $1,500.00 to cover the cost of 10 recommended zoning enforcement inspections (recommend two a year for a five-year period). Additional funds would be required if violations are found on the subject property.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Based on the number of requests for additional time, staff recommends that the Commission continue the public hearing to consider all testimony on the project, including the Draft EIR. Staff also recommends that the Commission formally continue the public review period of the EIR to coincide with the continued date.

Suggested Motion: "I move that the Regional Planning Commission continue the public hearing to allow time for interested parties as they have requested, to continue to allow additional time for review the project and provide comments, and to contine the public comment period for the Draft EIR to coincide with the continued public hearing date of _____, 2007."

Attachments:

- Draft Conditions
- Conditional Use Permit Burdens of Proof
- Oak Tree Permit Burden of Proof
- Vesting Tentative Tract Map No. 53108 - reduced size copy
- Conditional Use Permit Case Nos.001-96 and 2005-01121 Exhibit "A" – reduced size copy
- Land Use Map
- Correspondence
- From Applicant: Landmark Planning Notebook, January 2007

SMT:st
01/25/07

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 53108 (Rev.)

TENTATIVE MAP DATED 11-07-2005
EXHIBIT MAP DATED 11-07-2005

The following reports consisting of 30 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.

2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.

3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.

5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.

7. Prior to final approval of the tract map submit a notarized affidavit to the Director of Public Works, signed by all owners of record at the time of filing of the map with the Registrar-Recorder/County Clerk's Office, stating that any proposed condominium building has not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the Registrar-Recorder/County Clerk's Office.

8. Place standard condominium/residential planned development/commercial planned development/Landscape Maintenance District notes on the final map to the satisfaction of Public Works. The formation of the Landscape Maintenance District for all median and parkway landscaping must be approved by the Department of Parks and Recreation.

9. Place standard lease purpose only notes on the final map to the satisfaction of Public Works.

10. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

11. Reserve reciprocal easements for drainage, ingress/egress, utilities, and maintenance purposes, etc., in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.

12. If unit filing occurs, reserve reciprocal ingress and egress easements in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.

13. Furnish Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.

14. A Mapping & Property Management Division house numbering clearance is required prior to approval of the final map.

15. Design t he boundaries of the unit final maps to the satisfaction of the Departments of Regional Planning and Public Works.

16. The first unit of this subdivision shall be filed as Tract No. 53108-01, the second unit, Tract No. 53108-02, ... and the last unit, Tract No. 53108.

17. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

18. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.

19. Quitclaim or relocate easements running through proposed structures.

20. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

21. Show open space note and dedicate residential construction rights over the open space lots.

22. If all possible, modify the boundaries of the open space lots or add additional open space lots to include the airspace easements for sight distance to the satisfaction of the Department of Regional Planning and Public Works.

23. Permission is granted to record large lots (20-acre or more) parcel map as shown on the insert map provided full street right of way and slope easements are dedicated along the latest IEC approved alignments on Route 126 (Henry Mayo Drive) and Long Canyon Road to the satisfaction of the Department of Public Works. In addition, make an offer of private and future right of way and dedicate slope easements along all remaining interior streets on alignments to the satisfaction of Public Works. This permission is contingent on deletion of the secondary highway south of and parallel to SR 126 from the County Highway Plan.

24. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of $2,000 (Minor Land Divisions) or $5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HW

Prepared by Henry Wong Phone (626) 458-4915 Date 12-29-2005

tr53108L-rev9 doc

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

TRACT NO. 53108

REV TENTATIVE MAP DATED 11/07/05
EXHIBIT MAP 11/07/05

DRAINAGE CONDITIONS

1. Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.

2. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.

3. A hydrology study for design of drainage facilities is required. Hydrology study must be submitted and approved prior to submittal of improvement plans. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.

4. Provide fee title lot for debris basins/inlets to the satisfaction of the Department of Public Works.

5. A maintenance permit is required from the State Department of Fish and Game, the Corps of Engineers, and the State Water Resources Control Board for debris basins with a minimum capacity of 5,000 cubic yards. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.

6. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).

7. Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.

8. Contact the Corps of Engineers to determine if a permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).

9. This site is located in Zone "A" per the Federal Flood Insurance Rate Map. Public Works, Watershed Management Division (626) 458-4322, should be contacted to obtain procedures for revising the flood insurance rate map once the storm drain facilities are constructed. Encroachment into FEMA Zone "A" is not permitted prior to obtaining a Conditional Letter of Map Revision (CLOMR) from FEMA.

10. Comply with the requirements of the Drainage Concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 11/29/06 to the satisfaction of Public Works.

11. Prior to recordation of the final map, form an assessment district to finance the future ongoing maintenance and capital replacement of all SUSMP devices/systems. The developer shall cooperate fully with Public Works in the formation of the assessment district. SUSMP devices/systems may include, but are not limited to, catch basin inserts, debris excluders, biotreatment basins, vortex separation type systems, and other devices/systems for stormwater quality.

12. Prior to recordation of the final map, the developer shall deposit the first year's total assessment based on the engineers estimate as approved by Public Works. This will fund the first year's maintenance after the facilities are accepted. The second and subsequent years assessment will be collected through the property tax bill.

13. Portions of the County Adopted Floodway (maps 43-ML23, 43-ML24, 43-ML25, and 43-ML26) must be revised and/or rescinded by the Board of Supervisors prior to recordation of final map. The project will involve placement of earth fill within the existing Santa Clara River and result in relocating the River through the construction of the improvements. The proposed flood control improvements for this project affecting the County Adopted Floodways include (1) soil cement levee-lining for the fill associated with the development, (2) offsite soil cement levee-lining at south bank of the River, (3) WRP Utility Corridor soil cement levee-lining, (4) SR 126 Utility Corridor non-structural bank erosion protection with Turf Reinforced Mats, and (5) Long Canyon Bridge. The improvements within the existing river will result in relocating the floodplain and require revising the existing County Ordinanced Floodways.

14. The location of the alternative onsite debris basin as shown on the approved drainage concept is not necessarily approved. The location of the basin shall be determined in the hydrology study to the satisfaction of Public Works. Modification of the existing Caltrans culvert may be required. This may require a lot configuration change, a change in the number of lots, a revised drainage concept, a revised environmental document, and/or a revised tentative map.

15. The overflow of the existing Chiquito Landfill basin for the alternative onsite debris basin is not fully addressed in the approved drainage concept. This issue must be addressed in the hydrology study to the satisfaction of Public Works. This may require a lot configuration change, a change in the number of lots, a revised drainage concept, a revised environmental document, and/or a revised tentative map.

16. The sizing and design of the proposed non-structural SUSMP system is not fully addressed in the approved drainage concept. Centralized water treatment devices or equivalent may be used as an alternative to the proposed non-structural SUSMP. The sizing, design, and final locations of the proposed SUSMP mitigation shall be addressed in the hydrology study to the satisfaction of Public Works. This may require a lot configuration change, a change in the number of lots, a revised drainage concept, a revised environmental document, and/or a revised tentative map.

17. Locations of trails as shown on the approved drainage concept are not approved.

18. Maintenance of the trail/fill over buried bank stabilization is not a responsibility of L.A. County or LACFCD. Prior to recordation of the final map, an agreement memorializing the maintenance responsibilities must be in place to the satisfaction of Public Works.

19. The non-structural utility corridor embankment is not to be maintained by LACFCD. Prior to recordation of the final map, an agreement memorializing the maintenance responsibilities must be in place to the satisfaction of Public Works.

20. Comply with the requirements of "Newhall Ranch Santa Clara River HEC-RAS Modeling Report dated December 2005 (I-5 to Ventura County Line)" and "Newhall Ranch-Santa Clara River Phase 1 Fluvial Study dated March 6, 2006 (final date pending)" approved on 04/18/06 and the approval letter from Land Development Division of LACDPW.

21. Prior to final map recordation, the top and toe elevations for the levee-lining will require further analysis of the Newhall Ranch Development within the tributary drainage areas and the evaluation of the resulting fluvial impacts (if any) to the Santa Clara River as related to changes in tributary sediment delivery pre- versus post-development condition. The final design and permitting for this tract development requiring bank protection will be based upon the final results as concluded in the "HEC-RAS AND PHASE 1 FLUVIAL ANALYSIS" approved on 04/18/06 and the Phase 2 Fluvial Studies under process and yet to be finished.

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GRADING CONDITIONS:

1. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.

Name Gary Guo GARY GUO Date 11/29/06 Phone (626) 458-4921

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
1 Geologist
__ Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT MAP 53108
SUBDIVIDER Newhall Land & Farming Co. / Newhall Ranch Co.
ENGINEER Psomas
GEOLOGIST & SOILS ENGINEER Allan Seward

TENTATIVE MAP DATED 11/7/05 (Revision)
LOCATION Newhall Ranch
REPORT DATE 2/10/01, 9/27/00 (00-1702R-4)

[X] **TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:**

[X] The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the GMED. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. Reports must address grading shown on sheet 5 of the Tentative Map. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.

[X] All geologic hazards associated with this proposed development must be eliminated,
or
delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.

[ ] A statement entitled: "Geotechnical Note(s), Potential Building Site: For grading and corrective work requirements for access and building areas for Lot(s) No(s). _____ refer to the Soils Report(s) by _____ ,dated _____ ."

[X] The Soils Engineering review dated 12/28/05 is attached.

[ ] **TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:**

[ ] This project may not qualify for a waiver of final map under section 21.48.140 of the Los Angeles County Title 21 Subdivision Code.

[ ] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.

[ ] Geology and/or soils engineering reports may be required prior to approval of building or grading plans.

[ ] Groundwater is less than 10 feet from the ground surface on lots _____

[ ] The Soils Engineering review dated _____ is attached.

Prepared by _____ Reviewed by _____ Date 12/6/05
Geir R. Mathisen

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 8.2
Job Number LX001129
Sheet 1 of 1

DISTRIBUTION:
____ Drainage
____ Grading
____ Geo/Soils Central File
____ District Engineer
____ Geologist
____ Soils Engineer
____ Engineer/Architect

Tentative Tract Map	53108
Location	Newhall Ranch
Developer/Owner	Newhall Land and Farming Company
Engineer/Architect	Psomas
Soils Engineer	Allen E. Seward
Geologist	Same as above

Review of:

Revised Tentative Tract Map Dated By Regional Planning 11/7/05

Previous review sheet dated 8/31/05

ACTION:

Tentative Map feasibility is recommended for approval, subject to conditions below:.

REMARKS:

At the grading plan stage:

1. Provide geotechnical report addressing all the offsite grading shown on the Tentative Map.
2. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

NOTE TO PLAN CHECKER / APPLICANT:

ANY EXTENSIVE REVISIONS TO THE PROPOSED GRADING DETERMINED TO BE REQUIRED AT THE GRADING STAGE FOR THE OFFSITE AREA MAY REQUIRE A REVISED TENTATIVE TRACT MAP.

REGISTERED PROFESSIONAL ENGINEER AMIR M. ALAM No. C45738 Exp. 03-06 CIVIL STATE OF CALIFORNIA

Reviewed by _____ Amir M. Alam Date 12/28/05

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.

P:\Amir\53108Tent

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets. Reversing curves of local streets need not exceed a radius of 1,500 feet, and any curve need not exceed a radius of 3,000 feet.

2. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way and on all the streets where grades exceed 10 percent.

3. Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent (1,000 feet for multi-lane highways or industrial collectors). If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate.

4. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection.

5. Reversing curves and compound curves through intersections should be avoided when possible. If unavoidable, the minimum centerline radius of reversing curves and compound curves through intersections shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

6. The minimum centerline radius on a local street with an intersection street on the concave side shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

7. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

8. Provide minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections.

9. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.

10. At tee intersections involving local streets, the maximum permissible grade of the through street across the intersection is 10 percent. For intersections involving multi-lane highways, the maximum permissible grade of the through street is three percent. For 4-legged intersections, the maximum permissible grade of the through street is 8 percent.

11. Provide intersection sight distance for a design speed of:

    a. 70 mph or to the satisfaction of Public Works and Caltrans on SR-126 (westerly direction) from Long Canyon Road;

    b. 60 mph (650 feet) on Long Canyon Road from the commercial driveway serving Lot 351/353 (northerly direction) and from the commercial driveway serving Lot 367/368(southerly direction);

    c. 45 mph (465 feet) on "A" Street from the commercial driveway serving lot 352 (easterly direction, looking towards the center of the through lane on the northerly side of "A" Street east of Long Canyon Road); from the commercial driveway serving lots 367/375 (easterly direction); from the commercial driveway serving lots 374/375 (westerly direction), if a left-turn movement is proposed; from the park driveway serving lot 344 (easterly direction); from the school driveway lot 345 (easterly direction); from "L" Street (westerly direction); from "N" Street (both directions);

    d. 30 mph (310 feet) on "C' Street from "D" Street (southwesterly direction); on "F' Street from "D" Street (easterly direction); on "J" Street from "K" Street (westerly direction); on "N" Street from the westerly intersection with "Q" Street (easterly direction); on "O" Street from "N" Street (southerly direction); on "O" Street from the easterly intersection with "Q" Street (southwesterly direction); on "Q" Street from the westerly intersection with "N" Street (northerly direction); and on "Q" Street from the easterly intersection with "N" Street (northwesterly direction).

Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional grading may be required. With respect to the position of the vehicle at the minor road, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the top of curb (TC) or flow line (FL) prolongation. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. We use 6 feet from TC as a conservative rule, in the case of pop outs we use 6 feet from TC of the travel lane. When looking right, the target is the center of the lane nearest to the centerline or from the median TC (when present). We use 6 feet from centerline or from the median TC as a conservative rule.

12. Provide standard property line return radii of 13 feet at all local street intersections, including intersection of local streets with planned highways (those on the County Highway Plan), 27 feet where all planned highways intersect or where one of the roads serves a commercial or industrial development, or to the satisfaction of Public Works.

13. Dedicate vehicular access rights on SR-126, unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.

14. Dedicate right of way to the satisfaction of Public Works and Caltrans a minimum of 70 feet from the latest approved centerline on Henry Mayo Drive (SR-126). The proposed 140-foot typical section of Henry Mayo Drive (SR-126) is conditionally approved. Approval is contingent on the traffic study demonstrating that the projected traffic volumes do not exceed the capacity of this roadway. If so, provide additional right of way for additional lanes, exclusive left-turn lanes, exclusive right-turn lanes, and transition improvements to the satisfaction of Public Works and Caltrans. The cross sections and lane configurations as shown are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

15. Make an offer of future right of way and provide slope easements at the future Henry Mayo Drive (SR-126) / Long Canyon Road Interchange and Henry Mayo Drive (SR-126) / Wolcott Road Interchange to the satisfaction of Public Works.

16. Design all affected intersections and driveway entrances along Long Canyon Road and Wolcott Road to be compatible with vertical approaches to the future grade separations at the Henry Mayo Drive (SR-126) interchanges and at the Santa Clara River to the satisfaction of Public Works.

17. The Newhall Ranch Specific Plan also included a secondary highway through this tract (south of and parallel to SR-126). The deletion of this future highway requires the filing of a highway plan amendment through the IEC. For more information, please contact Barry Witler at (626) 458-4351.

18. Dedicate right of way a minimum of 57 feet (no parking, on street bike lane) from the latest approved centerline on Long Canyon Road per P-265(PW) to the satisfaction of Public Works.

    a. Long Canyon Road within this tract is a major highway added to the County Highway Plan through the adoption of the Newhall Ranch Specific Plan. The applicant shall prepare an alignment for Long Canyon Road and obtain Public Works approval. An exception for a 60 mph design speed for Long Canyon Road within Tract 53108 must be approved by Public Works. For more information, please contact Barry Witler at (626) 458-4351.

    b. Approval is contingent on the traffic study demonstrating that the projected traffic volumes do not exceed the capacity of this roadway. If so, provide additional right of way for exclusive left-turn lanes, exclusive right-turn lanes, and transition improvements on Long Canyon Road.

    b. The cross sections and lane configurations as shown are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

    c. Permission is granted to use modified street sections on Long Canyon Road subject to review and approval to the satisfaction of Public Works. The proposed 114-foot typical sections are conditionally approved with a median width of 14 feet and pavement on each side of the raised median at least 42 feet wide between curbs.

    d. Dedicate additional right of way on Long Canyon Road in the vicinity of the bridge to provide full-width sidewalk with 8 feet of clearance on the bridge."

    e. Maintain a minimum of 8 feet wide parkway on Long Canyon Road.

    f. Establish a landscape maintenance district, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways (if applicable) on Long Canyon Road.

19. Dedicate 110 feet of right of way on "A" Street from Long Canyon Road to Wolcott Road for design speed of 45 mph to the satisfaction of Public Works.

    a. Approval is contingent on the traffic study demonstrating that the projected traffic volumes do not exceed the capacity of this two-lane roadway. If so, provide additional right of way for additional lanes, exclusive left-turn lanes, exclusive right-turn lanes, and transition improvements.

    b. The cross sections and lane configurations as shown are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

    c. Permission is granted to use modified street sections along "A" Street from Long Canyon Road to Wolcott Road subject to review and approval to the satisfaction of Public Works. The proposed 110-foot typical sections of "A" Street are conditionally approved with a median width of 14 feet and pavement on each side of the raised median at least 30 feet wide between curbs to accommodate one travel lane, a striped bike lane, and a parking lane.

    d. Maintain a minimum of 12 feet wide parkway on "A" Street.

    e. The details of the sidewalks, landscaping, and swales in the parkway are not necessarily approved. Establish a landscape maintenance district, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways on "A" Street.

20. Dedicate right of way 53 feet from the centerline on Wolcott Road from Henry Mayo Drive (SR-126) to "A" Street for design speed of 45 mph to the satisfaction of Public Works.

    a. Approval is contingent on the traffic study demonstrating that the projected traffic volumes do not exceed the capacity of this two-lane roadway. If so, provide additional right of way for exclusive left-turn lanes, exclusive right-turn lanes, and transition improvements.

    b. The cross sections and lane configurations as shown are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

c. Permission is granted to use modified street sections on Wolcott Road. The proposed 106-foot street section on Wolcott Road is conditionally approved. Design the cross sections for Wolcott Road to provide lane configurations: with a median width of 14 feet and pavement on each side of the raised median at least 26 feet curb to curb (no parking, no bike lane), 32 feet curb to curb (on street parking, no bike lane), or 31 feet curb to curb (no parking, on street bike lane) and parkway width to the satisfaction of Public Works. Provide standard lane configurations based on cross sections for a secondary highway in accordance with Section 21.24.065 of the Subdivision Ordinance proposed cross sections and/or based on the approved traffic study to the satisfaction of Public Works.

d. The details of the sidewalks and landscaping in the parkway are not necessarily approved. Establish a landscape maintenance district, subject to the approval of the Department of Parks and Recreation, for the purpose of maintaining the landscaped medians and parkways on Wolcott Road.

21. Dedicate additional right of way at all proposed roundabout locations to the satisfaction of Public Works.

22. Dedicate the right to restrict vehicular access on Long Canyon Road, Wolcott Road and "A" Street. All proposed driveway locations, driveway widths, median setbacks, and median openings as shown on the tentative map are not necessarily approved and are still subject to review and approval to the satisfaction of Public Works.

23. Dedicate right of way 42 feet from centerline including a standard cul-de-sac bulb on "Y" Street for a design speed of 45 mph to the satisfaction of Public Works. If required, provide additional right of way at the intersection with Long Canyon Road to the satisfaction of Public Works.

24. Dedicate right of way 32 feet from centerline on "A" Street from Wolcott Road to "D" Street.

25. Dedicate right of way 29 feet from centerline on "A" Street from "D" Street to "C" Street, "B" Street, "C" Street, " D" Street, " E" Street, " F" Street, "G" Street, "H" Street, "I" Street, "J" Street, "K" Street, "L" Street, "M" Street, "N" Street, "O" Street, "Q" Street, and "Z" Street.

26. Permission is granted to use the 58-foot modified local street section with 34 feet in roadway width with parking allowed on both sides of the street.

27. Dedicate additional right of way for standard knuckles and standard cul-de-sac bulbs to the satisfaction of Public Works.

28. Construct curb, gutter, base, pavement, and sidewalk on all streets and highways (except SR-126.) to the satisfaction of Public Works.

29. Construct improvements along the property frontage on Henry Mayo Drive (SR-126) to the satisfaction of Caltrans.

30. Construct additional pavement on Henry Mayo Drive (SR-126) as may be determined necessary to mitigate project impacts to provide exclusive right-turn lanes, left-turn lanes, and transitions at entrance street intersections to the satisfaction of Public Works and Caltrans.

31. Obtain an encroachment permit from Caltrans for all improvements along Henry Mayo Drive (SR-126).

32. Plant street trees on all local streets and highways (except SR-126).

33. Construct the pedestrian bridge over Henry Mayo Drive (SR-126) to the satisfaction of Public Works and Caltrans. The foundation of the pedestrian bridge shall be located outside of the road right of way.

34. Construct a slough wall outside the street right of way when the height of the slope is greater than five feet above the sidewalk and the sidewalk is adjacent to the street right of way. The wall shall not impede any required line of sight.

35. Construct drainage improvements (and parkway drains, if needed) and offer easements needed for street drainage or slopes to the satisfaction of Public Works. Where streets or highways are located within flood hazard areas or subject to inundation, provide adequate freeboard and slope protection to the satisfaction of Public Works. Construct adequate embankment protection along any sections of highways or streets located within flood plain boundaries or subject to inundation. Adequate freeboard shall also be provided.

36. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

37. Install postal delivery receptacles in groups to serve two or more residential lots.

38. Provide and install street name signs prior to occupancy of buildings.

39. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works, or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

40. Comply with the following street lighting requirements:

    a. Provide street lights on concrete poles with underground wiring within the tract boundaries on all streets and highways including Henry Mayo Drive (SR-126) to the satisfaction of Public Works and Caltrans. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.

    b. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.

        (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

        (2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.

        (3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.

c. The annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

d. For acceptance of street light transfer of billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.

41. Prepare detailed 1" = 40' scaled signing and striping plans for Henry Mayo Drive (SR-126), Long Canyon Road, Wolcott Road, "Y" Street, and "A" Street within or abutting this subdivision to the satisfaction of Public Works and Caltrans.

42. Prepare detailed 1" = 40' scaled signing and striping plans for all off-site intersections affected by this subdivision as indicated in the attached letter dated December 9, 2004 from our Traffic and Lighting Division to the satisfaction of Public Works and Caltrans.

43. As indicated in the attached letter dated December 9, 2004 from our Traffic and Lighting Division, install traffic signals (both on-site and off-site) for all signalized intersections and prepare 1" = 20' scaled traffic signal plans to the satisfaction of Public Works. If required, provide additional right of way to the satisfaction of Public Works.

44. Comply with the mitigation measures (including off-site improvements) identified in the attached December 9, 2004 letter from our Traffic and Lighting Division to the satisfaction of Public Works. It shall be the sole responsibility of the subdivider to acquire the necessary off-site right of way and/or easements.

45. If needed, the location of the driveway to Lot 352 and the southerly driveway to Lot 354 on "Y" Street shall be relocated to reflect the conceptual plan to the satisfaction of Public Works.

46. Setback the raised median nose a minimum of 20 feet from the right of way within private driveway and fire lanes on all lots to the satisfaction of Public Works.

47. Setback the raised median noses a minimum of 20 feet on all streets to the satisfaction of Public Works.

48. Provide adequate spacing (minimum of 50 feet) on the northerly driveway to Lot 354 between the right of way and the first curb opening to the parking area for buildings A and B (shown on Exhibit Map Sheet 7 of 12) to the satisfaction of Public Works.

49. Permission is granted to record large lots (20 acre or more) parcel map as shown on the insert map provided full street right of way and slope easements are dedicated along the latest approved alignments on Henry Mayo Drive (SR-126) and Long Canyon Road to the satisfaction of Public Works. In addition, make an offer of private and future right of way and dedicate slope easements along all remaining interior streets (including Wolcott Road) on alignments to the satisfaction of Public Works. This permission is contingent on deletion of the secondary highway south of and parallel to SR-126 from the County Highway Plan.

50. Permission is granted to use modified street cross-sections as shown on the tentative map to the satisfaction of Public Works. However, the subdivider may elect to construct standard and/or alternate street cross section to the satisfaction of Public Works. If alternate street cross sections are proposed, construct additional sidewalk pop-out along the property frontage on all applicable streets in the vicinity of any above ground utilities to meet current ADA requirements to the satisfaction of Public Works.

51. All site plans shall be reviewed and approved by Public Works prior to final approval.

52. Additional comments/requirements:

- The street profiles along Long Canyon Road and Wolcott Road showing the vertical approach to the proposed interchanges, the at-grade intersections at SR-126 (Henry Mayo Drive), and at the Santa Clara River (Long Canyon Road only) as shown on the tentative map are not necessarily approved. The design and construction on Long Canyon Road and Wolcott Road must be compatible with the ultimate improvements on SR-126 and the Santa Clara River (Long Canyon Road only) to the satisfaction of Public Works.

+1(w)

Prepared by Timothy Chen Phone (626) 458-4915 Date 12-29-2005

tr53108r-rev9.doc

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
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Telephone: (626) 458-5100
www.ladpw.org

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: T-4

December 9, 2004

Mr. Daryl Zerfass
Austin-Foust Associates, Inc.
2020 North Tustin Avenue
Santa Ana, CA 92705-7827

Dear Mr. Zerfass:

RIVER VILLAGE
TENTATIVE TRACT NO. 53108
TRAFFIC IMPACT ANALYSIS (SEPTEMBER 28, 2004)
CASTAIC JUNCTION AREA

As requested, we have reviewed the above-mentioned document. The project is located in the unincorporated County of Los Angeles area of Castaic Junction. The project site is bounded by State Route (SR) 126 to the north, the Santa Clarita River to the south, and the Castaic Creek to the east.

The proposed project, River Village, is the first phase of the Newhall Ranch Specific Plan (NRSP). The NRSP has been approved for approximately 21,000 residential dwelling units. River Village consists of the development of 591 single-family detached dwelling units, 398 condominium units and 455 apartments units for a total of 1,444 residential dwelling units; a 750 student elementary school; a 20.9-acre public park; and 1,040,000 square feet of commercial uses. The project is estimated to generate approximately 41,880 vehicle trips daily, with 2,910 and 4,160 vehicle trips during the a.m. and p.m. peak hours, respectively. The document addresses the project in three development phases: 2007 for Phase I, 2008 for Phase II, and 2010 for Phase III. Phase I consists of 500 residential units. Phase II consists of the remaining residential units, the elementary school, 100,000 feet of commercial uses, and the public park. Phase III consists of the balance of the commercial uses for 940,000 square feet.

FILE COPY

We have received a separate technical report for the proposed west and east roundabouts for the intersections of Driveway – Tentative Tract No. 53018, Lots 373 and 374; and Wolcott Road; both at "A" Street – Tentative Tract No. 53108, respectively. We will provide additional comment on the roundabouts, as we complete our review of the submitted report.

We generally agree with the traffic impact analysis and require the following traffic impact mitigation measures with the project approval. The traffic impact analysis shall be revised to be consistent with mitigation measures contained in this letter.

- The main access for River Village will be provided from SR-126 via the existing intersections of Wolcott Way and Chiquito Canyon Road. Future phases of the NRSP will provide access to and from south via Long Canyon Road. Unless an updated long range study is prepared which demonstrates that the intersections will adequately handle the area buildout traffic as at grade intersections, adequate road right of way shall be reserved for future grade separated interchanges at these two locations, as approved in the NRSP.

- The study is based on the Santa Clarita Valley Consolidated Traffic Model and assumes the following roadway improvements will be in place with Phase I of the project. In accordance with our Traffic Impact Analysis Report Guidelines (TIARG), these improvements shall be made a condition of approval for the project to be in place prior to issuance of any building permit(s) for Phase I of the project.

  - Reconstruct the Golden State (I-5) Freeway/SR-126 Freeway interchange by adding access to eastbound SR-126 from southbound I-5, access to southbound I-5 from westbound SR-126, direct access to northbound I-5 from westbound SR-126, and widening bridge to 8 lanes.

  - Construct Newhall Ranch Road segment between Vanderbilt Way and Copper Hill Drive/Rye Canyon Road.

- The traffic signals shall be installed at the following intersections. The design and the construction of the traffic signals shall be the sole responsibility of the project. The signals shall be in place at their ultimate design locations prior to the issuance of any building permit(s) for the indicated phase of the project to the satisfaction of Public Works.

Phase I: Wolcott Way at Henry Mayo Drive (SR-126)

Phase II: Chiquito Canyon Road and Long Canyon Road (Future) at Henry Mayo Drive (SR-126)

Phase III: Long Canyon Road at "Y" Street and "A" Street (TT 53108)

- The traffic generated by the project alone will significantly impact the following intersections. The following improvements shall be the sole responsibility of the project and be a condition of approval to be in place prior to the issuance of any building permit(s) for the indicated phase. Detailed striping and signal modification plans must be submitted for review and approval.

PHASE I

Wolcott Way at Henry Mayo Drive (SR-126)

North approach: One left-turn lane, one through lane, and an exclusive right-turn lane (convert shared left-turn/through lane to through lane).

South approach (future): One left-turn lane, one through lane, and an exclusive right-turn lane (add one left-turn lane, convert shared left-turn/through/right-turn lane to through lane and add an exclusive right-turn lane).

Design and install traffic signals to the satisfaction of Public Works.

School Middle Driveway/"Y" Street at "A" Street (TT 53108)

The projects shall be responsible for the preparation of traffic signal design plans and securing adequate funds with Public Works for the full construction of the signals. The intersection will be monitored for the installation of the signals once the school is fully occupied with 750 students.

Chiquito Canyon Road and Long Canyon Road (Future) at Henry Mayo Drive (SR-126)

North approach: One left-turn lane and one shared through/right-turn lane (convert shared left-turn/through lane to left-turn lane and exclusive right-turn lane to shared through/right-turn lane).

East approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (add one left-turn lane and convert shared left-turn/through lane to through lane).

South approach (future): One left-turn lane, one through lane, and an exclusive right-turn lane (add one left-turn lane, convert shared left-turn/through/right-turn lane to through lane and add an exclusive right-turn lane).

PHASE II

Wolcott Way at Henry Mayo Drive (SR-126)

East approach: Two left-turn lanes, two through lanes, and an exclusive right-turn lane (add second left-turn lane, convert shared through/right-turn lane to through lane and add an exclusive right-turn lane).

South approach (future): One left-turn lane, one through lane, and two exclusive right-turn lanes (add second exclusive right-turn lane from Phase I).

West approach: One left-turn lane, two through lanes, and an exclusive right-turn lane (convert through/right-tune to through lane and add an exclusive right-turn lane).

Modify traffic signals to the satisfaction of Public Works.

PHASE III

Golden State (I-5) Freeway Southbound Ramps at Henry Mayo Drive (SR-26)

East approach: Three through lanes and a free right-turn lane (add third through lane).

Modify traffic signals to the satisfaction of Public Works.

Wolcott Way at Henry Mayo Drive (SR-126)

West approach: One left-turn lane, three through lanes, and an exclusive right-turn lane (add third through lane).

Modify traffic signals to the satisfaction of Public Works.

Chiquito Canyon Road and Long Canyon Road (Future) at Henry Mayo Drive (SR-126)

North approach: One left-turn lane, one through lane, and an exclusive right-turn lane (convert shared through/right-turn lane to through lane and add an exclusive right-turn lane).

East approach: Two left-turn lanes, two through lanes, and an exclusive right-turn lane (add second left-turn lane).

South approach (future): One left-turn lane, two through lanes, and two exclusive right-turn lanes (add second through lane and second exclusive right-turn lane).

Modify traffic signals to the satisfaction of Public Works.

- The cumulative traffic generated by the project and other related projects will significantly impact the following intersections. The project shall contribute its proportionate share of the cost for the following mitigation measures. Detailed striping and/or signal modification plans must be prepared to determine the feasibility of the recommended mitigation measures and cost estimate of each mitigation measure.

Golden State (I-5) Freeway Southbound Ramps at Henry Mayo Drive (SR-126)

North approach: Two left-turn lanes, one shared left-turn/through lane, and an exclusive right-turn lane (add one shared left/right-turn lane).

East approach: Four through lanes and one free right-turn lane (add fourth through lane).

West approach: Four through lanes and one free right-turn lane (add third and fourth through lanes).

Modify traffic signals to the satisfaction of Public Works.

The project's total pro-rata share is 38.3 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 8.3 percent, Phase II = 8.1 percent and Phase III = 21.9 percent.

Golden State (I-5) Freeway Northbound Ramps at Henry Mayo Drive (SR-126)

East approach: Three through lanes and one free right-turn lane (add third through lane).

South approach: Three left-turn lanes and an exclusive right-turn lane (add third left-turn lane).

West approach: Four through lanes and one free right-turn lane (add third and fourth through lanes).

Modify traffic signals to the satisfaction of Public Works.

The project's total pro-rata share is 20.8 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 4.7 percent, Phase II = 4.0 percent, and Phase III = 12.1 percent.

Wolcott Way at Henry Mayo Drive (SR-126)

North approach: Two left-turn lanes, one through lane, and an exclusive right-turn lane (add second left-turn lane).

East approach: Two left-turn lanes, three through lanes, and an exclusive right-turn lane (add third through lane).

West approach: Two left-turn lanes, three through lanes, and an exclusive right-turn lane (add second left-turn lane).

Modify traffic signals to the satisfaction of Public Works.

The project's total pro-rata share is 62.1 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 12.2 percent, Phase II = 19.3 percent, and Phase III = 30.6 percent.

Commerce Center Drive at Henry Mayo Drive (SR-126) Interchange

Pay the project's total pro-rata share for the construction of interchange of 33.8 percent. The project may elect to pay by phase as each phase gets recorded: Phase I = 6.6 percent, Phase II = 9.1 percent, and Phase III = 18.1 percent.

- The developer shall coordinate with and notify the Castaic Union School District (CUSD) that traffic circulation plan and the drop-off/pick-up procedures shall be prepared and submitted to Traffic and Lighting Division for review and approval. We recommend a mechanism for enforcement and levying of noncompliance penalties be included in the plan. The CUSD shall prepare informational packets containing the approved drop-off/pick-up procedures and provide to the parents/guardians of students of the school. The recordation of the phase containing Lot 345 where the school is proposed shall be withheld until the student drop-off/pick-up procedures, the informational packets or brochures, and the revised school site plan have been received and approved by Public Works.

- A determination shall be made regarding whether the project has a significant impact on the adjacent I-5 Freeway. Caltrans shall be consulted to obtain their written concurrence with the California Environmental Quality Act level of significance determination. These written comments from Caltrans shall be submitted to Public Works for review and approval.

If you have any questions regarding the traffic analysis and mitigation measures, please contact Mr. Suen Fei Lau of our Land Development Review Section at (626) 300-4820; for questions regarding striping and signing plans, please contact Mr. Sam Richards of our Land Development Review Section at (626) 300-4842; for questions regarding parking restrictions and drop-off/pick-up procedures/program/plan, please contact Ms. Guita Sheik of our Traffic Investigation Section at (626) 300-4712.

Very truly yours,

DONALD L. WOLFE
Interim Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

SFL:cn
.EIR04297.doc

cc: Castaic Union School District (Beverly W. Silsbee)
Department of Regional Planning (Daryl Koutuik)

bc: Building and Safety
Land Development (Witler)
Traffic and Lighting (Richards, Sheik)

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SEWER
TRACT NO. 53108 (Rev.) TENTATIVE MAP DATED 11-07-2005

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each building/lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.

2. The outlet for the proposed sewer system for any unit map must be accepted for public use prior to recordation, otherwise the unit map in question must must have approved and bonded sewer plans for the outlet system extending downstream to public sewer on file with Public Works.

3. The tentative map must conform with the approved master sewer area study PC 11812as (currently in plancheck with Public Works). If the system appurtenances and maintenance responsibilities shown on the tentative map do not match those detailed in the approved study, a revised map is required to the satisfaction of Public Works.

4. Prior to recordation of the first unit map a new sanitation district must be formed to operate and maintain all regional sewer facilities associated with this project including but not limited to pump stations, forcemain and gravity trunk lines, and treatments plants. The subdivider shall provide the initial funding for the setup and operation of this district to the satisfaction of Public Works.

5. Prior to recordation of the first unit map the subdivider shall install and dedicate required regional sewer infrastructure or have approved and bonded sewer plans on file with the Newhall Ranch Sanitation District to the satisfaction of Public Works.

6. Prior to recordation of the first unit map the subdivider shall acquire all regulatory permits necessary for the construction of both local and regional sewer facilities.

7. The subdivider shall submit an area study to Public Works to determine if capacity is available in the proposed sewerage system servicing this land division. The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.

8. If the proposed sewer system shown on the tentative map is found to have insufficient capacity, upgrade the proposed sewerage system (both on and off-site) to the satisfaction of Public Works.

9. Construct regional sewer pump stations to the satisfaction of the Newhall Ranch Sanitation District.

10. Easements are required, subject to review by Public Works to determine the final locations and requirements.

11. Provide any necessary off-site easements to construct the off-site sewer improvements to the satisfaction of the Newhall Ranch Sanitation District. It shall be the sole responsibility of the subdivider to acquire the necessary easements.

HW

Prepared by Nathan Howells Phone (626) 458-4921 Date Rev. 06-19-2006

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COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER

TRACT NO. 053108 (Rev.) TENTATIVE MAP DATED 11-07-2005

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A "Written Verification" and supporting documents from the water supplier to indicate the availability of a "Sufficient Water Supply" as required per Section 66473.7 of the Subdivision Map Act (SB 221) shall be provided to the satisfaction of the Department of Regional Planning and Public Works prior to filing any map.

2. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings/lots in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

3. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each building/lot.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.

5. Submit landscape and irrigation plans for each open space in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

6. Depict all line of sight easements on the landscaping and grading plans.

HW

Prepared by Zach Hartjes Phone (626) 458-4921 Date 12-27-2005

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KP
S. TAE

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNICORPORATED

Subdivision No. 53108 Tentative Map Date 7-November-05, Ex. A

Revised Report yes

☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.

☒ The required fire flow for public fire hydrants at this location is **5000** gallons per minute at 20 psi for a duration of 5 hours, over and above maximum daily domestic demand. 3 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☒ Fire hydrant requirements are as follows:

Install **91** public fire hydrant(s). Upgrade / Verify existing ____ public fire hydrant(s).

Install ____ private on-site fire hydrant(s).

☒ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
☒ Location: As per map on file with the office.
☐ Other location: ____

☒ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.

☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.

☐ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.

☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.

☐ Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: Detached condo's. The required fire flow for, public fire hydrants at this location is 1500 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
Single family dwellings. The required fire flow for public fire hydrants at this location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector Joanne Masi Date 21-Mar-06

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: 53108 Map Date 7-November-05, Ex. A

C.U.P. 00-196 Vicinity Salt Canyon

☒ **FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881–2404.

☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.

☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.

☒ Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.

☒ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.

☒ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.

☒ 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).

☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.

☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.

☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.

☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.

☐ The Fire Department has no additional requirements for this division of land.

Comments: **See additional comment sheets.**

By Inspector: Jeana Masi Date 21-Mar-06

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS

ADDITIONAL PAGE

SUBDIVISION NO. 53108 **PAGE NO. 1**

1 Tentative map page 1
A. A second means of vehicular access shall be provided to Highway 126 prior to the building permit issuance of the 150 unit.

2 Exhibit "A". All structures shall be places such that, vehicular access is provided to within 150' of all exterior walls. Said access shall be verified during further design review and / or architectural plan review for building permit clearance.

3 Exhibit "A", sheet 4
A. The retail / commercial associated with the Village Green access shall not exceed a maximum height of 35', as measured to the top of the roof structure.

4 Exhibit "A", sheet 9. The School and Park sites access shall be further reviewed for compliance at which time the final design plans are submitted for building permit clearances or C.U.P. review.

By Inspector: Jason Masi Date: 21-Mar-06

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

December 28, 2005

Mr. Paul McCarthy
Supervising Regional Planner
Land Divisions/Research
Department of Regional Planning
320 West Temple Street, Room 1346
Los Angeles, California 90012

Dear Mr. McCarthy:

RIVER VILLAGE - VESTING TENTATIVE TRACT MAP (VTTM) 53108
CONDITIONS OF MAP APPROVAL
Regional Planning Map dated November 7, 2005
December 29, 2005 Subdivision Committee Meeting

The Department's Conditions of Map Approval are listed below for the 1,444-residential unit River Village subdivision ("the project").

1. The basic Quimby park land obligation is **11.34** net acres of park land. This obligation will be fulfilled by the Developer conveying fee title to Lot 344 to the County as an improved "public park" (9.74-acre community park) in accordance with the conceptual plan and cost estimate enclosed in Developer's February 23, 2004, submittal to the Department; a 6.39-acre private park in Lot 337; recreational centers in lots 330 (0.82 net acres), 336 (3.44 net acres), and 3.40 (0.97 net acres), and a 3.10 net acre trail easement. If a shared recreational use arrangement for the public park is sought by Castaic School District (District), the recreational improvements on the shared use area (either park property or school district property) shall be visible from 'A' Street (River Village Drive) and the parking lot perpendicular to 'A' Street for the Department to approve the shared use area.

2. Developer may elect to receive Quimby credit for *Specific Plan* park improvements to the public park by giving the Department written notification thirty (30) days prior to Developer's Notice of Construction Commencement for the public park, in which case Developer shall pay prevailing wage to construct the park improvements and submit quarterly statements of costs for the Department's review and approval following the same submittal schedule specified for submitting building permit reports.

3. Developer shall receive a **24.46** Quimby land credit for the net acreage provided for the public park and private parks/recreational areas, and other recreational acreage permitted by the *Specific Plan* as shown in attached Specific Plan Table 5.4-2 ("Park and Recreation Improvement Summary") and sub-table for Local Park Acres Provided (Column D) prepared for Tract 53108. No Quimby credit will be given for improvements to private parks/recreational areas.

4. A carry forward of the **13.12**-acre surplus Quimby credit from River Village to any other approved subdivision within the Newhall Ranch *Specific Plan* Area shall not result in a reimbursement to developer from County's Quimby funds or a return by County to developer of any public park land previously conveyed to County for developer's Newhall Ranch *Specific Plan* Area Quimby obligation.

5. Developer shall complete construction of the public park and convey it to the County by the time building permits are obtained for two-thirds of the residential units within the River Village subdivision (i.e., when 963 residential units are permitted). Developer shall submit quarterly reports to the Department that identify for each unit map within River Village the number of residential units for which building permits were issued for the quarter and cumulative to date, and which relate the number of residential units to owner, building number, building type (e.g., single family home, condominium, apartment) and lot number. The quarterly reports are due on the first County business day of January, April, July, and October of each year building permits are issued for River Village. This reporting requirement applies for the actual number and type of dwelling units constructed and for the duration of build out permitted by the approved tentative map. Failure to provide the Department with a report will result in the Department requesting the Department of Public Works to withhold further issuance of building permits for River Village until the respective report is received.

6. Prior to the Department clearing the final map for River Village, Developer shall enter into a Multiple Agreement and post Faithful Performance and Labor & Materials bonds with the Department for Developer's *Specific Plan* park improvements in accordance with updated cost estimates for said improvements.

7. Prior to County accepting title to the public park, a Landscape Lighting and Assessment District (LLAD) shall be created for the mutual benefit of Developer and the County to maintain and operate the park. When LLAD maintenance areas are planned on private, fee simple lots, LLAD easements must be recorded prior to clearance of final (unit) maps by the Department.

8. Developer is responsible for developing the public park in accordance with the *Specific Plan* park improvement plans approved by the Department, at no cost to the County, using standard construction activities and responsible contractors licensed by the State of California to perform this type of work. Sole responsibility for completion of the park improvements, and payment of all costs incurred, lies with Developer.

9. Developer shall obtain, coordinate and pay for all studies, permits, fees and agency inspections required to design and build the park and shall provide one (1) copy of all studies, permits, inspection reports, and written approvals to the Department's representative. Design and construction of the parks shall comply with all applicable federal, state, and local laws, rules, and regulations.

10. Developer shall provide County with certification that all public park playgrounds within River Village meet American Society for Testing and Materials (ASTM) and United States Consumer Product Safety Commission (USCPSC) standards.

11. Developer (or developer's design consultant) shall submit to the Department, public park plans and specifications for review and approval during the design development stage, fifty percent (50%), ninety percent (90%), and one hundred percent (100%) stages of completion of construction documents and, concurrent with the final grading plan submittal to the Department of Public Works, a grading plan (scale: 1 inch = 40 feet or as required by the Department) and specifications, including all grading, drainage, irrigation and planting improvements, utility locations and sizes required under County ordinances. The respective stage of each submittal shall be clearly labeled on the drawings. Plan submittals shall be made by giving the Department three (3) sets of drawings and a CD-ROM containing the drawings in AutoCad 2000 format. The Department shall have twenty-one (21) County business days from receipt of any construction document submittal to review and approve it; if the Department does not respond within said time period, the submittal shall be deemed approved by the Department. Any corrections or changes made by County during review of one stage shall be incorporated into a revision of the current drawings and specifications and resubmitted for County's approval of said stage prior to permission by County for Developer to proceed with the next stage.

12. Developer shall provide the Department with written Notice of Construction Commencement for the park site. The Construction Phase is defined as the period of time from said notice to the date the Department issues its Notice of Acceptance of Completed Park Improvements, inclusive of the 90-day plant establishment period.

13. Developer shall designate and identify a construction manager who will oversee construction of the public park. Developer's construction manager shall communicate by providing written documentation via facsimile or mail to County's representative and abide by County's requirements and direction to ensure acceptable park completion. The construction manager shall provide County with reasonable access to the public park sites and the park improvements for inspection purposes and at a minimum, shall initiate and coordinate the following inspections and approvals during the course of construction with not less than two County business days advanced notice of any request for inspection or approval: (1) contractor orientation/pre-construction meeting; (2) construction staking and layout; (3) progress/installation inspections to be scheduled on a weekly basis or as required to insure conformance with construction documents; (4) any and all required permit inspections; (5) irrigation mainline and equipment layout; (6) irrigation pressure test; (7) irrigation coverage test; (8) weed abatement after abatement cycle, to review degree of kill; (9) plant material approval; (10) plant material/Hydroseed/pre-maintenance inspection; (11) substantial completion and commencement of maintenance period; (12) final walk through and acceptance. Continued work without inspection and approval shall make Developer and its subcontractors solely responsible for any and all expenses incurred for required changes or modifications. County reserves the right to reject all work not approved in conformance with this condition.

14. During the construction period, the construction manager shall maintain a critical path method (CPM) schedule that shall be updated on a biweekly basis and available to the County for review.

15. Upon completing public park construction, Developer shall notify the Department in writing by submitting a Notice of Completion of Park Construction. Within thirty (30) days after receipt of said notice, County shall inspect the park and reasonably determine whether or not the park improvements have been constructed in accordance with the construction documents, and to a level of quality and workmanship for the Department to issue its Notice of Acceptance of Completed Park Improvements. If park construction is unacceptable, within fifteen (15) County business days after inspection, County shall provide Developer with a list of items that need to be corrected, after receipt of said list, in order for Department to issue its Notice of Acceptance of Completed Park Improvements, or issuance of said notice will be delayed until the items on the list are corrected.

16. Developer shall provide Department with two (2) sets of record drawings, maintenance manuals, and irrigation controller charts upon Department's Notice of Acceptance of Completed Park Improvements. These documents shall also be submitted on CD-ROM with the drawings in AutoCad 2000 format.

17. Developer shall convey the public park by recordable grant deed showing the fee vested with the County of Los Angeles, and free of all encumbrances except those that do not interfere with the use of the property for park or recreational purposes. Developer's designated title company shall provide the County with an ALTA title policy and shall record the park deed simultaneously to County's execution of a Certificate of Acceptance, and shall deliver the recorded deed to the Chief Administrative Office Real Estate Division, Property Management Section, 222 South Hill Street, Third Floor, Los Angeles, CA 90012.

18. Any major change proposed by the Developer to the public park location, shape, or size (not more than 2 acres variance) from the approved tentative tract or parcel map, shall be deemed a revision of the tentative tract or parcel map and shall require the filing of an amended or a revised map, as described in subsection B of Section 21.62.030 of the Los Angeles County Code.

Sincerely,

Larry Hensley, Chief
Planning Division

LH:JB (Newhall Ranch: 53108 River Village_12.28.05 rpd)

Attachments (2)

c: Keith Herren, Newhall Land
Carlos Brea, CAO Real Estate Division
Parks and Recreation (Gil Lopez, Larry Hensley, Kathleen Ritner, Les Seidman)

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # 53108	DRP Map Date: 11/07/2005	SCM Date: / /	Report Date: 12/29/2005
Park Planning Area # 35A	NEWHALL / VALENCIA		Map Type: REV. (REV RECD)

Total Units 1,444 = Proposed Units 1,444 + Exempt Units 0

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

1) the dedication of land for public or private park purpose or,
2) the payment of in-lieu fees or,
3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	11.34
IN-LIEU FEES:	$2,977,215

Conditions of the map approval:

See attached December 27, 2005 letter to Paul McCarthy, Supervising Regional Planner, Land Division Research, Department of Regional Planning for Conditions of Tentative Map Approval.

The park obligation for this development will be met by:

The dedication of 9.74 acres for public park purposes.
Provide 14.72 acres for private park purposes.

Trails:

See also attached Trail Report. CASTAIC CREEK AND SANTA CLARA RIVER TRAILS.

See Conditions of the map approval above.

Contact Patrocenia T. Sobrepeña, Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

By: _____
James Barber, Advanced Planning Section Head

Supv D 5th
December 27, 2005 14:23:19
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LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map # 53108	DRP Map Date: 11/07/2005	SMC Date: / /	Report Date: 12/29/2005
Park Planning Area # 35A	NEWHALL / VALENCIA		Map Type: REV. (REV RECD)

The formula for calculating the acreage obligation and or in-lieu fee is as follows:

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

Where: P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units **1,444** = Proposed Units **1,444** + Exempt Units **0**

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	3.23	0.0030	590	5.72
M.F. < 5 Units	2.29	0.0030	403	2.77
M.F. >= 5 Units	2.11	0.0030	451	2.85
Mobile Units	1.74	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	11.34

Park Planning Area = **35A NEWHALL / VALENCIA**

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	11.34	$262,541	**$2,977,215**

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
	Trails	3.10	100.00%	3.10	Private
330	Private Rec. Center	0.82	100.00%	0.82	Private
336	Private Rec. Center	3.44	100.00%	3.44	Private
337	Private Park	6.39	100.00%	6.39	Private
340	Private Rec. Center	0.97	100.00%	0.97	Private
344	Park Area	9.74	100.00%	9.74	Public
			Total Provided Acre Credit:	24.46	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
11.34	9.74	14.72	(13.12)	$262,541	**($3,444,538)**

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TABLE 2.8-1

PRELIMINARY PARK PROGRAM
Newhall Ranch Specific Plan

ESTIMATED QUIMBY REQUIREMENTS

Description/Category	Units		Avg. Hsehld Size		Assessment Factor		Obligation in Acres
Detached	9,305	x	3.17	x	0.003	=	88
Attached	11,580	x	2.38	x	0.003	=	83
Second Units	423	x	2	x	0.003	=	3
Total.	21,308						174

ESTIMATED QUIMBY CREDITS

	Land			Improvements			
Description/Category	Acres	Credit %	Quimby Acres	Imp Cost PSF	Improv. Costs	Acre Equiv.	Total Acreage
Parks:							
Neighborhood Parks[1]	50	100%	50	2.50	5,445,000	45	95
Community Parks[1]							
Active Area	58	100%	58	2.50	6,316,200	52	110
Passive Area	123	50%	62				62
Lake[1]	15	100%	15				15
Subtotal, Parks[1,2]	246		185		11,761,200	97	282
Trails:							
Regional River Trail	16	100%	16				16
Community Trails	39	100%	39	2.50	4,247,100	35	74
Local Trails (in *Open Area*)	13	(acreage included below)		1.00	566,280	5	5
Unimproved Trails (in High Country)	13	(acreage included below)		1.00	561,792	5	5
Subtotal, Trails	81		55		5,375,172	45	100
Major Open Areas:							
Golf Course	180	0%	0			0	0
High Country SMA[3]	4,185	50%	2,093			0	2,093
River Corridor SMA[3]	975	10%	98			0	98
Community Open Area[3] (Excl. Oak Valley Community Park)	869	10%	87			0	87
Subtotal, Major Open Areas	6,209		2,278			0	2,278
			TOTAL CREDIT PROVIDED				2,660
			Quimby Requirements				174
			Excess				2,486

[1] County ordinance allows credit for improvements, land or a combination of both.

[2] Parks such as private recreation centers (including improvements) within neighborhoods are also eligible for credit but cannot be quantified at this level of planning.

[3] Credit for the *River Corridor SMA* and *Open Area* is calculated using a worst-case factor of 10%, which is lowest percent specified in the County ordinance. The County ordinance provides for a greater level of credit pending on slope ranging from a low of 10% to a high of 100%. In order to receive credit for land which has slope greater than 3%, the Director of Parks and Recreation must find that special circumstances exist that would make the acceptance of such land in the public interest The Director may also give more credit than specified in the ordinance if it is found that a site contains exceptional visual, biotic or other natural resources. Such a case is the *High Country SMA*, which is exceptionally rich in both natural resources and recreational opportunities, and has been calculated at 50% credit

TABLE 5.4-2
PARK AND RECREATION IMPROVEMENTS SUMMARY

RIVERWOOD	DEDICATION REQUIREMENTS			LOCAL PARK IMPROVEMENTS			Surplus (Deficit) (F - C)
	A Total Units	B Population Factor	C Local Park Requirement (A x B x .003)	D Local Park Acres Provided	E Local Park Improvements ($)	F Total Acres Provided D+(E/126,000)	
1. Tract No. 53108 (River Village)							
A. Single-Family Detached Residences	590	3.23	5.72				N/A
B. Single-Family Attached Residences and Multi-Family with less than 5 Units/Building	403	2.29	2.77				N/A
C. Multi-Family with 5 or more Units/Building	451	2.11	2.85				N/A
Tract No. 53108 Total	**1,444**		**11.34**	**24.46**	**$0.00**	**24.46**	**13.12**
VILLAGE TOTAL	**1,444**		**11.34**	**24.46**	**$ 0.00**	**24.46**	**13.12**

TRACT NO. 53108 (RIVER VILLAGE) COLUMNS "D" AND "E" DETAIL

Lot No.	Unit Map	Phase No.	Category	Local Park Acres	Percent Credit	Local Park Acres Provided	Local Park Improvements ($)
337			Private Park	6.39	100%	6.39	
344			Community Park	9.74	100%	9.74	
336			River Recreational Area	3.44	100%	3.44	
340, 330			Private Recreational Area	1.79	100%	1.79	
			West Recreation Center	0.97		0.97	
			East Recreation Center	0.82		0.82	
310-317, 392-402			River Trail	3.10	100%	3.10	
TOTAL				**24.46**		**24.46**	**$0.00**

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

JONATHAN E. FIELDING, M.D., M.P.H.
Director of Public Health and Health Officer

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm

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December 28, 2005

RFS No. 05-0031528

Tract Map No: 53108

Vicinity: Del Valle

Tentative Tract Map Date: November 7, 2005 (9th Revision)

The Los Angeles County Department of Health Services' conditions of approval for **Vesting Tentative Tract Map 53108** are unchanged by the submission of the revised map. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Valencia Water Company**, a public water system, which guarantees water connection and service to all lots.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Newhall Ranch Water Treatment Plant** as proposed.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Valenti, E.H.S. IV
Mountain and Rural/Water, Sewage, and Subdivision Program

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

RECEIVED DEC 07 2006

December 4, 2006

Daniel Fierros, Regional Planning Assistant
Los Angeles County Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Fierros:

OAK TREE PERMIT #00-196, LANDMARK VILLAGE (RIVER VILLAGE) PROJECT, TM #53108

We have reviewed the "Request for Oak Tree Permit #00-196. The project is located south of State Route 126 near the intersection of Chiquito Canyon Rd., north of the Santa Clara River and west of Interstate 5. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on site. The term "Oak Tree Report" refers to the document on file by Impact Sciences the consulting arborist, dated June, 2006.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant.

   Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of $5000. Such fees shall be used to compensate the County Forester to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval.

   The above fees provide for one (1) pre-construction meeting required to determine fencing placement in order to secure the protected zone of all remaining Oak trees, inspection of temporary fencing prior to the commencement of any construction and a subsequent five (5) year monitoring period requiring inspections until the conditions of approval have been met.

   The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant.

   The arborist shall submit at the end of each year an annual monitoring report. The report shall include a diagram showing the exact number and locations of all mitigation trees planted and describe their health, planting dates, any mortality and mitigation timeframe relating to permit compliance.

4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.

5. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site to be determined prior to any grading. The fencing shall be determined and installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.

6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of a total of sixty-seven (67) Oak trees. Sixty-three (63) trees are of the Oak genus (*Quercus agrifolia*) numbered : 8, 9, 10, 51, 60, 61, 63, 64, **83***, 84, 248, 249, 250, 335, 336, 337, **338***, 339, 340, 341, 342, 343, **344***, 345, 346, 347, 348, **349***, 350, 351, **352***, 354, 355, 356, **357***, 396, 397, 398, 400, 401, **492***, 594, 1588, 1589, 1590, 1592, 1594, 1596, 1598, 3073, **4003***, 4016, 4017, 4018, 4019, 4022, 4025, 4026, 4027, 4028, 4055, 4056, 4057. Four (4) trees are of the of the genus (*Quercus lobata*) numbered **87***, 1587, **1597***, and 1591 on the applicants site plan and Oak tree report. A total of ten (10) of these trees to be removed are identified as **Heritage*** (in bold with an asterisk*), having a diameter greater than 36 inches.

   This grant allows encroachment within the protected zone of fourteen (14) trees of the Oak genus identified as Tree Numbers: 92, 93, 98, 99, 100, 439, 448, **488***, **489***, 498, **503***, 592, 1605, 4007 on the applicant's site plan map and Oak Tree Report. Three (**3**) of these trees are identified as **Heritage***. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two (2) inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one (1) tree be removed.

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

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for each tree removed and at a rate of ten to one (10:1) for each Heritage tree removed for a total of 214 mitigation trees.

11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base.

12. Mitigation trees shall be at a ratio consistent with the species of Oaks removed for a total of one hundred ninety (190) *Quercus agrifolia* and twenty four (24) *Quercus lobata* of indigenous varieties grown from a local seed source.

13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) year of the death of any tree, which results from its permitted encroachment. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The five-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five (5) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

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

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.

19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.

20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.

21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.

22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:es

Enclosure

OAK TREES:
Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or
- equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
http://planning.co.la.ca.us

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.

Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES : DEEP GREEN, 3"-4" LONG : PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS : FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERLY BY AGRICULTURE AND URBAN DEVELOPMENT.

Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 50'-70' HIGH, 35'-80' WIDE.

LEAVES : GLOSSY GREEN, 1"-3" LONG : SPINY, ROUNDED, AND HOLLY-LIKE : BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.

Interior Live Oak
QUERCUS WISLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES : DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT — NOT CURLED UNDER.

OTHER COMMON OAKS :
CALIFORNIA BLACK OAK : QUERCUS KELLOGGI
CANYON LIVE OAK : QUERCUS CHRYSOLEPIS
ENGELMANN OAK : QUERCUS ENGELMANNII

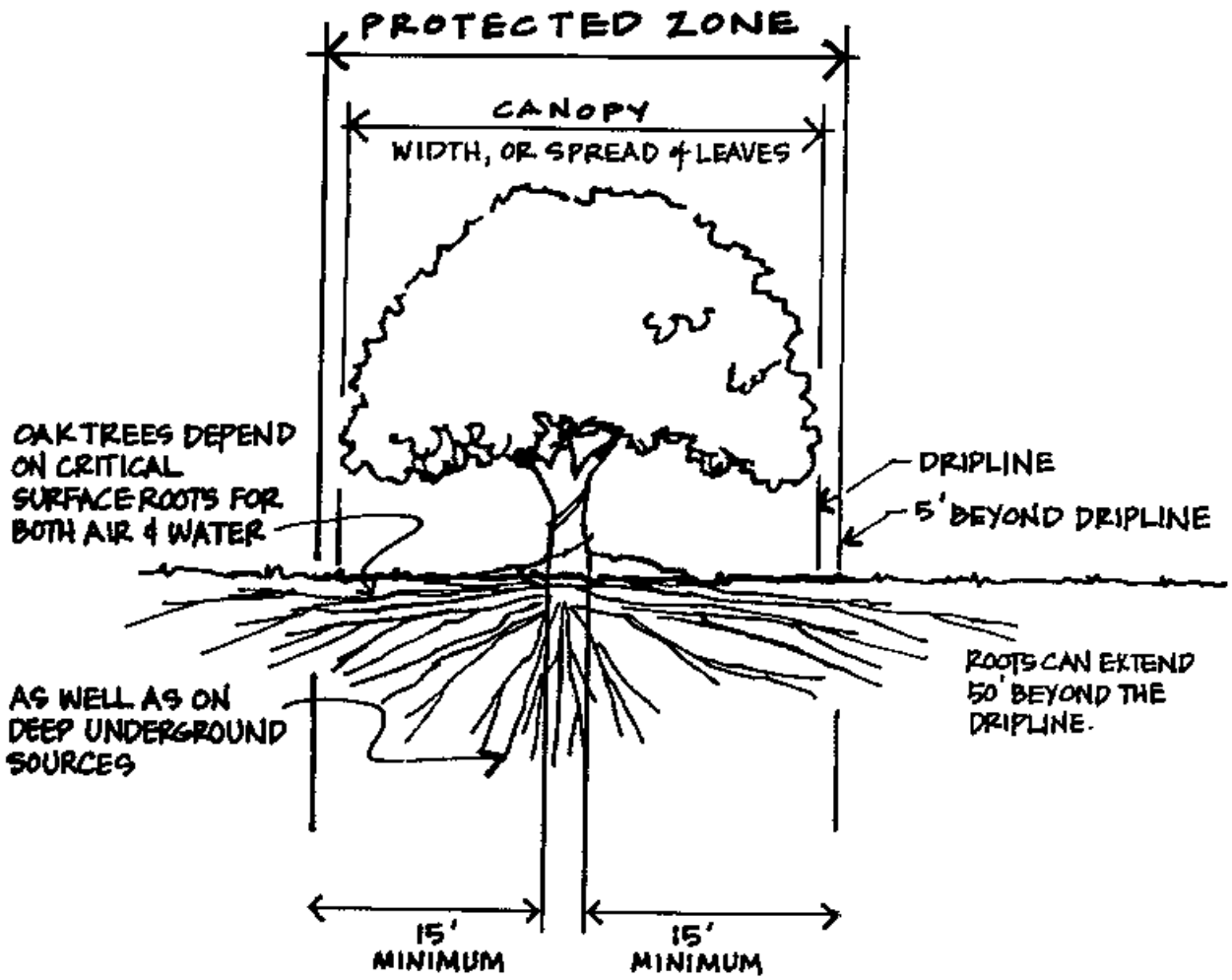
THE PROTECTED ZONE

The ***protected zone*** defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

> "The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

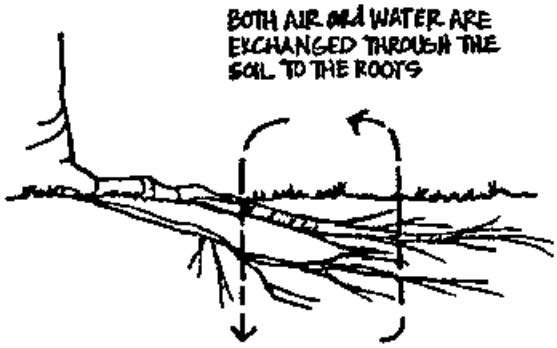
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

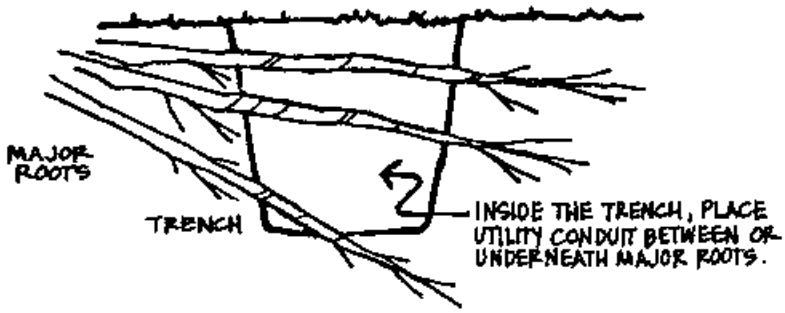
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

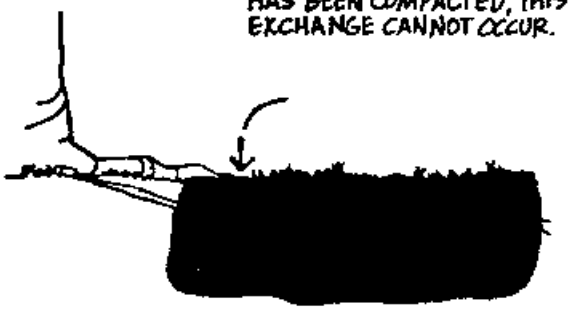
If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

SOIL COMPACTION



TRENCHING





MAINTENANCE

Watering

The key is prevention – **do not over water**. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require **any** additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

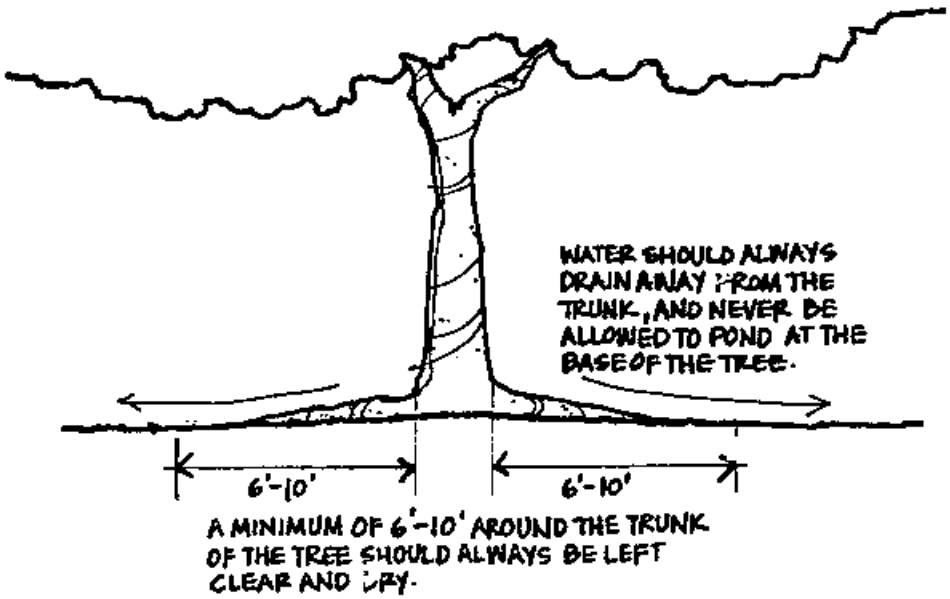
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
Arctostaphylos densiflora 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
Arctostaphylos edmundsii Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
Arctostaphylos hookeri Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
Ceanothus griseus horizontalis Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
Heuchera spp. Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
Mahonia aquifolium compacta Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
Ribes viburnifolium Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the *Sunset Western Garden Book* to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
http://lacofd.org/forestry.htm

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
http://danr.ucop.edu/ihrmp

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

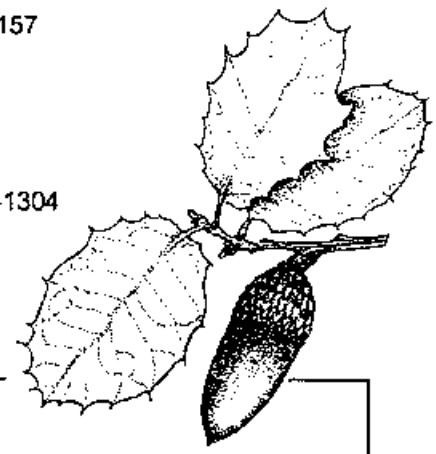
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



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Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.

County of Los Angeles Fire Department
Forestry Division

County of Los Angeles
Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

GENERAL PLAN, SANTA CLARITA VALLEY AREA AND SPECIFIC PLAN AMENDMENT
BURDEN OF PROOF

Request

Newhall Land is requesting an amendment to the Los Angeles County General Plan, the Santa Clarita Valley Area-wide Plan (SCVAP), and the Newhall Ranch Specific Plan to modify the existing "secondary highway" designation for the "A" Street/Wolcott Road (also referred to as the Franklin Avenue extension), located between Long Canyon Road and SR-126, within the Newhall Ranch Specific Plan, which was approved by the County on May 27, 2003. The proposed amendment would reclassify "A" Street/Wolcott Road from a secondary highway to a collector street, and result in the removal of "A" Street/Wolcott Road from the General Plan's "Master Plan of Highways," since collector streets are not shown on this policy map. The proposed amendment would also result in the removal of "A" Street/Wolcott Road from the Circulation Plan of the SCVAP and would modify the street's designation on the approved Newhall Ranch Specific Plan's "Mobility Plan," on the Specific Plan's "Master Circulation Plan" exhibit, and on accompanying cross-sections.

The requested amendment is necessary to achieve a street designation that is safest, most consistent with, and most appropriate for the level of permitted development and anticipated circulation requirements under the "Traditional Neighborhood Development" (TND) land-use plan for the Landmark Village development within the Newhall Ranch Specific Plan. Since the street's original classification as a secondary highway, changes in circumstances have occurred to render the existing street classification inappropriate, unnecessary, and potentially unsafe for the current type and level of development proposed.

Background

In 1994, Newhall Land filed its entitlement application for the future development of Newhall Ranch, including the Newhall Ranch Specific Plan (NRSP), with the Department of Regional Planning (DRP). Among the entitlement applications submitted concurrently with the NRSP were requests for amendments to the Los Angeles County General Plan, the SCVAP, and the Newhall Ranch Specific Plan, to establish what is now referred to as "A" Street/Wolcott Road as a secondary highway within the future Landmark Village community. At the time, the secondary highway designation was appropriate based on the projected future traffic demands on this street segment. The Specific Plan proposed a maximum of 24,700 residential dwelling units and a total of approximately 5.7 million square feet (sf) of non-residential development within Newhall Ranch. Of those totals, 1,750 dwelling units and 1 million sf of non-residential floor-area were proposed for the portion of Newhall Ranch adjacent to and containing the proposed "A" Street and Wolcott Road. This Newhall Ranch community, referred to as "Landmark Village," is the area within Vesting Tentative Tract Map No. 53108.

Based on the proposed development for Landmark Village (1,750 dwelling units and 1 million sf of non-residential uses) and Newhall Ranch overall, future traffic volumes on "A" Street/Wolcott Road were projected to equal approximately 30,000 average daily trips (ADTs). (Austin-Foust

Associates, *Newhall Ranch Traffic Analysis*, July 1996.) This level of traffic warranted designation of the street as a secondary highway, which provides traffic capacities of 32,000 ADT's.

In October 1996, the Regional Planning Commission held its first meeting regarding the Newhall Ranch Specific Plan and directed Newhall Land to reduce the overall scale and intensity of proposed development. Newhall Land revised the Specific Plan to provide for a reduced number of proposed dwelling units and a lower level of non-residential development. In December 1997, the Regional Planning Commission approved the NRSP with the scaled-back development proposal. The Board of Supervisors further reduced the level of development permitted by the Specific Plan during its reviews in 1998 and 2003.

As a result of these changes to Newhall Ranch, the approved Specific Plan now permits a maximum of up to 20,885 residential dwelling units and a maximum of 5.5 million square feet of non-residential uses. This represents a reduction of approximately 15 percent from the 24,700 dwelling units originally proposed, and a decrease of approximately 3 percent in permitted non-residential development from that originally requested in 1994. For the Landmark Village community of Newhall Ranch, the maximum number of residential units was reduced from 1,750 dwelling units to a maximum of up to 1,444 dwelling units. This represents a reduction of approximately 17 percent in permitted residential development. (There was no change to the permitted non-residential development at Landmark Village.)

In addition to the general reduction in the scale of development and number of permitted residential units and non-residential floor-area, another significant change in circumstances has occurred since the development plan was first submitted in 1994 that warrants a "downgrading" of "A" Street/Wolcott Road from a secondary highway to a collector street classification. In its more detailed development plan for Landmark Village prepared following approval of the Specific Plan, Newhall Land has chosen a TND land-use plan for Landmark Village, which emphasizes pedestrian safety, comfort and the concept of "walkability." In summary, the land plan has been developed so that key community features, such as parks, schools and shopping, are within a reasonable walking distance from most homes. In order for the land plan to be effective, streets must be designed to promote pedestrian safety and prevent excessive traffic (including "cut-through" traffic) and unsafe vehicle speeds. In fact, the failure to appropriately match street design to the land plan could result in increased risk of accidents, greater public liability, and degraded pedestrian safety.

As part of this TND approach, the intended function and design of "A" Street/Wolcott Road, has changed over the years. "A" Street/Wolcott Road was originally conceived as an arterial highway extension of Franklin Avenue, in the Commerce Center area northeast of Landmark Village, connecting with Long Canyon Road. Under the TND approach, the function of "A" Street/Wolcott Road would be limited to providing connectivity between Landmark Village neighborhoods and from the local streets to the arterial highway system. In this way, "A" Street/Wolcott Road would discourage "cut-through" traffic as an alternative to SR-126. The street design was adjusted to match this shift in intended function. The alignment was made curvilinear, lengthening the total roadway distance; traffic-calming design features such as a

periodic landscaped median, curb bulb-outs, and on-street parking were incorporated; and modern roundabouts are proposed.

With the reduced scale of development permitted by the revised NRSP and the shift in the street's intended function as part of the TND land plan, projected traffic volumes on "A" Street/Wolcott Road may now be accommodated by a collector street, which has a capacity of approximately 10,000 ADT. Traffic volumes on "A" Street/Wolcott Road are projected to be less than 10,000 ADT's for all but a short segment on the west end, which is proposed to be served by a higher-capacity, four-lane section providing adequate capacity. (Austin-Foust Associates, *Landmark Village Traffic Impact Analysis*, October 2003.)

In summary, a change in street classification for "A" Street/Wolcott Road from a four-lane secondary highway to a collector street is appropriate and warranted because of the reduction in proposed development, the implementation of a TND land-use plan, and the resulting decrease in projected traffic volumes. Projected traffic volumes would be adequately served by a collector street designation, and the existing secondary highway designation would provide unnecessarily excessive capacity. Furthermore, requiring the secondary highway could result in the potential for increased vehicular speeds under the proposed TND land plan, while the collector street would be the appropriate context-sensitive designation.

Justification

Due to the changes in circumstances since the Newhall Ranch Specific Plan and accompanying entitlements were first filed and approved, as detailed above, the existing secondary highway street classification is no longer appropriate for "A" Street/Wolcott Road. In addition to the justification provided above, the following four responses must be demonstrated in the affirmative in support of this request for a General Plan/Specific Plan Amendment.

Response No. 1

A need for the proposed General Plan Amendment exists because:

The proposed General Plan/Specific Plan Amendment is necessary and appropriate to provide a street classification that corresponds with the projected level of traffic demand, while at the same time providing a safe pedestrian environment consistent with the adjacent land-use plan. Without the requested General Plan/Specific Plan amendment, the street classification would require that "A" Street/Wolcott Road be improved to provide excessive capacity, with more than three times the capacity (32,000 ADT's) of the projected future volumes (fewer than 10,000 ADT's). In addition, requiring "A" Street/Wolcott Road to be built to secondary highway standards while its functional use is as a collector street providing connectivity between neighborhoods and the local street system would result in the potential for unsafe conditions, including increased frequency of accidents, increased severity of injury and property damage/loss, and the potential for increased public liability. These safety and liability risks of maintaining the secondary highway designation in lieu of the requested collector street classification are discussed in more detail in Response No. 4, below.

Response No. 2

The particular amendment proposed is appropriate and proper because:

As noted above, the requested collector street designation, with a capacity of approximately 10,000 ADT's, is appropriate for the projected traffic demand of fewer than 10,000 ADT's. In addition, the collector street designation is the most appropriate choice in the context of the proposed TND land-use plan for Landmark Village. The TND land-use plan places importance on pedestrian safety and comfort, as community uses, such as schools, recreation, and shopping, are located within walking distance of most residences. The higher-speed, higher-volume secondary highway would be inconsistent with the land-use plan as well as providing traffic capacity far in excess of projected demand.

Response No. 3

Modified conditions warrant a revision to the County of Los Angeles General Plan because:

As discussed above, the following are the key changes in circumstances that result in the need for the requested General Plan/Specific Plan Amendment:

1. The level of permitted development, including the number of homes and the amount of proposed non-residential floor-area, has been scaled back significantly from the original Newhall Ranch proposal, in general, and in Landmark Village, specifically.

2. Following approval of the Newhall Ranch Specific Plan, Newhall Land selected a "Traditional Neighborhood Development" land-use plan for Landmark Village, which would change the intended function of "A" Street/Wolcott Road from a secondary highway – as originally planned, providing a connection from Commerce Center, on the northeast, to the western portion of Landmark Village and areas of Newhall Ranch to the south – to a collector street intended to provide internal connectivity within Landmark Village only, between neighborhoods and connecting to the local street system. The change in intended street function, as implemented in the curvilinear street design with traffic-calming features, would eliminate "cut-through" traffic. The TND land-use plan would also reduce the number of vehicle trips generated from the project, by encouraging residents to walk to near-by destinations.

3. The reduced level of permitted development, combined with the selection of a "TND" land-use plan, have significantly reduced the projected traffic levels on "A" Street/Wolcott Road. The projected traffic levels on "A" Street/Wolcott Road were originally estimated at approximately 30,000 ADT's, which required a secondary highway classification. Under the proposed Landmark Village development, the projected traffic levels have been significantly reduced to approximately 10,000 ADT's or less, which justifies the change in classification from a secondary highway to a collector street.

Response No. 4

Approval of the proposed General Plan Amendment will be in the interest of public health, safety, and general welfare and in conformity with good planning practices because:

Approval of the requested General Plan/Specific Plan Amendment will result in significant contributions to the public health, safety and general welfare, including the following:

1. The requested collector street classification will result in safer conditions when compared to the existing secondary highway designation.

   a. Based on research compiled by Newhall Land (*Traditional Neighborhood Development at Landmark Village, Newhall Ranch: The Role of Alternative Street Design in Traditional Neighborhood Development, Volumes I and II*, November, 2001; March, 2002), the number of traffic accidents would be reduced with the requested street designation, as demonstrated below.

   b. In addition, as noted in the research referenced above, accident severity would also be diminished. Injuries to both motorists and pedestrians would be less severe under the requested street classification, generating fewer fatalities and less-severe injuries.

      i. Motor vehicle accidents are the leading cause of accidental death in California, and 20 percent of accidents involve pedestrians. (*Dangerous by Design: Pedestrian Safety in California*, Surface Transportation Policy Project, and September 2000.)
      ii. The second-leading cause of death for California children (ages 5-12) is pedestrian fatality. (*Ibid.*)
      iii. There is a direct correlation between roadway width and vehicle speeds. (*Residential Street Typology and Injury Accident Frequency*, Swift, 2001.)
      iv. Slower vehicle speeds result in greater stopping distance, a lower frequency of accidents, and reduced severity of injury from the smaller number of resulting accidents. (*Traditional Neighborhood Development Street Design Guidelines*, Institute of Transportation Engineers, October, 1999.)

2. By enhancing the pedestrian environment, the requested street classification would promote a healthier community.

   a. The less-intrusive collector street classification would contribute toward the TND's goal of promoting walking as an alternative to driving to community destinations. For example, safe streets would allow children to walk to neighborhood schools. Studies show that walkable communities promote their residents' health. ("Healthy Neighborhood Streets – The Key to Stronger Communities", *On Common Ground*, Winter 2002.)

   b. The safer, more comfortable pedestrian environment would also promote walking, jogging, bicycling and other recreational opportunities.

3. The requested street classification would promote the general welfare with enhanced property benefits:

   a. Property owners would benefit from less property damage and fewer injuries associated with motor-vehicle accidents, as noted above.

   b. Property owners could benefit from alternative financing programs provided to TND communities; such as the "location-efficient mortgage"[1] that recognizes the benefits of a safe and walkable community.

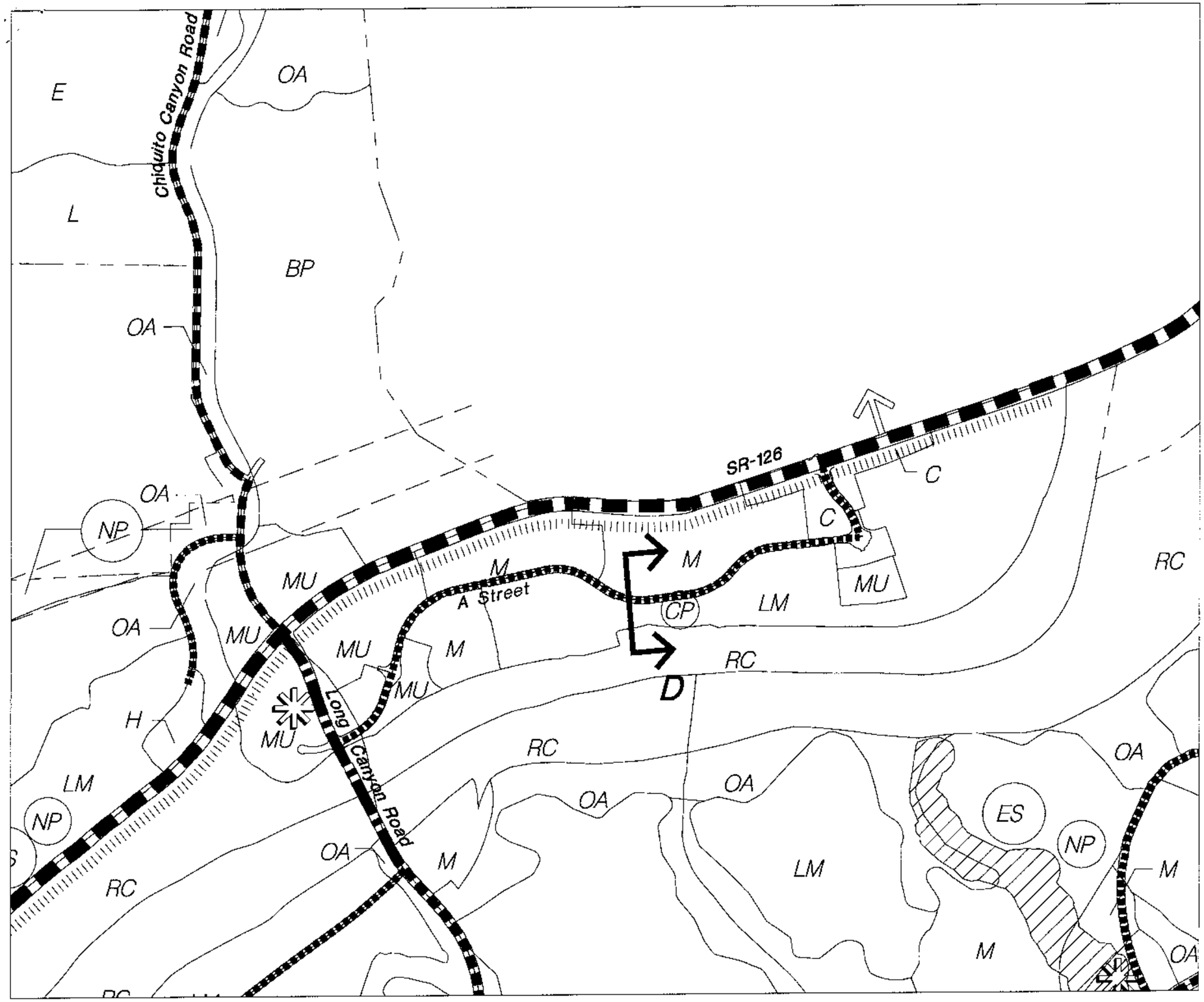
   c. Studies show that property values are enhanced in "smart growth" communities such as a TND, when compared with the values of homes in conventional subdivisions. (Smart Growth Gateway, www.smartgrowthgateway.org.)

4. The requested amendment is consistent with good planning practices.

   a. This request is consistent with the following American Planning Association's "Principals for Smart Growth:"
      i. Create walkable neighborhoods;
      ii. Foster distinctive, attractive places with a strong sense of place;
      iii. Provide a variety of transportation choices; and
      iv. Take advantage of compact building design.

   b. This request is consistent with the following "Ahwahnee Principles," developed by the Local Government Commission to promote livable communities:
      i. Community size should be designed so that housing, jobs, daily needs and other activities are within easy walking distance of each other;
      ii. As many activities as possible should be located within easy walking distance of transit stops;
      iii. Streets, pedestrian paths and bike paths should contribute to a system of fully-connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees and lighting; and by discouraging high speed traffic; and
      iv. The community design should help conserve resources and minimize waste.

[1] The Location Efficient Mortgage®, (LEM) is a mortgage that helps people become homeowners in location efficient communities. These are convenient neighborhoods in which residents can walk from their homes to stores, schools, recreation, and public transportation. People who live in location efficient communities have less need to drive, which allows them to save money (with greater financial resources available for housing costs) and improves the environment for everyone. The LEM combines a low down payment, competitive interest rates, and flexible criteria for financial qualification to allow more people to own the home of their dreams. For additional information, please refer to www.locationefficiency.com.



NEWHALL RANCH.
SPECIFIC PLAN

Prepared For **Newhall Ranch Company**

L E G E N D

- *STATE HIGHWAY*
- *MAJOR HIGHWAY*
- *SECONDARY HIGHWAY*
- *COLLECTOR*
- *POSSIBLE FUTURE COLLECTOR ALIGNMENT*
- *BUS PULL-IN*

Note:
'A' Street is proposed to be downgraded to a Collector Street as shown on Tentative Tract Map 53108 (see Typical Street Section).

0 1000' 2000'

NORTH

Computer Mapping by KORVA Systems

LANDMARK VILLAGE - A STREET
PROPOSED MASTER CIRCULATION PLAN

JANUARY 2006

CONDITIONAL USE PERMIT
BURDEN OF PROOF
FOR (1) DEVELOPMENT WITHIN
A SIGNIFICANT ECOLOGICAL AREA
AND (2) UTILITIES
VTTM 053108

I. Background

Newhall Land is proposing to develop Landmark Village (formerly River Village), a 291-acre master planned neo-traditional community, located within the "Riverwood" village of the Newhall Ranch Specific Plan. The Specific Plan was approved by the County's Board of Supervisors on May 27, 2003. The Landmark Village project is designed to include a broad spectrum of residential housing, commercial development, institutional services, a community park, and other open space areas, consistent with the approved Specific Plan. The proposed project will implement a portion of the approved Specific Plan through development of 1,444 dwelling units and approximately 1,000,000-square feet of non-residential uses.

Newhall Ranch Program-Level SEA CUP No. 94-087-(5)

The County's Board of Supervisors approved a program-level Significant Ecological Area Conditional Use Permit ("SEA CUP"), SEA CUP No. 94-087-(5), in conjunction with the Board's approval of the Newhall Ranch Specific Plan on May 27, 2003.

CUP No. 94-087-(5) approved: (a) adjustments to the existing boundaries of SEA 23, consistent with General Plan policies requiring the protection of natural resources within SEAs; and (b) Specific Plan development within SEA 23 boundaries. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan designation of "Special Management Area" ("SMA") over the adjusted SEA 23 boundaries. Although the adjusted boundaries within SEA 23 were identified as the "River Corridor SMA" in the adopted Specific Plan, the underlying SEA 23 designation remains in effect.

In approving CUP No. 94-087-(5), the Board specifically found that the proposed development under the approved Specific Plan was consistent with the adopted General Plan for the area (CUP, 43). The Board also found that the Specific Plan adjusted the existing SEA 23 boundaries by removing a limited amount of acreage for development from the existing SEA; however, the existing SEA nevertheless remained in a viable and largely natural condition (CUP, 18-21, 43). In addition, the Board found that the proposed development within SEA 23 conformed to the General Plan SEA "design compatibility criteria" (CUP, 21-36, 43).

Furthermore, the Board found that the Specific Plan is sensitive to, and compatible with, the biotic resources of SEA 23 (CUP, 43). In addition, the Board found that the Specific Plan development will not:

(a) Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; or

(b) Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or

(c) Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare (CUP, 43-44).

The Board also found that the Specific Plan 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 otherwise required in order to integrate said uses within the uses in the surrounding areas (CUP, 44).

Finally, the Board found that the Specific Plan site is adequately served:

(a) By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; and

(b) By other public or private service facilities as are required (CUP, p. 44).

Based on the above findings, the Board approved CUP No. 94-087-(5) subject to various adopted conditions (CUP, 45).

Landmark Village Project-Level SEA CUP

As part of the Landmark Village project approvals, Newhall Land is requesting a project-level SEA CUP for proposed development associated with Landmark Village within SEA 23 in order to ensure consistency with both the adopted Specific Plan and approved program-level CUP No. 94-087-(5).

The proposed Landmark Village project site is approximately 291 acres in size. Of the 291 acres about 14 acres lie within SEA 23 and is designated as Open Area. Except for a portion of the approved Long Canyon Road Bridge alignment, the acreage within the SEA (14 acres) is designated as Open Area. Although some of SEA 23 contains sensitive riparian habitat, none of the proposed development areas is within this habitat.

Overview of the County's Significant Ecological Areas

This section provides information regarding the general background of the County's designated SEAs, and the constraints imposed by the County on development within SEAs, including the Newhall Ranch SEA 23.

The "Significant Ecological Area" designation is one of several land use classifications set forth in the Land Use Element of the Los Angeles County General Plan. SEA classification generally identifies lands having important biological resources. The classification includes habitats of rare and endangered species, sites with critical fish and wildlife values, relatively undisturbed areas of typical natural habitat and regionally scarce biotic resources. The intent of the General Plan is to preserve and enhance SEAs, to the extent possible, for the benefit of present and future County residents.

The purpose underlying SEA land use classification is to preserve SEA resources in an ecologically viable state. Several General Plan policies reflect that intent.

Other factors governing implementation of the General Plan's SEA goals and objectives include the County's ability to accurately identify areas of SEA resource value, the availability of financial and other resources necessary to support preservation, restoration and enhancement efforts, and the competing priorities between resource preservation and other critical public needs. The County's Zoning Ordinance further acknowledges that it is not the purpose of SEA designation to preclude development within SEAs, but rather to ensure, to the extent possible, that such development maintains and, where possible, enhances SEA biotic resources while allowing limited controlled development within SEAs.

SEA General Plan Development Process

Recognizing the resource values at stake and the constraints imposed by competing priorities and objectives, the General Plan seeks to provide a process for reconciling specific conflicts between proposed land uses and the preservation of identified SEAs. The General Plan does not, however, suggest that this can be accomplished by applying a single set of regulatory standards to all SEAs. Instead, the General Plan recognizes that measures necessary to preserve and enhance SEAs will vary depending upon the nature of the resource values present and the degree of threat implied by potential incompatible development. Within this context, the General Plan sets forth SEA compatible land uses and identifies SEA design compatibility criteria to guide specific land use decisions.

As stated above, the General Plan identifies certain uses, which are compatible with SEAs by definition, and certain uses that may be compatible. However, the General Plan notes that it "has not attempted to identify, in other than the most general terms, appropriate use types and intensities within significant ecological areas." Therefore, in order to determine whether a development proposal, in fact, is compatible with a particular SEA, the General Plan requires that the proposal be reviewed for compliance with certain "design compatibility criteria." The design criteria are as follows:

(a) That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

(b) That the requested development is designed to maintain waterbodies, watercourses, and their tributaries in a natural state;

(c) That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;

(d) That the requested development retains sufficient natural vegetative cover and/or open areas to buffer critical resource areas from said requested development;

(e) That where necessary, fences or walls are provided to buffer important habitat areas from development; and

(f) That roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.

Newhall Ranch Specific Plan

The Newhall Ranch Specific Plan requires that a conditional use permit be filed pursuant to Section 22.56.215 (A)(1) of the County Zoning Code for all development proposed within an SMA (SEA).

Zoning Ordinance SEA Development Process

The General Plan requirement that development proposed within an SEA comply with the foregoing "design compatibility criteria" is implemented through provisions of the Los Angeles County Zoning Code. Pursuant to Section 22.56.215(A)(1) of the Code, an applicant must obtain a conditional use permit "prior to the issuance of any building or grading permits, approval of a minor land division or subdivision, or the commencement of any construction or enlargement

of any building or structure on a lot or parcel, which is in or partly in an area designated in the County General Plan and related maps as a significant ecological area."

The General Plan also requires that an application for a SEA conditional use permit undergo an "SEA Performance Review." This process involves review of the application by an appointed Significant Ecological Area Technical Advisory Committee ("SEATAC"). SEATAC reviews the application and accompanying biological resources report for its adequacy, and recommends conditions and guidelines for final project design. Considering the recommendations of SEATAC, the Los Angeles County Regional Planning Commission then takes action upon the proposed development plan.

Pursuant to the General Plan, the Regional Planning Commission recommendation for approval of proposed development within an SEA must be accompanied by a finding that the proposed development is sensitive to, and compatible with, the biotic resources identified in the permit application materials. If the Commission cannot make such a finding, it may deny the project, request a revised development plan, or approve and forward the proposal, together with a statement of overriding considerations, to the Board of Supervisors for further review and action.

Description of SEA 23

The Specific Plan River Corridor SMA (SEA 23) was approved in consideration of the resource values present in the Santa Clara River. The value of the SEA 23 is derived from the riparian habitats and associated species located within its boundaries, and the function of the SEA 23 as a regional wildlife corridor. The SEA 23 also includes habitat for the unarmored threespine stickleback, a state and federally listed endangered species, and other sensitive aquatic and riparian species known to occur within the Specific Plan site. Under the Specific Plan, some development is allowed within the boundaries of SEA 23, including but not limited to trails, wildlife preserves, scenic turnouts, agricultural operations, utilities necessary for public health and welfare, interpretive displays, vista points, and oil and gas operations. Under CUP No. 94-087-(5) three bridge crossings over the river were approved, including the Long Canyon Road Bridge, bank stabilization along portions of the SEA 23, and development on mostly agricultural land within the SEA 23.

II. Proposal

Consistent with the approved Specific Plan and program-level CUP No. 94-087-(5), Newhall Land proposes project-level improvements within SEA 23. The proposed improvements requested are as follows:

(a) Long Canyon Road Bridge;

(b) Trails and scenic vista path;

(d) Bank stabilization;

(e) Utilities (storm drain outlets, water quality basins, and utilities);

(f) Agricultural wells;

(g) Riparian mitigation sites;

(h) Off-site transport of materials associated with grading; and

(i) Metrolink right-of-way easement

Long Canyon Road Bridge

In conjunction with the Specific Plan approvals, CUP No. 94-087-(5) approved three elevated highway bridge crossings over the Santa Clara River, including the general alignment for Long Canyon Road Bridge (as well as Commerce Center Drive and San Martinez Grande Road). The number and general location of the bridge crossings were established in order to minimize impacts to sensitive habitat and species within SEA 23, and to minimize major access points to SR-126. Each of the bridge crossings is an extension of an existing road, creating a functional regional circulation system.

As part of the approval of CUP No. 94-087-(5), the County's Board of Supervisors found that the three bridge crossings were essential for a functional circulation system to serve the Specific Plan area and the region, and that the bridges were necessary to advance many of the County's goals and policies related to transportation, land use, and other issues of public interest (CUP, 33-34). The Board also considered and rejected a series of bridge alignment and bridge span alternatives in approving the three crossings via the Specific Plan and related CUP No. 94-087-(5). Each bridge crossing was found to comply with the County's engineering requirements, and to be strategically located and designed to provide maximum transportation effectiveness, while minimizing impacts to critical resources, habitat areas and animal movement paths in riparian corridor areas (CUP, 36-37).

Newhall Land is proposing to construct the Long Canyon Road Bridge component of the approved Specific Plan, as part of the Landmark Village project. Long Canyon Road Bridge will span the width of the Santa Clara River, equating to a roadway segment of approximately 1,100 feet in length and 100 feet in width. The highway bridge crossing is designated as a major

highway until it reaches the south side of the bridge, pursuant to the approved Specific Plan and the County Master Plan of Highways (south of the Santa Clara River, Long Canyon Road is designated as a secondary highway.)

Long Canyon Road Bridge will have 3 lanes of traffic in each direction. It will be designed to meet Department of Public Works standards and include curbs, gutters, sidewalks and a median. Support for the bridge will involve construction of concrete piers to be located within SEA 23. Abutments will be constructed on each side of the river.

Bank stabilization to reduce scour potential of the bridge is proposed along the perimeter of the abutments. The areas of bank stabilization are within SEA 23. Bridge construction will temporarily disturb the riverbed during grading, recompaction and construction. Vegetation along the riverbank and within the river itself will be removed and replaced. After construction, the riverbed will be returned to its natural state with the exception of the concrete supports and bridge abutments. Excavations will be designed to minimize riverbed disturbance, while satisfying the structural requirements of construction. The abutments have been designed to avoid significant riparian impacts.

The introduction of the bridge abutments into the Santa Clara River would have some restriction on flows during a capital flood. The placement of stabilization along the bridge abutments would reduce vegetation and, combined with the restriction of flows by the presence of the abutments, would increase the velocities of water traveling under the bridge. These increases are local in nature and are found immediately at the bridge abutments. Within 200 feet downstream of the bridge, capital storm velocities return to that experienced under the existing conditions of the river.

Newhall Land is authorized to continue the maintenance and operation of existing agricultural river crossings by the California Department of Fish and Game under an "*Agreement for Routine Maintenance Activities.*" As part of the Landmark Village development, highway crossings over the Santa Clara River will be restricted to one location (Long Canyon Road Bridge), significantly less than the number of existing agricultural crossings, which are permitted to continue under applicable regulations. In addition, by elevating each bridge crossing, impacts to biotic resources within the SEA 23 are substantially minimized.

Trails

As part of the approved Specific Plan, the County's Board of Supervisors adopted the Newhall Ranch Master Trails Plan, Exhibit 2.4-5, which encompasses a comprehensive system of trails throughout the Specific Plan area, and provides potential connection points to regional trail systems within

the Santa Clarita Valley. The approved Master Trails Plan includes the following hierarchy of trails:

(a) Regional River Trail;

(b) Community Trails;

(c) Local Trails;

(d) Pathways; and

(e) Unimproved Trails.

Of the approved trails, the Regional River Trail, located on the north side of the Santa Clara River and extending from the Castaic Creek to the western Specific Plan boundary, represents an important recreational feature of the approved Specific Plan, allowing both active and passive enjoyment of the Santa Clara River through the design of a combined pedestrian/bicycle/equestrian trail.

At the project-level, the Landmark Village development proposes several trails, consistent with the approved Specific Plan. The first includes a portion of the Regional River Trail, which spans and follows the southern boundary of the Landmark Village site. The Regional River Trail includes an improved pedestrian and bicycle route which offers view opportunities along the edge of the river. An equestrian trail will also be provided as a separate dirt trail approximately 3-5 feet from the improved trail. Newhall Land is also proposing a scenic vista path, permitted under the Specific Plan that consists of a 2,500-linear foot loop of nature path below the central portion of the Landmark Village site. The exact location, width, and construction material of the path will be determined after biological surveys have been conducted and the Department of Fish and Game as well as other resource agencies have been consulted.

Utilities

- *Utility Lines*

Landmark Village is an area disconnected from existing developable areas making utility extensions necessary. Utilities planned to serve the Landmark Village project may include, but not be limited to, water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics and reclaimed water lines.

The utility courses will stretch from Los Angles County Sanitation District No. 32, located directly southwest of the SR-126/I-5 Interchange, to the proposed

Water Reclamation Plant to be located approximately 1.6 miles west of the proposed project. It is unknown at this time the exact route the utilities will take across Landmark Village. However, it is necessary that the utility easements cross SEA 23 at two points beyond the geographic limits of Landmark Village: both east and west of the project directly south of the SR-126 right of way.

Utility lines including potable water, reclaimed water, communications systems ducts, electrical power, natural gas and sanitary sewer lines may also be hung from the Long Canyon Road Bridge, which crosses the SEA, to provide water to areas south of Landmark Village.

- *Water Quality Basins*

Consistent with the program-level CUP No. 94-087-(5), the Landmark Village project proposes installation of water quality basins and vegetated treatment swales located within the project and along the southern portion of the site. These basins and swales will be designed to capture first flush storm water (i.e., the first 0.75 inches of runoff) and non-storm water urban runoff from the developed areas within the Landmark Village project. These water quality basins and swales will be designed to the specifications of the County's Department of Public Works and the state Regional Water Quality Control Board. After treatment, water run-off will be conveyed through a closed or open channel to the river. This conveyance system will be within SEA 23. Water quality basins and swales will either be maintained by the Department of Public Works or a Landscape Maintenance District.

Clean sediment, periodically removed from debris basins located at the interface of undeveloped land areas where drainages have not entered the developed portions of the site, may be placed into the river area as approved by the various regulatory agencies. Necessary permits from the U.S. Army Corps of Engineers, State Department of Fish and Game, and the Regional Water Quality Control Board to allow for such placement of sediment, prior to construction of any development that contemplates debris basins or bank stabilization.

- *Storm Drain Outlets*

There are five proposed storm drain outlets to be installed within SEA 23. Each storm drain easement is approximately 25 feet in width and lies along the southern VTTM boundary. The easements barely jut out southerly from the VTTM into SEA 23 buffer zone. The easements do not extend beyond the width of the swath proposed for bank stabilization.

Bank Stabilization

The approved Specific Plan contemplated installation of bank stabilization along the Santa Clara River. The environmental effects of the bank stabilization were thoroughly assessed at the program level in the Newhall Ranch Final Additional Analysis, which was certified by the County's Board of Supervisors on May 27, 2003. At the project-level, the Landmark Village development includes limited bank stabilization to protect the project from erosion during capital storm events.

The design of the bank stabilization will be required to conform to the standards of the Department of Public Works. A total of approximately 10,620 lineal feet of bank stabilization will be required as part of the proposed project. The stabilization material will consist primarily of buried soil cement to minimize visual intrusion and to resist scouring. In limited instances, grouted rip-rap or concrete gunite will be installed at bridge abutments and other transition areas.

The bank stabilization along portions of the southern boundary of the project site will be designed and constructed to retain the river's significant riparian vegetation and habitat, to allow the river to continue to function as a regional wildlife corridor, and to provide flood protection pursuant to Los Angeles County standards.

Agricultural Wells

There are eleven existing agricultural wells. As a part of Landmark Village development, six (6) are proposed to remain although some may be relocated. Each water well will be 10,000 square-feet in land area.

Potential Riparian Mitigation Sites

Mitigation for impacts as a result of the Landmark Village development on riparian resources will include restoration of riparian habitat and may include enhancement activities. The general areas in which riparian mitigation activities may take place are shown on attached Newhall Ranch Specific Plan Exhibit 2-6.3, Candidate Riparian Restoration/Enhancement Areas.

Under the Specific Plan "Wildlife, nature, forest and marine preserves" use type is a permitted land use designation within SEA 23. Habitat restoration and enhancement associated with the Landmark Village development may consist of revegetation and/or rehabilitation of native plant communities on sites that have had the habitat removed due to past activities such as agricultural or oil and natural gas operations. Unavoidable impacts to riparian resources shall be minimized through project design, and then mitigated by the implementation of a revegetation and/or rehabilitation plan.

The restoration mitigation areas located within SEA 23 shall be in areas that have been disturbed by previous uses or cases. Mitigation shall be conducted only on sites where soils, hydrology, and microclimate conditions are suitable for riparian habitat. The candidate areas are comprised almost entirely of disturbed areas; therefore, after restoration, the sites can be considered "new" sensitive habitat within SEA 23. The goal is to increase habitat patch size and connectivity with other existing habitat patches while restoring habitat values that will benefit sensitive species.

Restoration of riparian habitats within SEA 23 shall use plant species native to the Santa Clara River. Cuttings or seeds of native plants shall be gathered within SEA 23 or purchased from nurseries with local supplies to provide good genetic stock for the replacement habitats.

Per the Specific Plan, four sites associated with the Landmark Village development have been determined to be conceivable "Candidate Riparian Restoration areas". One is located adjacent to the northeast corner of the project, just south of SR-126 and is approximately two acres in size. The second area and the largest of the four sites, approximately 16 acres and is located south of the western portion of the project. A potential 2.4-acre site lies south of the eastern portion of the project. These sites generally hug the boundary of the VTTM resulting in no obtrusion to the riverbed. A last site lies just west of the project and continues to run west, south of SR-126.

Off-site Transport of Materials in Conjunction with Permitted Grading

There are two transport routes that are proposed to cross SEA 23, both of which coincide with operational agricultural river crossings permitted by the California Department of Fish and Game. Off-site transport of materials shall comply with all applicable requirements of other County departments and other governmental agencies.

Metrolink Right-of-Way Easement

In order to provide future residents in the Santa Clarita Valley (including Newhall Ranch) with alternative modes transportation, a Metrolink rail system line is proposed. The right-of-way easement for the line will vary from 35 feet to 50 feet in width and will run parallel to SR-126 extending east and west from the project. The easement will cross SEA 23 at two points beyond the geographic limits of Landmark Village: both east and west of the project directly south of the SR-126 right of way.

CONDITIONAL USE PERMIT
BURDEN OF PROOF

As part of the program CUP No. 94-087-(5), which was approved on May 27, 2003, the County's Board of Supervisors already determined that development within the Specific Plan SEA 23 met the County's requirements for issuance of a conditional use permit within a significant ecological area. Accordingly, the purpose for this section of the application is to show that the Landmark Village development is consistent with the approved Newhall Ranch Specific Plan, including the previously approved program CUP No. 94-087-(5). These uses specifically include trails, riparian restoration areas, storm drain outlets, water quality basins, utilities, proposed agricultural wells, Long Canyon Road Bridge, bank stabilization, the off-site transport of grading material, and the Metrolink easement. In addition, the applicant is concurrently requesting under this application, that the County permit publicly-owned and maintained uses necessary for the maintenance of the public health, convenience or general welfare ("public improvements") within the SEA 23 land designation. Substantiation is demonstrated by the following facts:

A. *That the requested use at the location will not:*

1. *Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or*

The County's Board of Supervisors already determined that the approved Specific Plan, including CUP No. 94-087-(5), will not "adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area." Therefore, at the project-level, the pertinent question is whether the Landmark Village development is consistent with the approved Specific Plan and CUP No. 94-087-(5). If consistent, and absent any significant change in the Specific Plan or its circumstances, the Landmark Village development should necessarily satisfy the above SEA CUP requirement.

As part of the Landmark Village development, the Long Canyon Road Bridge component of the approved Specific Plan will be constructed. By allowing construction of the Long Canyon Road Bridge, a component of the Specific Plan's traffic circulation system will be implemented. This component will provide another traveling route for automobile traffic, which minimizes congestion and reduces traffic trip time for residents and visitors of the Newhall Ranch community. Under the Specific Plan, the Long Canyon Road Bridge was contemplated to be the primary elevated bridge crossing for the central portions of the Newhall Ranch community. It will provide the

necessary connection to SR-126 and direct access to the business park uses north of SR-126. As a result, the bridge will provide an important link between future residential areas south of the river and employment opportunities to the north. In addition, the bridge will provide an alternate route for residents and others to reach destinations both within and outside of the Specific Plan.

The Newhall Ranch land uses have been designed using a village concept, with higher intensity uses clustered into village centers. This land use arrangement promotes the reduction of vehicle miles traveled by permitting more people to live near shopping, services and recreation. Bridge crossings significantly reduce the travel distances between these village centers and the other commercial uses north of the river. As a result, the bridges improve traffic flow and efficiency and reduce automobile vehicle miles traveled. The Landmark Village development and the proposal to construct the Long Canyon Road Bridge are consistent with the above Specific Plan design objectives.

Specifically, Landmark Village will be designed utilizing compact development, which will minimize impacts on the environment when compared to lower density, scattered development. A significant environmental benefit associated with traditional neighborhood design is that it consumes less land than conventional suburban development, but it accommodates roughly the same amount of development. By focusing the proposed development within Landmark Village in less sensitive areas, the proposed development will avoid or minimize impacts on sensitive habitat associated with the river than may occur under a low density development alternative. It also prevents the fragmentation of wildlife habitat, reduces stormwater runoff, and conserves open space areas.

The Landmark Village development will also implement a portion of the Regional River Trail, along with other local trails contemplated by the approved Specific Plan. The location of the Regional River Trail and the other local trails is consistent with the Specific Plan, minimizes impacts to SEA 23, avoids conflicts with vehicles and is consistent with existing trail alignments in the Santa Clarita Valley.

The Specific Plan approved bank stabilization within SEA 23. The Landmark Village development would implement a portion of the approved bank stabilization along the southern boundary of the project site. The bank stabilization would be constructed, consistent with the requirements of the approved Specific Plan. The portion of the bank stabilization that will be part of the Long Canyon Road Bridge abutment represents a health and safety benefit to the public as it provides a base for the elevated bridge, which is designed to accommodate Long Canyon Road, a major highway designated

on the Mobility Plan of the approved Specific Plan and on the County's Master Plan of Highways.

The Landmark Village development will include installation of water quality basins, storm drain outlets and utility crossings (collectively, public improvements). These proposed improvements will be designed to minimize impacts to sensitive habitat and resources associated with the river. The improvements will also be designed to promote the health, safety and welfare of persons residing or working in the Landmark Village development.

The proposed restoration mitigation areas located within SEA 23 shall be in areas that have been disturbed by previous uses or activities. Candidate areas are comprised almost entirely of disturbed area; therefore, after restoration, the sites can be considered "new" sensitive habitat with SEA 23. The goal is to increase habitat patch size and connectivity with other existing habitat patches while restoring habitat values that will benefit sensitive species.

2. *Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or*

The County's Board of Supervisors already determined that the approved Specific Plan, including CUP No. 94-087-(5), will not "be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site." The Landmark Village development implements a portion of the approved Specific Plan. The project-level development proposed within SEA 23 as part of the Landmark Village development is considered consistent with the approved Specific Plan. Accordingly, the Landmark Village development is not anticipated to be "detrimental" to the use, enjoyment or valuation of property or persons located in the vicinity of the project site. In fact, the proposed Landmark Village development would promote healthy living by offering an environment and infrastructure that would entice people outdoors. The interconnectivity of walking, hiking, equestrian and biking trails will allow residents to enjoy Newhall Ranch's topographic variety, mountain ranges, open vistas, and valleys.

3 *Jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and*

The County's Board of Supervisors already determined that the approved Specific Plan, including CUP No. 94-087-(5), will not "jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare." The Landmark Village development will provide improvements within SEA 23, consistent with the approved Specific Plan. The proposed project site is adequate to accommodate the improvements requested within

SEA 23, as discussed above. The proposed improvements are adequate in size and shape to accommodate all development features and standards required by the County.

B. *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 this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area;*

The County's Board of Supervisors already determined that the approved Specific Plan, including CUP No. 94-087-(5), satisfied the above requirements. The Landmark Village development will provide improvements within SEA 23, consistent with the approved Specific Plan. The proposed site is adequate for the improvements requested within SEA as discussed above. The applicant is not seeking any variances or exceptions to the County's development standards that may affect SEA 23.

C. *That the proposed site is adequately served:*

1. *By the highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and*

The County's Board of Supervisors already determined that the approved Specific Plan, including CUP No. 94-087-(5), is adequately served by highways and streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic contemplated by the approved Specific Plan land uses. Consistent with the Specific Plan, the Landmark Village development will include a project-level circulation plan depicting the streets and highways required to accommodate the traffic generated by the proposed project. This project-level circulation plan is an integral part of the overall Landmark Village development, and has been designed to implement a number of the Specific Plan's circulation objectives. These objectives include improving the internal and external trips by future residents; providing opportunities for using alternative modes of transportation; and providing an aesthetically pleasing environment, while achieving the above mobility/circulation objectives.

Residents, bicyclists, hikers, equestrians, visitors and others will have close view of SEA 23. However, as noted above, mitigation measures and conditions of approval are in place to prevent harmful intrusion within SEA 23, thereby protecting its unique habitat value. No public or private service facilities are required or associated with development that will occur within the SEA 23.

2. *By other public or private service facilities as are required.*

The County's Board of Supervisors already determined that the Specific Plan site is adequately served by other public improvements and private service facilities, and that the Specific Plan itself will provide additional public and private service facilities as part of the Newhall Ranch community. Accordingly, the Board approved both the Specific Plan and CUP No. 94-087-(5). At the project level, as part of the Landmark Village development, the applicant will verify that capacity is available for all appropriate public and/or private service facilities to meet the needs of the proposed project. If deficiencies are identified, it is expected that, as part of the project, the applicant would be required to mitigate such impacts. Therefore, it is expected that, with appropriate conditions of approval, the proposed site will be adequately served by all required public and/or private service facilities.

ADDITIONAL BURDEN OF PROOF FOR SEA FINDINGS SECTION 22.56.215 F.2

The County's Board of Supervisors already determined that the approved Specific Plan, including CUP No. 94-087-(5), conformed with the General Plan's SEA six "design compatibility criteria." Presented below are the six design compatibility criteria, along with a summary substantiating both the Specific Plan's conformity with such criteria, as well as Landmark Village's conformity at the project level.

1. **That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas.**

Specific Plan Summary

The County's Board of Supervisors already found that the Specific Plan and CUP No. 94-087-(5) met Design Compatibility Criterion No. 1, above. In summary, the Board found that the Specific Plan is considered highly compatible with the biotic resources present within the boundaries of the SEA 23 for the following reasons:

(a) The Specific Plan set aside appropriate and sufficient undisturbed sensitive habitat areas within the existing boundaries of SEA 23;

(b) The Specific Plan retained SEA 23 in a largely natural state;

(c) Only a relatively small amount of sensitive habitat (*i.e.*, one acre, or 0.08 percent of the existing SEA) was redesignated for non-residential land uses;

(d) The impacted areas would be fully mitigated;

(e) The river would still be sufficiently wide (and in certain locations widened) to accommodate the County's Capital Flood and still retain the sensitive riparian vegetation;

(f) Winter storm runoff would still continue to open its own channels through the river vegetation, flowing in a natural, non-invasive manner and preserve the meandering characteristics of the streambed;

(g) The tributary canyons and bluffs on the south side of the river would still be preserved and provide an additional 444 acres (including 415 acres of undisturbed land), which would be dedicated to Open space areas adjacent to the river; and

(h) Due to implementation of the Specific Plan, the amount of sensitive riparian habitat found in the existing SEA 23 would increase by approximately five acres and an additional 192 acres of additional sensitive habitat areas adjacent to the SEA 23 would be permanently preserved.

The Newhall Ranch Final Additional Analysis, Section 2.3, also addressed potential impacts due to channelization and bank hardening. Based on that analysis, the Board of Supervisors found that no significant increases in velocity, erosion or sedimentation would occur in the river; and, therefore, biotic resources present within the existing boundaries of SEA 23 would not be significantly impacted.

Landmark Village Summary

At the project level, the Landmark Village development within SEA 23 is designed to be highly compatible with biotic resources present within that corridor, including setting aside an appropriate and sufficient amount of undisturbed area, consistent with the approved Specific Plan. The project-level development proposed within SEA 23 includes the planned and approved Long Canyon Road Bridge abutments and piers. In addition, the project proposes to implement a portion of the approved Regional River Trail and other planned local trails. The proposed project will also include water quality basins and associated conveyance lines, utility crossings, storm drain outlets, and riparian mitigation sites. These proposed improvements were contemplated by the approved Specific Plan. The vast majority of SEA 23 will be left in a natural state, consistent with the Specific Plan.

2. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state.

Specific Plan Summary

The County's Board of Supervisors already found that the Specific Plan and CUP No. 94-087-(5) met Design Compatibility Criterion No. 2, above. In summary, the Board found that the Specific Plan has been designed to maintain waterbodies, watercourses, and their tributaries in a natural state. As indicated above, the Board also found that no significant increases in velocity, erosion, or sedimentation would occur in the river because of the Specific Plan. During most storm events, the velocity and depth of the river would remain unchanged from current conditions, since the course of the river is able to meander without being constrained by bridge abutments or bank protection. It is only in the infrequent, 50- to 100-year event where small increases in depth or velocity will occur at certain locations along the river. In making these findings, the Board

relied on the Newhall Ranch Final Additional Analysis, Section 2.3, which provided a detailed analysis of the Specific Plan impacts to the floodplain areas within the site, including the depth and velocity of water flow in the Santa Clara River. Based on that analysis, the Board found that the Specific Plan's projected river flow increases did not significantly affect the water flow in the river.

Landmark Village Summary

As contemplated by the approved Specific Plan, Long Canyon Road Bridge will require the placement of abutments and piers in the river area; however, the effect of each bridge crossing, including Long Canyon Road Bridge, was thoroughly assessed in the Newhall Ranch Final Additional Analysis, Section 2.3, Floodplain Modifications. At the project level, the environmental analysis will further address the bridge abutments and piers to further assess impacts, if any, to the river corridor.

As contemplated by the approved Specific Plan, the Landmark Village development will include bank stabilization, but only where necessary to protect development from erosion. Bank stabilization is proposed to be ungrouted rock in all areas except at outlet structures, access ramps, and bridge abutments where it is expected that grouted rock or reinforced concrete will be required to meet Los Angeles County Department of Public Works standards. Alternative materials to rip rap for bank stabilization, including buried soil cement, will be considered by the Department of Public Works Flood Control section. Bank stabilization specifications will be further developed as part of the environmental review process for the Landmark Village development.

3. **That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state.**

Specific Plan Summary

The County's Board of Supervisors already found that the Specific Plan and CUP No. 94-087-(5) met Design Compatibility Criterion No. 3, above. In summary, the Board found that under the Specific Plan, SEA 23 would continue to function as a wildlife movement corridor because the Specific Plan design retained both the riparian vegetation in the river and the natural flow of the water without the need for periodic vegetation clearing. The Board also found that the Specific Plan showed a substantially reduced level of impact to sensitive riparian habitat along the Santa Clara River (the originally proposed 103 acres of impact was reduced to approximately one acre). The Board further found that the Specific Plan resulted in an increase of five acres in the amount of sensitive riparian

habitat along the river, and that the Specific Plan established transition areas to separate SEA 23 from the urban uses identified in the Land Use Plan. In addition, the Board found that the three bridges over the river would be sufficiently high as to allow the continued use of the river by animals for movement east to west along and within the river route, and that lighting controls would ensure that SEA 23 would continue to function as a wildlife movement corridor. The Board also found that Section 2.5 (Public Services and Facilities Plan) and Section 2.6 (Resources Management Plan) of the Specific Plan provide objectives and conceptual plans for preserving the river and Salt Canyon in a natural and undisturbed state. Finally, the Board found that the Newhall Ranch Final EIR and Additional Analysis addressed impacts and imposed mitigation measures for the identified impacts that would occur. As a condition of approval, the Board also required the applicant to conserve in perpetuity approximately 1,517 acres of the Salt Creek watershed in Ventura County, adjacent to the Specific Plan site, which enhances the Specific Plan's compatibility with animal movement in the region.

Moreover, the Board found that the tributaries (Castaic, San Martinez, and Chiquito Canyon Creeks) to the Santa Clara River within SEA 23 would all be maintained and preserved in a largely natural state with soft bottoms pursuant to Section 2.5 (Public Services and Facilities Plan) and Section 2.6 (Resources Management Plan) of the Specific Plan. Furthermore, the Board found that the remainder of these tributaries outside SEA 23 but within the Specific Plan were designated open space areas and preserved in a largely natural state.

The Board also found that the Salt Canyon area of the Specific Plan served as a wildlife movement corridor, and that the limited development proposed within SEA 23 would not have any impact upon this wildlife movement area. As indicated above, the Board required the applicant to dedicate 1,517 acres of the Salt Creek watershed in Ventura County, adjacent to the Specific Plan site, in perpetuity, thereby enhancing the Specific Plan's compatibility with animal movement in the region.

In addition, the Board noted that Caltrans had completed the widening of SR-126 from Fillmore in Ventura County to the I-5 freeway in Los Angeles County. As part of that widening project, major north/south animal movement undercrossings were installed under SR-126 at three locations. In addition, three additional larger undercrossings exist along SR-126 within the Specific Plan area at locations where bridges and culverts were constructed over secondary tributary stream courses. Because the undercrossings were designed to facilitate north/south wildlife movement, and because the three undercrossings within the Specific Plan site are of sufficient size to accommodate north/south wildlife movement, the Board found that north/south connectivity across the Santa Clara River will not

be significantly impacted. The Board's findings were supported by the Newhall Ranch Final Additional Analysis, Section 2.2, Salt Creek Corridor.

Landmark Village Summary

Consistent with the approved Specific Plan, for the most part, animal migratory paths within the SEA 23 will be left in an undisturbed, natural state. Again, the exception will be at the Long Canyon Road Bridge abutment and pier locations. All construction-related impacts of proposed development within the SEA 23 will be further assessed as part of the environmental review process for the Landmark Village development with mitigation measures imposed as appropriate.

Other proposed development within SEA 23 – (trails, storm drain outlets, water quality basins, utility lines, agricultural wells, Long Canyon Road Bridge, bank stabilization, and off-site transport of grading materials) – will have a de minimus impact on migratory pathways, and the riparian mitigation areas will actually prove to provide beneficial cover for migratory animals.

4. **That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development.**

Specific Plan Summary

The County's Board of Supervisors already found that the Specific Plan and CUP No. 94-087-(5) met Design Compatibility Criterion No. 4, above. In summary, the Board found that the Specific Plan retained sufficient natural vegetative cover and open space areas to buffer critical resources found in SEA 23 from the proposed development shown in the Specific Plan. Furthermore, the Board found that implementation of the Specific Plan would result in the direct preservation of 1,390 acres of land along the Santa Clara River Corridor within the boundaries of the Specific Plan area. In addition, the Board found that the Specific Plan incorporated an extensive buffer area to protect critical resources within SEA 23.

Landmark Village Summary

Consistent with the approved Specific Plan, the requested development within Landmark Village will retain sufficient natural vegetative cover and/or open space areas to complement SEA 23. As part of the Landmark Village development, a setback or buffer zone will be established along the southern boundary of the project site to protect sensitive habitat along the SEA 23. Furthermore, the vegetation within

portions of the setback or buffer zone will be restored and/or enhanced to increase habitat values when compared to existing conditions.

5. **That where necessary, fences or walls are provided to buffer important habitat areas from development.**

Specific Plan Summary

The County's Board of Supervisors already found that the Specific Plan and CUP No. 94-087-(5) met Design Compatibility Criterion No. 5, above. In summary, the Board found that the discussion of Design Compatibility Criterion No. 4, above, described how the Specific Plan incorporated vegetative cover and open space areas to buffer critical resources from the proposed uses in the Specific Plan. In addition to these features, the Board found that the Specific Plan also buffered habitat from proposed uses through development regulations and design guidelines. As indicated in Chapter 4 of the Specific Plan, future residential subdivisions and commercial development constructed within the Specific Plan area must include fences or walls that will preclude access to sensitive resources within SEA 23. As each tract or parcel map is submitted to the County, it must be reviewed to determine whether proposed uses substantially comply with the standards, regulations, and guidelines of the Specific Plan, including those pertaining to fencing and walls to ensure that they buffer important SEA 23 habitat areas from development.

Landmark Village Summary

Consistent with the approved Specific Plan, the Landmark Village development proposes fences and walls to protect significant habitat within the SEA 23. In addition, other mitigation measures and conditions of approval will be adopted to ensure the protection of sensitive biotic resources within the SEA 23 (e.g., shielding of illumination). The locations of the designated fences and walls and their relation to the SEA 23 will be further assess during the environmental review process for the Landmark Village development.

6. **That roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.**

Specific Plan Summary

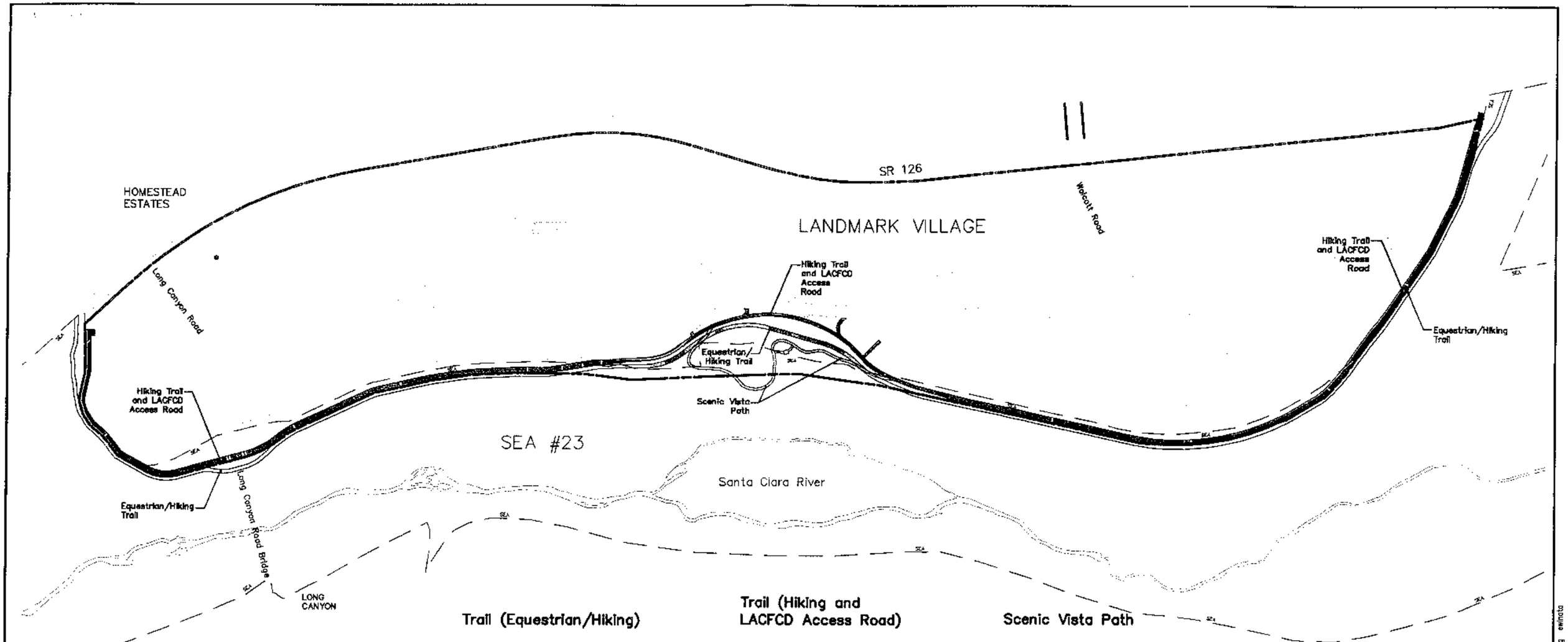
The County's Board of Supervisors already found that the Specific Plan and CUP No. 94-087-(5) met Design Compatibility Criterion No. 6, above. In summary, the Board found that the Specific Plan proposed the construction of three bridges and several utility lines across the Santa

Clara River, within the existing SEA 23. Utilities serving the proposed Specific Plan, where feasible, would be incorporated with the river bridges.

The Board also found that the bridge crossings would have support columns in the riverbed, but the crossings are elevated structures so as to reduce impacts on river vegetation and sensitive species and to allow species that move along the river course to continue to use existing resources. Moreover, the Board found that the elevated bridge crossings would ultimately replace the existing at-grade agriculture crossings, which would minimize the amount of direct disturbance to the riverbed and its environs. Based on the assessment provided in the Newhall Ranch Final Additional Analysis, Section 2.4, SEA General Plan Consistency, the Board concluded that the roads and utilities serving the Specific Plan were located and designed so as not to conflict with critical resources, habitat areas or migratory paths.

Landmark Village Summary

Consistent with the approved Specific Plan, at the project level, the Landmark Village development will design and locate project roads and utilities so as not to conflict with critical resources, habitat areas or migratory paths. The vast majority of roadways and utilities serving Landmark Village are removed far to the north of SEA 23 and has no impacts on it. The number and location of the bridge crossings were established by the Specific Plan in part to minimize impacts on SEA 23 and other sensitive resources. As part of the Landmark Village development, the Long Canyon Road Bridge crossing will be implemented. All other roads within the Landmark Village development are designed to parallel SEA and loop back to the planned Long Canyon Road Bridge crossing, or to SR-126. All roads used by daily vehicular traffic are outside SEA 23. Only minor encroachment from trails and public improvements encroach within the SEA. The roads and utilities serving the Landmark Village development will be further assessed as part of the environmental review process for the proposed project.



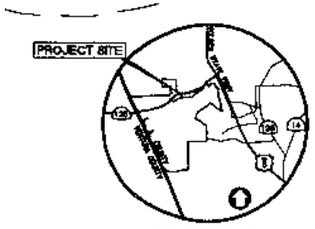
Legend

- Project Boundary
- SEA #23 Boundary – 2003
- Santa Clara River

	Trail (Equestrian/Hiking)	Trail (Hiking and LACFCD Access Road)	Scenic Vista Path
Inside SEA/Inside Tract	8300 sf 2 Areas	97,275 sf 2 Areas	4775 sf 3 Areas
Inside SEA/Outside Tract	104,150 sf 2 Areas	No Areas	2835 sf 1 Area
Outside SEA/Inside Tract	21,320 sf 2 Areas	68,700 sf 3 Areas	8805 sf 2 Areas
Outside SEA/Outside Tract	4,220 sf 1 Area	625 sf 1 Area	No Areas

Note: Trail and path widths as shown are exaggerated and not to scale. Boundaries and Rights of Way are for illustrative Purposes only. Area calculations are approximate. Location which is shown is meant to be illustrative and not precise. The exact location will be determined at a later date after additional biological studies are conducted and in consultation with DFG and other resource agencies.

300' 150' 0' 300' 600'



Landmark Village at NEWHALL RANCH

VTTM 53108

SEA ENCROACHMENT EXHIBIT TRAILS AND PATHS

PSOMAS

DATE: 03-20-04 REVISED ON: 03/21/05
JOB No: 1NRC010700 SHEET 1 OF 7

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HOMESTEAD ESTATES

SR 126

LANDMARK VILLAGE

Long Canyon Road

1.4 Miles to Newhall Ranch Water Reclamation Plant

Pump Station

2.8 Miles to County Sanitation District No. 32

SEA #23

Santa Clara River

Long Canyon Road Bridge

LONG CANYON

Legend

Project Boundary

SEA #23 Boundary – 2003

Santa Clara River

Utilities

258,825 sf 3 Area
Inside SEA/Inside Tract

5 Areas
Inside SEA/Outside Tract

1,282,225 sf 5 Areas
Outside SEA/Inside Tract

4 Areas
Outside SEA/Outside Tract

Note: Boundaries and Rights of Way are for illustrative Purposes only.
Area calculations are approximate. Area acreages outside the limits of this drawing are not included.
Utility locations shown are potential locations and meant to be illustrative and not precise.
Utilities may include, but not limited to, water, sewer, storm drains, electrical, gas, cable, and fiber optics lines.

600' 300' 0' 600' 1200'

PROJECT SITE

VICINITY MAP
NOT TO SCALE

Landmark Village at NEWHALL RANCH

VTTM 53108

SEA ENCROACHMENT EXHIBIT
LOCATION OF UTILITIES

PSOMAS

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JOB No: 1NRC010700 SHEET 2 OF 7

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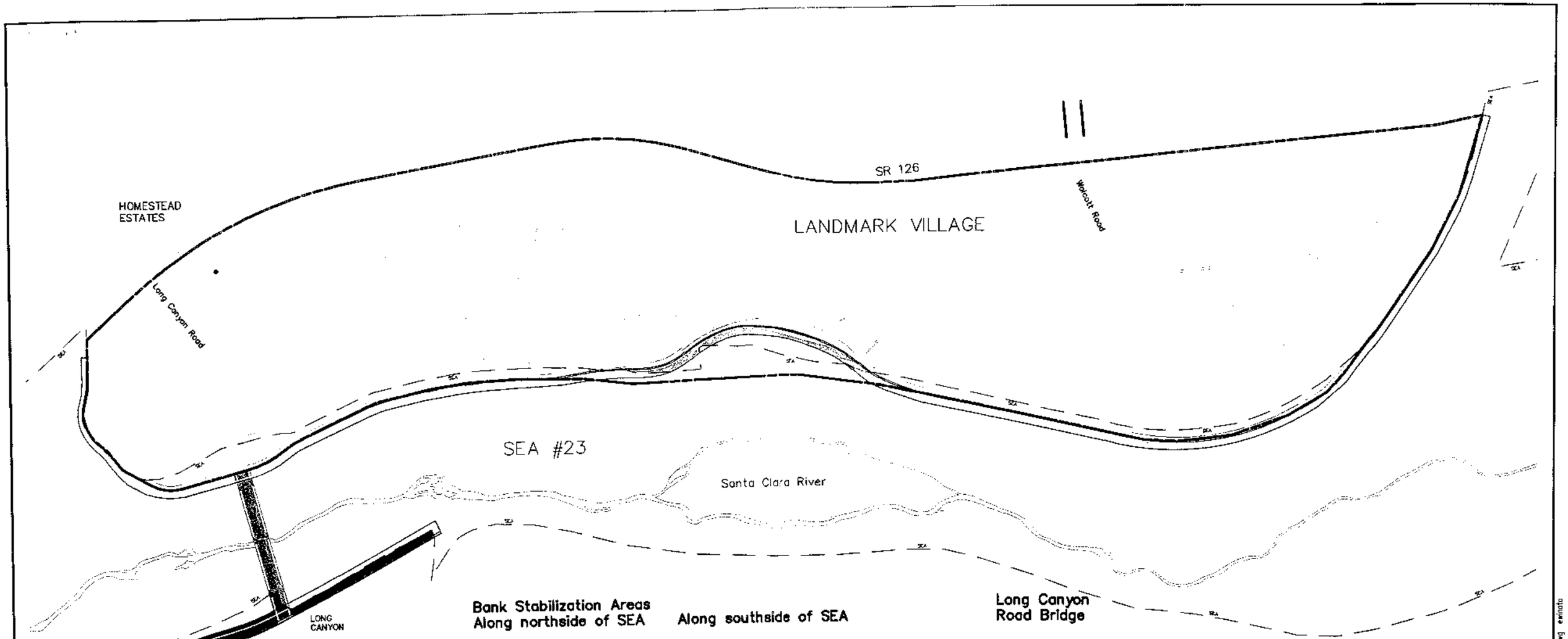
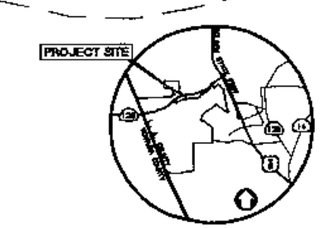


Legend

- Project Boundary
- SEA #23 Boundary – 2003
- Santa Clara River

	Bank Stabilization Areas Along northside of SEA	Along southside of SEA	Long Canyon Road Bridge
	41,400 sf 3 Areas Inside SEA/Inside Tract	No Areas Inside SEA/Inside Tract	22,000 sf 1 Area Inside SEA/Inside Tract
	475,675 sf 2 Areas Inside SEA/Outside Tract	308,675 sf 2 Areas Inside SEA/Outside Tract	83,725 sf 1 Area Inside SEA/Outside Tract
	96,400 sf 3 Areas Outside SEA/Inside Tract	No Areas Outside SEA/Inside Tract	No Areas Outside SEA/Inside Tract
	No Areas Outside SEA/Outside Tract	283,600 sf 4 Areas Outside SEA/Outside Tract	15,125 sf 1 Area Outside SEA/Outside Tract

Note: Boundaries and Rights of Way are for Illustrative Purposes only. Area calculations are approximate and include areas outside of the limits of this drawing. Location which is shown is meant to be illustrative and not precise.



VICINITY MAP
NOT TO SCALE

600' 300' 0' 600' 1200'

Landmark Village at NEWHALL RANCH

VTTM 53108

SEA ENCROACHMENT EXHIBIT
BANK STABILIZATION AND LONG CANYON ROAD BRIDGE

PSOMAS

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JOB No: INRC010700 SHEET 3 OF 7

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HOMESTEAD ESTATES

SR 126

LANDMARK VILLAGE

Wolcott Road

Lang Canyon Road

Sewer Pump Station

Proposed Haul Route

SEA #23

Santa Clara River

Lang Canyon Road Bridge

LONG CANYON

Proposed Haul Route

Proposed Haul Route

Legend

Project Boundary

SEA #23 Boundary – 2003

Santa Clara River

Haul Route

3,550 sf 1 Area
Inside SEA/Inside Tract

57,250 sf 1 Area
Inside SEA/Outside Tract

184,050 sf 1 Area
Outside SEA/Inside Tract

PROJECT SITE

VICINITY MAP

Zone 1A Water Tank – Long Canyon (20 MG)

Note: Haul Route widths as shown are exaggerated and not to scale.
Area calculations are approximate and assume a 50 foot width.
Locations which are shown are meant to be illustrative and not precise.
Boundaries and Rights of Way are for illustrative Purposes only.

600' 300' 0' 600' 1200'

VTTM 53108

SEA ENCROACHMENT EXHIBIT HAUL ROUTE

Landmark Village at NEWHALL RANCH.

PSOMAS

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HOMESTEAD ESTATES

SR 126

LANDMARK VILLAGE

Wolcott Road

Long Canyon Road

SEA #23

Santa Clara River

Long Canyon Road Bridge

LONG CANYON

Legend

Project Boundary

SEA #23 Boundary – 2003

Santa Clara River

Candidate Restoration Areas Within SEA #23

87 Acres of Candidate Riparian Restoration/Enhancement Areas

108 Acres of Sensitive Habitat Redesignated from Residential and Non-Residential Land Uses to Proposed SEA #23

14 Acres of Sensitive Habitat Added to Proposed SEA #23

Water Course

Candidate Restoration Areas Within Tract Boundary

8.6 Acres of Candidate Riparian Restoration/Enhancement Areas Within Tract Boundary

1.5 Acres of Sensitive Habitat Redesignated from Residential and Non-Residential Land Uses to Proposed SEA #23 Within Tract Boundary

No Areas of Sensitive Habitat Added to Proposed SEA #23 Within Tract Boundary

PROJECT SITE

VICINITY MAP
NOT TO SCALE

Note: Not all of Candidate Restoration Areas outside of the Tract Boundary are shown. Boundaries and Rights of Way are for illustrative Purposes only. Area calculations are approximate and include Candidate Restoration Areas outside of the limits of this drawing. Locations of Candidate Restoration Areas are meant to be illustrative and precise location may shift based on more detailed, future biological surveys.

600' 300' 0' 600' 1200'

Landmark Village at NEWHALL RANCH

VTTM 53108

SEA ENCROACHMENT EXHIBIT CANDIDATE RESTORATION AREAS

PSOMAS

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JOB No: 1NRC010700 SHEET 5 OF 7

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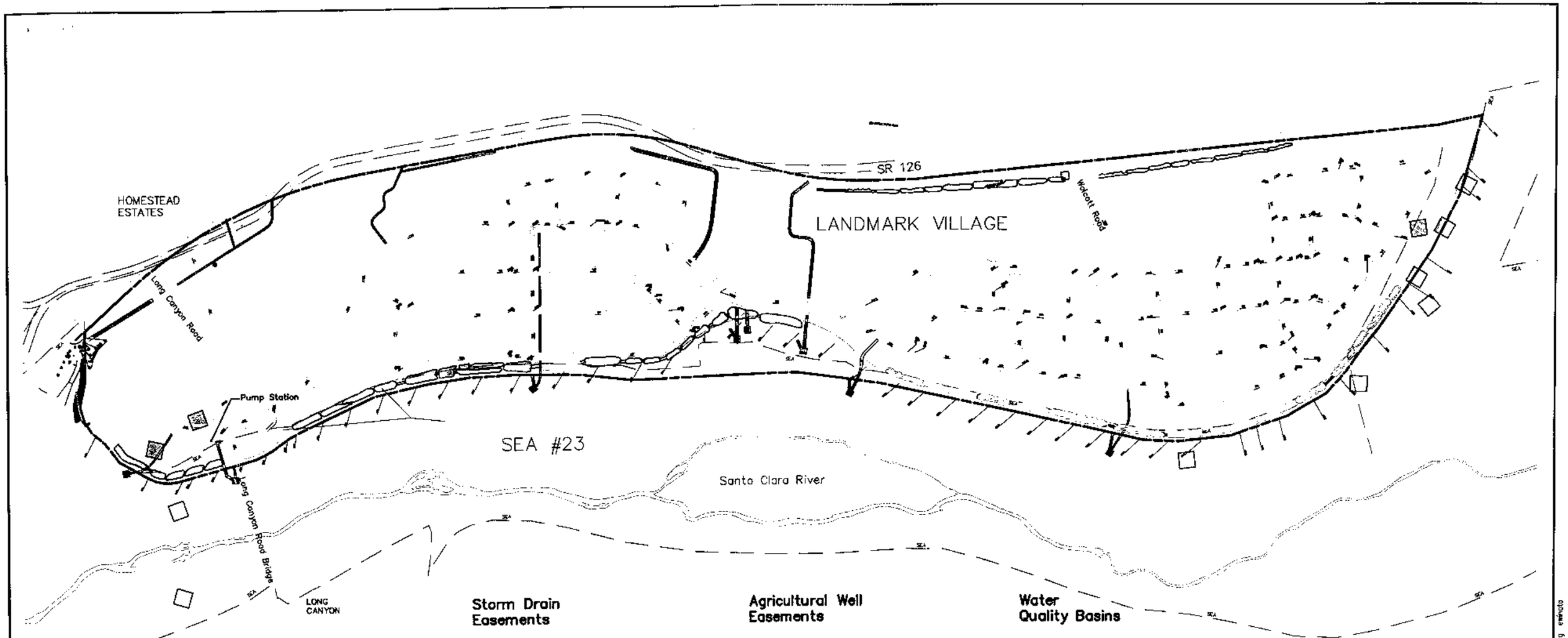

Legend

- Project Boundary
- SEA #23 Boundary – 2003
- Santa Clara River

	Storm Drain Easements	Agricultural Well Easements	Water Quality Basins
	5325 sf 5 Areas Inside SEA/Inside Tract	No Areas Inside SEA/Inside Tract	179,000 sf 3 Areas Inside SEA/Inside Tract
	17,500 sf 5 Areas Inside SEA/Outside Tract	70075 sf 8 Areas Inside SEA/Outside Tract	No Areas Inside SEA/Outside Tract
	99,500 sf 16 Areas Outside SEA/Inside Tract	42,450 sf 7 Areas Outside SEA/Inside Tract	50,000 sf 3 Areas Outside SEA/Inside Tract
	No Areas Outside SEA/Outside Tract	No Areas Outside SEA/Outside Tract	No Areas Outside SEA/Outside Tract

Note: Easement widths as shown are exaggerated and not to scale. Boundaries and Rights of Way are for Illustrative Purposes only. Area calculations are approximate. Locations which are shown are meant to be illustrative and not precise.

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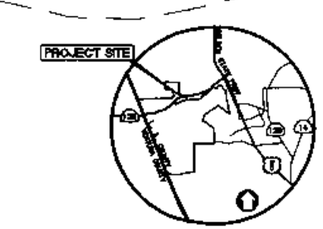

Landmark Village at NEWHALL RANCH

VTTM 53108

SEA ENCROACHMENT EXHIBIT

STORM DRAINS, AG WELLS AND WATER QUALITY BASINS

PSOMAS

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HOMESTEAD ESTATES

SR 126

LANDMARK VILLAGE

Wolcott Road

Long Canyon Road

SEA #23

Santa Clara River

Long Canyon Road Bridge

LONG CANYON

Legend

Project Boundary

SEA #23 Boundary – 2003

Santa Clara River

Metrolink Right of Way Reservation

No Areas
Inside SEA/Inside Tract

3 Areas
Inside SEA/Outside Tract

1 Areas
Outside SEA/Inside Tract

3 Areas
Outside SEA/Outside Tract

Note: Reservation width as shown is exaggerated and not to scale.
Area counts are approximate and include areas outside the limits of this drawing.
Boundaries and Rights of Way are for Illustrative Purposes only.
Reservation location shown is potential location and meant to be illustrative and not precise.

600' 300' 0' 600' 1200'

PROJECT SITE

VICINITY MAP
NOT TO SCALE

Landmark Village at NEWHALL RANCH

VTTM 53108

SEA ENCROACHMENT EXHIBIT
METROLINK RIGHT OF WAY RESERVATION

PSOMAS

DATE: 03-20-04 REVISED ON: 03/21/05
JOB No: 1NRC010700 SHEET 7 OF 7

RV056-07

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CONDITIONAL USE PERMIT
BURDEN OF PROOF
FOR (1) OFF-SITE TRANSPORT OF MATERIALS,
(2) GRADING OF DEBRIS BASINS, AND
(3) GRADING FOR THE WIDENING OF SR-126.
VTTM No. 053108

Background

In order to implement the development of Landmark Village (formerly River Village), it will be necessary to import fill material from Adobe Canyon. It will also be necessary to grade for debris basins in Chiquito Canyon and grade for the widening of SR-126.

Newhall Land Company will need a net import of 6 million cubic yards of fill material from a potential borrow site (see "Proposed Adobe Canyon Borrow Site Haul Route" exhibit). The borrow site that has been identified, is located at Adobe Canyon about 4,000 feet south of SR 126, which is south of Landmark Village, south of the Santa Clara River, and east of the planned future Long Canyon Road.

There are two proposed haul routes for exporting the fill material from Adobe Canyon (see *Proposed Borrow Site Haul Route* exhibit). Newhall Land would arrange for the material to be exported via truck or scraper from two distinct locations within the borrow site. The two haul routes would then merge onto an existing agricultural crossing that would cross the Santa Clara River and enter Landmark Village. The first proposed haul route begins toward the center of the borrow site and travels west to the existing agricultural crossing. The second proposed haul route begins in the northwest corner of the borrow site and merges on to the existing agricultural crossing, which then heads north into Landmark Village (see exhibit).

It will also be necessary to grade the debris basins in Chiquito Canyon north of SR-126 concurrently with the grading required for the widening of SR-126 so as to avoid wiping out the debris basins within Chiquito Canyon from the grading of SR-126 that would occur in the future (see "Chiquito Canyon/SR-126 Grading" exhibit). The grading for the debris basins in Chiquito Canyon and the widening of SR-126 combined will involve 1,019,000 cubic yards of raw cut. The net volume (after shrinkage) of 866,000 cubic yards will be placed as fill in accordance with County Ordinance requirements in three designated locations as indicated on the exhibit.

Under the Implementation Procedures of the Newhall Ranch Specific Plan (Section 5.2 g), the "off-site transport of materials" is addressed through the Substantial Conformance process. As such, the following information is required:

- *Name and address of all persons owning all or any part of the property from which such material is proposed to be removed and to which it is proposed to be transported:*

  The property owner of the borrow site and fill site is Newhall Land Company. The property owner's mailing address is:
  23823 Valencia Boulevard,
  Valencia, CA 91355-2194,

- *The names and address of the person or person who will be conducting the operations proposed:*

  No grading contractor has been selected by Newhall Land Company.

- *The ultimate use of the property:*

  As more fully described in other entitlement applications, Landmark Village is planned as a mixed-use, neo-traditional development.

  Section 5.2 d of the Newhall Ranch Specific Plan requires that the Planning Director make the following findings in approving a request for Substantial Conformance:

- *The request substantially conforms with all applicable provisions of the Specific Plan and Los Angeles County ordinances which do not conflict with the Specific Plan.*

  The Landmark Village site must be elevated in order to avoid flood issues. Raising the site will occur by importing fill material from the borrow site location. The request to transport material to Landmark Village in order to implement the project is consistent with the mixed-use development planned for Landmark Village as articulated in the Newhall Ranch Specific Plan. By making the site ready for development, the importation of fill will allow Landmark Village to be developed in a manner consistent with all requirements of the Specific Plan (e.g., planned uses, densities, infrastructure, parks, trails, etc.).

  The (revised) Specific Plan was approved by the Board of Supervisors in 2003. The proposed grading operation is consistent with planned grading operations as depicted in the Specific Plan [see enclosed exhibit – Figure 1.0-14 (Conceptual Grading Plan)].

- *The request will not adversely affect public health and safety.*

  Inasmuch as the borrow site (Adobe Canyon), import site (Landmark Village), grading sites, and transport routes are not located in any inhabitable area, there will be no adverse impacts on the public's health or safety. Before material is physically removed from the borrow site location, a soils engineer will be engaged to ensure that no slope failures will occur due to the removal of material.

- *The request will not adversely affect adjacent property.*

  Adjacent property is all owned by Newhall Land Company, so no other property owner would be adversely impacted by the grading operation or transportation of fill material. Even so, there will be an on-site engineer during operations to ensure that grading does not negatively affect Newhall Land Company's adjacent ownership (e.g., causing unanticipated landslides). When the Board of Supervisors approved the (revised) Newhall Ranch Specific Plan in 2003, many grading mitigation measures were adopted that addressed aesthetics, noise, air quality (fugitive dust), re-compaction and stabilization (buttress fills, shear keys) to ensure that no property would be adversely affected.

A. *That the requested use at the location proposed will not:*
   1. *Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.*

      Ultimately, the use of the property is the development of the community of Landmark Village. This development requires a net importation of 6 million cubic yards of fill material in order to protect the future inhabitants from potential flooding. The development will also require the grading for the debris basins in Chiquito Canyon, north of SR-126. Along with the grading for the debris basins, it will be necessary to assume the required grading for the widening of SR-126 concurrently so as to not have conflicting grading operations. The grading that is required for the widening of SR-126 is necessary to accommodate the increased traffic capacity that will result from the development of Landmark Village. Therefore, contrary to having an adverse impact, the proposed grading operations will be beneficial to the future residents and businesses at Landmark Village.

      The (revised) Specific Plan was approved by the Board of Supervisors in 2003. The proposed grading operation is consistent with planned grading operations as depicted in the Specific Plan (see enclosed exhibit – Figure 1.0-14 (Conceptual Grading Plan)).

Operationally, any potential adverse effects that may arise at the grading sites, borrow site or transport routes will be addressed by incorporating recommendations from the soils engineer that address unstable slope conditions, and flag-men to facilitate truck traffic.

2. *Be materially detrimental to the use, enjoyment or valuation of property of others persons located in the vicinity of the site.*

   The grading operations will be temporary in nature. Potential noise and traffic conflicts will be addressed in the Landmark Village environmental impact report, and measures will be proposed to mitigate these impacts. Properties most likely to be impacted – those adjacent to the borrow sites - are owned by the project proponent, Newhall Land Company. The applicant's soils engineer and the County Department of Public Works will ensure that slopes at the borrow sites are engineered for stability and that appropriate erosion control measures are in place.

3. *Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.*

   The off-site transport of fill material necessary for Landmark Village will not be a menace to the community because mitigation measures (e.g., flag-men) will be required to ensure the safe flow of traffic. The placement of the fill material at Landmark Village has been reviewed by the Department of Public Works (DPW) in connection with the review of grading and geotechnical report filed with VTTM No. 53108. DPW is satisfied that there is no danger to the public health, safety or general welfare. That is, grading is consistent with County ordinances and the recommendations and design requirements of County approval of the aforementioned geotechnical report.

   When the Board of Supervisors approved the (revised) Newhall Ranch Specific Plan in 2003, many grading mitigation measures were adopted that addressed aesthetics, noise, air quality (fugitive dust), re-compaction and stabilization (buttress fills, shear keys) to ensure that no property would be adversely affected.

B. *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 this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.*

The borrow site is adequate in size to allow for the removal and export of fill material without incurring any physical constraints. The location is not for

development purposes and, therefore, there is no issue relative to yards (setbacks), walls, fences, parking and loading facilities. Grading operations sites will conclude with adequate erosion control (to include landscaping) to ensure that the site is not left in a state that would otherwise be unsafe.

The recipient site – Landmark Village – will be in compliance with all the development standards required by the Newhall Ranch Specific Plan.

C. *That the proposed site is adequately served:*

1. *By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.*

   The borrow site will be adequately served by the two haul routes between the proposed Adobe Canyon borrow site and Landmark Village as shown in "Proposed Adobe Canyon Borrow Site Haul Route" exhibit and by the proposed interim connection between SR-126 and existing Chiquito Canyon Road. Landmark Village will have a sufficient circulation network to meet the operational demands of the future community.

2. *By other public or private service facilities as are required.*

   No service facilities are required at the borrow site. Landmark Village will be adequately served by public and/or private facilities. These will include not only traditional infrastructure such as sewers, storm drains, and streets, but also an elementary school, parks, and shopping.

CHIQUITO CANYON
DEBRIS BASIN GRADING

HERITAGE

PROPOSED INTERIM
CONNECTION

EXISTING CHIQUITO CANYON ROAD

HERITAGE

SR 126

LANDMARK VILLAGE
VTTM 53108

LONG CANYON ROAD

SR 126

SANTA CLARA RIVER

SANTA CLARA RIVER

PROPOSED
HAUL ROUTE

PROPOSED ADOBE CANYON
BORROW SITE

PROPOSED
HAUL ROUTE

LEGEND

PROPOSED HAUL ROUTE

1000 500 0 FEET 1000 2000

1 1/2 0 INCHES 1 2

VTTM 53108

PROPOSED ADOBE CANYON BORROW SITE HAUL ROUTE

PSOMAS

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CONDITIONAL USE PERMITS
Burden of Proof
Off-site Water Tanks
VTTM 53108

Background

The proposed project, Landmark Village, is a master planned residential community located within the Newhall Ranch Specific Plan area. The community primarily consists of single-family and multi-family residences (including condominiums, duplexes and apartments), mixed-use/commercial development, parks, and open space. Facilities and infrastructure to support the proposed project consist of roads, trails, drainage improvements and flood protection (including buried bank stabilization within the Santa Clara River), potable and reclaimed water systems - including water tanks - and a sanitary sewer system.

To serve Landmark Village, there are two (2) proposed water tanks for reclaimed water and two (2) tanks for potable water located outside the Landmark Village project boundary (but within the NRSP area). These proposed tanks are subject to conditional use permits per Section 22.24.150 of the Los Angeles County Municipal Code.

The proposed potable and reclaimed water tank system is consistent with, and implements the Newhall Ranch Specific Plan's approved Conceptual Backbone Water Plan (Exhibit 2.5-2 of the Draft EIR). Consistent with the NRSP, the retail potable water will be provided by the Valencia Water Company. The proposed tanks will be located on three separate sites, outside the boundaries depicted on the Landmark Village tentative tract map. The sites have been selected based on the water pressure zones that have been established near the project site. The multiple tank system is necessary to ensure an adequate source of supply and storage to maintain the system's reliability, safety, and efficiency and it also provides for flexibility in the ultimate location of necessary tanks.

Two of the proposed water tanks for reclaimed water are to be located north of Landmark Village in Chiquito Canyon. This location was selected due to its natural elevation and remoteness to the project area. This area will be able to accommodate the two water tanks that would also be able to share water lines. The site would require approximately a one-acre pad to be graded for each tank. The tanks are anticipated to be 32' in height, and 132' in diameter with a capacity of 3 million gallons. The treated water will be pumped from the existing County Water Reclamation Plant (WRP) 32 located near Interstate-5 just south of Highway SR-126. The reclaimed water to be stored in the proposed tanks will be available to the community of Landmark Village and beyond for specified irrigation and firefighting purposes. In addition to the two proposed new tanks, there is a third possible reclaimed water tank location. An existing water tank located near the treatment plant by Interstate-5 just south of Highway SR-126 may be determined to be an appropriate location for the future reclaimed tank. Although it is an existing tank

originally intended for potable water, minor improvements will be necessary in order to upgrade the waterline system that connects to it.

The two water tanks for potable water are proposed to be located north of Landmark Village as well. The first tank is proposed to be located in Chiquito Canyon just south of the two proposed reclaimed water tanks mentioned above. The second tank is proposed to be located west of Commerce Center Drive, just north of an existing potable water tank that currently serves the Valencia Commerce Center located nearby. These locations were selected due to it natural elevation and remoteness to the project area. The tanks will each require approximately a one-acre graded pad area. The tanks are anticipated to be approximately 32' in height and 152' in diameter with a capacity of 4 million gallons.

Findings

A. That the requested use at the location proposed will not:

1) Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

2) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

3) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed water tanks in Landmark Village will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. Rather, the proposed water tanks will serve the needs of residents of Landmark Village as well as other surrounding Newhall Ranch developments. The potable water tanks will be able to service the communities with safe and quality drinking water. Even more, the reclaimed water will significantly contribute to water conservation as it will be able to offer treated water for irrigation and firefighting purposes.

The proposed water tanks will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site. The two locations for the proposed potable water tanks have been strategically selected to consider a natural elevation that would provide adequate water service in an efficient manner as well as minimize any possible negative impacts from the communities. The locations are located so that they may adequately serve Landmark Village in addition to its surrounding communities. In addition, the proposed site for the second potable water tank located west of Commerce Center Drive already contains an existing water tank that serves the Valencia Commerce Center. The sites for the reclaimed water tanks have also been selected to consider efficiency of service as well as the visual impacts from the residents in the community. The two new reclaimed water tanks are to be located in Chiquito Canyon just north of the proposed potable water tank.

The proposed water tanks will not jeopardize, endanger or otherwise constitute a

menace to the public health, safety or general welfare. Rather, they are necessary for provision of a necessary resource. The potable tanks will provide quality drinking water, a necessary resource and the reclaimed water tanks will assist in potable water conservation by using reclaimed water for irrigation and other purposes.

B. 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 this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The three sites for the proposed tanks are adequate in size and shape to accommodate the two water tanks. As mentioned above, the sites have been selected after careful consideration of impacts to neighboring communities as well as taking advantage of the natural elevation that provide for an efficient delivery system minimizing the aid of pumps and other machinery. Each site will require a one-acre graded pad, approximately. The requests for the necessary off-site grading and improvements related to the water tanks have been included in an accompanying request for a conditional use permit. The tanks do not require any parking or loading spaces, although there will be vehicular access to the tanks should any future maintenance be required. The tanks will be hidden from view by a 30-foot berm surrounding them. By sinking the tanks into the landscape and berming the edge, the water tanks will be fully integrated with the surrounding area and have minimal visual impact.

The water tank options have been discussed in the Environmental Impact Report (EIR) and are depicted on the tentative tract map (VTTM) 53108. The proposed project would be developed in conformance with all applicable County Codes including, but not limited to, the Subdivision Code, Grading Code, Building Codes and all required mitigation measures.

C. That the proposed site is adequately served:
1) By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2) By other public or private service facilities as are required.

The three sites will take access from public/private streets. Since two of the three sites – west of Commerce Center Drive and the site near the County WRP 32 – contain existing tanks, minor improvements will be necessary to upgrade access from public/private roads to the graded across for each tank.. The proposed site for the one proposed potable and two proposed reclaimed tanks in Chiquito Canyon will require new construction vehicular access to each of the graded pad areas.

Landmark Village has been designed to be in conformance with the approved the Mobility Plan (Section 2.4) of the Newhall Ranch Specific Plan, which provides for a hierarchy of highways and streets that will provide a safe and efficient circulation system. The residential communities will be directly served by a system of public,

"private and future" streets and private drives, which meet Department of Public Works and Fire Department access criteria.

Highway and street widths and standards will be reviewed and approved by the County's Subdivision Committee, which would specify conditions of approval for the subdivision. In addition, a traffic modeling study will be completed using the methodology and standards specified by Los Angeles County, and utilizing the Los Angeles County/City of Santa Clarita Consolidated Traffic Model. The traffic studies for the project will be incorporated into the Draft EIR. The project would conform to all conditions of approval for VTTM 53108, as well as to all required mitigation measures.

No other public or private services are necessary for the tanks.

Request for
OAK TREE PERMIT

Los Angeles County DEPARTMENT OF
320 West Temple Street, Los Angeles, Ca, 90012 **Regional Planning**

NOTE: It is the applicant's responsibility to notify the Planning Director of any change of the principals involved in this case prior to the completion of processing

CONCURRENT CASES: VTTM 53108 / Oak Tree Permit 00-196

APPLICANT

Name
Newhall Land
Address
23823 Valencia Blvd.
City
Valencia, CA 91355
Telephone
(661) 255-4217

PROPERTY OWNER

Name
Newhall Land
Address
23823 Valencia Blvd.
City
Valencia, CA 91355
Telephone
(661) 255-4217

OWNER'S AUTHORIZATION:
I certify that I am the owner of the herein described property and permit the application to file this request

Location (i.e. address or general description of location) and legal description of property in question: (use additional sheets as necessary) Generally south of State Route 126 & north of the Santa Clara River.
Legal description: PARCELS 14, 15, 16, 17 OF PARCEL MAP 24500-01 PMB 29.3-34 / 67, RECORDS OF LOS ANGELES COUNTY.

How many oak trees will be cut, removed, relocated, damaged or will have encroachments into their protected zone? 67 will be removed and 14 may be subject to damage. (81 trees total will require an Oak Tree Permit
How many oak trees will remain? 120
Will trees be replaced? Yes If yes, indicate the proposed size, type, location (indicate on site plan) and schedule planting. Oak trees removed will be replaced by a tree of the same species at a ratio of 2:1.

Schedule of planting is to be determined.

BURDEN OF PROOF

Submit additional sheets describing how the following findings will be satisfied.

A That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property, and
B That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which can not be satisfactorily mitigated, and
C That in addition to the above facts at least one of the following findings apply:
1. That the removal of oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planed improvement or proposed use of the subject property to such an extent that::
   a Alternate development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
   b Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or
2. That the oak tree(s) proposed for removal or relocation interfere with utility service or streets and highways either within or outside of the subject property and no reasonable alternative to such interference exists other than removal of the tree(s), or
3. That the oak tree(s) proposed for removal, with reference to seriously debilitating disease or danger of falling, is such that it cannot be remedied through reasonable preservation procedures and practice.
4. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

Oak Tree Permit 00-196
Project Description and Burden of Proof
VTTM No. 53108
Landmark Village

In connection with Vesting Tentative Tract Map 53108, an oak tree permit is requested to remove or possibly impact a total of 81 oak trees. There are a total of 201 oak trees within the Landmark Village Planning Area (which includes Landmark Village VTTM 53108, all proposed grading limits and the area within 200 feet of the proposed grading line). Of the total 201 oak trees that were surveyed, 67 trees are proposed to be removed, 14 may be impacted from operations occurring within the protective zone of the tree, and the remaining 120 oak trees will not be impacted.

The following matrix summarizes the number, location and proposed action for each tree:

Oak Tree Survey Matrix

Landmark Village				
	Removed	Impacted	No Impacts	Total
Heritage Oaks	10	3	15	28
Non-Heritage Oaks	57	11	105	173
Total	67	14	120	201

A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property.

Implementation of Vesting Tentative Tract Map No. 53108 will not endanger the health of the 120 remaining oak trees (15 of which are heritage oak trees) located within the Landmark Village Planning Area. Mitigation measures and preservation guidelines have been established for the 14 oak trees proposed to be subject to temporary impacts, as well as for the 120 trees that will remain (e.g. fencing).

The applicant proposes to preserve and protect the remaining 120 oak trees within the impacted area. Protective fencing will be provided and placed at the limits of the protective zone for individual or group of oak trees within the Landmark Village Planning Area. This protective measure will remain in place until construction is completed. To ensure full protection of the health of these trees, no encroachment will occur within the protected zones per §22.56.2060 of Los Angeles County Code.

In addition, equipment damage to any parts of the remaining trees shall be avoided during project construction and development. No storage, dumping or temporary structures shall be permitted within the protective zone of any remaining oak tree.

B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which can not be satisfactorily mitigated.

The proposed removal of 67 oak trees and the impact to 14 oak trees will not result in any additional soil erosion through diversion or increased flow of surface waters, which cannot be satisfactorily mitigated through on-site drainage control measures that shall be implemented with the project.

The proposed project incorporates the Landmark Village drainage and water quality plan which is designed to both protect development and control the drainage and pollutants. The features of this plan are intended to blend into the community as an extension of the landscaping. All drainage entering and originating within the project area will be collected and controlled by the constructed drainage system to ensure no increase in site erosion.

Any grading that will occur beyond the actual tract map border in association with grading to yield import material for the development will follow the recommendations of the soils engineer to avoid soil erosion.

C. That in addition to the above facts at least one of the following findings apply:

1) That the removal of oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
   a. Alternate development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive and,
   b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized.

      Most of the trees proposed for removal and to be impacted are located in areas where fill will be taken for importation to Landmark Village. The project applicant identified these sites as a source of fill material because the impacts to oak trees were less than alternative locations.

2) That the oak tree(s) proposed for removal or relocation interfere with utility service or streets and highways either within or outside of the subject property and no reasonable alternative to such interference exists other than removal of the tree(s).

   Not applicable.

3) That the oak tree(s) proposed for removal, with reference to seriously debilitating disease or danger of falling, is such that it cannot be remedied through reasonable preservation procedures and practice.

Not applicable.

4) That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

The proposed removal of 67 trees and impact to 14 trees will not be contrary to, or be in substantial conflict with, the intent and purpose of the oak tree permit procedure as mitigation measures will be implemented to offset the removals. The grading required for geotechnical stability, access and site balance is necessary to develop the property in the most efficient manner. Without the grading and fill import, the site cannot be developed to the density permitted by the Newhall Ranch Specific Plan. No reasonable alternative to such interference exists other than the removal of the trees.

The applicant has taken great care in identifying export sites to minimize the number of trees which need to be removed in the development process. The applicant recognizes the significance of oak trees as historical, aesthetic and ecological resources that enhance the value of property and character of the communities in which they exist.

The applicant is committed to maintaining the healthy condition of all oak trees to be retained. For each tree removed, a minimum of two (2), 15-gallon replacement trees will be planted, resulting in a greater number of oak trees on site. These replacement trees shall be located at areas consistent with the proposed design plan and as directed by the County Forester. The project proposes to provide several areas designated for tree replacement.

The Landmark Village Planning Area Oak Tree Report
Los Angeles County, California

Prepared for:

The Newhall Land and Farming Company
23823 Valencia Boulevard
Valencia, California 91355

Prepared by:

Impact Sciences, Inc.
803 Camarillo Springs Road, Suite A
Camarillo, California 93012
(805) 437-1900

September 2006

1.0 EXECUTIVE SUMMARY

- Total Number of Ordinance-Size Oak Trees Surveyed 201
- Total Number of Oak Trees Planned for Removal 67
- Total Number of Oak Trees That May be Encroached Within the Protective Zone 14
- Total Number of Oak Trees That Would Not be Removed or Encroached, but Occur within 200 Feet from Grading Limit Line 120
- **Total Number of Oak Trees That Would Require a Los Angeles County Oak Tree Permit (Removed + Encroached) 81**

All oak trees surveyed within the Landmark Village Planning Area are displayed on attached engineering plans prepared by Psomas Engineering (Sheets 1, 2, and 3) and an aerial photograph showing the limits of the Onion Field Bank Stabilization prepared by Impact Sciences. All exhibits show oak trees occurring within the proposed grading limits and within 200 feet of the grading limit line. **Table 2** on page 14 of this report lists the type of project-related impact that may occur to each oak tree, and identifies on which sheet each tree is located.

2.0 INTRODUCTION

Pursuant to the Los Angeles County Oak Tree Ordinance, removal or damage of any tree of the oak genus (*Quercus*) that is 25 inches in circumference (8 inches in diameter), or has a combined trunk circumference of any two trunks of at least 38 inches (12 inches in diameter), as measured 4.5 feet above the mean natural grade (i.e., diameter at breast height [dbh]), is unlawful without a permit (Ordinance 88-0157 1, 82-0168 2, Section 22.56.2050, 1988). Damage is defined as any act causing or tending to cause injury to the root system or other parts of an oak tree, including, but not limited to, burning, application of toxic substances, operation of equipment or machinery, paving, changing of natural grade, and trenching or excavating (i.e., encroached) within the protective zone (the area within the dripline of an oak tree and extending therefrom to a point at least 5 feet outside the dripline, or 15 feet from the trunk[s] of a tree, whichever distance is greater) of an oak tree.

2.1 Purpose

As required by the County of Los Angeles and pursuant to Section 22.56.2090 of the Los Angeles County Code, the purpose of this oak tree report is to provide information to the County on oak trees that may be removed or damaged by the development of the Landmark Village Planning Area. The parameters used to evaluate each tree that was surveyed are described on the following pages under heading **2.0, METHODS**. A spreadsheet showing data collected for each oak tree surveyed is provided in **Appendix A**.

Offsite Improvements
Vesting Tentative Tract Map 53105
(Newhall Ranch - Landmark Village)

1. Los Angeles County Sanitation District trunk sewer located westerly to connect with Newhall Ranch Water Reclamation Plant
2. Water main extension to Valencia Water Company storage tanks and existing pipe system
3. Sewer force main easterly to Los Angeles County Sanitation District 32 Water Reclamation Plant
4. Borrow site in Adobe Canyon in order to import earth per Conditional Use Permit 200500112
5. Pedestrian Bridge located at SR-126 (northwest of project)
6. Debris Basin north of SR-126 located in Chiquito Canyon

Note: Specific details of offsite improvements may be found in the applications, Planner's Notebook or Newhall Ranch Specific Plan.

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MEMORANDUM

TO: Newhall Ranch Specific Plan Project File

FROM: James E. Hartl, AICP, Director of Planning

SUBJECT: Substantial Conformance Interpretation Pertaining to Alternate Street Sections

DATE: (_____)

Approved: _____ _____
Initial *Date*

Background

Section 2.4 (Mobility Plan) of the Newhall Ranch Specific Plan addresses the required street cross-sections for the hierarchy of the Newhall Ranch roadway system. Specifically, Section 2.4 requires that local street cross-sections shall be consistent with Chapter 21 of the County Subdivision Code, and that collector street cross-sections be consistent with Exhibit 2.4-4 of the Specific Plan.

Specific Issue: ***Alternate Street Sections in Landmark Village***

Within Landmark Village, Newhall Land Company proposes to create a neo-traditional development (TND). Unlike more conventional subdivisions, TND communities reflect a return to traditional neighborhoods that pervaded the urban landscape prior to World War II, and before new suburban developments became automobile dependent.

TNDs are designed for walkability and mixed-use, and they typically have a main street, rectangular street grid section, and common open space. Because TNDs stress pedestrian orientation over automobile usage, the streets in these communities are narrower in width than conventional subdivisions and have other traffic calming features (e.g., chokers, neck-downs, traffic circles, speed tables).

In order to implement the TND street design criteria, beginning in 2000, Newhall Land Company began a dialogue with representatives of the Regional Planning Department, Public Works Department and Fire Department to ensure that the proposed alternative street cross-section design for the low-volume local streets and Landmark Village's one collector street ("A" Street) would continue to meet the needs of these departments, particularly as the proposed design related to traffic capacity and life/safety issues. In the ensuing period of time, a number of meetings have occurred, and an agreement between Newhall Land Company and the aforementioned County departments has been reached

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with is reflected in the alternative local street and collector street cross-sections which are illustrated as an attachment to this memorandum.

Conclusion

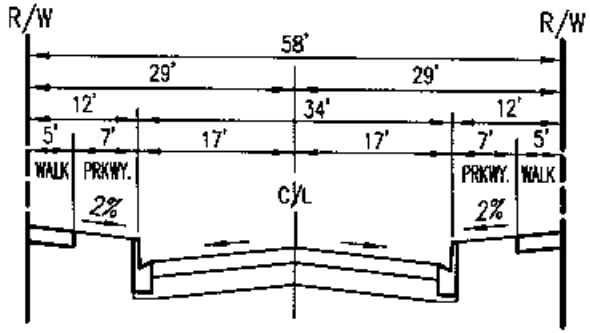
Under the provisions of Substantial Conformance (Section 5.2) of the Newhall Ranch Specific Plan, "Adjustments to the plans contained in Chapter 2, Development Plan, such as the Master Circulation Plan, any of the **roadway sections** (emphasis added), the Master Trails Plan, any of the trails sections, the Conceptual Backbone Water, Sewer, and Drainage Plans the Conceptual Grading Plan, or the Recreation/Open Area Plan which do not change the requirements of providing adequate infrastructure"...are eligible for the Substantial Conformance entitlement process.

Inasmuch as the affected County departments have concluded that the alternative street sections are comparable to those street sections that would otherwise be required by the Specific Plan, or by reference the County Subdivision Code, as the Planning Director, I have determined, pursuant to Section 5.2.d of the Newhall Ranch Specific Plan that:

(1) The proposed alternative street sections substantially conform with all applicable provisions of the Specific Plan and the County ordinances which do not conflict with the Specific Plan, and
(2) The proposed sections will not adversely affect public heath and safety and will not adversely affect adjacent property.

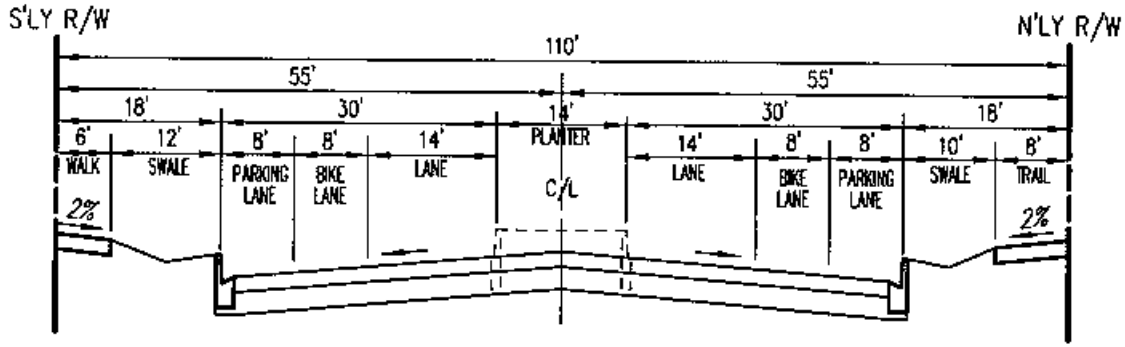
The abovementioned determination shall be applicable to Landmark Village only.

Enclosures: (1) Alternative (proposed) street cross sections
(2) Memorandum summarizing the agreement with the Fire Department and the Department of Public Works



TYPICAL LOCAL STREET SECTION (58' R/W)

Local Access - 30 MPH Design Speed



TYPICAL STREET SECTION (110' R/W)

"A" STREET (Spine Road Collector)
From 1st Roundabout to Wolcott Road
Local Access - 45 MPH Design Speed

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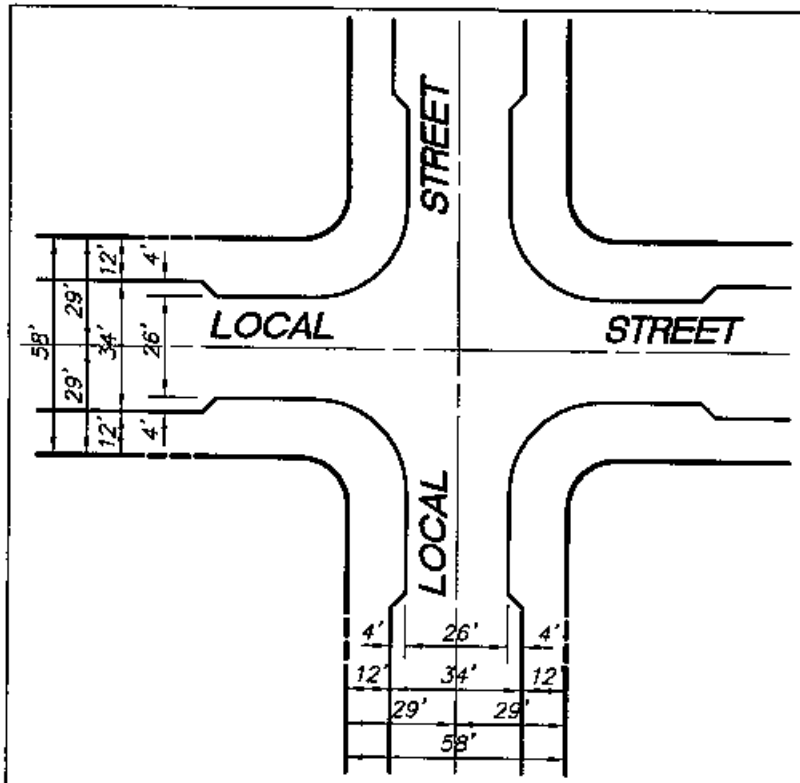
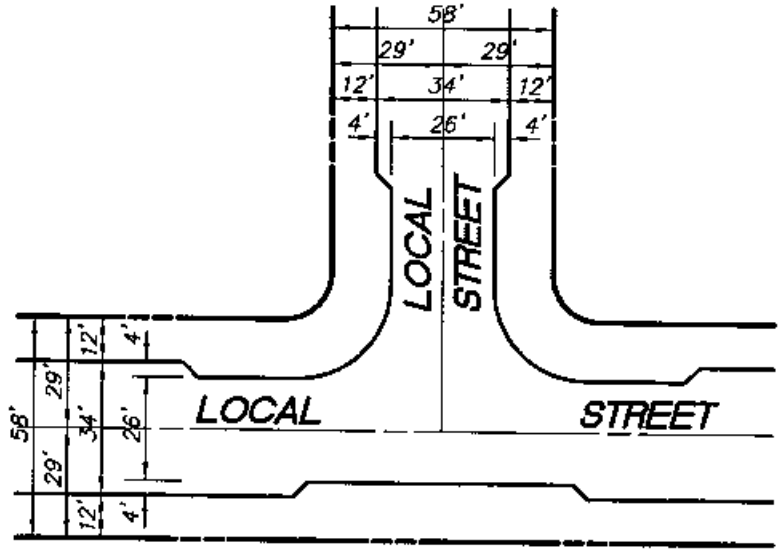
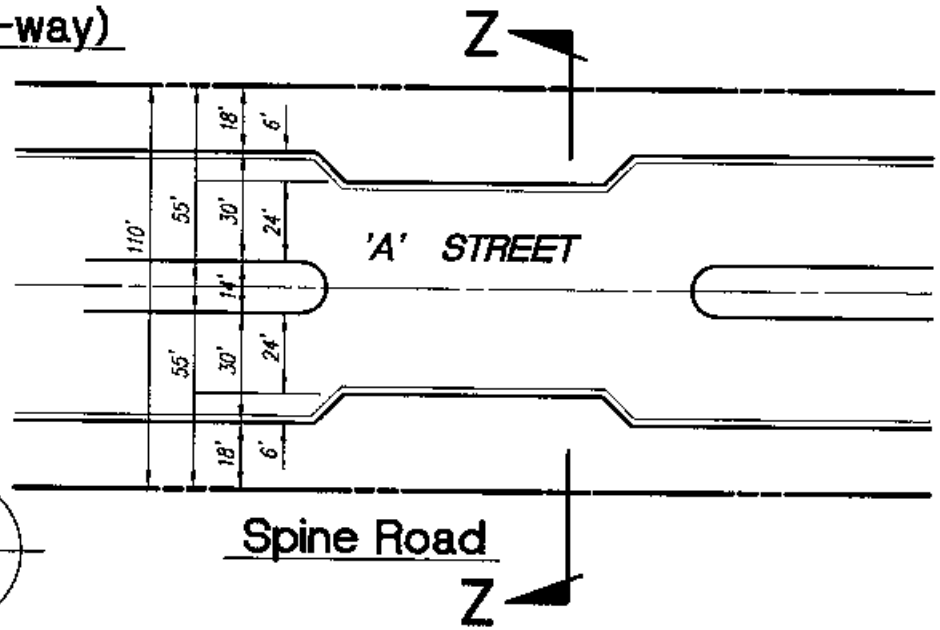


Local Street Intersection (4-way)



Local Street Intersection (3-way)



Spine Road

TYPICAL DETAIL

NOT TO SCALE

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-

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MEMORANDUM

TO: Newhall Ranch Specific Plan Project File

FROM: Bruce McClendon FAICP, Director of Planning

SUBJECT: Substantial Conformance Interpretation Pertaining to Shared Parking

DATE: January 23, 2007

Approved: _____ _____
Initial *Date*

Background

Section 3.7 (Parking Regulations) of the Newhall Ranch Specific Plan specifies the regulations which govern motor vehicle parking. These regulations require parking facilities of sufficient capacity to discourage traffic congestion and provide safe and convenient facilities for motorists and pedestrians. Section 3.7 (3) (a) and (b) describe the provisions for Joint Use and Shared Parking Plan and Senior Community and/or Handicapped Parking Plans.

Specific Issue: *Interpretation of the provisions of Section 3.7 pertaining to shared parking to include off-site and reciprocal parking*

Off-Site, Reciprocal Parking

Development within the boundaries of the Specific Plan will include a variety of multi-family residential units expected to be designed to incorporate parking to serve residents and guests in convenient locations. The specific design may show parking which is not located on the same lot as the residential unit it serves, but instead on an adjacent lot or in a nearby parking structure or lot.

Development within the boundaries of the Specific Plan will also include commercial development designed in a variety of ways. Commercial development is anticipated to include mixed use areas, commercial centers and individual commercial lots. The specific design for the commercial uses may depict parking on adjacent lots or within parking structures.

Allowing flexibility in parking location will result in the conservation of land and promotion of efficient land use and provide convenience for future residents and patrons.

Parking Program

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Section 3.7 of the Specific Plan establishes regulations for the preparation of a Parking Program to provide an alternative to standard parking requirements. Provisions for enforcement of parking requirements and reciprocal agreements for ensuring off-site reciprocal parking be permanently maintained would be included in the Parking Program to be approved prior to the issuance of building permits.

Conclusion

Under the provisions of Substantial Conformance (Section 5.2) of the Newhall Ranch Specific Plan, "approval of a parking program, pursuant to Section 3.7 of paragraph 3" is eligible for the Substantial Conformance review process.

Inasmuch as the requested interpretation of shared parking is consistent with the provisions found in Title 22 for approval of a parking permit and as the approval of a parking program will provide the same assurances as conditions of approval typically applied to parking permits, as the Planning Director, I have determined, pursuant to Section 5.2.d of the Newhall Ranch Specific Plan that:

(1) The interpretation of shared parking is applicable to off-site and reciprocal parking designs and substantially conforms with all applicable provisions of the Specific Plan and the County ordinances which do not conflict with the Specific Plan, and
(2) The interpretation of shared parking will not adversely affect public heath and safety and will not adversely affect adjacent property.

The abovementioned determination shall be applicable to development within the boundaries of the Specific Plan.

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MEMORANDUM

TO: Newhall Ranch Specific Plan Project File
County of Los Angeles

FROM: James E. Hartl, AICP, Director of Planning

SUBJECT: Substantial Conformance Interpretation pertaining only to
Front Setback for Single-Family Residences
Newhall Ranch Specific Plan Area

DATE: September 23, 2003

Approved: _____ _____
Initial *Date*

Background

As Newhall Ranch Company is proceeding with design of its initial Tract Map, an interpretation issue relative to setbacks has arisen and they have requested early input as it is fundamental to their planning and lotting. Although the Specific Plan is the broad governing document for the implementation of specific Tract Map level details, much is left to the Planning Director's discretion in interpreting the intent of the Plan's development standards, and allowing for progressive product innovation.

Specific Issue: ***Front Setbacks for Single-Family Detached Homes in Low (L), Low Medium (LM), and Medium (M)***

Front Yard Setbacks

The Newhall Ranch Development Standards are set forth on Table 3.4-1 of the Specific Plan (see attached). The intent of the required minimum 18-foot front yard setback is to avoid blocking of sidewalks by vehicles parked in driveways. (The Specific Plan requires 18-foot garage setback for front entry garage and 10-foot garage setback for side entry garages.)

Consistent with this intent is a standard 10-foot main structure front yard setback and a variable garage setback per the individual conditions set forth below:

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Front Entry and Side Entry Garage Setbacks

The Specific Plan is explicit in requiring an 18-foot minimum front setback for a conventional front entry garage (see Note 4 on Site Development Standards Matrix, Table 3.4-1) and requiring a 10-foot minimum front setback for a side entry garage. Exhibits 'A' and 'B' respectively demonstrate those front setbacks specified by the Specific Plan for Low, Low Medium, and Medium detached residences.

The Specific Plan is silent, however, on front yard setbacks for detached residential products featuring recessed garages and alley-loaded garages.

Recessed Garage Setbacks

Since the 18-foot front yard setback was intended to provide an adequate area for parking a vehicle in the driveway access to a garage in order to prevent the blocking of the sidewalk, it seems logical that the 18-foot setback should be applied to all front loading garages (flush conventional or recessed). Exhibit 'C' demonstrates this type product. Note that to de-emphasize the garage door, only the garage structure is subject to the 18-foot setback and the living area may remain at the 10-foot front yard setback as required by the Specific Plan. This encourages port cochere type products which improve the streetscape.

Alley Loaded Garage Setbacks

Due to the fact that no blockage of the sidewalk is in question the intent of the Specific Plan is clear that the front yard setback should be 10-feet in this case (see Exhibit 'D'). Although a rear yard setback is not required for garages with alley access, a minimum distance of 26 feet is required between the garage entrance and the opposite side of the alley.

Site Development Standards Matrix

The attached Table 3.4-1 Site Development Standards Matrix (Revised) has been amended by adjusting the matrix and notes to include the clarifications to front setbacks as discussed and demonstrated above. Namely, a 10-foot minimum front yard setback for the main structure and a garage setback determined by product type which is set forth in Notes to Table 3.4-1.

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Conclusion

Under the provisions of Substantial Conformance (Section 5.2) of the Newhall Ranch Specific Plan, " modification of development standards contained in Table 3.4 (Site Development Standards)" are eligible for the Substantial Conformance review process.

Inasmuch as this analysis has described the instances where interpretation of the front setback requirement as it pertains to recessed and alley-loaded garages clarifies the intent of the Specific Plan and will facilitate the processing of individual Tentative Tract Maps and is in conformance with the intent of the Specific Plan, as the Planning Director, I have determined, pursuant to Section 5.2.d of the Newhall Ranch Specific Plan that:

(1) The proposed front setbacks for single family detached homes in Low (L) , Low Medium (LM) and Medium (M) designations substantially conform with all applicable provisions of the Specific Plan and the County ordinances which do not conflict with the Specific Plan, and
(2) The proposed setbacks will not adversely affect public heath and safety and will not adversely affect adjacent property.

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TABLE 3.4-1
REVISED SITE DEVELOPMENT STANDARDS MATRIX
Newhall Ranch Specific Plan

RESIDENTIAL SITE DEVELOPMENT STANDARDS

LAND USE DESIGNATIONS[1]		MINIMUM LOT AREA (Sq. Ft.)	REQUIRED SETBACKS[2, 17] Front Yard[2] (Main Structure)	Side Yard[2] (Each Side)	Rear Yard[2]	MAXIMUM BUILDING HEIGHTS[2]
ESTATE (E)		20,000	30' Min[3]	15' Min	30' Min	35'
LOW RESIDENTIAL (L)		7,500	18' Min[4]	5' Min[11]	20' Min[6, 7]	35'
LOW-MEDIUM RESIDENTIAL (LM)	Detached	2,500	18' Min[4, 14]	5' Min[5, 8, 11, 15, 16]	10' Min[6,7]	35'
	Attached	2,500	18' Min[4, 14]	0[9, 11, 15, 16]	10' Min[6,7]	35'
MEDIUM RESIDENTIAL (M)	Detached	2,500	18' Min[4, 14]	5' Min[5, 8, 11, 15, 16]	10' Min[6,7]	45'
	Attached	N/A	10' Min[14]	0[9, 11, 15, 16]	10' Min[6,7]	45'
HIGH RESIDENTIAL (H) AND MIXED-USE (MU) RESIDENTIAL		N/A	10' Min	0[9, 11]	10' Min[6,7]	55'

NON-RESIDENTIAL SITE DEVELOPMENT STANDARDS

LAND USE DESIGNATIONS[1]	LOT REQUIREMENTS[12] Maximum Site Coverage[10]	Minimum Front Setback	MAXIMUM BUILDING HEIGHT[2]
MIXED-USE (MU) COMMERCIAL	No Max	No Min[13]	55'
COMMERCIAL (C)	50%	20'	45'
BUSINESS PARK (BP)	50%	20'	45'
VISITOR SERVING (VS)	50%	20'	35'

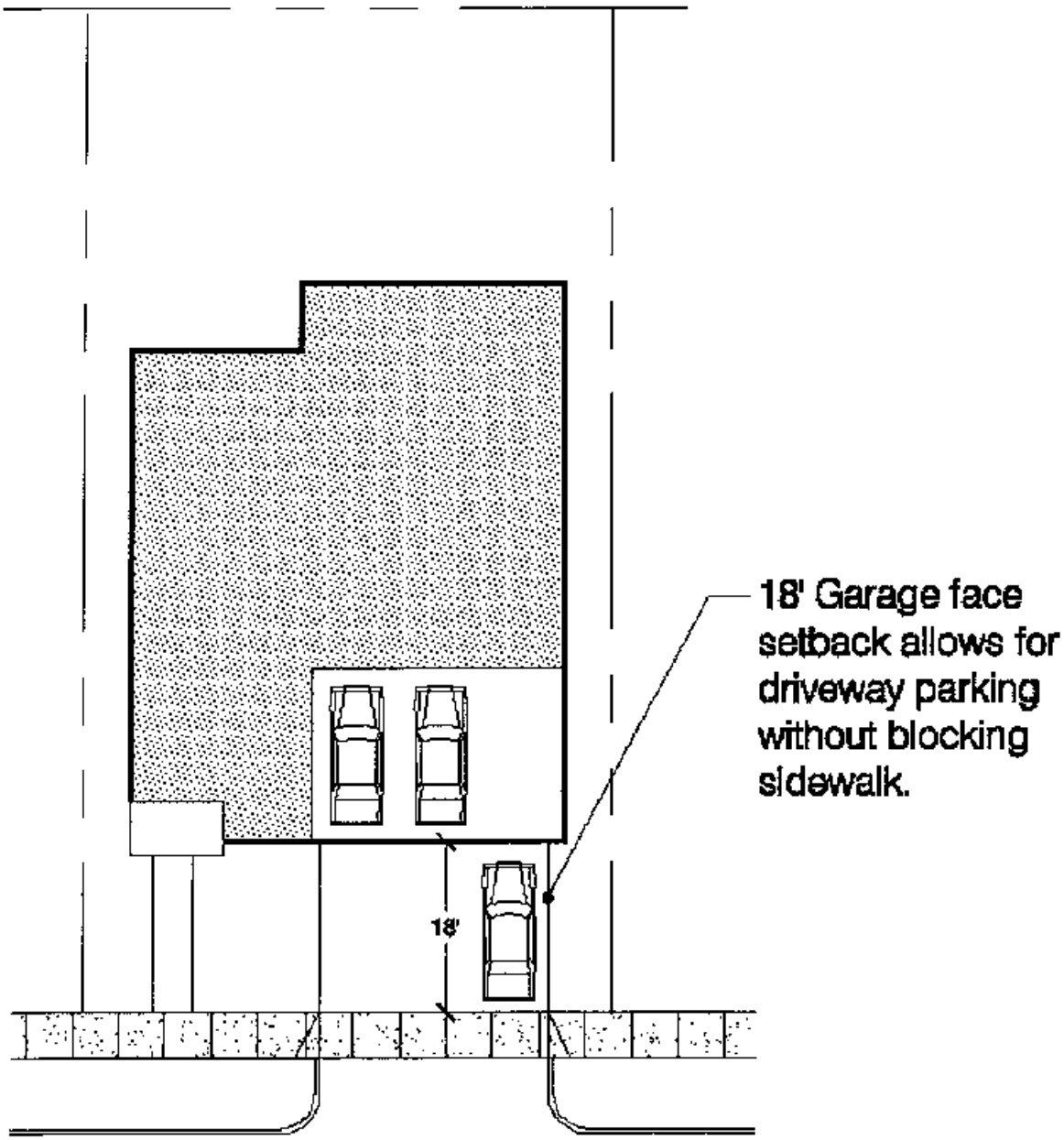
MAJOR OPEN AREAS SITE DEVELOPMENT STANDARDS

LAND USE DESIGNATIONS[1]	REQUIRED MINIMUM SETBACKS FROM PROPERTY LINE	MAXIMUM BUILDING HEIGHT[2]
OPEN AREA (OA)	50'	35'
RIVER CORRIDOR SPECIAL MANAGEMENT AREA (RC)	50'	25'
HIGH COUNTRY SPECIAL MANAGEMENT AREA (HC)	50'	25'

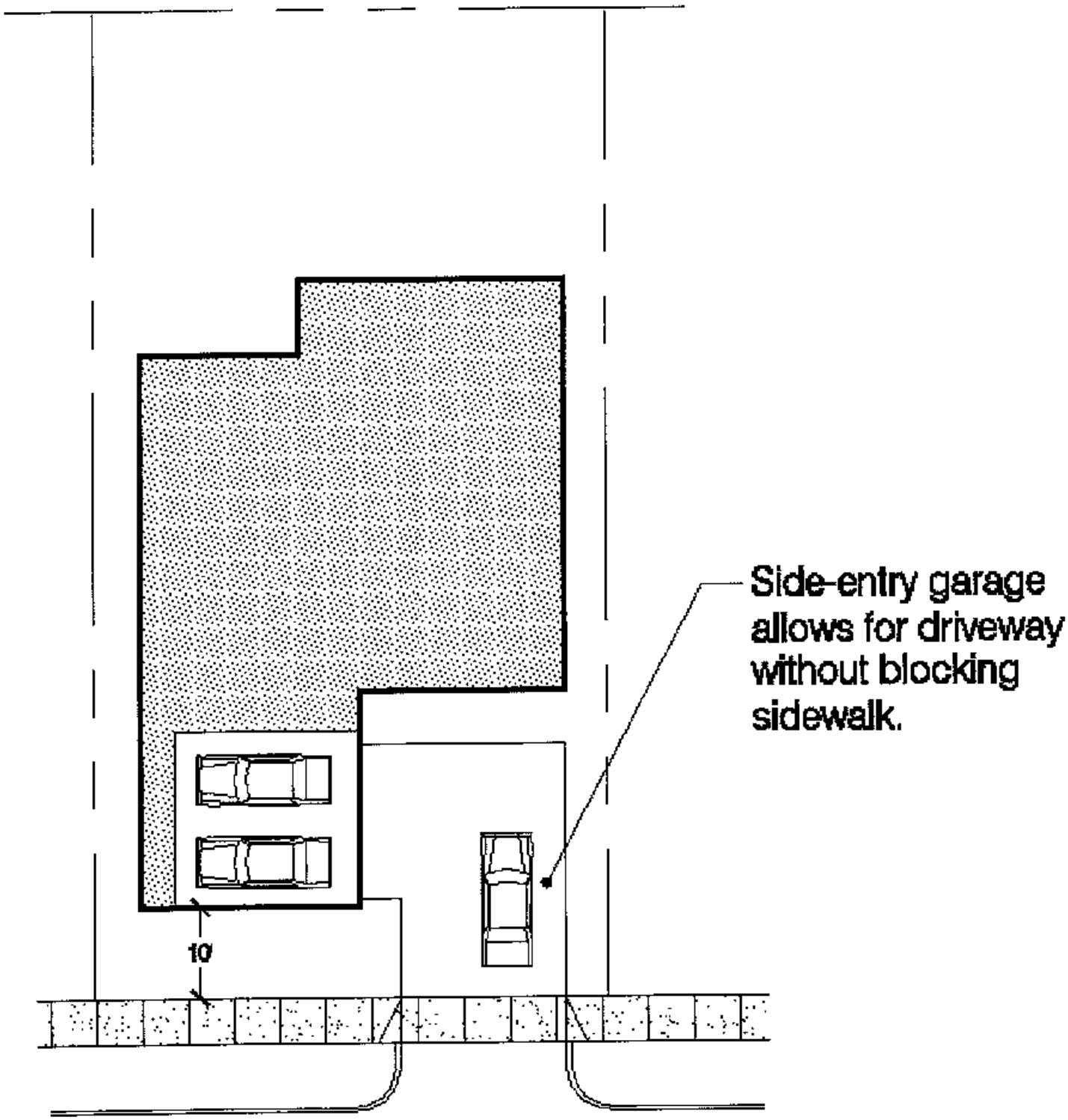
NOTES

1. Other uses including *land use overlays* such as schools, churches, park facilities, non-residential public or private facilities, and residential/commercial conversions are subject to the site development standards of the *land use designation* in which they are found.
2. A defined term — see glossary definition and/or related exhibit for full description of requirement.
3. Front Entry Garage: 30' min.
   Side Entry Garage: 15' min.
4. Front Entry Garage: 18' min.
   Side Entry Garage: 10' min.
5. Zero Side Yard Lot configuration is permitted.
6. Except where there is a detached *Second Unit*, structure, and/or garage, where 5' minimum setback is allowed from this structure.
7. No garage setback requirement for alley access.
8. 10' minimum aggregate for two adjacent lots (e.g., 5' and 5', or 3' and 7', or 0 and 10').
9. 10' minimum building to building separation.
10. A minimum of 10 percent of the lot area excluding required parking shall be landscaped.
11. 10' minimum adjacent to public street.
12. 20' minimum side and rear yard setback is required when building is adjacent to a different *land use designation* or a public road.
13. 20' minimum is required when building fronts on a public road.
14. 15' minimum for clustered single-family detached and attached buildings.
15. 6' minimum for clustered single-family detached and attached buildings when one side of two adjacent buildings has no windows.
16. 12' minimum for clustered single-family detached and attached buildings when kitchen/family area faces toward zero lot line building with no windows.
17. If at the time building permits are issued, the County's setback standards in place at that time are more stringent than those contained in the Site Development Standards Matrix, the more stringent standards shall apply.

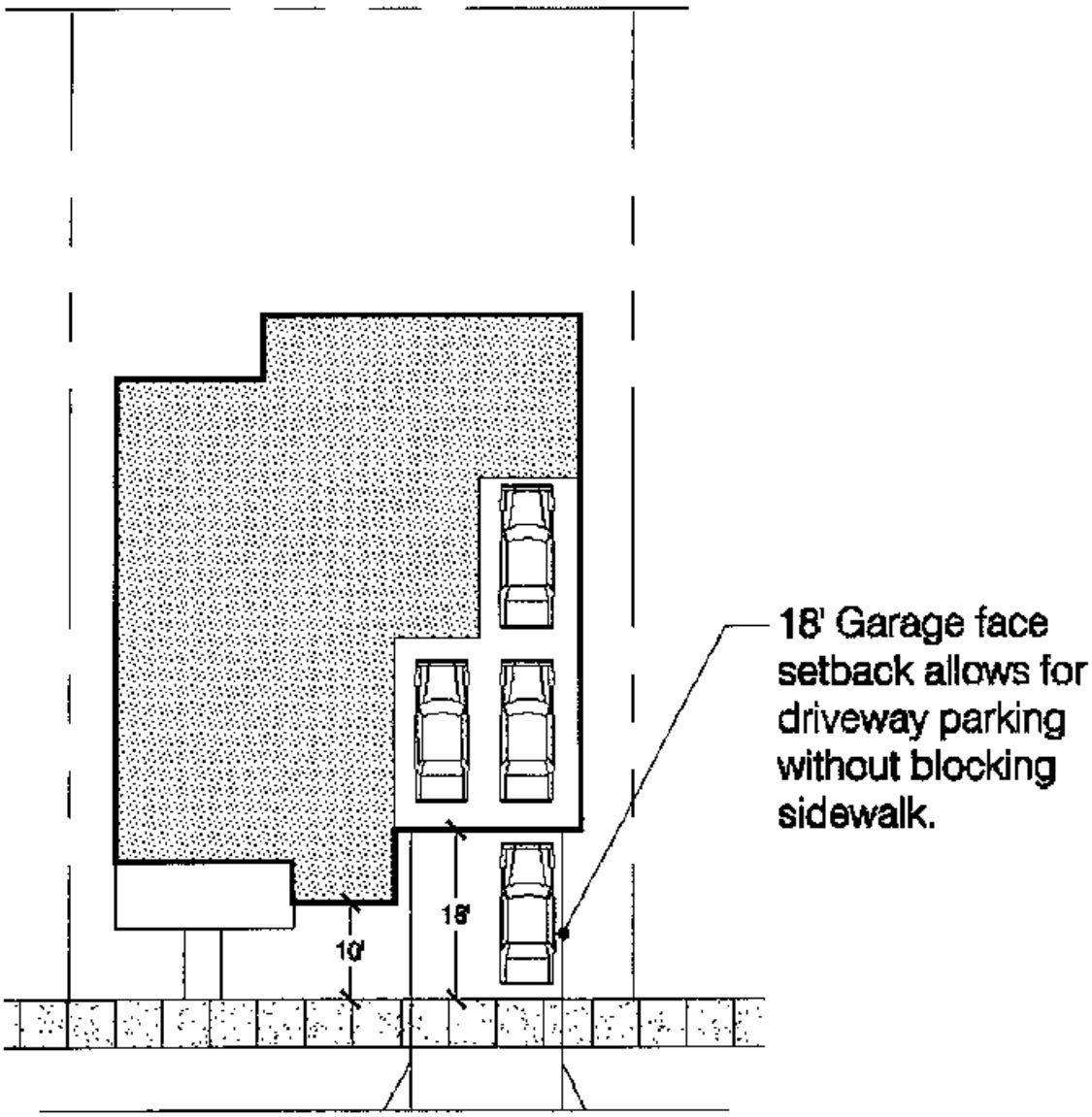
DRAFT


18' Garage face setback allows for driveway parking without blocking sidewalk.
18'

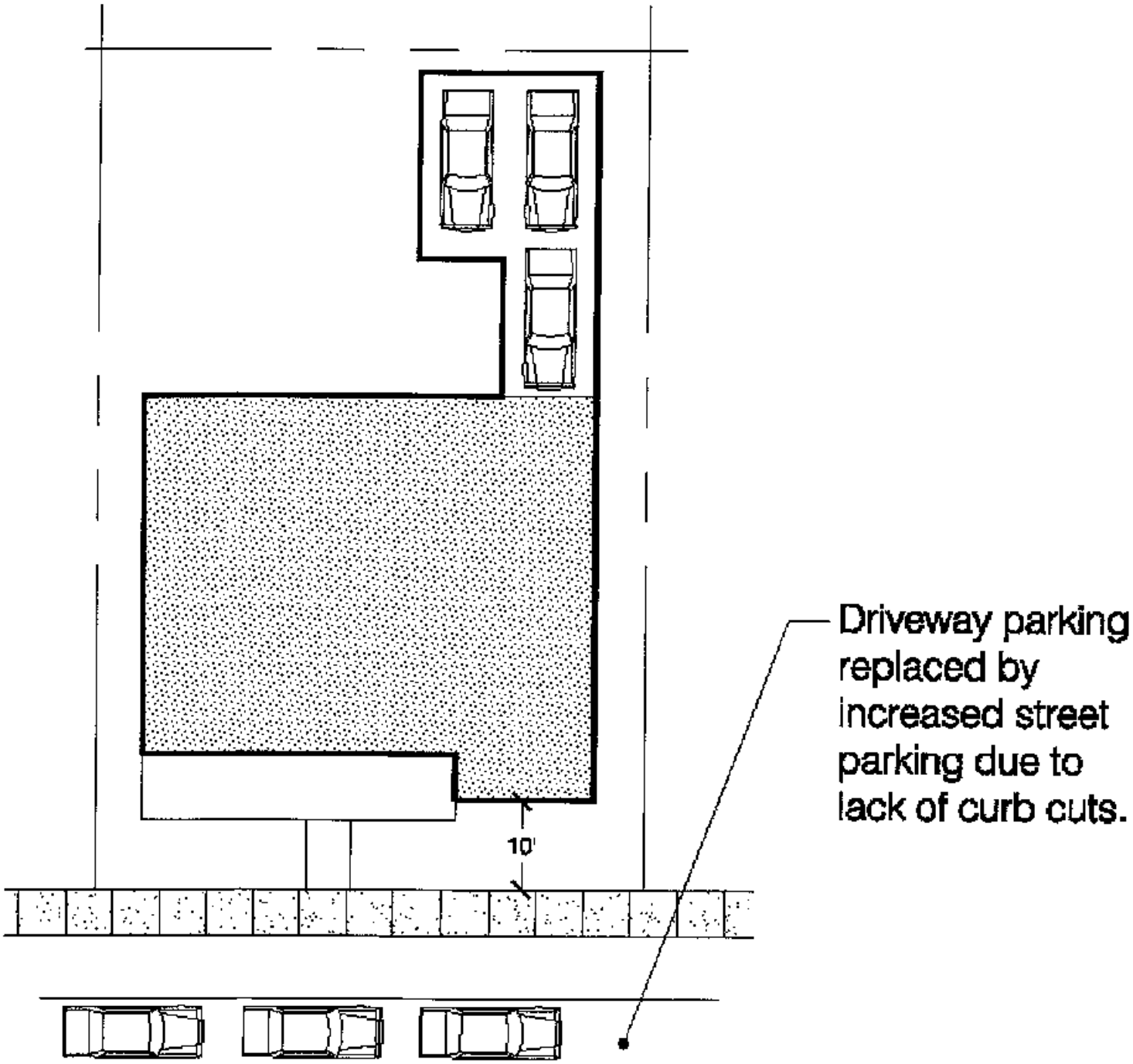
DRAFT


Side-entry garage allows for driveway without blocking sidewalk.
10'

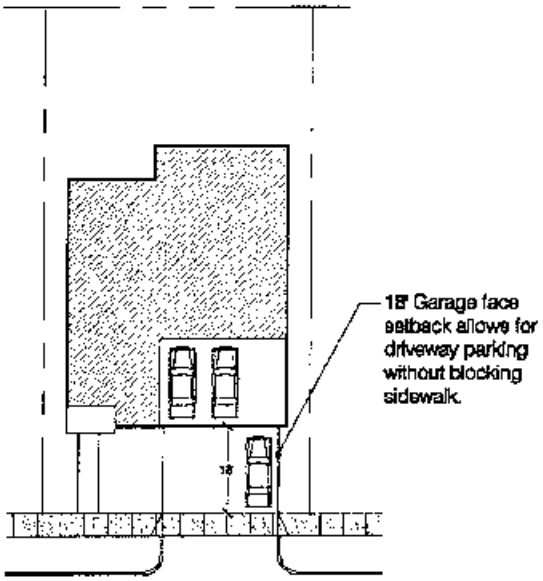
DRAFT


18' Garage face setback allows for driveway parking without blocking sidewalk.
18'
10'

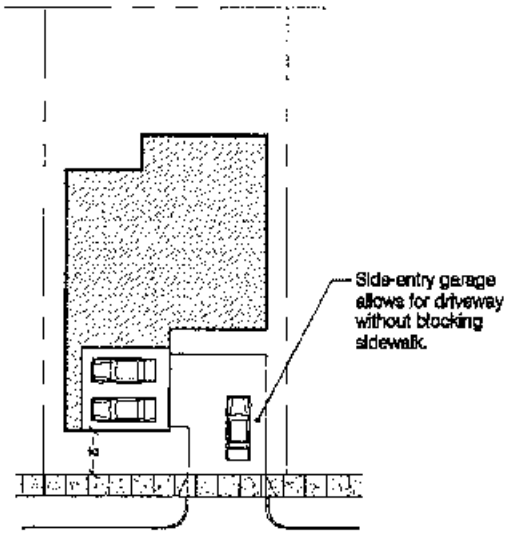
DRAFT


10'
Driveway parking replaced by increased street parking due to lack of curb cuts.

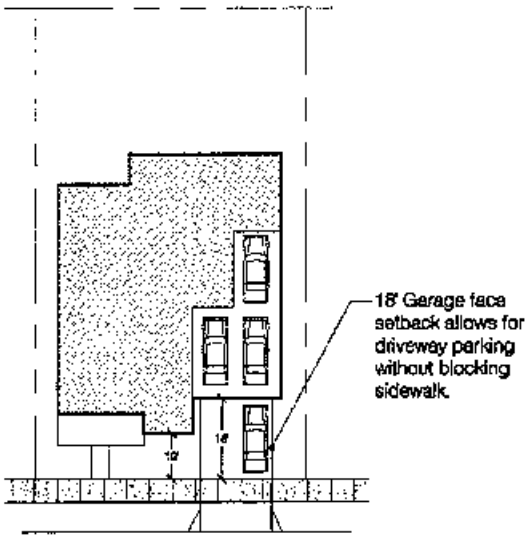
DRAFT



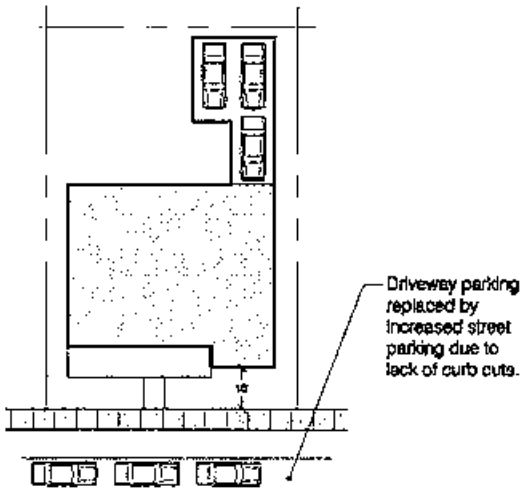
Conventional Front Entry Garage



Side Entry Garage



Recessed Front-Loading Garage



Alley-Loaded Garage

DRAFT

MEMORANDUM

TO: Newhall Ranch Specific Plan Project File

FROM: Bruce McClendon, FAICP, Director of Planning

SUBJECT: Substantial Conformance Interpretation Pertaining to Off-Site Transport of Materials in Conjunction with Permitted Grading Projects and Conformance with Grading and Hillside Management Guidelines

DATE: (_____)

Approved: _____ _____
Initial *Date*

Background

Section 5.2(Implementation Procedures) of the Newhall Ranch Specific Plan provides for a determination of substantial conformance for transport of materials within the boundaries of the Specific Plan in conjunction with a permitted grading operation and also for determination of conformance with grading and hillside management guidelines for subdivisions having an average slope of 25% or greater in those areas to be graded .

Specific Issue: Transport of Grading Materials from the identified borrow site of Adobe Canyon to Landmark Village and Determination of Conformance with Grading and Hillside Management Criteria.

In order to implement the development of Landmark Village it will be necessary to import fill material from Adobe Canyon to elevate the site and avoid flooding issues. Newhall Land Company will need a net import of 6 million cubic yards of fill material from the identified Adobe Canyon borrow site.

There are two proposed haul routes for exporting the fill material from Adobe Canyon The two haul routes would then merge onto an existing agricultural crossing that would cross the Santa Clara River and enter Landmark Village. The first proposed haul route begins toward the center of the borrow site and travels west to the existing agricultural crossing. The second proposed haul route begins in the northwest corner of the borrow site and merges on to the existing agricultural crossing, which then heads north into Landmark Village.

The grading operations in Adobe Canyon and Landmark Village have been designed to minimize impacts to the extent feasible. Oak trees which are removed by grading operations will be mitigated. Any erosion control requirements will be met and significant ridgelines are not impacted.

DRAFT

Conclusion

Under the provisions of Substantial Conformance (Section 5.2) of the Newhall Ranch Specific Plan, "subdivisions having an average slope of 25% or greater in those areas to be graded for determination of conformance as to grading and hillside guidelines and approval of transport materials within the boundaries of the Specific Plan"...are eligible for the Substantial Conformance entitlement process.

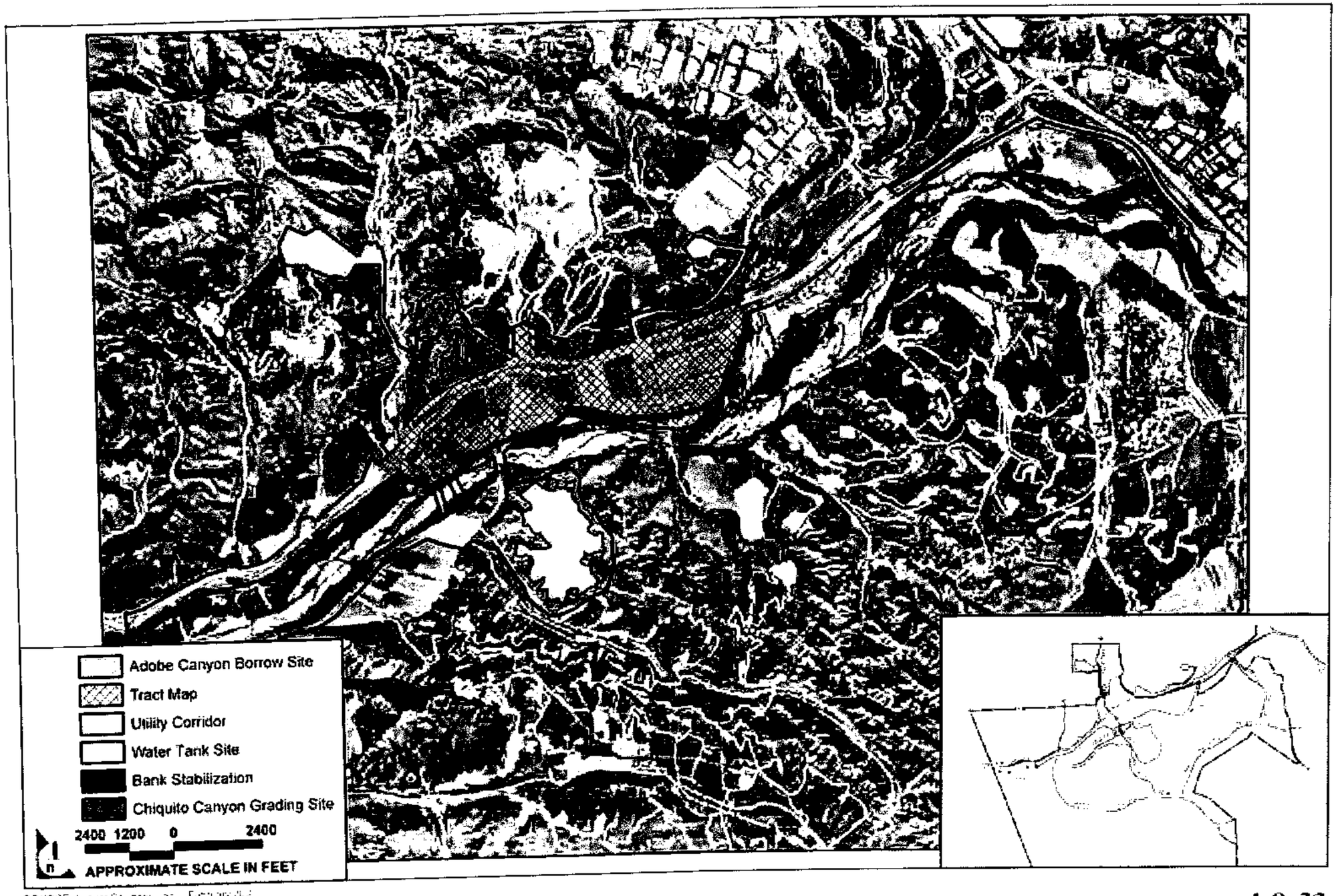
Inasmuch as the grading operations have been designed to minimize impacts to the extent feasible and that the transport routes for hauling of grading materials from the Adobe Canyon borrow site to Landmark Village follow existing agricultural roads to limit impacts to the Santa Clara River, as the Planning Director, I have determined, pursuant to Section 5.2.d of the Newhall Ranch Specific Plan that:

(1) The proposed haul routes to transport grading materials from Adobe Canyon to Landmark Village are in substantial conformance with all applicable provisions of the Specific Plan and the County ordinances which do not conflict with the Specific Plan, grading has been designed to minimize impacts; and
(2) The proposed haul routes and grading operations which are not located near existing residences or occupied properties will not adversely affect public heath and safety and will not adversely affect adjacent property.

The abovementioned determination shall be applicable to Landmark Village only.

Enclosures: (1) Haul Route Exhibits

DRAFT



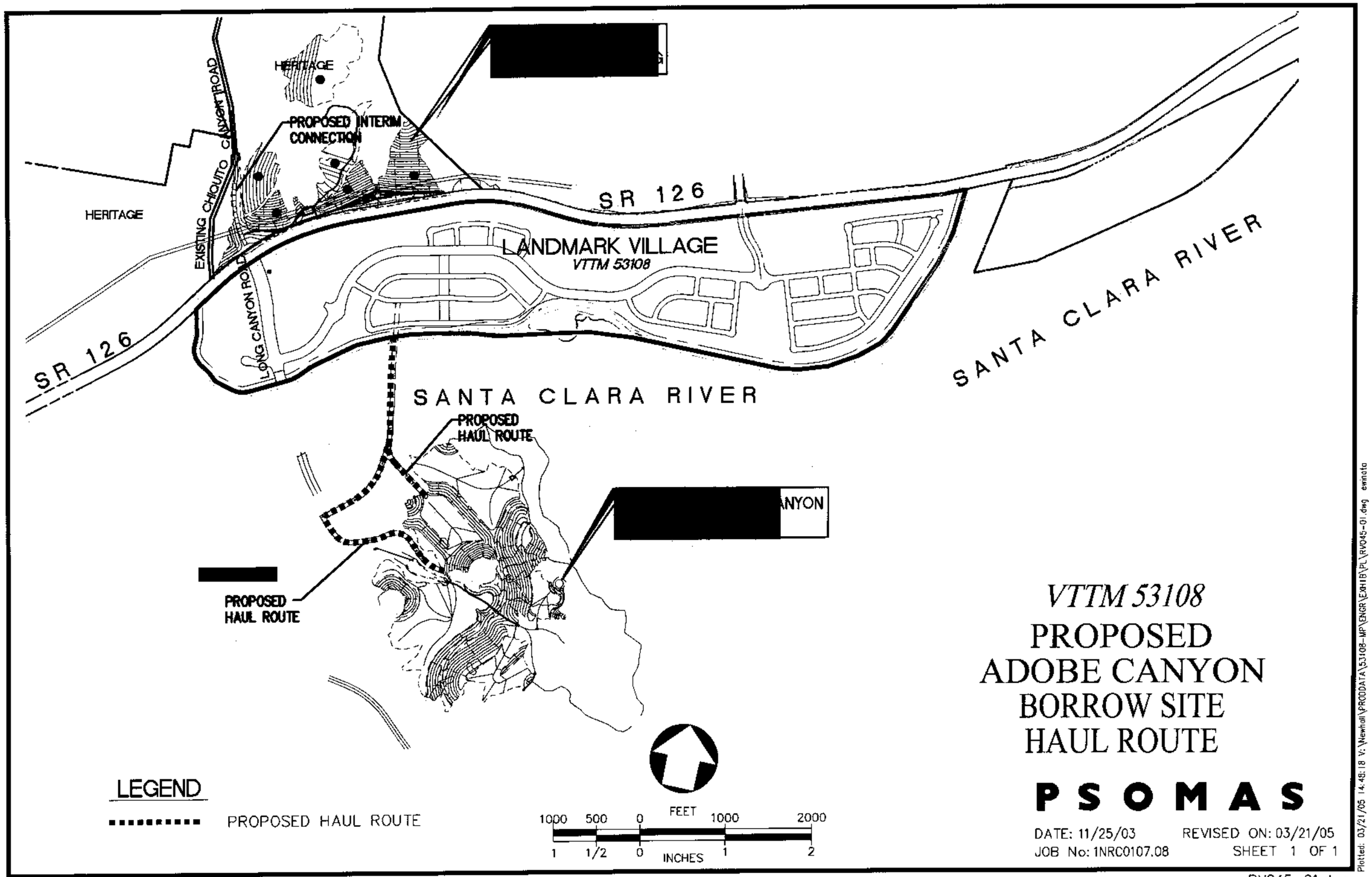
SOURCE: [illegible]

FIGURE 1.0-33

Off-Site Improvements

32-02-05/05

DRAFT



VTTM 53108

PROPOSED ADOBE CANYON BORROW SITE HAUL ROUTE

PSOMAS

DATE: 11/25/03 REVISED ON: 03/21/05
JOB No: 1NRC0107.08 SHEET 1 OF 1

RV045-01.dwg

Plotted: 03/21/05 14:48:18 V:\Newhall\PRODDATA\53108-MP\ENGR\EXHIB\PL\RV045-01.dwg ewinata

LANDMARK VILLAGE

TR 53108

CORRESPONDENCE

california water network

Carolee K. Krieger
president

Dorothy Green
secretary

Joan Hartmann
treasurer

Malinda Chouinard
director

Yvon Chouinard
director

Michael Jackson
director

Lloyd G. Carter
director

Tom Stokely
director

December 11, 2006

TR53108

Attention: County of Los Angeles
Department of Regional Planning

RE: Landmark Village

We understand that you released the above document recently and wanted to let you know that we did not receive a copy.

We believe this must have been an oversight by your consultant as we consistently received notification and review copies of your project documents and wish to continue to do so. Please make sure we are on your notification list.

Also, please send us a copy of this document.

Thank you,

Carolee Krieger

Carolee Krieger, President
808 Romero Canyon Road
Santa Barbara, CA 93108

Friends of the Santa Clara River

660 Randy Drive, Newbury Park, California 91320-3036 • (805) 498-4323

January 6, 2007

RECEIVED
JAN 09 2007

Mr. Daniel Fierros
Los Angeles County Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple St.
Los Angeles, CA 90012

Board of Directors

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Santa Clarita Organization for Planning the Environment (SCOPE)

Sierra Club
Angeles Chapter
Los Padres Chapter

Surfrider Foundation

Audubon Society
Ventura Chapter

Ventura County Environmental Coalition

Wishtoyo Foundation

Re: Request for Extension of EIR Comment Period - Newhall Ranch, Landmark Village (County Project No. 00-196)

Dear Mr. Fierros,

It will be very difficult for Friends of the Santa Clara River to complete its review and comment on the subject document by January 22, 2007. This EIR is a very large document covering multiple complex issues and was released over the year-end holiday period, a busy and hectic time of year.

Non-profit groups such as ours who wish to provide comments first have to find enough resources to cover compensation of experts, so that our comments can be substantive and meaningful. This funding process is, in itself, time-consuming.

Extending the comment period will in no way delay the developer since the project cannot begin until a separate review process underway with the California Department of Fish and Game and the Army Corps of Engineers is concluded, which will involve release of a separate EIS/EIR on the entire project. Also, it seems to us very advisable for the Landmark Village comment period to be kept open until after the release of this EIS/EIR, as it will raise several other issues to be addressed that likely will require additional mitigation that should be considered in the Landmark Village review process.

We therefore request that the comment period on the subject document be extended for an additional 60 days, to March 23, 2007.

Thank you for your consideration of this request.

Sincerely,

Ron Bottorff

Ron Bottorff, Chair

21721 Septo St. #120
Chatsworth, CA 91311
January 11, 2007

JAN 1 0 2007

Mr. Daniel Fierros
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90013

Re: Newhall Ranch, Landmark Village (Project No. 00-196-(5)
Request for Extension of EIR Comment Period

Dear Mr. Fierros

I would like an extension of the comment period for review of the EIR. I would also like to be given notification of where I can locate a copy for review. I understand that they are often available at County Libraries Please let me know if this is in fact the case. My phone number is (818) 349-8889 and (818) 593-9223.

I understand that the Environmental Quality Act is a partnership that requires public participation to provide you with information in order that the best project for both the developer and the community will result from the planning process. Therefore, I hope that the County will consider extending the comment period.

I understand that an EIS will also be required for this project. It would therefore be sensible to allow time for both to be reviewed thoroughly and in conjunction with one another. The EIS has not yet been released. I believe that this process should not precede the release of that document because impacts identified and mitigated in that EIS may very well affect the design of the project before you.

Thus, I request that the comment period be extended to 120 days, ending March 24th, 2007. I thank you in advance for ensuring that this project receives the thorough public review that it deserves.

Sincerely,

Theresa Brady

Theresa Brady

SIERRA CLUB
FOUNDED 1892
Angeles Chapter

3435 Wilshire Boulevard
Suite 320
Los Angeles, CA 90010-1904

(213) 387-4287 phone
(213) 387-5383 fax
www.angeles.sierraclub.org

1-8-07

Mr. Daniel Fierros
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90013

RECEIVED
JAN 09 2007

Re: Newhall Ranch, Landmark Village Project No. 00-196-(5)
Request for Extension of EIR Comment Period to 120 days

Dear Mr. Fierros

Thank you for providing the Sierra Club with a CD of the Landmark Environmental documents comprising nine volumes and maps. We are concerned that we will be unable to provide you with comments by the close of the comment period due to this EIR's large size. Also, its release over the holiday period when the Sierra Club offices were closed for several weeks and many of our volunteers were not available has made review difficult.

We believe it is in the County's best interest that the Club is provided adequate opportunity to provide you with information in order to ensure that broad public trust issues will be addressed.

We also request that the County not move forward with this project until the EIR/EIS for the Santa Clara River is released. That document will have a substantial impact on the configuration of this project because of impacts identified and mitigated for the required federal and state permits.

Therefore, we request that the comment period be extended to 120 days, ending March 24th, 2007. We thank you in advance for ensuring that this project receives a thorough public review.

Sincerely,

Jennifer Robinson
Conservation Coordination
Angeles Chapter

3

CASTAIC LAKE WATER AGENCY

January 22, 2007

Mr. Daniel Fierros
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Draft Environmental Impact Report for Landmark Village (SCH No. 2004021002)

Dear Mr. Fierros,

The Castaic Lake Water Agency (CLWA) has reviewed the Draft Environmental Impact Report for Landmark Village (Draft EIR) and will submit comments prior to the close of the public hearing on the project as set forth in the "Notice of Completion and Availability and as provided by Section 21177 of the Public Resources Code. We understand that the public hearing on the Draft EIR is presently scheduled for 9:00 a.m. on Wednesday, January 31, 2007. If the hearing is to be continued, please advise us at your earliest convenience.

Sincerely,

Jeff Ford
Water Resources Planner

Cc: Michael Hurley, Water Resources Manager
Valerie Pryor, Administrative Services Manager

DIRECTORS
E.G. "JERRY" GLADBACH
DEAN D. EFSTATHIOU
WILLIAM C. COOPER
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27234 BOUQUET CANYON ROAD • SANTA CLARITA, CALIFORNIA 91350-2173 • 661 297•1600 FAX 661 297•1611
website address: www.clwa.org

Fierros, Daniel

From: Jeff Ford [jford@clwa.org]
Sent: Tuesday, January 16, 2007 10:17 AM
To: Fierros, Daniel
Cc: Meneses, Frank
Subject: Extension of the Public Review Period for the Landmark Village Draft Environmental Impact Report
Follow Up Flag: Follow up
Flag Status: Red

Dear Mr. Fierros:

The Castaic Lake Water Agency (CLWA) has reviewed the Draft Environmental Impact Report for Landmark Village (SCH No. 2004021002) and respectfully requests an extension of the public review period on the document for at least 30 days. CLWA makes this request in light of the complicated nature of the project description and its relation to the Program EIR for the Newhall Ranch Specific Plan. CLWA would like adequate time to make meaningful comments and, given the substantial nature of the project, CLWA staff may want to present possible comments on the project to its Board of Directors, which would not meet again until after the close of comments on January 22, 2007. Therefore, we feel that an extension in the review period is warranted and we understand that similar requests for extension are being made by other agencies.

Sincerely,

Jeff Ford
Water Resources Planner
Castaic Lake Water Agency
27234 Bouquet Canyon Road
Santa Clarita, CA 91350
Phone: (661) 513-1281
Fax: (661) 513-1202
email: jford@clwa.org

california water network

Carolee K. Krieger
president

Dorothy Green
secretary

Joan Hartmann
treasurer

Lloyd G. Carter
director

Malinda Chouinard
director

Yvon Chouinard
director

Jim Edmondson
director

Michael Jackson
director

Huey Johnson
director

Linda Mitrovich
director

Tom Stokely
director

1/20/07

Attention: Daniel Fierros
LA County Regional Planning Department
320 W. Temple St.
LA, CA 90012
Fax: (213) 217-5108

Re: Landmark Village Environmental Impact Report SCH No. 20040021002

On February 26, 2004, C-WIN requested that we be provided with all CEQA documents being circulated for review in the Santa Clarita Valley because of our concern over the adequacy of the State Water Project to supply new development in this high growth area.

The County has most graciously consistently complied with this request until now. Regretfully, we did not receive the Landmark EIR until January 19, 2007. The close of comment period as stated in the cover letter is January 22, 2007. It is not possible for us to provide you with an in depth analysis of this voluminous document in only 3 days.

We remain concerned about the adequacy of the water supply in Santa Clarita Valley and therefore would like to submit timely comments that will be circulated in the final EIR.

Therefore, we request that the comment period be extended by 60 days to give us sufficient time to review the EIR and provide you with our comments, concerns and suggestions.

Thanks you very much for your consideration.

Carolee K. Krieger

Carolee K. Krieger, President

Fierros, Daniel

From: Scott P. Harris [spharris@dfg.ca.gov]
Sent: Monday, January 08, 2007 8:45 AM
To: Fierros, Daniel
Subject: Landmark Village DEIR Review

Daniel,

The Department of Fish and Game is requesting a 30 day extension from the closing date of public comments on the Landmark Village DEIR for lead agency consideration of Department comments. Staff availability and volume of review materials is making it problematic for the Department's timely review. Thank you for your consideration.

Scott Harris
Associate Wildlife Biologist
Department of Fish and Game
626/797-3170

TriCounty Watchdogs

[illegible]

Mr. Daniel Fierros
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90013

RECEIVED
JAN 1 [illegible] 2007

Date 1/13/07

riCounty Watchdogs
1667 Steinhoff Rd
razier Park
alifornia 93225
www.tcwdogs.org

Re: Newhall Ranch, Landmark Village (Project No. 00– 196-(5)
Request for EIR and Extension of Comment Period

Dear Mr. Fierros

We hereby request a CD copy of the Environmental Impact Report for this project. Because of the excessive length of the report, we also ask that the comment period be extended.

Sincerely,

Jan de Leeuw, Executive Board, TCW

SCOPE
Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386

1-3-07

RECEIVED JAN 08 2007

Mr. Daniel Fierros
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90013

Re: Newhall Ranch, Landmark Village (Project No. 00-196-(5)
Request for Extension of EIR Comment Period

Dear Mr. Fierros

We are in receipt of the nine volumes Environmental Impact Report for this project and have begun our review. However, it appears that we will be unable to provide you with a thorough public review of this document by the close of the comment period due to the EIR's excessive size and its release over the holiday period.

As you may know, we are an all-volunteer group that provide comments on the accuracy and completeness of environmental documents for projects as a service to the public. We understand that the Environmental Quality Act is a partnership that requires public participation to provide you with information in order that the best project for both the developer and the community will result from the planning process. Therefore, we hope that the County will consider our limitations in this instance.

We also believe that this request will not interfere with the course of review for this project. The project will require an EIR/EIS for required permits affecting the Santa Clara River. That document has not yet been released. We believe that this process should not proceed the release of that document because impacts identified and mitigated for those federal and state permits may very well affect the design of the project before you.

Thus, we request that the comment period be extended to 120 days, ending March 24th, 2007. We thank you in advance for ensuring that this project receives the thorough public review that it deserves.

Sincerely,

Lynne Plambeck
President

President
John Van de Kamp

President Emeritus
Sage Sweetwood

First Vice President
Bill Yeates

Senior Vice President
Kevin Johnson

Secretary/Treasurer
Bill Center

PLANNING AND CONSERVATION LEAGUE

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Dorothy Green
Phyllis Faber
Rick Frank
Rick Hawley
Doug Linney
David Mogavero
Lynn Sadler
Teresa Villegas

RECEIVED
JAN 1 - 2007

January 5, 2007

Mr. Daniel Fierros
Los Angeles County Regional Planning Department
320 W. Temple St.
Los Angeles, CA 90013

Re: Request for Extension of EIR Comment Period for Newhall Ranch, Landmark Village [County Project No. 00-196-(5)]

Dear Mr. Fierros

The Planning and Conservation League requests that the Los Angeles County Regional Planning Department extend the public comment period for the Newhall Ranch Landmark Village Project [County Project No. 00-196-(5)] to allow all interested parties adequate time to assess and respond to the nine-volume Environmental Impact Report.

On behalf of our thousands of members across the state of California, and as one of the organizations responsible for the passage of the California Environmental Quality Act over thirty years ago, the staff of PCL wishes to devote careful attention to this development proposal, a proposal of clear statewide significance. Unfortunately, due to limited staff availability during the holiday period and the extensive nature of the project's documentation, we would be unable to do so under the current sixty day review period and therefore ask that the comment period be extended an additional sixty days to end on March 24th, 2007. We also ask that a copy of the EIR be sent to the address below, care of Matthew Vander Sluis, Project Manager.

We value this opportunity to participate as partners in the environmental review of the Newhall Ranch Landmark Village Project. We appreciate your understanding of our constraints and look forward to working with the Planning Department staff to ensure that decision makers and the public have access to accurate, thorough information that allows for thoughtful consideration of all possible environmental impacts of the proposed project and project alternatives.

Sincerely,

Matt Vander Sluis
Project Manager

1965-2005 40 PLANNING AND CONSERVATION LEAGUE

1107 9th Street, Suite 360, Sacramento, CA 95814 Phone: 916-444-8726 Fax: 916-448-1789
Website: www.pcl.org Email: pclmail@pcl.org

California Affiliate NATIONAL WILDLIFE FEDERATION

CASTAIC LAKE WATER AGENCY

January 22, 2007

Mr. Daniel Fierros
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Draft Environmental Impact Report for Landmark Village (SCH No. 2004021002)

Dear Mr. Fierros,

The Castaic Lake Water Agency (CLWA) has reviewed the Draft Environmental Impact Report for Landmark Village (Draft EIR) and will submit comments prior to the close of the public hearing on the project as set forth in the "Notice of Completion and Availability and as provided by Section 21177 of the Public Resources Code. We understand that the public hearing on the Draft EIR is presently scheduled for 9:00 a.m. on Wednesday, January 31, 2007. If the hearing is to be continued, please advise us at your earliest convenience.

Sincerely,

Jeff Ford
Water Resources Planner

Cc: Michael Hurley, Water Resources Manager
Valerie Pryor, Administrative Services Manager

DIRECTORS
E.G. "JERRY" GLADBACH
DEAN D. EFSTATHIOU
WILLIAM C. COOPER
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JACQUELYN H. McMILLAN
R.J. KELLY

GENERAL MANAGER
DAN MASNADA

GENERAL COUNSEL
McCORMICK, KIDMAN & BEHRENS, LLP

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27234 BOUQUET CANYON ROAD • SANTA CLARITA, CALIFORNIA 91350-2173 • 661 297•1600 FAX 661 297•1611
website address: www.clwa.org

Fierros, Daniel

From: jjbergamo@adelphia.net
Sent: Monday, January 15, 2007 4:59 PM
To: Fierros, Daniel; Tae, Susan
Cc: kimberly.rivers@gmail.com; oro1238@aol.com; jjbergamo@adelphia.net; troykefm@yahoo.com; Delfina.Becerra@ventura.org
Subject: Landmark Village

Follow Up Flag: Follow up
Flag Status: Red

The Piru Neighborhood Council unanimously and respectfully requests that the comment period for the DEIR/Landmark Village, County Project No. 00-196 be extended by 60 days. There is so much material, it is difficult for everyone concerned to access the document in hard copy; reading it online limits and prolongs the process. That and the fact that the document was released during the holiday season hampers a thoughtful review and analysis of the project.

The Piru Neighborhood Council, as representatives of the community closest to the proposed project, has definite concerns. These include water quality, air quality and traffic. There are concerns about the amount of water that may be drawn from the aquifer east of us and the possible migration west of the perchlorate plume already present in the Santa Clarita water supply. The "stabilization"/channelization of the Santa Clara River could increase the flood flow of the river to damaging speeds as it enters the Piru area. The temporary routing of sewage to Santa Clarita is a concern; what is the route, and what is the risk of the line rupturing during a flood event?

There are many other issues, including the ecological damage that the project will bring. Without adequate time to study these issues, neither the public surrounding the project nor the potential residents will be fairly served.

Thank you for your consideration of this important request to extend the comment period.

Very sincerely,
Janet Bergamo, President
Piru Neighborhood Council

Fierros, Daniel

From: Jeff Ford [jford@clwa.org]
Sent: Tuesday, January 16, 2007 10:17 AM
To: Fierros, Daniel
Cc: Meneses, Frank
Subject: Extension of the Public Review Period for the Landmark Village Draft Environmental Impact Report
Follow Up Flag: Follow up
Flag Status: Red

Dear Mr. Fierros:

The Castaic Lake Water Agency (CLWA) has reviewed the Draft Environmental Impact Report for Landmark Village (SCH No. 2004021002) and respectfully requests an extension of the public review period on the document for at least 30 days. CLWA makes this request in light of the complicated nature of the project description and its relation to the Program EIR for the Newhall Ranch Specific Plan. CLWA would like adequate time to make meaningful comments and, given the substantial nature of the project, CLWA staff may want to present possible comments on the project to its Board of Directors, which would not meet again until after the close of comments on January 22, 2007. Therefore, we feel that an extension in the review period is warranted and we understand that similar requests for extension are being made by other agencies.

Sincerely,

Jeff Ford
Water Resources Planner
Castaic Lake Water Agency
27234 Bouquet Canyon Road
Santa Clarita, CA 91350
Phone: (661) 513-1281
Fax: (661) 513-1202
email: jford@clwa.org

Fierros, Daniel

From: Decruyenaere, Joseph

Sent: Monday, January 22, 2007 8:48 AM

To: Fierros, Daniel

Subject: landmark village call

Danny,

Ron Bottorff called to ask if an extension has been given to the Landmark Village DEIR comment period. His number is 805 498 4323

Joe Decruyenaere
Acting Senior Biologist
Impact Analysis Section
Los Angeles County Department of Regional Planning
(213) 974-6461

Audubon CALIFORNIA

711 University Avenue
Sacramento, CA 95825
Tel: 916-649-7600
Fax: 916-649-7667
www.audubon-ca.org

January 19, 2007

Mr. Daniel Fierros
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Fierros:

We submit these comments to the Draft Environmental Impact Report for the Landmark Village phase of the proposed Newhall Ranch development west of Santa Clarita **(Project No. 00-196 / Tract Map No. 53108 / Landmark Village; hereafter "DEIR")**. Our analysis indicates that Newhall Land and the County of Los Angeles have not conducted proper environmental review of this project, despite the issuance of the DEIR, and detail our objections below.

These comments are submitted on behalf of Audubon California and the following Audubon chapters: Los Angeles Audubon Society, San Fernando Valley Audubon Society, and Ventura Audubon Society. These are all non-profit, public interest organizations devoted to the conservation of wildlife and other natural resources. National Audubon Society and its chapters have an estimated 50,000 members in California, many of whom birdwatch and enjoy the natural habitats of the Los Angeles area. Since 2003, Audubon has held a Christmas Bird Count centered on Santa Clarita, which attracts participants from throughout Los Angeles County, and in 2004, Audubon identified the Santa Clara River Valley as one of 150 Important Bird Areas of California[1].

BACKGROUND

Ecological Setting of Project Area

When complete, the development of Newhall Ranch in northwestern Los Angeles County will impact more than 10,000 acres, making it one of the largest developments ever proposed in the county[2]. Roughly half of the land within the ranch will be kept as open space, but this will be mainly restricted to the steep upper slopes in the southwest corner of the ranch, and along a narrow corridor (less than a half-mile wide) following and including the Santa Clara River[3]. Aside from these two areas, just over 1,500 acres of existing open space will be permanently protected within the Salt Creek watershed in adjacent Ventura County, contiguous to the ranch. Still, more than 5,000 acres, mainly coastal scrub and grassland are slated for conversion through residential and commercial development.

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[1] Cooper, D.S. 2004. *Important Bird Areas of California*. Audubon California. 286 pp.
[2] Conservation Biology Institute (CBI) 2005. *Ecological Impact Assessment of Urban Development on the Santa Clara River Watershed, California* (unpublished report). Prepared August 2005.
[3] Impact Sciences, Inc. 2006. Landmark Village Draft EIR. November 2006. Section 4.4 "Biota".

Landmark Village, the first in a series of three large residential and commercial developments proposed for Newhall Ranch, is proposed for undeveloped land along the Santa Clara River. Undammed its entire 80-mile length from the Mojave Desert to the Pacific Ocean, the Santa Clara River watershed remains one of the most ecologically significant natural systems left in southern California, and projects like Newhall Ranch make it one of the most threatened. In 2005, the Santa Clara was named one of the nation's ten most endangered rivers by American Rivers, a national conservation group, which cited the proposed Newhall Ranch as a primary threat[4]. Unlike beaches and mountains in the region, over 95% of land immediately surrounding the river is in private ownership, which means that conservation of its steelhead run, willow and cottonwood forest will rest on the efforts to work with private landowners to secure and restore the river and its associated habitat at a time that numerous development projects are being proposed along the river.

Indeed, within the stretch between Castaic Junction and Santa Clarita, fully 51% of the remaining open space within five miles of the river either is impacted by current projects or is proposed for development[5]. Thus in order to protect the Santa Clara River and reverse a number of the current or impending threats such as channelization, down-cutting, and exotic species infestations that have seriously degraded so many other rivers in the region, necessarily involves identifying key remaining areas for conservation and then working closely with public agencies and private landowners to protect them. This effort depends on reliable, up-to-date ecological information from which sound scientific conclusions may be drawn.

Because Newhall Land requires confidentiality agreements for all wildlife surveys conducted on the project area, and because the site has been closed to public visitation for decades, the biota of the proposed Landmark Village - and of Newhall Ranch as a whole - is virtually unknown to all but a handful of people, none of whom are free to share their findings with the scientific community except through publications released by the landowners. Because these publications represent the only primary sources of ecological information that is made available to the public before the proposed Newhall Ranch development, it is imperative that these landowner-sponsored reports present a complete and accurate accounting of the biological resources present on Newhall Ranch. Only in this way can the County of Los Angeles allow the public and decision-makers to consider the effects of the proposed project in the "full environmental context," as specified in Section 15125 (c) of the California Environmental Quality Act (CEQA). One way for members of the public to assess the adequacy of a CEQA document is to extrapolate which species and other natural resources *should* be present on the project site by examining known records of species distributions on public lands surrounding the site (e.g., at Castaic Lagoon and Placerita Canyon). Based on previous surveys of adjoining lands, we have serious concerns that the landowner's reports and the County's DEIR appear to represent something less than the "full environmental context" mandated under CEQA.

Description of Proposed Development

Slated to impact nearly 1,000 acres of natural open space along the Santa Clara River just west of Interstate 5 (DEIR; 4.4-59), Landmark Village proposes nearly 1,500 dwelling units, over a

[4] CBI 2005, p. 21.
[5] CBI 2005, p. 28.

million square feet of commercial space, and a major new bridge over the Santa Clara River through currently undeveloped wildlands. Of the 17 miles of tributary streams that Newhall Ranch proposes to eliminate[6], many are found at the Landmark Village site.

Over a dozen major habitat types will be impacted by Landmark Village, including the removal or disturbance of nearly all the existing grassland, oak woodland, pastureland and coastal sage scrub within the development footprint (DEIR; Table 4.4-8). The County acknowledges that project implementation will cause "significant unavoidable impacts...due to the loss of many sensitive animal species, coastal sage scrub, and wildlife habitat, and the increase in human and domestic animal presence [and] contribute to a significant unavoidable cumulative impact related to the ongoing loss of biological resources in the project region" (DEIR; 4.4-1).

From the DEIR for Landmark Village, we know that the project will eliminate essentially all of the remaining agricultural land in the coastal slope of Los Angeles County, now restricted to the northeastern corner of the ranch along Hwy. 126. Though this habitat is not recognized as wildlife habitat in the DEIR, the State recognizes several types of cropland present on the ranch as wildlife habitat[7], and many of the rarest and most threatened birds in the region are dependent on these grasslands and grassland-like areas for their survival. In addition, the project will place over a thousand homes immediately adjacent to what is still one of the most ecologically intact riparian forests left in southern California (DEIR; 4.4-53). And, it ushers in what is poised to become a major new city directly between two major roosting areas of the endangered California Condor.

OVERVIEW OF COMMENTS

Based on our review of the DEIR, we find the environmental review performed by the applicant (Newhall Land) to be inadequate which therefore precludes a meaningful evaluation of the ecological impacts of the Landmark Village project.

We divide the deficiencies into several parts:

1. The DEIR fails to identify the complete suite of sensitive bird species expected from the project area.
2. The DEIR relies on bird surveys that were inadequate to credibly assess the range of projected impacts to sensitive species that *were* treated.
3. The DEIR mischaracterizes the actual status of sensitive bird species reported from the site.
4. The DEIR mischaracterizes projected and potential impacts to sensitive bird species and their habitats.
5. The DEIR does not describe specific measures that must be undertaken in order to provide the maximum feasible mitigation for impacts that are deemed significant, relying instead upon general recommendations that in no way address the ecological needs of species to be impacted.

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[6] CBI 2005, p. 22.

[7] This list would include Cropland (CRP), Dryland Grain Crops (DGR), Irrigated Grain Crops (IGR), Irrigated Hayfield (IRH), and Irrigated Row and Field Crops (IRF), per Mayer, K.E. and W.F. Laudenslayer, Jr. 1988. *A Guide to Wildlife Habitats of California*. State of Calif., Resources Agency, DFG. Sacramento.

6. The DEIR fails to provide the "full environmental context" mandated under CEQA Section 12125 (c).

Because of these deficiencies, we conclude that the construction of Landmark Village, as proposed, presents an unacceptable level of impact, and promises irreversible ecological degradation to one of the last large and unprotected expanses of wildlands that exist on the coastal slope of southern California. Our specific comments are presented below.

1. Failure to identify all sensitive species present or potentially present on the project site.

From a pool of at least 25 sensitive bird species with the potential to occur in the project area, the DEIR considers just nine as occurring on the site. The DEIR preparer apparently bases these findings on just two sources of information, the California Natural Diversity Database (CNDDB) and a handful of bird surveys conducted by a single observer in 2002, 2003 and 2004. Maintained by the California Department of Fish and Game, the CNDDB is a database of sensitive species locations, but is entirely dependent on voluntary submissions by a small number of biologists and consultants; indeed the vast majority of records of sensitive species are never captured in this database.

Three sensitive bird species were totally omitted in the Biota section of the report, despite their being present in and around Newhall Ranch:

- California Condor (*Gymnogyps californianus*)
- Short-eared Owl (*Asio flammeus*)
- California Spotted Owl (*Strix occidentalis occidentalis*)

The federally endangered California Condor - the rarest and arguably one of the best-studied birds in the United States - famously resumed breeding a few years ago in the Sespe Wilderness just northwest of the project area, near a historical release/feeding site that has long been the focus of an intensive (and expensive) recovery effort. Around 2001, small numbers of condors began to be seen over the hills above Sylmar, Los Angeles Co., just southeast of the project area, and even roosted here (through 2006)[8,9]. Because the project area lies directly between these two areas, condors are known to fly directly over Newhall Ranch, even if they don't stop to forage here[10]. However, no raptor surveys have ever been conducted that would confirm the species' actual status on the project site, and no satellite telemetry data (e.g., from US Fish and Wildlife Service) were obtained for this DEIR.

Remarkably, a second missing species, the Short-eared Owl (California Bird Species of Special Concern), was actually documented on recent surveys of the ranch[11,12] It would be expected in agricultural and grassland habitat throughout the site, at least in migration and winter. Since

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[8] *fide* K.L. Garrett, Los Angeles County Museum of Natural History; Condor sightings in the area are concentrated in spring (Mar. -June); see also Los Angeles Times B1, Mar. 27, 2002, and LACoBirds (Yahoo Group).

[9] see: http://www.birdsofwestwood.com/condors/Condors.html; http://www.habitatwork.org/condor.htm

[10] J. Grantham, USFWS, pers. comm., Jan. 2007.

[11] Dudek & Associates, Inc. 2006. *Draft Biological Resources Technical Report: Newhall Ranch High Country Specific Management and Salt Creek Area*. Prepared for The Newhall Land and Farming Company, October 2006. p. 36.

[12] A freshly-dead individual was found at the edge of a cultivated field just west of I-5 during the Santa Clarita Christmas Bird Count on 27 Dec. 2006 (specimen to Los Angeles County Museum of Natural History).

much of the best agricultural habitat on Newhall Ranch is located within the Landmark Village project area, it would seem that Short-eared Owl would be directly and seriously impacted by the construction of Landmark Village. However, no surveys of these agricultural lands were conducted. Short-eared Owls are most easily detected at dusk and may therefore be routinely overlooked in typical morning bird surveys.

The California Spotted Owl (California Bird Species of Special Concern) breeds in oak and conifer forest in canyons both north[13] and east[14] of the site, and is resident at low elevations in several shady canyons elsewhere in the region. It is not generally encountered by casual observation, nor by California Gnatcatcher surveys such as those performed on the project area. No noctural surveys were conducted that might have discovered this species here (or other nocturnal species).

Additional sensitive species identfied in the most recent version of the California Bird Species of Special Concern list[15] were not addressed by the preparers of the DEIR, despite the information being easily accessbile online for several years. These additional species that could occur within the study area include:

- Ferruginous Hawk (*Buteo regalis*)
- Long-billed Curlew (*Numenius americanus*)
- Purple Martin (*Progne subis*)
- Swainson's Thrush (*Catharus ustulatus*)
- Clark's Marsh Wren (*Cistothorus palustris clarkae*)
- Grasshopper Sparrow (*Ammodramus savannarum*)
- Black-chinned Sparrow (*Spizella atrogularis*)
- Yellow-headed Blackbird (*Xanthocephalus xanthocephalus*)

None of these species were treated in the DEIR, and no specific surveys were conducted that would detect them. We recommended that further surveys be conducted to determine presence and potential impacts to these species. Several of these species are already known to occur within the vicinity. For example, the Long-billed Curlew winters in agricultural habitat throughout Ventura and Los Angeles Counties (e.g. on the Oxnard Plain and in the Antelope Valley) and could winter within the project area. Up to 25% of the state's population of Purple Martins breeds in oak savannah in nearby Tehachapi Mountains.[16], and nesting pairs may be present in similar habitat on Newhall Ranch (which was unsurveyed). Grasshopper Sparrow breeds in grassland throughout coastal southern California, but the upland surveys conducted for this DEIR focused on coastal sage scrub, which does not support this species.

2. Bird surveys are inadequate to accurately portray the ecological impact of proposed development.

Typically, environmental documentation for development projects involves the identification of sensitive species potentially impacted by the project, a description of surveys conducted that

[13] Known sites incl. Warm Springs, Fish, Shake and Lion Canyons; upper Piru Cr.; *per* The Nature Conservancy 2006. *Santa Clara River: Upper Watershed Conservation Plan*. Fall 2006; p. D19, D22.
[14] Resident in oak woodland at Walker Ranch; *per* Ian Swift, Placerita Canyon County Park. Dec. 2006.
[15] Point Reyes Bird Observatory, *unpubl. data*.
[16] Cooper, D.S. 2004. *Important Bird Areas of California*. Audubon California, 286 pp.

confirm or refute the presence of these species, and a list of proposed remedies to offset any impacts deemed to be significant or potentially significant. The Landmark Village DEIR appears to take a different approach, conducting targeted surveys for a small number of species within a limited portion of the site, and conducting no surveys over large areas of the ranch that almost certainly would have yielded sightings of several species that could be impacted by the project. This lack of data seriously hinders the formulation of appropriate analysis and development of appropriate mitigation measures.

Major deficiencies of the bird surveys conducted for the DEIR include:

1. Inappropriate surveys for federally threatened California Gnatcatcher (*Polioptila californica californica*).
2. No surveys or reference to research (e.g., telemetry data) for the California Condor, which is known to occur on either side of the property.
3. No winter bird surveys, necessary to detect such sensitive species as the Ferruginous Hawk and Long-billed Curlew.
4. No nocturnal bird surveys necessary to detect sensitive owl species such as Long-eared Owl (*Asio otus*) and Spotted Owl.
5. No bird surveys of agricultural fields and extensive grassland habitat that might have detected sensitive grassland birds such as Ferruginous Hawk, Northern Harrier (*Circus cyaneus*), Long-billed Curlew, Burrowing Owl (*Athene cunicularia*), Short-eared Owl, Horned Lark (*Actia alpenstris*), Loggerhead Shrike (*Lanius ludovicianus*) and Grasshopper Sparrow.
6. No raptor surveys that might have detected locations of nesting and foraging Cooper's Hawk (*Accipiter cooperii*), Golden Eagle (*Aquila chrysaetos*), White-tailed Kite (*Elanus leucurus*) and Prairie Falcon (*Falco mexicanus*).
7. No bird surveys of alkali marsh/wet meadow habitat for Northern Harrier, Clark's Marsh Wren, Yellow-headed Blackbird and Tricolored Blackbird (*Agelaius tricolor*).
8. Few bird surveys of coastal sage scrub (those conducted were for a single species, Coastal California Gnatcatcher).

The surveys that were conducted for the California Gnatcatcher on the site were not completed according to protocol set by the U.S. Fish and Wildlife Service, which stipulates that a single observer should cover no more than c. 80 acres of potentially suitable habitat per survey day, and which requires six visits to each area during the breeding season in order to confirm the gnatcatcher's presence or absence during that breeding season[17]. According to the project DEIR, Landmark Village will remove 1,820 acres of coastal sage scrub[18] (the only habitat of the California Gnatcatcher), which suggests that more than 20 surveys would have been required to reliably confirm the presence or absence of gnatcatchers. Yet, just *five* surveys were conducted, in several cases at multiple locations on a single survey day[19]. The areas to be impacted are far too large to cover in just five surveys. This inadequate survey design casts doubt on the purported absence of California Gnatcatcher at the site, and it could help explain why common scrubland bird species known to occur in the region (e.g., Sage Sparrow) went unrecorded on these gnatcatcher surveys.

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[17] Coastal California Gnatcatcher (*Polioptila californica californica*) Presence/Absence Survey Guidelines. February 28, 1997. Available on the World Wide Web: http://www.fws.gov/ventura/sppinfo/protocols/coastal-gnatcatcher_survey-guidelines.pdf.
[18] DEIR; section 4.4-3
[19] DEIR; Appendix 4.4j-o.

Inadequate bird surveys for a variety of important habitats seriously undermine the validity of the environmental impact analysis conducted for the Landmark Village project. Most troubling, those habitats that were *best*-surveyed, such as the riparian woodland along the Santa Clara River, will be relatively safe from development, whereas those that were essentially *unsurveyed*, agricultural and grassland areas, are the ones to be mostly destroyed by proposed development. The ramifications of the project's incomplete surveys and inadequate analyses are discussed below.

3. Status of sensitive bird species portrayed inaccurately

Information about the status of sensitive species in the project area is scattered throughout the Biota section and in the Appendices, making it difficult to locate and interpret. A careful reading of the document reveals more than 30 sensitive bird species known or believed to occur on or in the vicinity of the Landmark Village project site. Of course, not all of these birds are present throughout the year, and some may be only marginal in occurrence in the area (i.e., they may visit the site only occasionally).

Even the species that are listed as occurring on the site are accompanied by virtually no specific information on their local status and distribution that would allow members of the public or decision-makers to judge the impact of the development on their survival. For example, one species formerly common throughout California, the Loggerhead Shrike, is now nearing extinction as a nesting species on the coastal slope of southern California and adjacent Baja California, mostly as a result of urbanization[20]. Fewer than five birds have been recorded on the Santa Clarita Christmas Bird Count each year since its inception in 2002, and it is possible that Newhall Ranch may have one of the largest resident populations in coastal southern California - three individual birds were observed during a brief tour of a small portion of the project area in December 2006, and suitable habitat exisits virtually throughout the project area. Although shrikes were occasionally reported on the 2002-2004 bird surveys, the preferred habitat for this species - agricultural fields such as those along Hwy. 126 - went unsurveyed during the preparation of this DEIR, and are now slated for conversion to residential development, which is incompatible with breeding shrikes.

An almost identical situation exisits for the California Horned Lark; indeed, the development of Newhall Ranch could nearly eliminate remaining suitable breeding habitat for this species on the coastal slope of Los Angeles and Orange counties. Yet, virtually no information on this species on the Landmark Village site is presented in the DEIR or in previous environmental documentation for the project area.

Bird species that the DEIR preparer reports as having the *potential* to occur on the site (Table 4.4-6 Special-Status Wildlife Species with Potential to Occur on the Project Site) were given equally uneven and vague treatment in the document. These include:

- Merlin (*Falco columbarius*)
- Yellow-billed Cuckoo (*Coccyzus americanus*)
- Long-eared Owl

[20] See, e.g., Unitt, P. 2004. *Birds of San Diego County*. San Diego County Museum of Natural History.

- Western Burrowing Owl
- Southwestern Willow Flycatcher (*Empidonax traillii extimus*)
- Coastal California Gnatcatcher
- Summer Tanager (*Piranga rubra*)
- Bell's Sage Sparrow (*Amphispiza belli belli*)
- Tricolored Blackbird

Some of these species are probably simply not present, such as the riparian obligates (cuckoo, flycatcher and tanager), all of which were probably adequately surveyed for during the preparation of the DEIR. The Merlin is fairly common throughout southern California, including in urban areas, and is no longer considered to be a California Bird Species of Special Concern[21].

However, the Long-eared Owl was simply not surveyed within the project area, as it is only detected through nocturnal surveys (which were not conducted). Interestingly, this owl was recorded from upland portions of the ranch[22], and there is a very high probability of its occurring within the development footprint given its preferred habitat dense groves of trees surrounded by grassland or agriculture lands.

The Burrowing Owl is almost definitely present on the ranch; Dudek & Associates (2006:36) refers to Newhall Ranch employees mentioning "groundowls" (*sic*), which are almost certainly this species. Unfortunately, the preferred habitat of the Burrowing Owl, level, non-native grassland and cultivated fields/pastureland, went unsurveyed during the preparation of the DEIR. This owl is essentially extirpated on the coastal slope southern California, and large, private ranches such as Newhall Ranch may be its last hope of survival in the region. Had grassland been surveyed on the site, we might know the locations of their colonies and would have a chance to plan around them.

Unlike the Burrowing Owl, the Bell's Sage Sparrow is locally common throughout the Santa Clarita area (D.S. Cooper, unpubl. data), being resident in coastal sage scrub and chamise chaparral. For example, since 2002 participants on the Santa Clarita Christmas Bird Count have found this sparrow in Newhall, Castaic, Sand Canyon and along the north side of Hwy. 126 vic. Castaic Creek. This species' purported absence from the whole of Newhall Ranch is simply not credible; it is possible that the single bird surveyor employed by Newhall Land may not have been familiar with its vocalizations, which resembles those of other sparrow species.

As for the Tricolored Blackbird, the lack of observations during the surveys for the project raises concern - dozens of these distinctive birds winter in the agricultural fields of Newhall Ranch that are proposed for conversion to houses as part of the Landmark Village, with birds easily seen and heard from pull-outs along The Old Road (D.S. Cooper, unpubl. data). Nesting Tricolored Blackbirds were found recently just west of the project area along Salt Creek[23] and the species is known to breed in marshes along the entire northern flank of the San Gabriel Mountains. (D.S. Cooper, unpubl. data). Since potential nesting habitat was apparently unsurveyed on the Landmark Village site, it is possible that additional breeding sites are located here.

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[21] Point Reyes Bird Observatory, *unpubl. data*.
[22] Dudek & Associates 2006.
[23] F. Hovore, Frank Hovore & Associates, Inc., *pers. comm.* May 2003.

Given these obvious errors and omissions, it is unsurprising that several of the species categorized as Special-Status Wildlife Species *Not Expected* on the Project Site (italics mine; Table 4.4-7) include two birds that are, in actuality, very much expected on the project site. One of these, the Prairie Falcon, was recorded by Dudek & Associates on Newhall Ranch[24], and has been recorded annually in the Santa Clara River Valley in winter (D.S. Cooper, unpubl. data). Oddly, the Prairie Falcon was listed in Table 4.4-6 as likely to suffer significant impact due to project implementation. How could a bird suffer a significant impact if it is not expected on the project site?

An almost identical situation exisits for the Ferruginous Hawk, listed in Table 4.4-7 as being not expected on the project site. An adult Ferruginous Hawk was well seen by Newhall Land employees and local conservationists on a brief site tour on 11 December 2006 (*pers. obs.*), and in the same area during the 2006 Christmas Bird Count later in the month, in typical habitat (dry, barren cultivated field).

Regardless of these contradictions and omissions, the fact that neither Prairie Falcon nor Ferruginous Hawk was listed in recent bird surveys in no way suggests (a) that they don't occur on the site, nor (b) that they would not be impacted by project implementation. Winter bird surveys are required to detect Ferruginous Hawks, which are present in southern California only from November to March; Prairie Falcons would *not* be expected to occur along a forested river where most of the bird surveys took place, but would be seen foraging over dry scrub and grassland - the very habitat slated for development. Nesting falcons require isolated rock and sandstone outcrops, and only through a systematic search of these features in the region would one detect nesting Prairie Falcon, a species nearly extirpated (if not entirely so) as a breeder in coastal southern California.

4. The DEIR mischaracterizes impacts to sensitive bird species.

Numerous sensitive species known or suspected to occur in the project area are listed as being poised to suffer a Not Significant impact from the development, which implies that either they are not regularly present, or that mitigation measures will offset the loss of habitat, human disturbance, and other threats associated with build-out of the project. While some of these sensitive species (e.g., the Vermilion Flycatcher) are unlikely to be affected simply by virtue of their marginal occurrence here, others almost definitely reside within the footprint of the proposed development, including the numerous small tributaries of the Santa Clara River slated for cement channelization and in the extensive agricultural lands to be replaced by houses. For example, two common riparian woodland nesters, Cooper's Hawk and Yellow Warbler, were recorded on several of the 2002-04 bird surveys, but the DEIR omits location data on where they occur within the project area, much less information on nest locations that would be necessary for their management on the site. Therefore, it is difficult to determine that project implementation will entail less than significant impacts to these species.

A similar situation involves species that the DEIR claims will suffer a significant impact with the completion of Newhall Ranch [see Table 4.4-1 Significant Biological Impacts - Newhall Ranch Specific Plan and WRP (= Valencia water reclamation plant)]. As with the non-significant impacts, the data presented are implausible, and in some cases, are contradicted outright later in

[24] Dudek & Associates 2006, p. 21.

the Biota section. For example, we learn from Table 4.4-1 that the (State threatened) Swainson's Hawk a) occurs on the site and b) would suffer a significant impact from the development, even after mitigation measures are undertaken. However, the document provides no description of the species' usage of the site elsewhere in the document, and this hawk apparently went undetected during surveys conducted here in 2002, 2003 and 2004. Of course, the mitigation guidelines do not discuss what might be done to reduce the project's significant impacts to Swainson's Hawks, which require groves of tall trees surrounded by grassland or agricultural lands for breeding. In reality, the Swainson's Hawk neither breeds nor winters on or near the site; the only known nesting sites in southern California are located within a handful of ranchyards in the northeastern Antelope Valley[25].

Another sensitive bird species listed in Table 4.4-1 as likely to suffer significant impacts and yet discussed nowhere in the report is the Mountain Plover (*Charadrius montanus*), a California Bird Species of Special Concern. Its inclusion is perplexing - it is known to occur in just four parts of southern California, the eastern Antelope Valley, the San Jacinto and Lower Colorado River valleys in Riverside County, and the Imperial Valley in Imperial County; all far from the project area. Because its preferred habitat, extensive cultivated fields, persists along Highway 126 in Newhall Ranch, the potential exists that Mountain Plover *could* occur here, but only in winter. However, since no winter bird surveys were conducted on or around the site, it is impossible to assess whether or they do occur. Once again, the DEIR provides no way for a reader to evaluate the conclusions reached therein.

Other sensitive/protected species listed as poised to suffer significant impacts include the Golden Eagle, Northern Harrier, White-tailed Kite, Ferruginous Hawk, Sharp-shinned Hawk and Burrowing Owl. Though some of these raptors (e.g., Sharp-shinned Hawk) are still common in the region, others are not. The Golden Eagle, for example, has declined so severely in southern California that only a few pairs nest regularly in Los Angeles County in remote hills and mountains far from urban development. Yet, no information is revealed about Golden Eagle in the region, other than that a note that it will suffer a significant impact following build-out. Because no raptor surveys were conducted that might have located nesting and foraging sites, we may never know whether this project will extirpate the Golden Eagle from Los Angeles County. Another rare raptor, the White-tailed Kite, may be nowhere more common in Los Angeles County than along the Santa Clara River - 2006 saw a half-dozen breeding pairs[26] which may be a majority of the total number nesting in the entire county.

5. Mitigation measures are insufficient to benefit impacted species.

The Landmark Village DEIR appears to rely on three main conservation strategies to minimize and mitigate impacts to sensitive species:

1. Preservation of a "Santa Clara River Corridor" (section 4.4-93)
2. Preservation of a "large block of relatively undisturbed habitats on higher elevations into the Santa Susana Mountains", which extends down to the Santa Clara River west of the site (section 4.4-93)
3. Avoiding disturbance to nesting birds during construction (described below)

[25] K.L. Garrett, Los Angeles County Museum of Natural History, *pers. comm.* Dec. 2006.
[26] I. Swift, Placerita Canyon County Park, *pers. comm.*, Dec 2006.

Mitigation for narrowing the riparian corridor in the project area should include the establishment of a large riparian reserve that includes a broad section of the intact riparian corridor from the channel to upland habitat. The reserve should contain existing mature cottonwood and willow forests that have been nearly extirpated from most of the river. The developer currently owns the last large area of this type downstream of the proposed project.

The DEIR includes almost no detail on proposed actions that would actually mitigate permanent and significant impacts *to* sensitive species that are known or suspected to occur on the site. Rather, it suggests that these impacts would be reduced because of proposed preservation of habitat along a corridor along the mainstem of the Santa Clara River and in the rugged hills on the southwestern corner of the site (the "High Country" and the off-site Salt Creek drainage). The Santa Clara River has been reasonably well-surveyed, but virtually nothing is known about the wildlife elsewhere on the ranch, in particular the High Country/Salt Creek area, which has apparently never been visited by an ornithologist.[27] This is especially troubling because very few sensitive bird species known to occur in areas proposed for development are also present in the High Country or Salt Creek areas[28]. Recent surveys turned up just five such species (compared with the 17 sensitive bird species known or likely to occur within proposed grading areas), and the DEIR provides no distributional or abundance information on these five. Since the DEIR fails to demonstrate that preservation of the High Country and Salt Creek areas is likely to benefit many of the species to be impacted by Landmark Village, the DEIR should not identify preservation of these areas as providing mitigation for significant impacts to these species.

Rather than suggesting meaningful mitigation that preserves sensitive species and habitats *where they occur*, the DEIR instead offers only vague guidelines to be followed should such mitigation projects be initiated, and proposes no specific remedies to offset what it ackowledges would be significant impacts to a variety of species and habitats. In fact, the DEIR relies on a single guideline, LV 4.4-8[29] as the sole mitigation action to be taken to reduce impact levels below significance for the majority of the affected sensitive bird species. Rather than setting aside habitat for these species or directing development away from sensitive habitats (aside from the flood-prone riverbed and court-mandated rare plant reserves), LV 4.4-8 suggests simply delaying development activities (e.g., grading, landscaping) if nests are located during construction. Given that the federal Migratory Bird Treaty Act requires the exact same course of action, LV 4.4-8 has no practical effect. Once birds are finished nesting in the late summer or fall, construction and resultant habitat elimination would be permitted under this mitigation measure.

By failing to identify feasible measures to mitigate this project's many significant impacts to sensitive species, the DEIR clearly violates the requirements of CEQA. Mitigation recommendation LV 4.4-8 - delaying construction only where nests are found - is listed as the primary mitigation measure for nearly *20* bird species that occur or potentially occur on the site. Because LV 4.4-8 is insufficient as mitigation, we consider the following species to be especially vulnerable to significant impacts here:

---

[27] The DEIR relies upon a seriously flawed biological report by Dudek & Associates (2006) which included no bird surveys, only incidental sightings; many of the most common birds of the region (e.g., Greater Roadrunner, California Thrasher) are not listed as having been observed by Dudek biologists.

[28] Dudek & Associates 2006, p. 81-84.

[29] "Within 30 days of ground disturbance activities associated with construction or grading...the applicant shall have weekly surveys conducted by a qualified biologist...to determine if active nests...are present in the disturbance zone..."

- Known to occur on Landmark Village site
    - Cooper's Hawk
    - Southern California Rufous-crowned Sparrow (*Aimophlia ruficeps canescens*)
    - Lawrence's Goldfinch (*Carduelis lawrencei*)
    - Yellow Warbler (*Dendroica petechia*)
    - White-tailed Kite
    - Horned Lark
    - Yellow-breasted Chat (*Icteria virens*)
    - Least Bell's Vireo (*Vireo bellii pusillus*)
    - Loggerhead Shrike

- Potentially occurring[30]
    - Tricolored Blackbird
    - Bell's Sage Sparrow
    - Long-eared Owl
    - Western Burrowing Owl
    - Western Yellow-billed Cuckoo
    - Southwestern Willow Flycatcher
    - Summer Tanager
    - Coastal California Gnatcatcher

Even addressing only those species *known* (to the DEIR preparers) from the site, it seems highly unlikely that grassland-dependent species such as Loggerhead Shrike and Horned Lark would not suffer a significant impact following the destruction of their preferred habitat (grassland, cultivated fields, pastureland) on the site, as proposed by the project. While these birds might get a "reprieve" during construction (assuming their nests can be found and left undisturbed), once the project is built, they would have no place to return to nest in the future.

Unfortunately, because so many species were so poorly surveyed (see above), we have no information on where their nests or consistent populations occur on the site, much less how to suggest mitigation to benefit them.

5. The DEIR proposes an unacceptable magnitude of impact to sensitive bird species and their habitats.

The Landmark Village DEIR actually presents two categories of impact; first, those to resources within the *entire* 10,000-acre Newhall Ranch development (including the Landmark Village) as addressed in the original Newhall Ranch Specific Plan. Impacts associated *only* with Landmark Village (the first phase of Newhall Ranch), are discussed later in the document[31].

Even after mitigation, the impacts from implementing Landmark Village would apparently still be significant, and include the outright elimination of over 3,000 acres of wildlife habitat, including two sensitive habitat types (coastal sage scrub and Valley Oak woodland); substantial

[30] Evidence for Tricolored Blackbird, Bell's Sage Sparrow and Western Burrowing Owl occurring on the site is discussed above.
[31] See sections 4.4-70 to 4.4-82.

impacts to 10 sensitive bird species (in the report); plus indirect and cumulative impacts that the preparers admit cannot be mitigated (Table 4.4-1)[32].

Even without appropriate surveys for grassland species, nesting raptors, owls, or wintering birds the DEIR still predicts that many unavoidable, significant impacts will occur with the construction of Landmark Village. These admitted unavoidable impacts of only the Landmark Village site include:

1. "Permanent conversion" (i.e., elimination) of 267.27 acres of coastal sage scrub, a sensitive plant community.
2. "Permanent net loss" of 918.84 acres of wildlife habitat.
3. Loss of oak woodland and protected oak trees.
4. "Unavoidably significant" impacts to three bird species:
    a. Southern California Rufous-crowned Sparrow
    b. Northern Harrier
    c. White-tailed Kite

Even assuming that these effects represent the only significant impacts of implementing the Landmark Village project, two of these bird species, the Northern Harrier and White-tailed Kite, are sufficiently imperiled in the region to request more thorough surveys be conducted in appropriate habitat to determine their locations and/if they are nesting, and then possibly require a re-evaluation of the project design and its proposed mitigation.

The Northern Harrier is a grassland-dependent raptor that was historically common throughout southern California. It nests in extensive grassland, on the ground or in matted reeds, and requires short herbaceous vegetation (e.g., grass, short reeds, barren/cultivated land) for foraging. In Los Angeles County, is most numerous in the Antelope Valley, where it breeds locally (e.g., at the Piute Ponds). On the coastal slope of the county, recent (non-historical) breeding has been suspected only in the Puente Hills[33]. Birds are more widespread in winter, occurring in grasslands near Santa Clarita and in the Santa Monica Mountains, but are still highly localized and nearing extirpation in much of the Los Angeles Basin. The total breeding population of Northern Harrier in Los Angeles County is certainly fewer than 5 pairs, and breeding may not even occur every year. The discovery of nesting Northern Harrier on Newhall Ranch would be a significant discovery, and a "significant impact" to the population here should be avoided or mitigated.

White-tailed Kite is another grassland-dependent raptor, but unlike the harrier, it selects as nest sites tall, often isolated clumps of trees surrounded by short grassland for foraging. Known breeding areas in Los Angeles County are very few, and are restricted to remote areas of the Santa Monica Mountains, Santa Susanna Mountains, the Santa Clara River, and the Puente Hills. Occasional breeding occurs elsewhere in the Los Angeles area, such as within flood-control basins. The total population of this species in the county is low - well under 100 individuals during winter - with possibly as few as 10 breeding pairs each year. Therefore, we assert that a

[32] Sensitive bird species to be significantly impacted on Newhall Ranch, even after mitigation, include: Northern Harrier, Southern California Rufous-crowned Sparrow, Tricolored Blackbird, White-tailed Kite, Swainson's Hawk, Mountain Plover, Bell's Sage Sparrow, Ferruginous Hawk, Western Burrowing Owl, Sharp-shinned Hawk, and Golden Eagle; not all of these are considered by the DEIR as present on lands affected by the construction of Landmark Village, but rather are felt to occur on habitats elsewhere on the ranch.

[33] Cooper, D.S. 2000. Breeding landbirds of a highly-threatened open space: the Puente-Chino Hills, California. Western Birds 31:213-234.

significant impact to this small population is unacceptable and should be avoided or properly mitigated.

6. The DEIR fails to provide the "full environmental context" mandated under CEQA Section 15125 (c).

All CEQA lead agencies have a responsibility to ensure the competence, thoroughness, and objectivity of the consultants retained to prepare CEQA documentation for a given project. This is a matter of due diligence, since certification of demonstrably inadequate CEQA documentation leaves the lead agency vulnerable to legal challenge by citizens who have no other recourse for achieving impartial, reasonable planning of their communities and natural open spaces. The deficiencies of the biological resources section of the Landmark Village DEIR are so pervasive that the most important points of contention identified herein probably cannot be resolved without prepartion of a revised DEIR. The revised document should be circulated for another round of public review.

SUGGESTED REMEDIES

We assert that *all* sensitive species that were not adequately surveyed during the preparation of the Landmark Village DEIR be re-evaluated and, if necessary, re-surveyed. As outlined below, this would specifically apply to the three taxa entirely overlooked in the preparation of the DEIR; nesting and wintering raptors; nocturnal species; and grassland-dependent species. The actual status of each, including nesting sites as applicable, must be addressed in an ammended DEIR before any impact analysis is attempted. Specifically, these species include:

1. California Condor (overlooked)
2. Golden Eagle (nesting raptor)
3. Cooper's Hawk (nesting raptor)
4. Ferruginous Hawk (winter-only; grassland obligate)
5. Northern Harrier (grassland obligate)
6. White-tailed Kite (nesting raptor)
7. Prairie Falcon (nesting raptor)
8. Short-eared Owl (overlooked; winter-only; grassland obligate)
9. Long-eared Owl (nocturnal)
10. California Spotted Owl (overlooked)
11. Burrowing Owl (grassland obligate)
12. Loggerhead Shrike (grassland obligate)
13. Horned Lark (grassland obligate)

Following this analysis, we suggest the adoption and implementation of reasonable mitigation to offset the projected impacts - as well as any new impacts discovered after surveys for the above species. Once satisfactory mitigation measures are identified and agreed upon, only then should Newhall Land use the guidelines set forth in the DEIR for implementing them; *the guidelines described in the DEIR, such as LV 4.4-8, do not constitute mitigation measures.*

Examples of appropriate mitigation could include the following actions:

- Permanent protection of a large agricultural reserve along Highway 126 maintained as cultivated fields or irrigated pastureland for grassland birds and other wildlife species.
- Adequate undeveloped buffers along tributaries, including seasonal streams, and a project-wide prohibition on the use of concrete culverts to replace these vital natural riparian systems.
- Establishment of permanent reserves for sensitive coastal sage scrub, grassland and riparian-dependent birds that are *consistent with existing concentrations of these species within the site boundaries* (requires initial and ongoing surveys for Northern Harrier, Loggerhead Shrike, Summer Tanager, Bell's Sage Sparrow, etc.).
- Establishment of ecological reserves or at least passive-recreation parks around raptor nesting and foraging areas, particularly for rare and declining species such as Northern Harrier, Golden Eagle, White-tailed Kite and Short-eared Owl.

In summary, based on our comments herein, we find that the avian analysis in the Biota section of this DEIR is inadequate and incomplete and request that, based on our specific recommendations above, a new EIR be submitted with additional data on bird species and appropriate mitigation measures.

Respectfully submitted,

Glenn Olson

Glenn Olson
Executive Director

cc: Garry George, Executive Director, Los Angeles Audubon Society
Marianne Slaughter, President, Ventura Audubon Society
Kris Ohlenkamp, President, San Fernando Valley Audubon Society

State of California—Business, Transportation and Housing Agency ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
28648 The Old Road
Valencia, CA 91355
(800)735-2929 (TT/TDD)
(661)294-5540

December 11, 2006

File No.: 540.9107.13086

RECEIVED
DEC 26 2006

Mr. Daniel Fierros
Los Angeles Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Fierros:

This is in response to the Notice of Completion for the Landmark Village Project. The proposed project will be located in the unincorporated area of Los Angeles County and within the jurisdiction of the California Highway Patrol. Traffic enforcement and accident investigation will be the responsibility of our agency.

In reviewing this project, State Clearinghouse Number 2004021002, our concern is the effect this project will have on traffic. The project will significantly increase traffic volume on SR-126 and Interstate 5. This will undoubtedly affect the Moorpark and Ventura CHP Area as well as the Newhall CHP Area. Additionally, we have great concern for the additional roadways which would necessitate additional resources and officers to provide traffic enforcement, emergency incident management, public service, assistance and accident investigation. This area has been very rural and sparsely populated and therefore not subjected to the level of patrol responsibilities which we are currently facing in the Santa Clarita Valley metropolitan area. Accordingly, this area will need a substantial increase in resources from the Newhall CHP Area.

If you have any questions or concerns, Sergeant Jacobs will be the contact person for the Newhall CHP Area and may be reached at the above address or telephone number. Thank you for allowing us the opportunity to comment on this project.

Sincerely,

S. V. BERNARD, Captain
Commander
Newhall Area

cc: Southern Division
Office of Special Projects

Safety, Service, and Security

SOUTHERN CAL FORN A
ASSOC AT ON of GOVERNMENTS

Los Angeles Office: 818 W. 7th Street, 12th Floor, Los Angeles, CA 90017 • 213.236.1800
Inland Empire Office: 3600 Lime Street, Suite 216, Riverside, CA 92501 • 951.784.1513

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To: Mr. Daniel Fierros Date: 01/22/07

Location: Dept. Regional Planning Fax #: (213) 626-0434

Number of pages (including cover): 19

From: Jill Egerman Phone #: (213) 236-1919

Note: If you do not receive all the pages, please call Jill Egerman

☐ URGENT ☑ FOR REVIEW ☐ FYI

Comments:

SCAG's comments on the Landmark Village Project DEIR are attached, and have also been sent via U.S. mail.

#1914 fax sheet 07/06

Resolving Regional Challenges

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

Main Office

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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Orange County Transportation Authority: Lou Correa, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

22 January 2007

Mr. Daniel Fierros
Department of Regional Planning
County of Los Angeles
320 West Temple Street
Los Angeles, CA 90012

RE: SCAG Comments on the Notice of Availability of a Draft EIR for the Landmark Village Project - SCAG No. I20060771

Dear Mr. Fierros,

Thank you for submitting the DEIR for the Landmark Village Project to the Southern California Association of Governments (SCAG) for review and comment. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff reviewed the aforementioned DEIR, and has determined that the proposed project is regionally significant per the California Environmental Quality Act (CEQA) Guidelines (Section 15206). The proposed project considers over 500 residential units.

CEQA requires that EIRs discuss any inconsistencies between the proposed project and applicable general plans and regional plans (Section 15125 [d]). If there are inconsistencies, an explanation and rationalization for such inconsistencies should be provided.

Policies of SCAG's Regional Comprehensive Plan and Guide, Regional Transportation Plan, and Compass Growth Vision that may be applicable to your project are outlined in the attachment. We expect the FEIR to specifically cite the appropriate SCAG policies and address the manner in which the project is consistent with applicable core policies or supportive of applicable ancillary policies. Please use our policy numbers to refer to them in your FEIR. Also, we would encourage you to use a side-by-side comparison of SCAG policies with a discussion of the consistency or support of the policy with the proposed project.

SCAG's Compass Growth Vision, adopted in 2004, encourages better relationships between housing, transportation, and employment. For a clearer understanding of the intent of and possibilities with Compass, please consult our website, www.socalcompass.org in addition to the guidance offered in this letter.

Please provide a minimum of 45 days for SCAG to review the FEIR when this document is available. If you have any questions regarding the attached comments, please contact me at (213) 236-1919. Thank you.

Sincerely,

Jill Egerman

Jill Egerman
Associate Regional Planner

**COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE LANDMARK VILLAGE PROJECT
SCAG NO. I 20060771**

PROJECT DESCRIPTION

The Landmark Village Project proposes to develop the 292.6 acre Landmark Village tract map site, located in the first phase of the Riverwood Village of the Newhall Ranch Specific Plan. The tract map site proposes construction of 1,444 residential dwelling units (308 single-family units, 1,136 multi-family units), up to 1,033,000 square feet of mixed-use/commercial uses, a 9-acre elementary school, a 16-acre community park, a fire station, public and private recreational facilities, trails, and road improvements. Several off-site project-related components would be developed on an additional 750.9 acres of land that is mostly within the approved Specific Plan boundary. The entire project site comprises approximately 1,044 gross acres. In addition, the applicant is requesting the approval of the following entitlements: (a) General Plan Amendment, Sub-Plan Amendment and Specific Plan Amendment; (b) Vesting Tentative Tract Map; (c) Significant Ecological Area (SEA) Conditional Use Permit (CUP); (d) Oak Tree Permit; (e) Off-Site Soil Transport Approval; (f) CUP for off-site grading; and (g) Modification to adopted County Floodway limits.

CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES

The **Growth Management Chapter (GMC)** of the Regional Comprehensive Plan and Guide (RCPG) contains the following policies that are particularly applicable and should be addressed in the EIR for the Landmark Village Project.

3.01 *The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies, shall be used by SCAG in all phases of implementation and review.*

Regional Growth Forecasts

The EIR should reflect the most current SCAG forecasts, which are the 2004 RTP (April 2004) Population, Household and Employment forecasts. The forecasts for your region, subregions, and nearest city are as follows:

Adopted SCAG Regionwide Forecasts

	2010	2015	2020	2025	2030
Population	19,208,661	20,191,117	21,137,519	22,035,416	22,890,797
Households	6,072,578	6,463,402	6,865,355	7,263,519	7,660,107
Employment	8,729,192	9,198,618	9,659,847	10,100,776	10,527,202

Adopted North Los Angeles County Forecasts

	2010	2015	2020	2025	2030
Population	735,262	862,984	967,387	1,076,013	1,179,228
Households	221,538	256,966	292,658	327,745	362,324
Employment	215,955	235,070	253,417	270,409	286,286

City of Santa Clarita Forecasts

	2010	2015	2020	2025	2030
Population	187,795	200,104	211,367	221,915	231,846
Households	62,837	67,832	72,883	77,868	82,806
Employment	57,248	60,691	64,012	67,133	70,078

*** The 2004 RTP growth forecast at the regional, county and subregional level was adopted by RC in April, 2004. City totals are the sum of small area data and should be used for advisory purposes only.**

SCAG staff comments: The Draft EIR, Section 2.0 at page 2.0-19 addressed the consistency of the project with this SCAG policy with the following:

> "Based on SCAG's most recent forecasts, by the year 2025, the Los Angeles region is expected to grow to approximately 22.6 million people, representing 7.4 million household units and 9.9 million jobs. This growth represents a population increase of 34.5 percent, an increase in housing of 37.9 percent, and an increase in employment of 34.2 percent between the years 2000 and 2025. SCAG's distribution of regional growth was developed through the subregional planning process. Development of the proposed project will accommodate an increase in population of about 3,680 persons and 1,444 housing units. The resultant increase in region-wide population is planned and considered negligible. While the proposed project would not create significant or permanent employment opportunities, it would provide new housing in support of existing and new employment opportunities expected to occur in the Santa Clarita Valley. A detailed analysis of the project's consistency with the population and housing forecasts for the North Los Angeles County subregion and City of Santa Clarita is provided in the Newhall Ranch Specific Plan Program EIR."

SCAG concurs with this assessment and concludes that the project would be consistent with Policy 3.01.

3.03 *The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.*

SCAG staff comments: The Draft EIR, Section 2.0 pages 2.0-19 and 2.0-10, provides a discussion on the consistency of the project with this SCAG policy with the following:

> "The proposed Landmark Village project represents the first phase of the Newhall Ranch Specifc Plan, which contains backbone water, sewer, and drainage plans that generally identify the size and location of needed infrastructure. The proposed project would be developed over five years as part of Vesting Tentative Tract Map No. 53108, which represents the phasing mechanism used by the Specific Plan to identify the timing and sizing of necessary infrastructure.
> Given the existence of the approved Specific Plan, and that the proposed project is located adjacent to existing infrastructure, Landmark Village would represent an orderly progression of development that would aid in implementing the region's growth policies. The proposed project would use various techniques currently available for financing and maintenance of public facilities, streets, and utilities. For example, the applicant could decide to finance the infrastructure and services necessary to serve the project through a Community Facilities District under the provisions of the Mello-Roos Communities Facilities Act of 1982. Such a district is formed to finance designated public services and capital facilities by levying special taxes within the specific plan area.
> While the exact financing method has not yet been decided, the County and the property owner/developer must mutually agree to the method and enter into an agreement reflecting

> the selected financing and maintenance method. As proposed, the project would be consistent with the region's growth policies."

SCAG concurs with this assessment and concluces that the proposed project is consistent with SCAG policy 3.03.

GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL STANDARD OF LIVING

The Growth Management goals to develop urban forms that enable individuals to spend less income on housing cost, that minimize public and private development costs, and that enable firms to be more competitive, strengthen the regional strategic goal to stimulate the regional economy. The evaluation of the proposed project in relation to the following policies would be intended to guide efforts toward achievement of such goals and does not infer regional interference with local land use powers

3.05 *Encourage patterns of urban development and land use which reduce costs on infrastructure construction and make better use of existing facilities.*

SCAG staff comments: Please see comments under 3.10.

3.09 *Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.*

SCAG staff comments: Please see comments under 3.10.

3.10 *Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.*

SCAG staff comments: The Draft EIR, Section 2.0 at pages 2.0-20, 2.0-21 addressed the consistency of the project with SCAG policies 3.5, 3.9, and 3.10 by the following:

> "The Landmark Village site is located near existing urban uses that are supported by a full complement of roadways, water, sewer, electricity, natural gas, communications links, cable, and other urban infrastructure. In addition, existing development in the area is served by local law enforcement and fire protection services. As a result, extension of these services to proposed on-site uses would make use of existing facilities. Project residents would generate revenue in the form of property taxes, fees, etc., which would be available to the County to fund public services on site, such as fire and police services, flood control, library services, street maintenance, and wastewater treatment. Revenues for capital improvements would also be generated by the project directly through various forms of development fees, including, but not limited to, bridge and thoroughfare fees, fire facilities fees, sewer annexation and construction fees, and school fees. In addition, the project would build all on-site roadways, potable water, sewer, energy, and communications systems, as well as share in the upgrade of all affected roadways. Financing mechanisms for needed on-site infrastructure improvements and supporting public service facilities could possibly include, but are not limited to, private financing, assessment districts, fee districts, and Mello-Roos districts. As such the project is consistent with these RCPG policies."

SCAG concurs with this assessment and concludes that the proposed project is consistent with SCAG policies 3.5, 3.9, and 3.10.

GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

3.12 *Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.*

SCAG staff comments: Please see comments under 3.14

3.14 *Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers.*

SCAG staff comments: The Draft EIR, Section 2.0 pages 2.0-21 and 2.0-22, provides a discussion on the consistency of the project with SCAG policies 3.12 and 3.14 with the following:

> "Two major transit carriers serve the Landmark Village project study area, the Santa Clarita Transit (SCT) system operated by the City of Santa Clarita and Metrolink operated by the Southern California Regional Rail Authority (SCRRA). The SCT largely serves the Santa Clarita Valley, while Metrolink currently serves Ventura, Los Angeles, San Bernardino, Riverside, Orange, and San Diego Counties.
> The SCT route passes the tract map site via SR-126 and provides service to the Santa Clarita and Newhall Metrolink Stations, the Valencia Industrial and Commerce Centers, and the Valencia Town Center area. Buses run every 30 minutes. Route 2 connects with other bus routes at McBean Transfer Station, and connects with commuter trains at the Jan Heidt Metrolink Station in Newhall. Major destinations along Route 2 are Soledad Entertainment Center, Newhall, Newhall Metrolink Station, Valencia Town Center, Valencia Industrial Center, Valencia Commerce Center, and Val Verde.
> SCT commuter busses provide regional service to downtown Los Angeles, the San Fernando Valley and the Antelope Valley. . . .
> The proposed project is consistent with these transit policies because it would place development in an area presently served by local and regional transit. It can also be considered consistent because of its extensive pedestrian and bicycle trails network, which are linked to adjacent uses and roadways. This network would provide project residents wit a combination of transportation modes including bicycling, walking, and driving. Furthermore, because the project has been designed to provide housing that would support existing and new employment opportunities that are projected to occur in the Santa Clarita Valley, it could reduce travel distances and could create opportunities for employees to walk and bike to work."

SCAG concurs with this assessment and concludes that the proposed project is consistent with

SCAG policies 3.12 and 3.14.

3.17 *Support and encourage settlement patterns which contain a range of urban densities.*

SCAG staff comments: Please see comments under 3.19.

3.18 *Encourage planned development in locations least likely to cause adverse environmental impact.*

SCAG staff comments: Please see comments under 3.19.

3.19 *National Forests shall remain permanently preserved and used as open space. SCAG shall support policies and actions that preserve open space areas identified in local, state, and federal plans.*

SCAG staff comments: The Draft EIR, Section 2.0 at pages 2.0-22 and 2.0-23 addressed the consistency of the project with SCAG policies 3.17, 3.18, and 3.19 by the following:

> "The Landmark Village tract map site is largely disturbed due to ongoing agricultural activity and is planned for development as part of the Newhall Ranch Specific Plan, which implements the goals and policies of the Los Angeles County General Plan and Santa Clarita Valley Areawide Plan on a focused, site-specific basis. The approved Newhall Ranch project site is located adjacent to developed uses and is subject to the provisions of the Specific Plan. The Specific Plan contains a conceptual development plan, development regulations, design guidelines, and implementation mechanisms consistent with the goals, objectives, and policies of the Los Angeles County General Plan and Santa Clarita Valley Areawide Plan, including those directed towards protection of open space and natural resources.
> The project design was developed consistent with the Resource Management Plan (Section 2.6 of the Specific Plan) and the resource conservation objectives of the Specific Plan. Design considerations included establishment of an adequate buffer between residential uses and sensitive resources to enhance the habitat value of the natural area and preserve the river resources. To this end, roughly 38 acres of the Landmark Village project site would be dedicated to open space. The Landmark Village project would also construct a Community Park consistent with the Specific Plan as well as trails and major utility easements that function as a separation between development areas south of the SR 126 and the Santa Clara River. For these reasons, the project is consistent with these RCPG policies."

SCAG concurs with this assessment and concludes that the proposed project is consistent with SCAG policies 3.17, 3.18, and 3.19.

3.20 *Vital resources as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals should be protected.*

SCAG staff comments: The Draft EIR, Section 2.0 at pages 2.0-23 through 2.0-25 addressed the consistency of the project with this SCAG policy by the following excerpted comments:

> "The Landmark Village tract map site is largely disturbed from ongoing agricultural activity but it is located adjacent to the River Corridor SMA/SEA 23. SEA 23 was originally established along the Santa Clara River to protect the variety of riparian habitat found within and along its corridor. In general terms, the purpose of designating SEAs is to maintain and protect areas that possess biotic resources that are uncommon, rare, unique, or critical to

the maintenance of wildlife. More specifically, SEA 23 was established to conserve habitat for four federally listed endangered species: (1) unarmored three-spine stickleback, (2) least Bell's vireo, (3) Southwestern pond turtle, and (4) arroyo Southwestern toad in the Santa Clarita Valley.

The proposed Landmark Village project represents the first phase of construction within the Newhall Ranch Specific Plan, and the applicant is planning to construct a number of improvements within the River Corridor SMA/SEA 23 as contemplated by the Program SEA CUP No. 94-087-(5), including the Long Canyon Road Bridge, trails, water quality basins, bank stabilization, water and sewer utility crossings, storm drain outlets, and potential riparian mitigation sites.

Consistent with the approved SEA CUP, the Landmark Village project has been designed to lessen direct and indirect impacts to the sensitive resources found within the River Corridor SMA/SEA 23. The site plan incorporates a setback to separate natural resources in the River Corridor SMA/SEA 23 from the residential and mixed uses associated with the project. Where improvements must be constructed in the River Corridor SMA/SEA 23, they have been sensitively designed to minimize permanent disturbance.

The drainage concept for Landmark Village proposes the use of buried bank stabilization where necessary to protect against erosion except at bridge crossings, where exposed grouted rip-rap or reinforced concrete would be used. . . . Consequently, under most circumstances, project improvements would not hinder river flows or reduce the area of the floodplain. Instead, these flows would spread across the river channel, unaffected by the bank protection and bridge abutments

The Landmark Village tract map site would also introduce people and animals into this resource area as the project would implement a segment of the River Trail as identified by the Master Trails Plan of the Newhall Ranch Specific Plan. However, access to trails in the River Corridor SMA/SEA 23 must be restricted to daytime hours as defined by the management component of the Resource Management Plan. In addition, the River Trail is separated from the natural resources by fencing or other barriers to discourage intrusion into natural areas. Based on the above, the project is considered consistent with these policies."

SCAG concurs with this assessment and concludes that the proposed project is partially consistent with SCAG policy 3.20. The Draft EIR, Section 4.4 discusses impacts from the Newhall Ranch Specific Plan on biological resources that would remain significant after mitigation. It would be helpful if the Final EIR would provide a discussion and address the manner in which Landmark Village is supportive or detracts from the achievement of protecting wetlands, production lands, and land containing unique and endangered plants and animals. Based on the information provided in the Draft EIR, we are unable to determine if the project is fully consistent with Policy 3.20. Please address this in the Final EIR.

3.21 *Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.*

SCAG staff comments: The Draft EIR, Section 4.22 addressed the consistency of the project with this SCAG policy. The impact analysis of Landmark Village on archeological resources included an examination of the impacts of the Landmark Village project on the site's archeological and paleontological resources. Section 4.22 of the DEIR reiterated the Mitigation measures required by the Adopted Newhall Ranch Specific Plan, as they relate to the Landmark Village Project and also set forth the Additional Mitigation Measures proposed by this EIR. As such, SCAG concludes that the proposed project is consistent with SCAG policy 3.21.

3.22 *Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.*

SCAG staff comments: Please see comments under 3.23.

3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

SCAG staff comments: The Draft EIR, Section 2.0 at pages 2.0-25 and 2.0-26 addressed the consistency of the project with SCAG policies 3.22 and 3.23 by the following:

> "The Landmark Village tract map site is flat and site development would not expose people to hazards associated with steep slopes. As with all areas in Southern California, the site is subject to seismic hazards associated with local and regional fault systems and uses on the site would be subject to building codes addressing seismic hazards. The site is located adjacent to the Santa Clara River and portions of the site are within the Federal Emergency Management Act (FEMA) 100-year flood boundary. The project contains a drainage concept that would protect people and development from flood hazards. In addition, the Los Angeles County Fire Department designates the project site as Zone 4, High Fire Hazard, so the project would be subject to Section 1117.2.1 of the County Fire Code, which requires preparation of a fuel modification plan, landscape plan, and irrigation plan for developed areas.
> The proposed project has been designed consistent with the Land Use Plan component of the Newhall Ranch Specific Plan. Less sensitive Commercial and Medium-Density residential uses are planned along SR-126. In addition, mitigation measures have been incorporated into this EIR that will minimize impacts to those residential units closest to SR-126, San Martinez Grande, and Chiquito Canyon Road.
> As described above under Policy 3.20, the Landmark Village tract map site is disturbed from ongoing agricultural activity but is located adjacent to sensitive resources in the River Corridor SMA/SEA 23. The project itself has been designed to minimize impacts to sensitive resources. Where necessary, mitigation measures have been proposed, which would reduce impacts to sensitive biological and ecological resources to the extent feasible
> In summary, hazards to the project associated with wildfires, flooding and seismic events would be reduced to less than significant levels through compliance with building and fire codes, as required by the County of Los Angeles. Impacts associated with roadway noise and disturbance to natural resources are addressed through site design and implementation of recommended mitigation measures in this EIR."

As such, SCAG concurs with this assessment and concludes that the proposed project is consistent with SCAG policies 3.22 and 3.23.

GMC POLICIES RELATED TO THE RCPG GOAL TO PROVIDE SOCIAL, POLITICAL, AND CULTURAL EQUITY

The Growth Management Goal to develop urban forms that avoid economic and social polarization promotes the regional strategic goal of minimizing social and geographic disparities and of reaching equity among all segments of society. The evaluation of the proposed project in relation to the policy stated below is intended guide direction for the accomplishment of this goal, and does not infer regional mandates and interference with local land use powers.

3.24 *Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs*

Assessment.

SCAG staff comments: Please see comments under 3.27.

3.27 *Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.*

SCAG staff comments: The Draft EIR, Section 2.0 at pages 2.0-27 and 2.0-28 addressed the consistency of the project with SCAG policies 3.24 and 3.27 by the following:

> "SCAG prepares the Regional Housing Needs Assessment (RHNA) for a six-county region that includes Ventura, Los Angeles, San Bernardino, Riverside, Orange and Imperial Counties and some 150 local governments. The RHNA defines the housing need allocation for each member local government in Southern California, including Los Angeles County. This total need is divided into housing construction need for households in four broad income categories . . . For the unincorporated area, this need has been determined to be 9,019 units of very low-income housing, 7,519 units of low-income housing, 9,859 units of moderate-income housing, and 25,835 units of above moderate-income housing.
> Section 3.10 of the adopted Newhall Ranch Specific Plan includes an Affordable Housing Program that provides for the direct inclusion of very low, low, and moderate income affordable housing opportunities within the Specific Plan area. At buildout, a total of 2,200 affordable dwelling units would be provided. The Affordable Housing Program includes timing mechanisms and monitoring provisions to ensure that affordable housing is provided concurrent with market rate housing. The applicant is required to identify the number and location of affordable housing units as a condition of tentative or final map approval.
> The Landmark Village project proposes a total of 1,444 dwelling units. Approximately 296 units located in the project's Medium Residential, High Residential, and Mixed-Use land use categories would be set aside as affordable under the Affordable Housing Program of the Newhall Ranch Specific Plan. An affirmative marketing program consisting of advertising in newspapers, information flyers, promotional materials, and on-site signage would be used to assure opportunities for local residents. The variety of housing types proposed for the project site, combined with implementation of apportion of the Newhall Ranch Affordable Housing Program, will serve to assist in meeting the County's housing needs, which cover all levels of the economic spectrum.
> The Landmark Village project would implement the firs phase of the Newhall Ranch Specific Plan, which is a balanced community containing the full range of community and social services. The Landmark Village project site is currently served by one fixed-route transit line (Route 2). The route passes the project site via SR-126 and provides service to the Newhall Metrolink Station, the Valencia Industrial and Commerce Centers, and the Valencia Town Center area. Buses run every 30 minutes. Route 2 connects with other bus routes at McBean Transfer Station, and connects with commuter trains at the Jan Heidt Metrolink Station in Newhall. Major destinations along Route 2 are Soledad Entertainment Center, Newhall, Newhall Metrolink Station, Valencia Town Center, Valencia Industrial Center, Valencia Commerce Center, and Val Verde. Close proximity of the project site to regional transportation modes provides greater opportunity for all members of\society access to public education, housing, health care social and recreational services (provided within and outside of the project), law enforcement and fire services."

SCAG concurs with this assessment and concludes that the proposed project is consistent with SCAG policies 3.24 and 3.27.

AIR QUALITY CHAPTER CORE ACTIONS

The **Air Quality Chapter (AQC)** core actions that are generally applicable to the Project are as follows:

5.07 *Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community-based shuttle services, provision of demand management based programs, or vehicle-miles-traveled/emission fees) so that options to command and control regulation can be assessed.*

SCAG staff comments: Please see comments under 5.11.

5.11 *Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional and local) consider air quality, land use, transportation and economic relationships to ensure consistency and minimize conflicts.*

SCAG staff comments: The Draft EIR Section 2.0 at pages 2.0-31 and 2.0-32 addressed the consistency of the project with SCAG policies 5.07 and 5.11 by the following:

> "The Landmark Village tract map site proposes the construction of an arterial street/infrastructure system and a network of pedestrian and bicycle tails that would provide for local travel by a combination of transportation modes, including bicycles, walking, bus transit, commuter rail service, and automobiles. The project also incorporates bus pull-ins, as necessary to accommodate bus-related transit and proposes to fund its fair share of infrastructure improvements required off site through the payment of fees. As indicated in this EIR, Section 4.7, Traffic/Access, funding and construction of main-line freeway capacity (i.e., I-5 and SR-14) and interchanges with other regional highways (i.e., I-5 at SR-126) is provided by existing sources of tax revenue and by Caltrans through allocations made by the Metropolitan Transportation Authority (MTA). Existing funding sources include state and federal gas taxes and Los Angeles County Proposition A and C sales taxes. As transportation improvements are constructed over the life of the project, the desire to improve air quality while providing adequate transportation infrastructure can be facilitated. Consequently, the project favorably addresses this issue.
>
> As indicated above, the project proposes a pattern of development that includes a wide range of housing unit types and job-creating uses. These uses would be linked by an arterial street system and a pedestrian and bicycle trails network that provide for local travel by a combination of transportation modes, including bicycles, walking, bus transit, and automobiles. The project has been designed to provide future residents of the site with employment opportunities and services within proximity to the project, through the inclusion of the commercial site. Access to the community-wide trail system promotes an efficient means of access to these uses; therefore, VMT and air pollutant emissions can be minimized. Furthermore, the project is located in close proximity and adjacent to existing job centers (e.g., Valencia Commerce Center, Industrial Center, Town Center, and Corporate Center) which would help to reduce the need for long commutes from the site to more distant employment centers in Ventura County, the San Fernando Valley, and beyond. As a result, VMT and, consequently, air pollution emissions would be minimized. Based on this information, the proposed project favorably addresses the above-noted air quality core actions."

SCAG concurs with this assessment and concludes that the proposed project is consistent with SCAG policies 5.07 and 5.11.

OPEN SPACE CHAPTER ANCILLARY GOALS

The **Open Space and Conservation Chapter** goals related to the proposed project include:

9.02 *Increase the accessibility to open space lands for outdoor recreation*

SCAG staff comments: Please see comments under 9.03.

9.03 *Promote self-sustaining regional recreation resources and facilities.*

SCAG staff comments: Section 2.0 of the DEIR, pages 2.0-33 and 2.0-34 addressed the consistency of the project with SCAG policies 9.2 and 9.3 with the following:

> "The Landmark Village tract map site provides a variety of open space for both passive and active recreation. Consistent with the Specific Plan's Community Park that contains both active and passive recreational areas. The project also implements a segment of the Regional River Trail and Community Trails identified in the Specific Plan's Master Trails Plan. A river outlook point is located in the passive area of the Community Park, which is accessed by both the Regional River Trail and the Community Trail system. Thus, the proposed project is considered consistent with outdoor recreation and public health and safety policies identified in the Open Space Chapter of the RCPG."

SCAG concurs with the above assessment and concludes that the proposed project is consistent with SCAG policies 9.02 and 9.03.

9.04 *Maintain open space for adequate protection of lives and properties against natural and man-made hazards.*

SCAG staff comments: Please see comments under 9.05.

9.05 *Minimize potentially hazardous developments in hillsides, canyons, areas susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipment.*

SCAG staff comments: Section 2.0 of the DEIR, page 2.0-34 addressed the consistency of the project with SCAG policies 9.4 and 9.5 with the following:

> "Open spaces proposed within the Landmark Village project site would be maintained and owned by a Homeowners Association or the County of Los Angeles to ensure that open space areas protect both persons and properties against natural and manmade hazards. Implementation of geotechnical reports and drainage concepts as well as review of plans by the Los Angeles County Sheriff and Fire Departments will ensure that development located in areas susceptible to flooding, earthquakes, and wildfire hazards are constructed and situated so as to minimize and avoid potential hazards. Subsequently the proposed project is considered consistent with Policies 9.04 and 9.05 of the Open Space Chapter of the RCPG."

SCAG concurs with the above assessment and concludes that the proposed project is consistent with SCAG policies 9.04 and 9.05.

9.07 Maintain adequate viable resource production lands, particularly lands devoted to commercial agriculture and mining operations.

SCAG staff comments: Section 2.0 of the DEIR, pages 2.0-34 and 2.0-35 addressed the consistency of the project with this SCAG policy with the following:

> "The Landmark Village tract map site is presently cultivated with row crops. Site development as proposed would result in the loss of 292 acres of active farmland. The economic and agricultural productivity of the Landmark Village site is constrained, as the property is isolated from nearby agricultural lands by the presence of SR-126 and the Santa Clara River. The loss of 292 acres of agricultural land for development of Landmark Village represents a significant unavoidable impact that was considered in the CEQA Findings adopted by the County Board of Supervisors for the Newhall Ranch Specific Plan.
>
> A number of overriding economic, legal, social technological and other considerations were identified in the Statement of Overriding Considerations to determine that those benefits outweighed the loss of this agricultural land. The Landmark Village project is the first subdivision map filed under the Specific Plan."

SCAG concurs with the above assessment and concludes that the proposed project is consistent with SCAG policy 9.07.

9.08 Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.

SCAG staff comments: Section 2.0 of the DEIR, page 2.0-35 addressed the consistency of the project with this SCAG policy with the following:

> "The Landmark Village project site has been designed to minimize direct and indirect impacts to the sensitive resources found within the River Corridor SMA/SEA 23. For example, the site plan incorporates a setback to separate natural resources in the River Corridor SMA/SEA 23 from the residential and mixed uses associated with the project. Where improvements must be constructed in the River Corridor SMA/SEA 23, they have been sensitively designed to minimize permanent disturbance. Mitigation measures have been incorporated into the proposed project (Section 4.4, Biota) to minimize impacts on the endangered species, which reside in the Santa Clara River. Consequently, the proposed project is considered consistent with Policy 9.08 of the Open Space Chapter of the RCPG."

SCAG concurs with the above assessment and concludes that the proposed project is consistent with SCAG policy 9.08.

WATER QUALITY CHAPTER RECOMMENDATIONS AND POLICY OPTIONS

The **Water Quality Chapter** core recommendations and policy options relate to the two water quality goals: to restore and maintain the chemical, physical and biological integrity of the nation's water; and, to achieve and maintain water quality objectives that are necessary to protect all beneficial uses of all waters.

11.07 Encourage water reclamation throughout the region where it is cost-effective, feasible, and

appropriate to reduce reliance on imported water and wastewater discharges. Current administrative impediments to increased use of wastewater should be addressed.

SCAG staff comments: Section 2.0 of the DEIR, page 2.0-33 addressed the consistency of the project with this SCAG policy with the following: "The Landmark Village tract map site proposes the use of reclaimed water for landscape irrigation purposes, consistent with the Public Services and Facilities Plan of the Newhall Ranch Specific Plan. The project is considered consistent with this policy." SCAG concurs with the above assessment and concludes that the proposed project is consistent with SCAG policy 11.07.

REGIONAL TRANSPORTATION PLAN

The **2004 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals

- Protect the environment, improve air quality and promote energy efficiency.
- Encourage land use and growth patterns that complement our transportation investments.

Regional Transportation Plan Policies

- Transportation investments shall be based on SCAG's adopted Regional Performance Indicators.

Performance Indicator	Performance Measures	Definition	Performance Outcome
Mobility	• Average Daily Speed	Speed-experienced by travelers regardless of mode.	10% Improvement
	• Average Daily Delay	Delay-excess travel time resulting from the difference between a reference speed and actual speed. Total daily delay and daily delay per capita are indicators used.	40% Improvement
Accessibility	• Percent PM peak work trips within 45 minutes of home		Auto 90% Transit 37%
	• Distribution of work trip travel times		Auto 8% Improvement Transit 8% Improvement
Reliability	• Percent variation in travel time	Day-to-day change in travel times experienced by travelers. Variability results from accidents, weather, road closures, system problems and other non-recurrent conditions.	10% Improvement
Safety	• Accident Rates	Measured in accidents per million vehicle miles by mode.	0.3% Improvement

Performance Indicator	Performance Measures	Definition	Performance Outcome
Cost Effectiveness	• Benefit-to-Cost (B/C) Ratio	Ratio of benefits of RTP investments to the associated investments costs.	$3.08
Productivity	• Percent capability utilized during peak conditions	Transportation infrastructure capacity and services provided. • Roadway Capacity - vehicles per hour per lane by type of facility. • Transit Capacity – seating capacity utilized by mode.	 20% Improvement at known bottlenecks N/A
Sustainability	• Total cost per capita to sustain current system performance	Focus in on overall performance, including infrastructure condition Preservation measure is a sub-set of sustainability.	$20 per capita, primarily in preservation costs
Preservation	• Maintenance cost per capita to preserve system at base year conditions	Focus is on infrastructure condition. Sub-set of sustainability.	Maintain current conditions
Environmental	• Emissions generated by travel	Measured/forecast emissions include CO, NOX, PM10, SOX and VOC. CO2 as secondary measure to reflect greenhouse emissions.	Meets conformity requirements
Environmental Justice	• Expenditures by quintile and ethnicity	Proportionate share of expenditures in the 2004 RTP by each quintile.	No disproportionate impact to any group or quintile
	• Benefit vs. burden by quintiles	Proportionate share of benefits to each quintile ethnicity. Proportionate share of additional airport noise by ethnic group.	

- Ensuring safety, adequate maintenance, and efficiency of operations on the existing multi-modal transportation system will be RTP priorities and will be balanced against the need for system expansion investments.

- RTP land use and growth strategies that differ from currently expected trends will require a collaborative implementation program that identifies required actions and policies by all affected agencies and sub-regions.

4.01 Transportation Investments shall be based on SCAG's adopted Regional Performance Indicators.

SCAG's Adopted Regional Performance Indicators:

Mobility - Transportation Systems should meet the public need for improved access, and for safe, comfortable, convenient and economical movements of people and goods.
- Average Work Trip Travel Time in Minutes – 22 minutes
- PM Peak Highway Speed – 33 mph
- Percent of PM Peak Travel in Delay (All Trips) – 33%

Accessibility - Transportation Systems should ensure the ease with which opportunities are reached. Transportation and land use measures should be employed to ensure minimal time and cost.
- Work Opportunities within 25 Minutes – 88%

Environment - Transportation Systems should sustain development and preservation of the existing system and the environment. (All Trips)
- Meeting Federal and State Standards – Meet Air Plan Emission Budgets

Reliability - Reasonable and dependable levels of service by mode. (All Trips)
- Transit – 63%
- Highway – 76%

Safety - Transportation Systems should provide minimal, risk, accident, death and injury. (All Trips)
- Fatalities Per Million Passenger Miles – 0.008
- Injury Accidents – 0.929

Livable Communities - Transportation Systems should facilitate Livable Communities in which all residents have access to all opportunities with minimal travel time. (All Trips)
- Vehicle Trip Reduction – 1.5%
- Vehicle Miles Traveled Reduction – 10.0%

Equity - The benefits of transportation investments should be equitably distributed among all ethnic, age and income groups. (All trips)
- **Low-Income (Household Income $12,000)) Share of Net Benefits** – Equitable Distribution of Benefits

Cost-Effectiveness - Maximize return on transportation investment. (All Trips)
- Net Present Value – Maximum Return on Transportation Investment
- Value of a Dollar Invested -- Maximum Return on Transportation Investment

SCAG staff comments: Section 2.0 of the DEIR, page 2.0-30 addressed the consistency of the project with this SCAG policy with the following:

"The Landmark tract map is proposed to accommodate projected regional growth in a location that is adjacent to existing and planned infrastructure, urban services, transportation corridors, and major employment centers. Because the project has been designed to provide housing that would support existing and new employment opportunities that are projected to occur in the Santa Clarity Valley, it could reduce travel distances and could create opportunities for employees to walk and bike to work, thereby reducing vehicle miles traveled (VMT). The project also includes a mobility system that includes alternatives to automobile use, such as an extensive pedestrian, equestrian and bicycle trail system. The trails provide linkages from homes at the site to important destinations within the community, such as the school and park, recreation centers, and nearby commercial developments. The project would provide safe and convenient access to the local bus system and to the Metrolink commuter train station in Newhall. By providing for convenient access to public transit opportunities, the project would help to minimize travel time to work.

The proposed project would preserve the environment by providing for needed housing and opportunities to work closer to home. The shorter travel distances will reduce VMT and associated emissions by shortening the distance between home and work and providing safe and convenient access to public transit opportunities.

A traffic study for Landmark Village has been prepared and is discussed fully in this EIR. The study evaluates project-related, as well as long-term, Santa Clarity Valley buildout traffic impacts

on local and regional road networks.
The project includes a number of on- and off-site transportation system management actions, such as traffic signals and intersection improvements to speed the flow of traffic. Mitigation measures are proposed for traffic improvements and traffic signals, and comply with the requirements of the County's Congestion Management Program. As a result, the project is consistent with these RTP policies."

SCAG concurs with the above assessment and concludes that the proposed project will not affect the implementation of the goals.

GROWTH VISIONING

The fundamental goal of the Compass Growth Visioning effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and **sustain** for future generations the region's **mobility, livability** and **prosperity**. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1. Improve **mobility** for all residents
- Encourage transportation investments and land use decisions that are mutually supportive.
- Locate new housing near existing jobs and new jobs near existing housing.
- Encourage transit-oriented development.
- Promote a variety of travel choices

Principle 2: Foster **livability** in all communities
- Promote infill development and redevelopment to revitalize existing communities.
- Promote developments, which provide a mix of uses.
- Promote "people scaled," walkable communities.
- Support the preservation of stable, single-family neighborhoods.

Principle 3: Enable **prosperity** for all people
- Provide, in each community, a variety of housing types to meet the housing needs of all income levels.
- Support educational opportunities that promote balanced growth.
- Ensure environmental justice regardless of race, ethnicity or income class.
- Support local and state fiscal policies that encourage balanced growth
- Encourage civic engagement.

Principle 4: Promote **sustainability** for future generations
- Preserve rural, agricultural, recreational and environmentally sensitive areas.
- Focus development in urban centers and existing cities.
- Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.
- Utilize "green" development techniques.

SCAG staff comments: Section 7.0 of the Draft EIR at page 7.0-1 addressed the growth-inducing impacts of the entire Newhall Ranch Specific Plan, by referring to the certified Newhall Ranch Specific Plan Program EIR. It would be helpful if the Final EIR would provide a discussion and address the manner in which the Landmark Village project is supportive or detracts from each of the four principles

of the Compass Growth Visioning effort. Based on information provided in the Draft EIR, we are unable to determine if the Project is supportive of SCAG policy

CONCLUSIONS

1. As noted in the staff comments, the proposed Draft EIR for the Landmark Village Project is consistent with or supports many of the core and ancillary policies in the RCPG and RTP.

2. All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

Roles and Authorities

THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) is ***a Joint Powers Agency*** established under California Government Code Section 6502 et seq. Under federal and state law, SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). SCAG's mandated roles and responsibilities include the following:

SCAG is designated by the federal government as the Region's ***Metropolitan Planning Organization*** and mandated to maintain a continuing, cooperative, and comprehensive transportation planning process resulting in a Regional Transportation Plan and a Regional Transportation Improvement Program pursuant to 23 U.S.C. '134, 49 U.S.C. '5301 et seq., 23 C.F.R. '450, and 49 C.F.R. '613. SCAG is also the designated ***Regional Transportation Planning Agency,*** and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082 respectively.

SCAG is responsible for developing the demographic projections and the integrated land use, housing, employment, and transportation programs, measures, and strategies portions of the ***South Coast Air Quality Management Plan***, pursuant to California Health and Safety Code Section 40460(b)-(c). SCAG is also designated under 42 U.S.C. '7504(a) as a ***Co-Lead Agency*** for air quality planning for the Central Coast and Southeast Desert Air Basin District.

SCAG is responsible under the Federal Clean Air Act for determining ***Conformity*** of Projects, Plans and Programs to the State Implementation Plan, pursuant to 42 U.S.C. '7506.

Pursuant to California Government Code Section 65089.2, SCAG is responsible for ***reviewing all Congestion Management Plans (CMPs) for consistency with regional transportation plans*** required by Section 65080 of the Government Code. SCAG must also evaluate the consistency and compatibility of such programs within the region.

SCAG is the authorized regional agency for ***Inter-Governmental Review*** of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12,372 (replacing A-95 Review).

SCAG reviews, pursuant to Public Resources Code Sections 21083 and 21087, Environmental Impacts Reports of projects of regional significance for consistency with regional plans [California Environmental Quality Act Guidelines Sections 15206 and 15125(b)].

Pursuant to 33 U.S.C. '1288(a)(2) (Section 208 of the Federal Water Pollution Control Act), SCAG is the authorized ***Areawide Waste Treatment Management Planning Agency.***

SCAG is responsible for preparation of the ***Regional Housing Needs Assessment,*** pursuant to California Government Code Section 65584(a).

SCAG is responsible (with the Association of Bay Area Governments, the Sacramento Area Council of Governments, and the Association of Monterey Bay Area Governments) for preparing the ***Southern California Hazardous Waste Management Plan*** pursuant to California Health and Safety Code Section 25135.3.

Revised July 2001

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cynthia Bryant
Director

January 4, 2007

Daniel Fierros
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: The Landmark Village Project, Project No. 00-196, TR 53108; CP00-196 RCOAK-OT00-196 RCUP200500112
SCH#: 2004021002

Dear Daniel Fierros:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 3, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

STATE OF CALIFORNIA — Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

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RECEIVED
DEC 28 2006
STATE CLEARING HOUSE

December 26, 2006

Mr. Daniel Fierros
LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING
320 West Temple Street
Los Angeles, CA 90012

Re: SCH#2004021002; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for Landmark Village Project; No. 00-196; TR53108/CP00-196/ROAK-OT00-196/RCUO200500112; LA County Dept of Regional Planning; Mixed Use Development of 1,444 Homes; Hwy 126 Area north of Santa Clarita; Los Angeles County, California

Dear Mr. Fierros:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS). The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

√ Contact the Native American Heritage Commission (NAHC) for:

- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity who may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section; .

- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact, particularly the contacts of the on the list.

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5(d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

January 21. 2007

Mr. Daniel Fierros
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Landmark Village phase of the proposed Newhall Ranch development west of Santa Clarita **(Project No. 00-196 / Tract Map No. 53108 / Landmark Village.**

I am a local environmental activist living in the Santa Clarita area. I am also a mother of three young children who live, play and go to school in the Santa Clarita Valley. It is of serious concern to me that the County of Los Angeles and the City of Santa Clarita continues to approve all of these housing developments -- in spite of the fact that it is well documented that these projects will seriously further degrade the air quality of the Santa Clarita Valley, and surrounding areas. A recent study done by the City of Santa Clarita found that, more than 51% of the working population in Santa Clarita has to commute to the San FernandoValley and beyond. Each one of these sprawling developments that entice people to move from the San FernandoValley and Los Angeles -- without supplying adequate local employment opportunities -- contributes to our already declining air quality with commuter traffic while clogging our roads and freeways. New housing is not what is required to support the Santa Clarita Valley. Smart planning would create and attract businesses to employ the many folks that live in Santa Clarita, but still have to commute to better paying jobs in San Fernando and Los Angeles.

Yet, project after project has been approved with so-called overriding considerations. It troubles me that a society would override the health of our children and shorten their life span in doing so. This is not smart planning, smart planning would ensure that projects are built that include jobs to support those currently living here to reduce our already degraded air quality and relieve congestion on our roads and freeways that travel through Los Angeles, Ventura and Kern Counties. It is irresponsible to continue building housing developments that will further strain our already maxed out roads and freeway systems, while threatening the health of our most precious gift -- the future generation, our children. The result is short term financial benefits and long term consequences to our children's health and well being.

Regarding the Santa Clara River, it is a precious gift to our county. We have to save it now. The Nature Conservancy has recently submitted a report called the Santa Clara River Watershed Plan. It outlines the most significant ecological areas within the Santa Clara River. Much of this land is within the proposed Landmark Village plan, and the rest of the proposed Newhall Ranch project area. Audubon California has said the Santa Clara River -- especially in LA County -- is on the verge of disaster. American Rivers designated the river as one of the top 10 endangered rivers in the Country. Many organizations and individuals recognize the value of the Santa Clara River and the imminent threat to it. We need the County of Los Angeles to recognize the value of the Santa Clara River, by appreciating and protecting this resource from further development. We must find a way of protecting the Santa Clara River from more degradation. We can do this by making all the projects back up off the Santa Clara River -- and out of its floodplain -- and making acquisitions of important wildlife habitats along the river corridor and associated upland habitat, with a focus on connectivity with other areas.

The nearly five and a half linear miles of riparian degradation being proposed in the Landmark Village Project area is a significant and negative impact on the ecosystem. It is a permanent disturbance that will eliminate breeding and foraging habitat for the endangered arroyo toad, the California fully protected unarmored threespined stickleback, the southwestern pond turtle, the Santa Ana sucker, the two-striped garter snake, the

endangered Least Bell's Vireo, the fully protected White-tailed Kite and the many sensitive species that are known or expected to occur within the project area.

Stream hydrology, ecology, and morphology are influenced by impervious cover, as is overall stream water quality. The proximity of this proposed project to the Santa Clara River will create severe negative impacts. Urban development in the riparian zone and hardening/stabilizing of the stream banks will increase the impervious cover in this natural ecosystem. This hydromodification of riparian habitat and wetlands will reduce groundwater recharge; increase streambank erosion; increase channel scour; increase storm water concentrations of metals, hydrocarbons and priority pollutants; reduce amphibian and reptile populations; reduce fish diversity; and reduce diversity of aquatic insects. Stream degradation in many streams can be measured when there is as little as 10% impervious cover in the watershed (Schueler 1994, Cappiella and Brown 2001).

Higher traffic volumes translate into higher levels of stormwater pollution running off of commercial parking lots and high-traffic streets, contributing a very high and disproportionate amount of the total pollution load (Beech 2002).

The Santa Clara River in the section of Landmark Village, the pending Embarcadero Project, and the Commerce Center Drive Project contain all the primary constituent elements, including breeding pools in low gradient stream segments, sandy substrates, seasonal flood flows, and riparian and upland habitats for foraging and dispersal. Special management considerations are required to address urban development in these areas. There are breeding arroyo toads within a short distance of the project area, and with proper management the population near the Landmark Village site has the potential to greatly increase in size with appropriate conservation and protections.

The arroyo toad has been documented in the Santa Clara River Watershed near the Landmark Village project area. Including but not limited to: Upper Piru Creek, Castaic Junction, and Upstream of I-5.

Arroyo toads have perhaps the most specialized habitat requirements of any amphibians found in California – shallow, exposed streamside, quiet water stretches, or overflow pools with silt-free sandy or gravelly bottoms particularly favored for breeding (Jennings and Hayes 1994, Stebbins 2003). Impacts from human activities can affect water quality, flow frequency, sedimentation, and the degradation or loss of surrounding uplands reduces and eliminates foraging and overwintering habitat (U.S. Fish and Wildlife Service 1999). Artificial stabilization of the river will eliminate the river's capacity to meander and will increase the flow velocities, scouring the banks (Riley 1998). Hydromodification of natural streambeds by channelization or stabilization for flood control extend the negative effects of arroyo toad habitat by destroying potential dispersal routes between closely spaced tributary streams (U.S. Fish and Wildlife Service 1999).

The southwestern arroyo toad, one of the "true toads," is specialized for life in an unstable habitat. No more than three inches long, this small toad was once found throughout coastal rivers and streams in southern and central California, from Monterey to San Diego counties, as well as in Baja California. The toad hatches in a river or stream and begins to develop in water; as an adult, it lives on land, where it forages for insects (mostly ants) and digs burrows on sandy terraces.

The same issues that caused the decline and eventual listing of the arroyo toad as an endangered species will occur within the Landmark Village project area.

As recognized Arroyo toad populations have suffered throughout the twentieth century as watersheds in southern California have been dammed and polluted by siltation from development and other activities. The toad's habitat has been degraded, fragmented and reduced by urban sprawl, dams, cattle grazing, mining and off-road vehicle use; it now survives only in 22 small, isolated headwaters. In addition, having lost over 80% of

its habitat in Southern California and as populations dwindle, the toad has become more vulnerable to other factors that reduce species, such as predation by introduced species.

Projects built and approved within Newhall Land's Natural River Management have failed to address the loss of habitat for the endangered arroyo toad partly because Newhall denied their presence. Even once it became well documented that the arroyo toads occurred within the Natural River Management Plan, no meaningful mitigations were made to protect the arroyo toad from further harm. Newhall Land, the City of Santa Clarita, LA County Sheriff's Department and State and Federal Agencies have not fulfilled their mitigation measures in the Natural River Management Plan. For instance, constant off road vehicle use continues right in the Santa Clara River, creating apparent off road vehicle "parks" right within the arroyo toad habitat, including near and on where both arroyo toad tadpoles and adults have been previously observed. This is evident in the following photograph taken in December 2006 (just a few weeks ago) by Lisa Fimiani, with Los Angeles Audubon, during Audubon's 2006 Santa Clarita Christmas Bird Count.

Since it has been well documented that mitigation measures have failed within Newhall Lands Natural River Management it is quite clear that these same mitigations as proposed in the Landmark DEIR will fail to address impacts to the arroyo toad and many other sensitive species. It is also clear that the City of Santa Clarita, County of Los Angeles, California Department of Fish and Game, US Fish and Wildlife, and the Army Corps of Engineers have not yet figured out how to enforce such mitigation.

Unarmored Threespined stickleback (*Gatserosteus aculeatus williamsoni*)
Santa Clara River populations of the unarmored threespined stickleback (*Gatserosteus aculeatus williamsoni*) have survived because of the relative lack of urbanization and the existence of barriers to dispersal of plated

sticklebacks and exotic organisms. *G. a. williamsoni* has been extirpated from most of the river due to habitat destruction because of channelization, drying of streams by groundwater pumping, and the introduction of exotic organisms, such as mosquito fish (City of Santa Clarita 1991). The same issues that caused this species decline will occur within the Landmark Village Project area.

There will be a loss of 169 acres of wetlands, which will be filled to raise the development out of the flood plain (4.2 Hydrology). Rather than destroying the wetland area by dumping fill material into the river, there should be no construction in the floodplain. Any urban development in this area should be set back a minimum of 500 feet from the upland edge of the riparian zone. This buffer serves to not only preserve the riparian habitat; it also provides a buffer from stormwater runoff from the impervious surfaces of the developed areas.

The constructed hydrologic systems to convey stormwater away from homes and roads exacerbate the degradation of the riparian zone. Not only do the concrete boxes and channels add to impervious cover of the area, they concentrate the pollutants in high velocity runoff, both scouring the streambanks downstream and degrading the water quality. They prevent the natural percolation of rainfall. Additionally, these constructed capital projects will become publicly maintained facilities. In other words, the will be operated and maintained at taxpayer expense.

Downstream erosion resulting from concentrated and high velocity flows from the proposed narrowing of the river and bank hardening has not been adequately addressed. Both northern and southern banks of the river are proposed to be degraded by soil cement, reinforced concrete, or riprap. These are mischaracterized as improvements, but they in fact negatively affect the natural flow and structure of the river and degrade wildlife habitat.

The DEIR erroneously calls exposed soil cement a naturalized and aesthetic bank protection method. It is, in fact, a cement channel. It also errs in claiming that re-vegetation of soil dumped on the cement will maintain the natural habitat presently found along the river. The Santa Clara River is a dynamic system. Grading its banks, pouring in cement, and covering it with dirt does not produce a natural habitat. There is a false assumption that an ecosystem can be buried with cement and then recreated. As proposed in this DEIR, the excavation and placement of up to 5.8 million cubic yards of fill in the floodplain combined with almost five and a half linear miles of hardened banks, the river's natural meandering system is slated for destruction.

Edge effects:

With continued development and increasing human population along the Santa Clara River and its tributaries so do the threats that people bring to the watershed and species. Currently Off Road Vehicle (ORV) use continues in the Santa Clara River, in spite of the fact that it is an illegal activity. Environmentalists and organizations have met with the City of Santa Clarita, the Local Sheriff's Department, contacted Fish and Game and Fish and Wildlife to no avail. These agencies evidently do not have the personnel or the will to implement and enforce mitigation measures as set forth in the approvals of prior developments. For instance, in Newhall Lands Natural River Management Plan we have tried to address the ORV use in the Santa Clara River. Unfortunately, we have been unable to reduce these impacts as evident in photograph above.

Urbanization, increases Brown-Headed Cowbird

Mitigation measures to control Brown-headed Cowbirds in the Landmark Village DEIR does not fix the root causes which drives high rates of parasitism to threatened and endangered species. Cleary habitat loss will increase the cowbird population.

In the last century, Brown-headed Cowbirds have experienced massive range expansions and population explosions as forests have been opened to make way for agricultural and suburban landscapes. Clearly the increase in parasitism has been caused by human encroachment and fragmentation of the host species habitat.

Cowbird control is a short-term solution that ignores the real problem of habitat degradation as a result of agriculture, grazing and development.

Cowbirds occur most often in agricultural/residential landscapes near open woodlands. Cowbirds frequent woodland edges created when deforestation leads to a mosaic of trees and open brush/grassland.

Fragmented forests have proportionally more edge than contiguous forests, creating small woodlots that are easy for cowbirds to penetrate.

Rates of parasitism depend on the proximity of cowbird feeding sites to host breeding sites. Cowbirds search for hosts near woodland edges and feed in agricultural/residential areas. They are often seen at home bird feeders. The closer such cowbird foraging areas are to host breeding habitats, the more likely hosts will suffer cowbird parasitism (Halterman and Laymon, Tewksbury et al.).

Landmark Village will negatively affect threatened and endangered species. Loss of Habitat will likely increase the cowbird population. In addition, the use human bird feeders in developments along the project area will attract Brown-headed Cowbirds. Additionally Brown-headed Cowbirds may not be as easily trapped and removed from the riparian areas, as they may learn to avoid the traps because food will be offered in the housing development.

Further mitigation measures may be required, including the exclusion of Bird Feeders in new residential areas.

Non – Native Species

Habitat Loss in the Landmark Village Project area will increase the populations of non-native species. The DEIR does not adequately address the many negative impacts that non-native species will have on native wildlife. Therefore the DEIR fails to address this in any meaningful way. The list of introduced species and their impacts on the environment are many. Here I address just a few of the species that will impact native species.

The introduced European Starling and European House Sparrow cause serious decline in native bird populations. They evict Bluebirds, Swallows, Wrens, Nuthatches and Woodpeckers from their nests and tree holes and often destroy the eggs and young in the process. In addition, Starlings have been found to have a very negative impact on American Kestrels, the smallest falcon in North America. Both Starling and House Sparrow populations will increase with development of the Landmark Village Project Area. These species are not realized as pests in the Landmark DEIR. Therefore, their impacts to native bird species have not been adequately analyzed or addressed in the DEIR. It is important to note that House Sparrows can be plentiful at bird feeding stations in yards and gardens. Both the Sparrow and Starling make good living off our trash, pet food and bird feeding stations. An amended DEIR should be required in order to address the impacts of these non-native species on our native bird populations.

Norway Rats and House Mice The Landmark Village DEIR does not address the increase of non-native Norway Rats or House Mice.

Within the vicinity of human inhabitation, they subsist well on carrion, refuse, offal and spoiled food, bird feeders and pet food... They will feed on a multitude of native birds, reptiles, amphibians and plants. This increase of non-native rodents will have a serious impact on our native species. Human constructions provide

excellent shelter for these commensals, and around urban areas the population density of House Mouse can reach 10 per square metre, 1000 times of that in the wild.

It is estimated that one rat occurs per person in homes and related areas, (Wachtel and McNeely 1985).

Anticoagulant use is NOT the answer and here is why:

Poisons set out to kill non-native populations, such as anticoagulants, should not be used as a method to reduce non-native rodent populations as they can negatively impact non-target species and cause secondary poisoning to native wildlife that feed upon the poisoned rodents. In developed areas along the Santa Clara River and it's tributaries rodent bait stations are currently being used. The County of Ventura is currently taking measures to reduce the use of anticoagulants in order to reduce the impacts to non-target species. Biological methods must be studied and implemented to reduce the number of non native rodents without the use of harmful poisons. The utilization of Barn Owl houses, raptor perches, American Kestrel houses, etc., can all help keep the population of rodents down. In addition, trash must be properly disposed of and covered, and bird feeders should not be allowed in the project area.

It should also be noted that anticoagulants have killed mountain lions not far from the proposed Landmark Village project area. It is believed that two mountains lions likely fed on dead or dying coyotes that had eaten poisoned rodents. Anticoagulants are also partly responsible for the decline in the bobcat and coyote population. In addition, they impact other non-target species, such as Owls, Hawks and Falcons.

Rodent poison blamed after two mountain lions are found dead in Simi Hills
By Daniel Wolowicz
Special to the Simi Valley Acorn

Within the past three months, two mountain lions were found dead in the Simi Hills.

The two carnivores---a female known as P4 and a male called P3

---were among the wildlife tracked by National Park Service naturalist Seth Riley in a recent study. His research found that suburban development and pest control substances cause problems for wild animals in the local habitat.

Riley, a wildlife ecologist for the Santa Monica Mountains National Recreations Area, recently addressed a standing-room-only crowd at the National Park Service Visitor Center in Thousand Oaks.

In his lecture "Carnivores on the Fringe," he presented the results of his nine years of field research on the impact of urbanization on large carnivores.

Hosted by the NPS, the lecture was part of a series that lets the public speak directly with scientists, said Park Ranger Sheila Braden, the event's coordinator.

Riley's talk focused on bobcats, coyotes and mountain lions. His fieldwork on bobcats and coyotes was done primarily in the Simi Hills, while he tracked the mountain lions throughout the Santa Monica Mountains, the Simi Hills and the Santa Susana Mountains.

Specifically, Riley noted how major freeways and roadways, as well as toxic anticoagulants used in most major rodent poisons, have hurt the large carnivore population.

"The main reason for this lecture is to show people how their everyday lives affect the local wildlife," Riley said. "The simple usage of rat poison can have a complex affect on the total ecosystem, even on large cats such as mountain lions."

Using radio collars and motion sensor cameras hidden in the brush along known wildlife trails, Riley tracked animals throughout Ventura County and into the Santa Monica Mountains.

"On the coyotes and bobcats, we use basic VHF tracking collars," Riley said. "But on the mountain lions, we can use VHF collars with global positioning capability, which uploads the animal's location to a satellite on a regular basis. We can then download the information and better understand the lions' patterns."

Riley noted that the relatively new GPS technology has added a means to collect data that scientists couldn't previously have acquired.

Riley based his findings on the tracking of more than 100 coyotes, 15 to 20 bobcats, four adult mountain lions and four mountain lion cubs recently found in the Simi Hills.

The increase in urban development has brought a marked decrease in the animals' daytime movement, Riley said. In addition to the fact that these animals are primarily nocturnal, Riley thinks they curb their daytime movement to avoid human contact.

Scientists estimate 1,400 acres of natural habitat are destroyed annually to make room for urban development in the 350-square-mile Santa Monica Mountains, according to the Los Angeles Times.

"In some cases, these animals end up living in habitats totally surrounded by developed land," Riley said.

Because large predators require an enormous amount of space to find food and mates—an adult male mountain lion prowls about 300 square miles—Riley said many of the animals cross busy roads or freeways on a regular basis.

However, highways aren't the primary reason so many large carnivores die prematurely, according to Riley.

Within a group of tracked bobcats, 28 died. Of those deaths, vehicles killed only six. There were 18 tracked coyote deaths, and only five were a result of road fatalities.

"The deaths by car are pretty low, considering how many animals we track," Riley said. "It was the anticoagulants that had a much more devastating effect on the lives of the animals."

Anticoagulants are toxins used in major rodent poisons like d-Con, which is available at hardware stores. Often used by schools, parks, golf courses, housing developments, even the National Park Service, anticoagulants are eaten by rodents and cause the blood to thin, resulting in death from massive internal bleeding. The two most common anticoagulants are bromadiolone and brodifacoum.

Rodents have developed greater resistance to the chemicals. Higher and higher doses of the poisons are required to kill rodents, which, in turn, are eaten by coyotes and bobcats. If an average-sized coyote, about 30 to 40 pounds, ingests three or four rodents over a short period of time, there's a good chance these

anticoagulants will pass from the infected rodent to the coyote, killing him.

Although most felines have high resistance to the toxin, Riley said toxicology reports showed 80 percent of bobcats tested in the area had some levels of anticoagulants, and 23 of 31 studied bobcats were carrying more than one toxin.

Riley's study took a dramatic turn in the spring of 2002. A disproportionate number of bobcats were dying from what scientists thought was a form of mange, a typically non-lethal strain of the skin disease that's found primarily in cats.

A previously recorded 77 percent chance of survival from year-to-year for bobcats dropped to 50 percent in 2002 and then to only 20 percent in 2003.

Scientists realized bobcats that died of mange also had high levels of anticoagulants in their systems. Together, these two factors caused a nearly 50 percent drop in survival rates for local bobcats in a two-year period.

"We're working very hard to get this information published," Riley said. Then, he said, they'll try to let the public know "how they can make a difference."

Anticoagulants also affect the largest of the local cats—the mountain lions. Scientists suspect cougars acquire toxins from coyotes, which are one of their primary food sources.

Toxicology reports conducted by scientists from UC Davis concluded that the mountain lions P4 and P3 had high levels of anticoagulants.

Riley estimates that the Santa Monica Mountains and the Simi Hills provide enough habitat to support about eight adult mountain lions. Before the deaths of P4 and P3, Riley's team tracked four adult lions and four mountain lion cubs. So when two of the four known adult lions died in a relatively short amount of time, Riley and his team took special note because their deaths were preventable.

Riley, who received his doctorate degree in ecology from UC Davis and is an adjunct professor at UCLA, believes there's hope for these animals.

The recent discovery of the four lion cubs heartens the ecologist.

"It's great that (the cubs) are out there," he said. "Right now, they're about 5 months old. We're really interested in tracking them after they've grown up so we can better understand where they go. That would be the next step in our study if we could find available funding."

Keeping the public informed, Riley said, coupled with efforts by Caltrans and other agencies to build animal-friendly bridges and tunnels for roadways will help maintain the wildlife population.

Domestic Cats:

Landmark Village DEIR does not address the impacts of domestic cats on our wildlife population or any meaningful mitigation to ensure that cats do not have access to our native species.

Landmark Village will cause loss and fragmentation of wildlife habitat, resulting from development, road construction, and other land uses. This is by far the leading cause of declining bird populations. However, with an estimated 20,000 plus homes to be build in the Newhall Ranch project, we must also address the fact that domestic cats will more than likely become numerous within the project area and will wreak havoc on threatened and endangered species. Domestic cats are numerous, efficient, non-native predators who will dramatically contribute to the decline of species. For example, habitat fragmentation provides cats easier access to wildlife forced to live on smaller and smaller tracts of native land. Rather than providing havens for wild creatures, these smaller tracts can become death traps instead.

Cats are non-native species and their outdoor presence in the project area should not be permitted. Homeowners and associations must agree that cats found outdoors will be trapped and immediately turned over to animal control.

Introduced cats are a serious threat to native birds and other animals. There are an estimated 63 million pet cats in the United States (Nassar and Mosier 1991), plus as many as 30 million feral cats (Luoma 1997). Cats prey on native birds (Fitzgerald 1990), plus small native mammals, amphibians, and reptiles (Dunn and Tessaglia 1994). Cornell University estimates that about 465 million birds are killed by cats per year in the United States.

David Pimentel, Lori Lach, Rodolfo Zuniga, and Doug Morrison
College of Agriculture and Life Sciences
Cornell University .

The following studies and data provided by the American Birds Conservancy:

How many birds and other wildlife do domestic cats kill each year in the U.S.? No one knows, although reasonable extrapolations from scientific data can be made. Nationwide, cats are estimated to kill hundreds of millions of birds and more than a billion small mammals, such as rabbits, chipmunks, squirrels, and shrews each year. Cats kill not only plentiful animals, but also rare and endangered species for which the loss of even one animal is significant. The scientific community is increasingly concerned about cat predation. How many birds and other wildlife do domestic cats kill each year in the U.S.? The scientific community is increasingly concerned about cat predation.

There are over 66 million pet cats in the United States. A recent poll shows approximately 35 percent are kept exclusively indoors, leaving more than 40 million owned cats free to kill birds and other wildlife, all or part of the time. In addition, millions of stray and feral cats roam our cities, suburbs, farmlands and natural areas. Abandoned by their owners or lost (stray), or descendants of strays and shunning all human contact (feral), these cats are victims of human irresponsibility through owner abandonment and the failure to spay or neuter pets. No one knows how many homeless cats there are in the U.S., but estimates range from 60 to 100 million. These creatures lead short, miserable lives.

Loss and fragmentation of wildlife habitat, resulting from development, road construction, intensive agriculture, and other land uses, are by far the leading causes of declining bird populations. Domestic cats are numerous, efficient, non-native predators who contribute to the decline. For example, habitat fragmentation provides cats easier access to wildlife forced to live on smaller and smaller tracts of land. Rather than providing havens for wild creatures, these smaller tracts can be death traps instead.

Cats Are Not a Natural Part of Ecosystems

The domestic cat, Felis catus, is a descendant of the wild cat of Africa and extreme southwestern Asia, Felis silvestris libyca. Domesticated in Egypt approximately 4,000 years ago, cats were introduced to Europe around 2,000 years ago. Cats were introduced to North America when Europeans arrived on this continent, but were brought in large numbers during the latter part of the nineteenth century in an attempt to control burgeoning rodent populations associated with the spread of agriculture. Some people presume that a cat killing certain animals, such as field mice, is beneficial, but native small mammals are important to maintaining biologically diverse ecosystems. For example, mice and shrews are an important food source for birds such as the Great Horned Owl, Red-tailed Hawk, and American Kestrel.

Cats Compete With Native Predators

Owned cats have huge advantages over native predators. They may be afforded some protection from disease, predation, competition, and starvation, factors, which control native predators such as owls, bobcats, and foxes. Cats with dependable food supplies are not as vulnerable to changes in prey populations. Unlike many native predators, cats are not strictly territorial, keeping members of their own species out of a given area. As a result, cats can exist at much higher densities and may out-compete native predators for food. In addition, unaltered cats are prolific breeders. A female cat can have up to three litters per year, with four to six kittens per litter.

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Cats Transmit Disease to Wildlife

Unvaccinated cats can transmit rabies and cats are the domestic animal most frequently reported rabid to the Centers for Disease Control and Prevention. Cats are also suspected of spreading feline leukemia virus to a mountain lion in California and may have infected the endangered Florida panther with feline distemper. Feline infectious peritonitis has been diagnosed in mountain lion and lynx, and feline immunodeficiency virus has been found in Florida panther and bobcats

Studies of Cat Predation

Extensive studies of the feeding habits of domestic, free-roaming cats have been conducted over the last 50 years in Europe, North America, Australia, Africa, and on at least 22 islands. These studies show that approximately 60 to 70 percent of the wildlife cats kill are small mammals. 20 to 30 percent are birds, and up to 10 percent are amphibians, reptiles, and insects.

Scientists have found that the number and types of animals killed by cats vary greatly, depending on the individual cat, time of year, and availability of prey. Some free-roaming domestic cats kill more than 100 animals each year. Some cats specialize in killing birds while others take mainly small mammals. One regularly fed cat that roamed a wildlife experiment station was recorded to have killed more than 1600 animals (mostly small mammals) over 18 months. Rural cats take more prey than suburban or urban cats. Birds that nest or feed on the ground are the most susceptible to cat predation, as are nestlings and fledglings of many other bird species. Following are summaries of specific studies:

Wisconsin Study: Researchers at the University of Wisconsin coupled their four-year cat predation study with data from other studies, and predicted a range of values for the number of birds killed each year in the state. By estimating the number of free-ranging cats in rural areas, the number of kills per cat, and the proportion of birds killed, the researchers calculated that rural free-roaming cats kill at least 7.8 million and perhaps as many as 217 million birds a year in Wisconsin. They estimated that in some parts of the state, free-roaming cat densities reach 114 cats per square mile, outnumbering all similar-sized native predators. (Coleman, J.S. and S.A. Temple. 1995. How many birds do cats kill? Wildlife Control Technology:44.)Wisconsin Study: Researchers at the University of Wisconsin coupled their four-year cat predation study with data from other studies, and predicted a range of values for the number of birds killed each year in the state. By estimating the number of free-ranging cats in rural areas, the number of kills per cat, and the proportion of birds killed, the researchers calculated that rural free-roaming cats kill at least 7.8 million and perhaps as many as 217 million birds a year in Wisconsin. They estimated that in some parts of the state, free-roaming cat densities reach 114 cats per square mile, outnumbering all similar-sized native predators. (Coleman, J.S. and S.A. Temple. 1995. How many birds do cats kill? Wildlife Control Technology:44.)

Virginia Study: Virginia researchers compared free-roaming domestic pet cats in a rural setting and a more urban one. A total of 27 native species (eight bird, two amphibian, nine reptile, and eight mammal, including the star-nosed mole, a species of special state concern) were captured by a single rural cat. Four urban cats captured 21 native species (six bird, seven reptile, eight mammal). Between January and November 1990 each cat caught, on average, 26 native individuals in the urban area, and 83 in the rural area. The study did not count prey killed and completely consumed, prey killed and left elsewhere, or non-native prey. (Mitchell, J. and R.A.Beck. 1992. Free-ranging domestic cat predation on native vertebrates in rural and urban Virginia. Virginia Journal of Science 43:197-206.)Virginia Study: Virginia researchers compared free-roaming domestic pet cats in a rural setting and a more urban one. A total of 27 native species (eight bird, two amphibian, nine reptile, and eight mammal, including the star-nosed mole, a species of special state concern) were captured by a single rural cat. Four urban cats captured 21 native species (six bird, seven reptile, eight mammal). Between January and

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Yet another reason that bird feeders should be prohibited in the project area: Death to bird population.

Cats at Bird Feeders Study: A continent-wide survey of 5,500 homes with bird feeders during the winter of 1989-90 showed that the domestic cat was a significant predator of birds at feeders. Species killed by cats at bird feeders included Dark-eyed Junco, Pine Siskin, Northern Cardinal, and American Goldfinch. (Dunn, E.H. and D.L. Tessaglia. 1994. Predation of birds at feeders in winter. J. Field Ornithology 65(1):8-16.) Cats at Bird Feeders **Study**: A continent-wide survey of 5,500 homes with bird feeders during the winter of 1989-90 showed that the domestic cat was a significant predator of birds at feeders. Species killed by cats at bird feeders included Dark-eyed Junco, Pine Siskin, Northern Cardinal, and American Goldfinch. (Dunn, E.H. and D.L. Tessaglia. 1994. Predation of birds at feeders in winter. J. Field Ornithology 65(1):8-16.)

Cats on Islands

Because some island bird populations evolved in the absence of mammalian predators, they have no defense mechanisms against them. When an efficient predator such as the domestic cat is introduced or abandoned on an island, elimination of entire bird populations can result. Domestic cats are considered primarily responsible for the extinction of eight island bird species and the eradication of over 40 bird species from New Zealand islands alone. Island bird species that are now extinct primarily due to cat predation include the following: Stephen's Island Wren, South Island Thrush, Chatham Island Rail, Stewart Island Snipe, and the Auckland Island Merganser. On Marion Island in the Sub-Antarctic Indian Ocean, cats were estimated to kill about 450,000 seabirds annually prior to cat eradication efforts.

Cat Predation of Wildlife in Habitat Reduced to Islands

Cats can have highly significant impacts on local wildlife populations, especially in habitat "islands" such as suburban and urban parks, wildlife refuges, and other habitats that are surrounded by human development. For birds, the loss of species from habitat islands is well documented, and nest predation is an important cause of the decline of neotropical migrants. The Point Arena mountain beaver, Stephen's kangaroo rat, and Pacific pocket mouse, protected under the Federal Endangered Species Act, now live on habitat islands created by destruction and fragmentation of their habitat in California. Domestic cat predation by pet and feral cats on these species is a serious threat to their future existence on the habitat that is left.

Cat Predation of Federally-Protected Wildlife

The Migratory Bird Treaty Act (MBTA) prohibits the hunting, taking, capturing, or killing of any migratory bird. However, owners of free-roaming domestic cats permit their pets to kill birds protected by the MBTA in seeming violation of this landmark law. Domestic cats are also killing birds and other wildlife protected under the Endangered Species Act.

Through the Endangered Species Act, the federal government protects and restores wildlife at risk of extinction. Habitat loss is the most significant cause of species declines, and predation, including killing by cats, ranks second. Although cats may not be responsible for the perilous status of endangered wildlife, the loss of even a single animal can be a setback to the survival of the species. It is not possible to document fully the predation of protected species by cats, but the following is a list of protected species for which there is at least one documented case of cat predation in the U.S.

Documented Cat Predation of Birds

Protected by the Endangered Species Act

Light-footed Clapper Rail, Rallus longirostris levipes

California Clapper Rail, Rallus longirostris obsoletus

California Least Tern, Sterna antillarum browni

Western Snowy Plover, Charadrius alexandrinus nivosus

California Brown Pelican, Pelecanus occidentalis californicus

California Gnatcatcher, Polioptila californica

Piping Plover, Charadrius melodus

San Clemente Loggerhead Shrike, Lanius ludovicianus mearnsi

Palila, Loxioides bailleui

Florida Scrub-Jay, Aphelocoma coerulescens

Documented Cat Predation of Mammals Protected by the Endangered Species Act

Pacific Pocket Mouse, Perognathus longimembris pacificus

Stephens' Kangaroo Rat, Dipodomys stephensi

Morro Bay Kangaroo Rat, Dipdomys heermanni morroensis

Point Arena Mountain Beaver, Aplodontia rufa nigra

Florida Beach Mouse, Peromyscus polionotus

Santa Rosa Beach Mouse, Peromyscus polionotus leucocephalus

Key Largo Woodrat, Neotoma floridana smalli

Key Largo Cotton Mouse, Peromyscus gossypinus allopaticola

Documented Cat Predation of Reptiles

Protected by the Endangered Species Act

Island Night Lizard, Xantusia riversiana

Alameda Whipsnake, Masticophis lateralis euryxanthus

Correcting Four Myths About Cat Predation of Birds and Other Wildlife

Some people mistakenly believe:

(1) Well-fed cats are not a danger to wildlife;

(2) Putting a bell on a cat is an effective way to deter predation;

(3) Interrupting an attack by a cat allows the prey to escape and live;

(4) Stray cat colonies present no danger to wildlife.

Well-fed Cats Do Kill Birds: Well-fed cats kill birds and other wildlife because the hunting instinct is independent of the urge to eat. In one study, six cats were presented with a live small rat while eating their preferred food. All six cats stopped eating the food, killed the rat, and then resumed eating the food. Well-fed Cats Do Kill Birds: Well-fed cats kill birds and other wildlife because the hunting instinct is independent of the urge to eat. In one study, six cats were presented with a live small rat while eating their preferred food. All six cats stopped eating the food, killed the rat, and then resumed eating the food.

Cats With Bells on Their Collars Do Kill Birds: Studies have shown that bells on collars are not effective in preventing cats from killing birds or other wildlife. Birds do not necessarily associate the sound of a bell with danger, and cats with bells can learn to silently stalk their prey. Even if the bell on the collar rings, it may ring too late, and bells offer no protection for helpless nestlings and fledglings. Cats With Bells on Their Collars Do Kill Birds: Studies have shown that bells on collars are not effective in preventing cats from killing birds or other wildlife. Birds do not necessarily associate the sound of a bell with danger, and cats with bells can learn to silently stalk their prey. Even if the bell on the collar rings, it may ring too late, and bells offer no protection for helpless nestlings and fledglings.

Birds That Seem to Escape Don't Get Away Unscathed: Birds That Seem to Escape Don't Get Away Unscathed: Contrary to popular belief that birds and other small animals can be rescued from a cat attack and get away unharmed, wildlife rehabilitation centers report that most small animals injured by cats die. Cats carry many types of bacteria and viruses in their mouths, some of which can be transmitted to their victims. Even if treatment is administered immediately, only about 20 percent of these patients survive the ordeal. A victim that looks perfectly healthy may die from internal hemorrhaging or injury to vital organs.

Wildlife rehabilitation centers also report that a large percentage of their patients are cat attack victims and animals orphaned by cats. At Wildlife Rescue, Inc. in Palo Alto, California, approximately 25 percent of their patients during May and June 1994 were native cat-caught birds and almost half were fledglings. Thirty percent of birds and 20 percent of mammals in the care of the Lindsay Wildlife Museum in California were caught by cats. Cat predation of wildlife is especially frustrating to wildlife rehabilitators. These losses are totally unnecessary because unlike other predators, pet cats don't not prevent the predation of birds and other wildlife. For example, a famous heron and egret rookery of several thousand birds reportedly has been decimated, and songbird populations have plummeted, in Greynolds Park in Dade County, Florida where the numbers of cats and raccoons fed by humans have exploded.

Sincerely,

Teresa Savaikie

26724 Mocha Drive, Santa Clarita, Ca. 91350

661-263-9624

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California 93225
www.tcwdogs.org

Mr. Daniel Fierros
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90012

Date 1/21/07

Re: Landmark Village (Project No. 00-196-5), DEIR Comments

Dear Mr. Fierros,

Thank you for giving us the opportunity to comment on the DEIR for Landmark Village.

The DEIR is a very large and complicated document, and a comment period of only sixty days makes it virtually impossible for the public to give thorough and far-reaching comments. To make matters worse the DEIR refers at many places to the DEIR for the Newhall Ranch Specific Plan, another gigantic document that is difficult, if not impossible, to oversee in its entirety. As a consequence the whole procedure for these large projects strongly suggest that it is sufficient for certification if developers hire consultants to generate thousands of pages of documents. Documents that suggest expertise, and sometimes even have a tenuous and remote relationship to science, but are basically written in templates and characterized by bulk. We have no doubt that the CEQA guidelines have been followed, We just wanted to restate that the outcome of the process is quite unsatisfactory.

To keep our comments to within reasonable limits we concentrate on the Traffic/Access section of the DEIR .

In Section 4.7 we see that the traffic impact reports by Austin-Foust are somewhat dated. The main report in Appendix 4.7a dates from 2004. Since the traffic situation in the area is changing rapidly, this is not really up to date. The reports on impacts in Ventura County (Piru and Fillmore) are from April 2006, and are more pertinent. Since TriCounty Watchdogs is

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mainly interested in the Mountain Communities north of Castaic, we shall naturally concentrate on impacts on the I-5. This is also because the UCLA Center for Environmental Statistics is currently doing a study on I-5 traffic between SR-14 and SR-99, and the impact of current and future project developments in the corridor on traffic. The study is still in a preliminary stage, but we expect to get a clearer picture soon.

Section 4.7, which is based on the reports of Austin-Foust, estimates that the three phases of the Landmark Village project cumulatively will generate about 42,000 average daily trips, of which about 30% would be internal trips. The Newhall Ranch project at buildout will generate 357,000 ADT's. Added to many other developments in the corridor, that is an enormous number of additional trips.

The DEIR assumes a growth factor of 2% for ambient traffic. That is not realistic for I-5 traffic. From 2004 to 2005 Average Annual Daily Traffic at the I-5 and SR-126 intersection, for instance, increased from 97,000 to 103,000, a 6% growth. Typical growth at other I-5 intersection in the Santa Clarita area is 4%, and the increase in truck traffic approaches 6%. See the Figure I at the end of this letter. Our information is based on Caltrans counts -- the Austin-Foust 2003 AADT figures (Table 4.7-5 in the DEIR, supposedly also from the Caltrans database) are considerably lower.

In the cumulative traffic impact section the DEIR only pays attention to projects that are "reasonably expected to be in place in 2007" and that are in the Santa Clarita area. That seems short-sighted, both in time and space. The GIS map in Figure 2 at the end of this letter shows planned developments, some of it with approved specific plans, that will impact traffic in the corridor between Castaic and the North San Fernando Valley. Centennial, 30 miles north of the project, will generate 400,000 ADT's at buildout, and it seems reasonable to assume that at least 50,000 will head south on I-5, and all of these will cross the intersection with SR-126. It is true that Centennial and similar projects have not yet been approved, and will take 25 years to completion, but it is certainly not proper planning to act as if they do not exist. SCAG and MTA to some extent take these projects into account in their long-term plans for Northern LA County traffic.

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The mitigations and project improvements proposed by the project consist of modifications of interchanges, adding traffic lights, and build surface roads within Santa Clarita. It seems to me that those local improvements do not solve the basic problem, which is that 200,000 cars and 30,000 trucks have to go daily in both directions through the Santa Clara River Valley and the Newhall Pass. Every development, certainly every large development, will add substantially to this total. And past experience, in Valencia and Santa Clarita, shows that developers and consultants widely overestimate the percentage of internal trips.

More generally, it is well known that trip generation models have poor predictive power. To quote Niels Bohr: "Prediction is very difficult, especially of the future." We argued above that the short-term and local perspective of the models implies poor prediction. Do the traffic flow models that compute LOS take the mega-container ships into account that are flooding the harbors ? What will the influence be of Centennial, Northlake, San Emidio New Town, Los Lomas, Gates-King, Riverpark ? What will happen to Magic Mountain ? Do the consultants and developers know that SCAG/MTA in their long-range plans propose to widen the I-5 from SR-14 to SR-126 to a sixteen-lane freeway ? What will then happen to the fancy new Newhall interchanges ?

Even if, and it's a big if, we take the trip generation and traffic prediction models seriously, they are clearly extremely localized in time and space, and they do not acknowledge that traffic flow on I-5 is both a large-scale and a long-term problem. And, as any commuter can testify, it is getting worse every year.

Sincerely,

Jan de Leeuw,

Executive Board, TriCounty Watchdogs

Distinguished Professor and Chair, UCLA Department of Statistics

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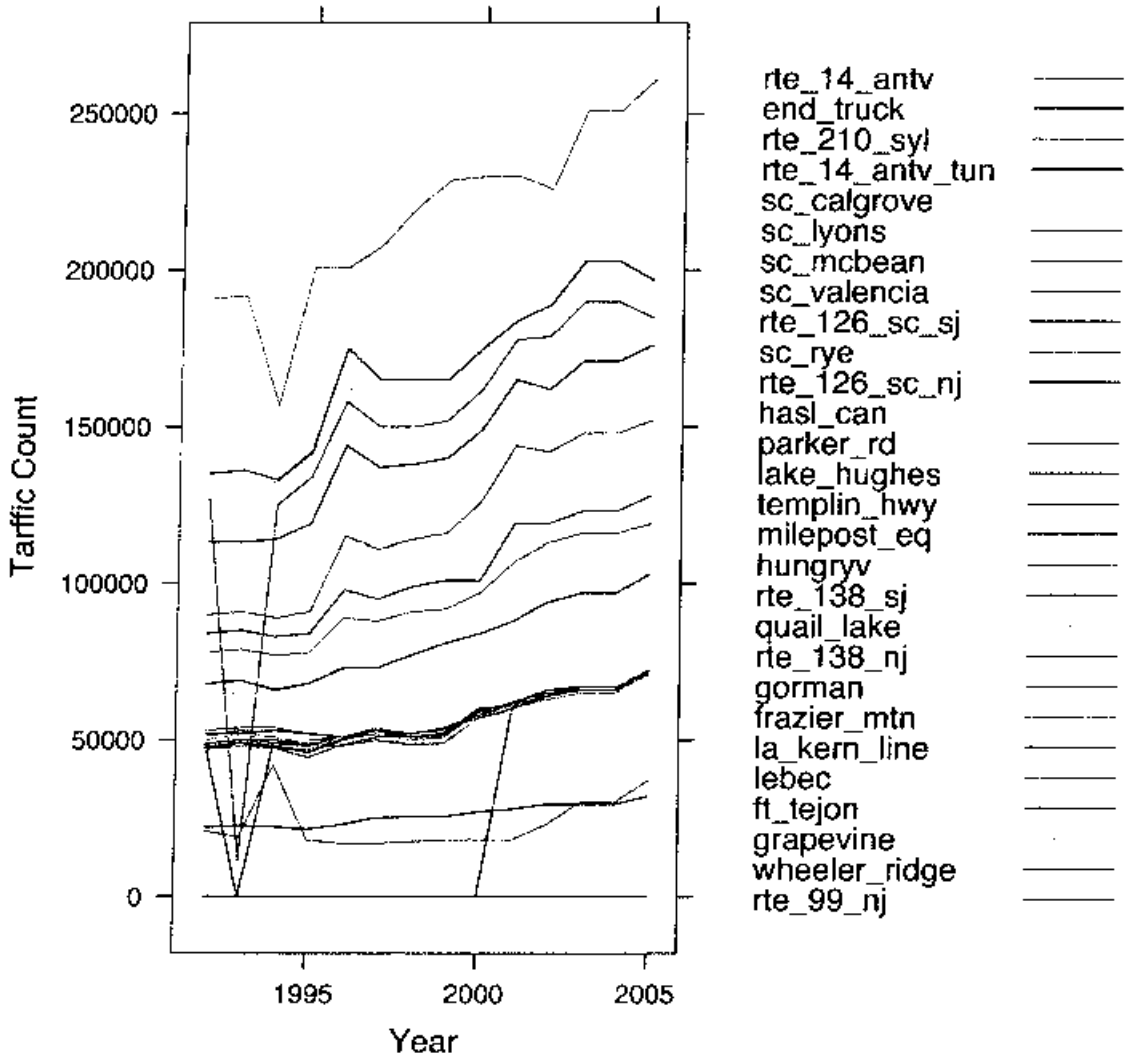

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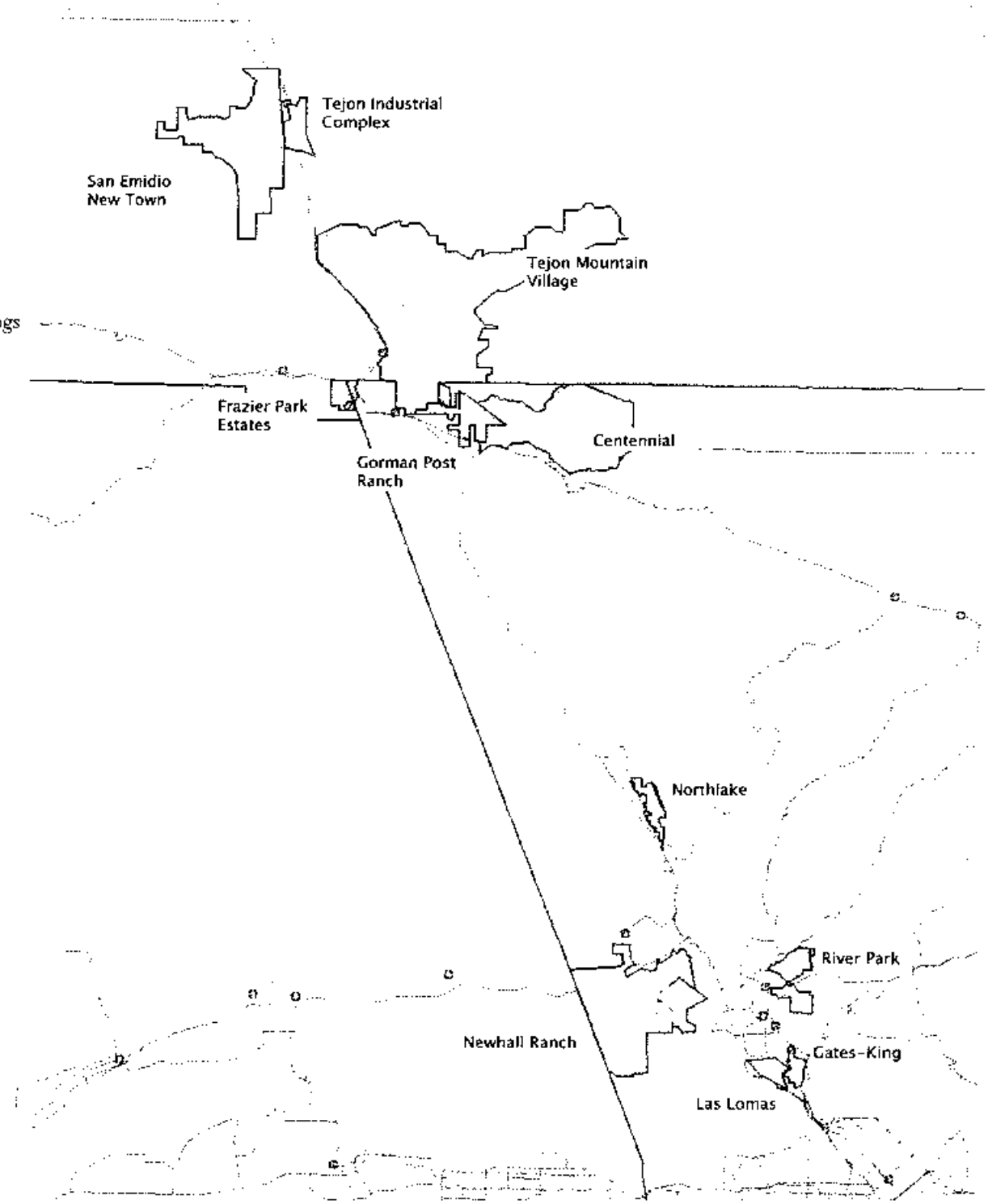

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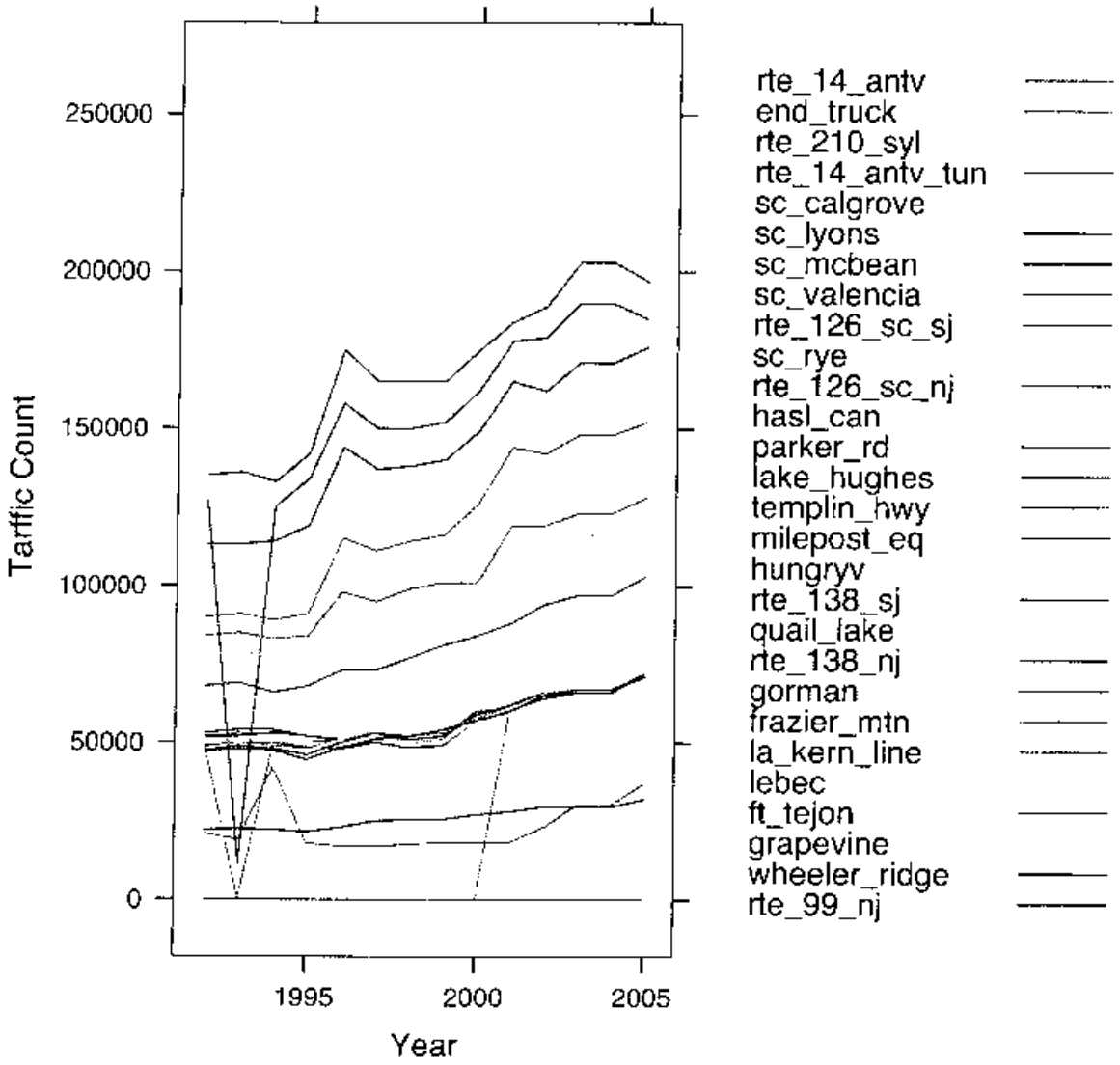
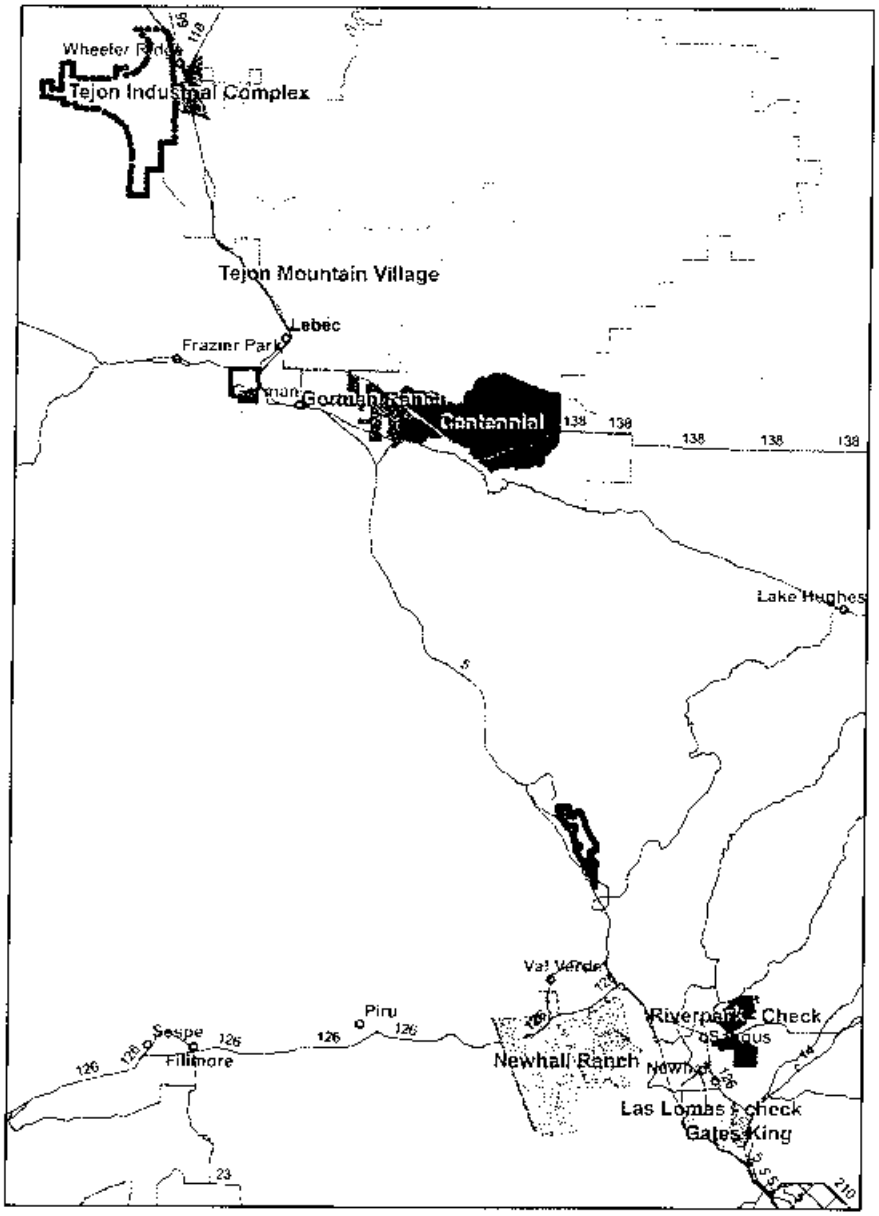


TriCounty Watchdogs

...protecting mountain resources and communities in Kern, Los Angeles, and Ventura Counties.

TriCounty Watchdogs
11667 Steinhoff Rd
Frazier Park
California 93225
www.tcwdogs.org

I-5 Corridor Housing Development Projects



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Miles

Cartography by Sierra Club Angeles Chapter GIS Committee
Angeles.SierraClub.org/gis

3

SANITATION DISTRICTS OF LOS ANGELES COUNTY

STEPHEN R. MAGUIN
Chief Engineer and General Manager

Fax

DATE: January 22, 2007

TOTAL PAGES: 3
(Including Cover Page)

TO: Daniel Fierros

COMPANY: Los Angeles County Department of Regional Planning

FAX NO: ~~(213) 974-6411~~ (213) 626-0434

FROM: Sean Christian

FAX OPERATOR: same **EXTENSION:** 2707

- ☐ Per Your Request
- ☐ For Your Information
- ☐ Per Our Conversation
- ☐ Review and Comment
- ☐ Call to Discuss
- ☐ For Your Approval

COMMENTS:

Comments on Draft Environmental Impact Report for Landmark Village - Tentative Tract Map No. TR53108

1955 WORKMAN MILL ROAD, WHITTIER, CALIFORNIA 90601
Mailing Address: P.O. Box 4998, WHITTIER, CALIFORNIA 90601
TEL. (562) 699-7411 / FAX (562) 695-1874 www.lacsd.org

COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

STEPHEN R. MAGUIN
Chief Engineer and General Manager

January 22, 2007

File No. 31-900.13.10J

Daniel Fierros
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Fierros:

Landmark Village Draft Environmental Impact Report - TT 53108

The County Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report (DEIR) for the subject project on November 20, 2006. The Districts offer the following comments regarding sewerage service:

- ***Page 4.11-2, Paragraph 2:*** The DEIR refers to the conceptual backbone sewer plan as Exhibit 2.5-3 of the *Newhall Ranch Specific Plan*. This sewer plan is outdated. A new figure is required that accurately reflects the current plan for a backbone sewer system.

- ***Page 4.11-2, Paragraph 2; Page 4.11-8 Paragraph 3:*** In reference to the sanitation district serving Landmark Village, the DEIR states that "a new county sanitation district would be formed." The Local Area Formation Commission filed a Certificate of Completion for formation of the Newhall Ranch County Sanitation District effective July 27, 2006.

- ***Page 4.11-4, Paragraph 2; Page 4.11-15, Paragraph 1; Page 4.11-15, Paragraph 2:*** The DEIR states in several places that the Districts would not issue connection permits without sufficient capacity in its collection or treatment systems. Sizing of collection and treatment systems is based on regionally adopted general plans and population forecasts. System capacity is routinely monitored and incremental increases are made as necessary to accommodate projected growth.

- ***Page 4.11-6, Paragraph 1; Page 4.11-9, Paragraph 3:*** The DEIR provides incorrect information about the recent and planned expansions of the Valencia WRP. The Stage V expansion (9 mgd) was completed in May 2005. Based on population projections published in the most recent Southern California Association of Governments (SCAG) 2004 Regional Transportation Plan, the Valencia WRP has adequate capacity through the year 2015. Stage VI expansion would increase capacity by 6 mgd but will not be constructed until flow materializes.

DOC #738801

Recycled Paper

- ***Page 4.11-15, Paragraph 2:*** The DEIR provides incorrect information about the *Final 2015 Santa Clarita Valley Joint Sewerage System Facilities Plan and EIR* (2015 Plan). The 2015 Plan bases its wastewater projections on the SCAG 1996 Regional Transportation Plan.

- ***Page 4.11-15, Paragraph 2:*** The DEIR provides incorrect information about the amount of wastewater tributary to the Saugus and Valencia WRPs by 2015 and site capacities of these two plants. The 2015 Plan estimated that a total of 34.1 mgd would be tributary to its Saugus and Valencia WRPs by the year 2015, which is also the combined site capacity determined for these two plants.

Thank you for providing the Districts an opportunity to review and comment on the DEIR. Please do not hesitate to contact Mr. Sean Christian of my staff at extension 2707 if you have questions regarding these comments.

Very truly yours,

Stephen R. Maguin

Steven W. Highter
Supervising Engineer
Planning Section

RECEIVED JAN 18 2007

Date: Monday, January 15, 2007 4:58 PM
From: jjbergamo@adelphia.net
To: dfierros@planning.lacounty.gov, stae@planning.lacounty.gov
cc: kimberly.rivers@gmail.com, oro1238@aol.com, jjbergamo@adelphia.net, troykefm@yahoo.com, Delfina.Becerra@ventura.org
Subject: Landmark Village
Size: 2 KB

The Piru Neighborhood Council unanimously and respectfully requests that the comment period for the DEIR/Landmark Village, County Project No. 00-196 be extended by 60 days. There is so much material, it is difficult for everyone concerned to access the document in hard copy; reading it online limits and prolongs the process. That and the fact that the document was released during the holiday season hampers a thoughtful review and analysis of the project.

The Piru Neighborhood Council, as representatives of the community closest to the proposed project, has definite concerns. These include water quality, air quality and traffic. There are concerns about the amount of water that may be drawn from the aquifer east of us and the possible migration west of the perchlorate plume already present in the Santa Clarita water supply. The "stabilization"/channelization of the Santa Clara River could increase the flood flow of the river to damaging speeds as it enters the Piru area. The temporary routing of sewage to Santa Clarita is a concern; what is the route, and what is the risk of the line rupturing during a flood event?

There are many other issues, including the ecological damage that the project will bring. Without adequate time to study these issues, neither the public surrounding the project nor the potential residents will be fairly served.

Thank you for your consideration of this important request to extend the comment period.

Very sincerely,
Janet Bergamo, President
Piru Neighborhood Council

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Fierros, Daniel

From: jjbergamo@adelphia.net
Sent: Monday, January 15, 2007 4:59 PM
To: Fierros, Daniel; Tae, Susan
Cc: kimberly.rivers@gmail.com; oro1238@aol.com; jjbergamo@adelphia.net; troykefm@yahoo.com; Delfina.Becerra@ventura.org
Subject: Landmark Village

Follow Up Flag: Follow up
Flag Status: Red

The Piru Neighborhood Council unanimously and respectfully requests that the comment period for the DEIR/Landmark Village, County Project No. 00-196 be extended by 60 days. There is so much material, it is difficult for everyone concerned to access the document in hard copy; reading it online limits and prolongs the process. That and the fact that the document was released during the holiday season hampers a thoughtful review and analysis of the project.

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Thank you for your consideration of this important request to extend the comment period.

Very sincerely,
Janet Bergamo, President
Piru Neighborhood Council

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

January 22, 2007

Mr. Daniel Fierros
LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING
320 West Temple Street
Los Angeles, CA 90012
Sent by FAX to: (213) ~~617-2202~~ 626-0434
No. of Pages: 1

Re: SCH#2004021002; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for **Landmark Village Project; No. 00-196; TR53108/CP00-196/ROAK-OT00-196/RCUO200500112**; LA County Dept of Regional Planning; Mixed Use Development of 1,444 Homes; Hwy 126 Area north of Santa Clarita; Los Angeles County, California

Dear Mr. Fierros:

This is an **ADDENDUM TO OUR LETTER OF DECEMBER 26, 2006.** We have completed a review of the Technical Appendices 422A and we note in Section 2.2 in the Ethnographic Description (page 7 of 120 pages) that the archaeological firm contracted to the County of Los Angeles, states that the **"Tataviam Tribe is extinct."** This statement is unacceptable to the Native American Heritage Commission (NAHC). The Commission is in frequent contact with the Tatviam Tribe; its chairperson, Rudy J. Ortega, Sr., recently played an important role in getting AB 2641, which deals with issues of Native American human remains, passed in the 2006 Session of the California Legislature. The Fernandeño Tataviam Band of Mission Indians is a organized California Native American tribe and on the NAHC Tribal Consultation list pursuant to Government Code Section 65352.3.

If you have any questions concerning this ADDENDUM to our letter of December 26, 2006, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: Larry Myers, Executive Secretary – Native American Heritage Commission

RECEIVED
JAN 03 2007

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

December 26, 2006

Mr. Daniel Fierros
LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING
320 West Temple Street
Los Angeles, CA 90012

Re: SCH#2004021002; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for **Landmark Village Project; No. 00-196;** TR53108/CP00-196/ROAK-OT00-196/RCUO200500112; LA County Dept of Regional Planning; Mixed Use Development of 1,444 Homes; Hwy 126 Area north of Santa Clarita; Los Angeles County, California

Dear Mr. Fierros:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS). The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

√ Contact the Native American Heritage Commission (NAHC) for:

* A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity who may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section: .

- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact, particularly the contacts of the on the list.

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

Native American Contacts
Los Angeles County
December 26, 2006

verly Salazar Folkes
31 Shadybrook Drive
ousand Oaks , CA 91362

5 492-7255

Chumash
Tataviam
Fernandeño

Owl Clan
Dr. Kote & Lin A-Lul'Koy Lotah
48825 Sapaque Road
Bradley , CA 93426

(805) 472-9536

Chumash

e Lynn Tumamait
North Pole Ave
i , CA 93023
amait@hotmail.
5) 646-6214

Chumash

Patrick Tumamait
992 El Camino Corto
Ojai , CA 93023
yanahea2@aol.com
(805) 640-0481
(805) 216-1253 Cell

Chumash

City/County Native American Indian Comm
Andrade, Director
5 West 6th Street, Rm. 403
Angeles , CA 90020

) 351-5324

) 386-3995 FAX

Tehachapi Indian Tribe
Attn: Charlie Cooke
32835 Santiago Road
Acton , CA 93510
suscol@interx.net
(661) 269-1422

Kawaiisu

list is current only as of the date of this document.

ribution of this list does not relieve any person of statutory responsibilitiey as defined in Sec. 7050,5
e Health & Safety Code, Sec. 5097.94 of the Public Resources Code and Sec. 5097.98 of the
li Resources Code.

list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed
l#2004021002; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for The Landmark
ge Project; Santa Clarita/Hwy 126 Area; Los Angeles County, California.

Native American Contacts
Los Angeles County
December 26, 2006

anemuk & Yowlumne Tejon Indians
lia Dominguez
I N. Virginia
vina , CA 91722

6) 339-6785

Yowlumne
Kitanemuk

San Fernando Band of Mission Indians
John Valenzuela, Chairperson
P.O. Box 221838
Newhall , CA 91322
tsen2u@msn.com
(661) 753-9833 Office
(760) 949-1604 Fax

Fernandeño
Tataviam
Serrano
Vanyume
Kitanemuk

n Valley Indian Council
old Williams, Chairperson
75 Setimo Creek Road
iente , CA 93518

1) 333-5032

Southern Paiute
Kawaiisu
Tubatulabal
Koso
Yokuts

list is current only as of the date of this document.

ribution of this list does not relieve any person of statutory responsibilitiey as defined in Sec. 7050,5
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ge Project; Santa Clarita/Hwy 126 Area; Los Angeles County, California.

Heffernan & Boortz
A Partnership Composed of Law Corporations
26 Corporate Plaza - Suite 100
Newport Beach, California 92660
Telephone (949) 640-4300
Facsimile (949) 721-1140
e-mail dboortz@hblaw.net

RECEIVED
JAN 22 2007

January 19, 2007

Mr. Daniel Fierros
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

Re: Draft Environmental Impact Report ("DEIR") for Landmark Village
Tentative Tract Map No. TR53108
State Clearinghouse No. 2004021002

Dear Mr. Fierros:

Our firm represents the owner of Travel Village, the recreational vehicle park situated adjacent to Castaic Creek and the site of the proposed Landmark Village project (the "Project"). We have been asked by our client to provide you with the following comments concerning the above-referenced DEIR:

Based on an initial review of the DEIR, our client has no objection to the Project as described in the DEIR assuming that the following understandings remain in place:

1. It is our understanding that the development of the Project as described in the DEIR will not have any impact (whether by velocity or surface level) upon the Travel Village property insofar as the flow of water through both Castaic Creek and the Santa Clarita River are concerned;

2. We also understand that no modifications or improvements will be required for or made to the Travel Village property as a result of the Project other than those bank stabilization improvements that will be installed by the County or the Newhall Land and Farming Company pursuant to the State Route 126 and Commerce Center Drive Interchange project (the "SR 126 Project"); and

3. Finally, we understand that the development of the Project will not adversely impact the design or timing of the construction of the SR 126 Project improvements

serving the Travel Village property including (i) the traffic light and intersection on SR 126 providing direct access to the Travel Village property at its west end, (ii) the service road providing access to the Travel Village property from Henry Mayo Drive, (iii) the sound attenuation walls along SR 126 and (iv) the inclusion of lateral connections and related facilities (e.g., manhole access facilities) for any utility services to be located within the utility corridor for connection to the Travel Village property.

Additionally, we ask, unless that portion of Henry Mayo Drive between the east end of the Travel Village property and Commerce Center Drive is to be currently completed to full-street improvement level as part of either the Project or the SR 126 Project, that our client be given the option to install those street improvements that will not otherwise be constructed now to facilitate improved emergency access to and from the Travel Village property. Given the increased danger inherent in the substantial development and construction activities that will be taking place in close proximity to Travel Village during the next several years, providing additional access for the park's tenants, guests and employees is of critical importance.

Thank you for the opportunity to provide our comments on the DEIR and the Project. Please do not hesitate to contact us immediately should you have any questions.

Very truly yours,

DONALD L. BOORTZ

cc: Travel Village

Heal the Bay.
1444 9th Street
Santa Monica, CA
90401

Fax Cover Sheet

To: Mr. Daniel Fierros

Company: LA County Regional Planning

Phone:

Fax:

From: Kirsten James

Phone:

Fax:

Date: 1/22/07

Total Pages: 9

Comments:

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Heal the Bay

1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

January 22, 2007

Mr. Daniel Fierros
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, A 90012

Re: Comments on the Landmark Village Draft Environmental Impact Report, County Project No. 00-196

Dear Mr. Fierros:

On behalf of Heal the Bay, we submit the following comments on the *Landmark Village* ("Project") *Draft Environmental Impact Report, County Project No. 00-196* ("DEIR"). We appreciate the opportunity to provide these comments.

In general the DEIR does not adequately consider alternatives that would enable the project to proceed with the least environmental damage and does accurately describe the environmental risk to decision makers. Therefore, the Los Angeles County Regional Planning Commission should not certify the EIR as written. Our concerns with water quality, hydrology, and biological resources impacts are described in further detail below.

The Santa Clara River ("River") is the largest wild river remaining in southern California. It provides crucial aquatic ecosystem functions in the region, including groundwater recharge and riparian habitat for endangered and rare species. It is also a significant input to southern California's coastal waters at the City of San Buenaventura. Thus, it is imperative that development occurring within the Santa Clarita River watershed proceeds in a manner that protects and restores the water quality and aquatic ecosystem functions of this important river system. In 2005, the Santa Clara River was named the "10th Most Endangered River" in the Country by the American Rivers organization in part because of the imminent threat of development.

Our over-arching concern with this project as outlined in the DEIR is that it impinges upon the natural functioning of the River to such an extent that significant, immitigable damage will be done to water quality and aquatic habitat. Specifically:

- There is an insufficient buffer zone (undeveloped vegetated area) provided between developed areas and the River.
- There are extensive areas of stream bank alteration, in the form of hardened structures for stabilization, including buried bank stabilization, which are known to increase erosion/sedimentation problems and decrease aquatic and riparian habitat.

Heal the Bay

1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

- The analyses are fatally flawed and do not accurately present the true impacts of the proposed development at the project site and downstream to water quality, biological resources and downstream property owners.
- Significant development occurs within the 100-year floodplain of the River.

Water Quality – Section 4.3

Integrated water resources planning should be considered in the project design.

Efforts such as the Los Angeles County Integrated Regional Water Management Plan and the City of Los Angeles Integrated Resources Plan highlight the need for integrated water resources planning in the region. However, the DEIR does not appropriately address aspects of integrated planning for the project. For instance, why is all of the storm water being directed off-site? Are there no plans for water reclamation or infiltration? The DEIR should consider integrated water resources planning as a way to address some of the potential impacts from the project.

Fill and grading projects should be appropriately mitigated.

The project requires 5.8 million cubic yards of fill and significant grading activities at the Adobe Canyon Borrow Site and the Chiquito Canyon Grading Site. DEIR at 39. This is an enormous amount of cut and fill, yet there are no specific grading restrictions outlined in the DIER. For a proposed project of this magnitude in proximity to an important waterbody, extra precautions should be required. For example, there should be no grading within 500 feet of the River or any tributary or on steep slopes (steeper than 4:1). Also, there should be no grading activity during the rainy season (November through April). On many occasions Heal the Bay staff has witnessed the disastrous effect of grading, even at much smaller projects, when a rainstorm occurs. For instance, there were disastrous sediment discharges from the much smaller Shea Homes project in Agora Hills that were documented by the Regional Water Board and Fish and Game in 2003/2004. The basic best management practices ("BMPs") are not sufficient to prevent massive sediment inputs to creeks when hillsides are graded and exposed to rainfall. These restrictions should be specified in the DEIR.

Pollutant concentrations and loadings should not be directly compared to the existing agricultural use pollutant concentrations and loadings.

The DEIR compares all pollutant concentrations and loadings to the existing conditions with the agricultural site. This comparison is inappropriate. Pollutant concentrations in the runoff should be evaluated based on potential impacts to water quality. Various reaches of the Santa Clara River are listed on the State's 303(d) list as impaired by various constituents. Specifically Reach 5 is listed for chloride, high coliform and nitrate and nitrite, and a TMDL has been adopted for Nitrogen and Ammonia. Regardless of whether or not the land use remains agricultural or the proposed development takes place, the owners must comply with all existing TMDLs or will be in violation of the Clean Water Act.

Ultimately the County and City of Santa Clara will be responsible for meeting TMDLs that exist for waterbodies in the project area. Clean-up measures are extremely expensive. These costs

Heal the Bay

1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

will likely be passed on to the tax payers. We strongly urge that any development not further impair water quality in 303(d) listed waters. Any costs associated with runoff from the project should be placed on the property owners or the developers.

The estimated nutrient concentrations may lead to excess algal growth.

The DEIR predicts that average annual nitrate + nitrite concentrations will be 0.5 mg/l and total phosphorus will be 0.3 mg/l. Data show that these concentrations may impact the water quality. For instance, data collected in the Malibu Creek Watershed by Heal the Bay's Stream Team between the period of November 1998 and November 2004 show that algal cover in Malibu Creek consistently exceeds 30% when nitrate is <0.05 mg/l and phosphate is above 0.15 mg/l. Lawn care practices in the development may increase the nutrient levels significantly. Thus, the discharges of nutrients from the development will likely contribute to water quality impacts.

BMPs should be maintained and monitored in perpetuity.

Some of the proposed water quality BMPs will be maintained by homeowner associations. This does not ensure ongoing water quality protection because there is no regulatory oversight of these associations. All water quality protection measures should be the responsibility of the developer. Alternatively the homeowners associations should at least be required to sign binding agreements with such government agencies requiring the homeowners associations to perform specific maintenance, monitoring and reporting requirements, depending on the BMP. Without maintenance, monitoring and reporting follow-up, there is no point in using BMPs since there will be no way of determining whether a given BMP is effective in mitigating water quality impacts.

The water quality impacts for all drainages in the project area should be evaluated.

The DEIR states that "[f]our other drainages within or adjacent to the project site are also considered 'waters of the U.S'...." DEIR at 4.2-12. There is little to no mention of these drainages in the document. Were impacts to these considered in the DEIR and are there proposals for mitigation measures? This analysis should be included in the DEIR and appropriate mitigation measures and setbacks should be required.

Water quality impacts from the new wastewater treatment facility should be considered in the DEIR.

The downstream water quality impacts of increased nutrient and bacteria loading from the proposed wastewater treatment plant are not addressed in the DEIR. Will the combination of pollutants from wastewater discharges and storm water discharges prevent compliance with TMDLs? Also, where will the sewer lines and water supply lines be placed and how will this impact aquatic and riparian resources onsite and downstream? Without further details regarding discharges of wastewater and its impacts to water quality, there is not sufficient information for decision makers to evaluate impacts of this project. This constituents a fatal flaw in the DEIR.

Appropriate actions should be taken to avoid the spread of exotic species.

Heal the Bay

1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

Recent aquatic invertebrate surveys in the Malibu Creek watershed have confirmed the presence of the New Zealand mudsnail, an insidious exotic invasive species that could potentially wreak havoc on the watershed's native organisms. The mudsnail has also been found in Piru Creek in the Santa Clara River watershed. The DEIR describes various construction activities that will take place in the River. In order to avoid the spread of this exotic species, the developer should include a strict protocol that will be implemented to prevent its spread. Anyone having contact with the River due to this project should complete a HACCP to prevent the spread of the mudsnail further into the watershed.

Hydrology – Section 4.2

The Project should avoid any hard armoring of the stream bank.

The DEIR estimates that there will be a 148 acre-ft per year increase in runoff, despite proposed mitigation measures. DEIR at 4.4-77. (The actual runoff and pollutant loading estimate would be greater if the applicant would use more appropriate models and not bulk and burn calculations.) Small increases in flow can result in massive erosion problems over time. In order to "mitigate" the impacts of these flows, the DEIR proposes the use of buried cement bank stabilization, bridge piers and abutments, rip-rap, and energy dissipaters. Specifically, 18,600 linear feet of buried soil cement and 11 bridge piers are proposed in the project area. DEIR at 4.2-35. Any of these structures or modifications will affect the hydrology of the stream even if only in localized areas. Anytime natural processes are altered, there are substantial downstream impacts.

The long-term effects of stream bank/bed modifications include increased scouring, increased erosion, and increased downstream deposition of eroded material, which degrades downstream habitat. As a result native vegetation are often washed out, eliminating the ability for pollutant removal. Also, eroding stream banks contribute fine sediment to streams. Fine sediments contribute nutrients, bacteria, and bury important spawning habitat for steelhead trout. Heal the Bay's Stream Team mapped 70 miles of stream in Malibu Creek Watershed between 2001 and 2003. They found that 19.8 (28%) linear stream miles of armoring resulted in 18.7 (27%) linear miles of eroding stream banks.

The best ways to avoid increased erosion/deposition effects are to (1) keep all structures and utilities outside the 100-year floodplain or the 500 foot riparian buffer of the River (whichever is greater); (2) use only soft bioengineering techniques to stabilize stream banks. (No armoring of stream banks). Bioengineering is preferable because it allows the river to maintain a natural dynamic balance. It also requires less maintenance over time as there are no concrete or other hard structures to eventually fail and be replaced. Bioengineering also provides natural riparian habitat that maintains water quality and wildlife habitat;

We strongly recommend that the space between vertical support columns be increased to the maximum extent possible to provide for less obstruction and less impact on wildlife migration. Additionally we believe that the bridge height should be increased to minimize noise and light impacts that could deter aquatic and terrestrial wildlife migration. A light-penetrating surface

Heal the Bay
1444 9th Street
Santa Monica CA 90401
ph 310 451 1550
fax 310 496 1902
info@healthebay.org
www.healthebay.org

should also be used to provide light for the organisms below. Plant growth below the bridge will provide for migrating wildlife and enhance stabilization.

In sum, the Santa Clara River supports numerous endangered, threatened and rare aquatic species that must be protected from the deleterious erosion and deposition effects of stream bank/bed modifications. The DEIR fails to analyze the impacts that the project will have to both water quality and habitat quality in the Santa River and other impacted drainages. Without this information, decision makers can not evaluate the true impacts of this project, which is a fatal flaw of the DEIR. Therefore, the project must be modified to avoid all armoring.

The amount of impervious surface should be greatly decreased.

A key factor in the degradation of stream water quality is the proportion of impervious surfaces versus pervious surfaces in the watershed.[1] Heal the Bay's State of the Watershed concluded that "[o]ur imperviousness data and BMI data indicate a trend of increasing imperviousness associated with decreasing mean IBI scores." Further, the State of the Watershed Report finds that there is serious degradation to BMI with effective imperious surfaces as low as 5%. Hollis (1995) states that even "low levels of impervious cover (5 to 10 percent) are capable of increasing the peak discharge rate by a factor of 5 to 10 for storms smaller than the one year storm."

While Schueler (1995) comments that "more impervious cover directly translates into higher peak discharge rates, greater runoff volumes, and higher floodplain elevations," detention ponds are most commonly constructed to mitigate these effects. The primary goal of stormwater detention ponds is to reduce the peak discharge rate by slowly releasing water over a longer period of time. Therefore, the total volume of runoff is the same with or without the detention pond, the only difference is that discharge lasts for a longer amount of time. Thus, the proposed BMPs will not solve many of the problems created by increased runoff volumes from the development.

Table 4.2-1 provides the percent imperviousness for selected land uses. These numbers should be reduced. The DEIR should consider alternatives such as increasing the density of the housing or reducing the number of houses so that the % impervious is decreased below 5%. Maintaining 5% or less effective impervious area will ensure viable biological communities.

The DEIR's calculations for bulk and burn are misleading.

The DEIR states that "[o]nce developed, the Landmark Village project would reduce post-development stormwater flows during a capital storm event." DEIR at 4.2-1. Further, the DEIR asserts that the project will decrease the total debris volume and burned and bulked runoff. DEIR at 4.2-4. We completely disagree with this statement. Using this methodology, the DEIR concludes that a undeveloped site will be dirtier and produce more runoff than an developed site. This assertion is ridiculous.

[1] Center for Watershed Protection, 2003. Impacts of impervious cover on aquatic systems. Watershed Protection Research Monograph 1, 158 pp. http://www.cwp.org/Downloads/

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1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

The pre-development pollutant loading analyses used the LA County "bulk and burn" runoff estimates, which provide unrealistically high flow and pollutant estimates most of the time. Given the return frequency of major fires in the region, it is extremely unlikely that most rain events will generate the equivalent of the amount of water and pollutants estimated in the "bulk and burn" method. We understand that this is the standard calculation used in the LA County stormwater manual; however, while it may be appropriate for sizing bridges and culverts, it is entirely inappropriate for calculating pollutant loads and runoff volumes at a development site. We feel it is imperative that the project proponent also analyze stormwater flow and loadings under normal, non-bulk and burned conditions and we urge the County to require such analyses for flow and pollutant loadings in this DEIR, in order to achieve a realistic estimate of pre- and post-development pollutant loads to the River. Without such an analysis, it is impossible for decision makers to evaluate on-site and downstream impacts that the project will have on water quality.

All development should take place out of the floodplain.

The proposed Landmark Village project impinges upon the 100-year floodplain of the River. As stated in the DEIR, 103.5 acres are within the FEMA floodplain. DEIR at 4.2-29. There is absolutely no reason why housing needs to be placed in the 100-year floodplain, thus necessitating stream bank stabilization measures (i.e. stream bank hardening) to then protect those homes in the floodplain. Any development in the Santa Clara River watershed must occur well outside the 100-year floodplain or outside of the 500 foot riparian buffer (whichever is greater) and as discussed below must maintain vegetated buffers in order to protect the water quality and ecosystem functions of the River.

Biota – Section 4.4

A 500 foot riparian buffer should be required for all development activities.

As acknowledged in the DIER, "[t]he river is an important migration and genetic dispersion corridor for many wildlife species, including aquatic taxa, riparian obligate species (resident and migratory), and larger more terrestrial animals." DEIR at 4.4-27. Numerous riparian plant communities have been observed on the project site. For instance, there are documented populations of elderberry scrub, mulefat scrub, southern willow scrub, river wash, freshwater marsh, alluvial scrub, great basin scrub, and scalebroom scrub. In addition, there are numerous special-status riparian plant species on-site such as the late-flowering mariposa lily, Los Angeles sunflower, southwestern spiny rush, Davidson's bush mallow, California Muhly, mud nama, spreading navarretia, Gambel's watercress and Sonoran maiden fern documented in the project area. DEIR at 4.4-33. In addition, there are numerous animal communities that inhabit the riparian corridor. Tables 4.4-5 and 4.4-6 of the DEIR outline the special-status wildlife species that were observed on-site or are likely to occur on-site. Many of these species inhabit the riparian zone such as the Lawrence's goldfinch, Northern harrier, Arroyo toad, Western spadefoot toad, and San Bernardino ringneck snake. There are also federally listed aquatic species present or that may be present at the project site or downstream.

Heal the Bay
1444 9th Street
Santa Monica CA 90401
ph 310 451 1550
fax 310 496 1902
info@healthebay.org
www.healthebay.org

Dr. Philip Rundel stated in his written comments on the proposed Ahmanson Ranch Project that "[r]iparian ecosystems are keystone habitats in Southern California and play a critical role in a variety of ecosystem processes… these ecosystems act to buffer hydrologic and erosional cycles, control and regulate biogeochemical cycles of nitrogen and other key nutrients, limit fire movements, and create unique microclimates for animal species. Both terrestrial and aquatic wildlife depend on riparian ecosystems with their year-round availability of water, nutrients, food sources, and organic sediments … It is not surprising, therefore, that riparian ecosystems are centers of high biodiversity."[2] In addition, scientific evidence clearly demonstrates that buffer zones, or intact areas of natural vegetation, are crucial to the protection of water quality.[3]

Although the DEIR claims that an appropriate riparian buffer is being included in the project design to protect these species, the impact analysis in Section 4.4 refutes this assertion. Table 4.4-8 shows the acreage of each plant community/land use that would be developed or temporarily disturbed. A large percentage of the riparian plant communities described above would be completely destroyed or severely impacted by the project. For example of the 6.93 acres of scalebroom scrub currently on-site, 4.27 acres will be permanently destroyed and 2.67 acres will be temporarily impacted. This means that the entire community will be impacted. If a riparian buffer is proposed, how is this riparian community completely impacted?

The DEIR acknowledges that the loss of habitat due to the project would be significant. "…[T]he loss of wildlife habitat would adversely affect numerous common and special-status wildlife species, including the silvery legless lizard, rosy boa, San Bernardino ringneck snake, coast horned lizard, coast patch-nosed snake, northern harrier, white-tailed kite, southern rufous-crowned sparrow, Bell's sage sparrow, western burrowing owl, San Diego desert woodrat, pallid bat, mountain lion, and San Diego black-tailed jackrabbit." Further, the document states that this loss is "unavoidable." DEIR at 4.4-59 and 60. This claim is completely unfounded, and the huge impact to wildlife species is unacceptable.

The developer has obviously not considered reasonable alternatives to lessen this impact such as increasing the riparian buffer, increasing the density of homes, and/or building fewer homes. If there is an appropriate riparian buffer, then the risk to these species - many of which are endangered or special-status - is greatly reduced. A minimum 500 foot buffer, as measured from the outside edge of the riparian canopy (not from the edge of the bank stabilization as proposed on page 4.4-61.), or a restriction to not build in the floodplain whichever is greater, should be required for this project due to its size and the nature of the River. This sizable buffer is

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[2] Letter from Dr. Philip Rundel to Dennis Hawkins, dates April 26, 2002.

[3] See these references: "National Management Measures to Control Nonpoint Source Pollution from Urban Areas" (http://www.epa.gov/owow/nps/urbanmm/index.html, last updated 8/8/2003); Herson-Jones et. al. 1995, cited in the aforementioned EPA document; Wenger, S. J. & Fowler, L. (2000) Protecting Stream and River Corridors. Creating Effective Local Riparian Buffer Ordinances. *Policy Notes*. Public Policy Research Series, Carl Vinson Institute of Governments, the University of Georgia. 1(1):1-2; Wegner, S. (1999) A Review of the Scientific Literature on Riparian Buffer Width, Extent and Vegetation. Office of Public Service & Outreach, Institute of Ecology, University of Georgia; Basnyat, P., Teeter, L. D., Flynn, K. M., & Graeme Lockaby, B. (1999). Relationships between Landscape Characteristics and Nonpoint Source Pollution Inputs to Coastal Estuaries. *Environmental Management* 23(4):539-549; and US EPA (2002) National Management Measures to Control Nonpoint Source Pollution From Urban Areas-Draft. Office of Wetlands, Oceans and Watersheds. Nonpoint Source Control Branch. Washington D.C.

Heal the Bay

1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

necessary for many reasons including that "[a] number of studies have found that even the more riparian-dependent wildlife species also require adjacent upland habitats…" and "[a]rroyo toads have been found in agricultural fields and occur within portions of the site outside of the proposed riparian setback zones." DEIR at 4.4-60. In general, the purpose of the buffer is to protect the riparian areas from filling, devegetation and encroachment by human development. Grading, development, and BMPs should not be allowed in the buffer. Also, the fuel modification zone should not interfere with the buffer zone.

In addition, a mitigation ratio of 2:1 should be employed for disturbance to areas of riparian and oak habitat that can absolutely not be avoided. This ratio will ensure that in the long term, a 1:1 ratio will be established. Further, mitigation must occur on-site. The mitigation proposed is completely inadequate and should be dramatically increased.

The DEIR should address downstream species impacts.

The DEIR addresses species found in the immediate area of the project but fails to address potential impacts to those species located downstream such as steelhead and the red-legged frog. For example, Table 4.4-7 of the DEIR indicates that wildlife species such as the steelhead rainbow trout are "not expected on the Project Site." However, the steelhead trout is a federally listed species that is present downstream and thus should be evaluated. The steelhead will likely be affected by the changing stream flows, temperatures, and sedimentation rates. Why did the Newhall Ranch developers apply for a 1998 Incidental Take Permit for steelhead and red legged frog if the developer did not think downstream impacts would occur? These species should be considered as well.

If you have any questions or would like to discuss any of these comments, please feel free to contact us at (310) 451-1500. Thank you for your consideration of these comments.

Sincerely,

Kirsten James
Staff Scientist

Mark Abramson
Stream Team Manager

REFERENCES ARE BEING MAILED

Friends of the Santa Clara River

660 Randy Drive, Newbury Park, California 91320-3036 • (805) 498-4323

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Ventura County Environmental Coalition

Wishtoyo Foundation

January 21, 2007

Mr. Daniel Fierros
Los Angeles County Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple St.
Los Angeles, CA 90012

Re: Comments on Draft Environmental Impact Report - Newhall Ranch, Landmark Village (County Project No. 00-196)

Dear Mr. Fierros,

Friends of the Santa Clara River submits the following comments on the subject project.

Areas of Controversy to be Resolved

At a minimum, there are several areas of controversy and issues to be resolved relative to the Newhall Ranch Project that neither the Specific Plan nor the DEIR sufficiently addresses. Most of these will be considered in the EIS/EIR now being prepared by the Army Corps of Engineers and California Department of Fish and Game (see comments below on EIS/EIR review). These issues need to be studied, understood, and mitigation defined for significant impacts prior to any approval of Landmark Village. Among these are:

- What is the long-term effect of stormwater runoff on the unarmored threespine stickleback and can this species survive continued floodplain alteration?
- What is the long-term effect of bank protection on the sediment dynamics of the river?
- What is the probability of success of riparian restoration and mitigation (see comments below on mitigation effectiveness)?
- Why can't alternative methods of bank protection be used and what is the justification for encroachment into the river floodplain when there are large areas of undeveloped uplands in the surrounding areas (see comments below on floodplain modifications and the need for larger buffer zones)?
- What are the cumulative impacts of multiple large development projects in the upper Santa Clara River, including Newhall Ranch and projects within the City of Santa Clarita, on the biological resources of the river corridor?

Water Quality

The DEIR comments on hydromodification (page 4.3-113) show once again that there is no real understanding of the cumulative potential for existing and future development along the Santa Clara River to cause detrimental hydromodification impacts. A larger, quantitative, regional study is needed. Until that study is complete and the impacts understood, we urge that no further projects, including Landmark Village and other Newhall Ranch Villages. be approved.

Biota

Friends is submitting a separate comment letter on biota, prepared by David Magney Environmental Consulting.

We also refer to the remarks of Dr. Jonathon Baskin (Reference 4), a recognized expert on aquatic species and the unarmored threespine stickleback (UTS) in particular. Dr. Baskin clearly explains his concern that the Newhall Ranch project will "negatively affect, and perhaps eliminate, the unarmored threespine stickleback."

Specifically, he states (Ref 4) "The sensitive biota of the river, including the UTS, arroyo toad, least Bell's vireo, etc., requires a habitat that is produced by a meandering stream. Meandering streams have a variety of shallow, slow flow habitats, as well as areas of faster flow, and during flooding overbank habitat is formed. A well-developed riparian corridor is essential to the birds, but is also important to the fish because it provides a refugium during high flows and its ecotonal nature increases productivity of the aquatic habitat. The sensitive aquatic species require good water quality, water free of sediments and chemical pollutants. The project documents do not provide adequate evidence that these conditions will be maintained if the project is implemented.

"The installation of buried and other bank stabilization will destroy the riparian vegetation upon which some species (birds, insects and others) depend. Revegetation at best takes many years to produce the mature plant community that support these organisms, and recent studies show that revegetation efforts, even if they succeed in restoring some of the ecosystem structure, fail to restore ecosystem functions. One reason for this failure is that the root systems of willows, mule fat and other vegetation hold the soil in place, and these root systems take many years, perhaps hundreds of years, to develop. Even when the above ground vegetation is flattened or removed by floods, the roots resprout rapidly. The proposed bank stabilization will destroy this root system for many miles of riverbank area. Revegetation cannot replace it, and the soil will be much more vulnerable to erosion. This will, in turn, destroy the remaining vegetation and what ever had developed, and greatly increase sediment in the river. This sediment is particularly harmful to gravel spawning fishes such as the Santa Ana sucker, and the southern steelhead, which inhabit the river further downstream, and to the bottom nesting UTS. Sediment smothers the eggs and nests of the UTS. Additional downstream impacts of sediment and other water quality parameters are inadequately addressed. Furthermore revegetation, even if successful, will tend to become uniform if the dynamic nature of the

river is impaired. The diversity of organisms associated with the riparian is maintained by the dynamic nature of the stream, which periodically disrupts patches of riparian habitat so that the corridor is a mosaic of habitats in various stages of ecological succession. Disruption of the disturbance regime will significantly reduce the biodiversity, including sensitive species such as the least Bell's vireo."

Adequacy of Mitigation

Recent studies have shown that wetlands mitigation is not working. A recent report (Reference 1: Ambrose, et.al., UCLA, August, 2006) studied 129 wetlands mitigation projects and found that "despite relatively high permit compliance, the vast majority of mitigation sites were not optimally functioning wetlands...In comparison to reference sites, only 19% of the mitigation files were classified as optimal, with just over half sub-optimal and approximately one-quarter marginal to poor." (Reference 1, page iii). Given the high reliance placed on wetlands mitigation to offset project impacts, we must conclude that wetlands loss, in general, is not being adequately mitigated in projects such as Landmark Village. Thus, we urge that a thorough review of project mitigation be carried out along with the establishment of sufficiently high mitigation ratios and adequate monitoring to ensure there is no net loss of wetlands in the project area.

Need for Larger Buffer Zones

The Santa Clara is the last major natural river remaining in Southern California, a region has already lost all but 3-5% of its pre-settlement riparian woodlands. The Newhall Ranch Environmental Impact Report states: "The Santa Clara River is a regionally significant biological resource. Its value is derived from the inherent value of the riparian habitats and associated species, from its function as a regional wildlife corridor, and because it is a natural river for most of its course".

The river's riparian corridor can properly be considered an ecological reserve, as per its designation by Los Angeles County as SEA#23. Reference 2 (*"Buffer Zones for Ecological Reserves in California: Replacing Guesswork with Science"* by Kelly and Rotenberry) considers needed width, or buffer, for ecological reserves such as SEA 23. Here is a key quote from Reference 2 (page 87): "Buffer design needs to be regarded as a key component of any integrated management strategy for sensitive species". In designing buffers, the UC Riverside scientists consider what processes are operating at the reserve boundary and to what extent those external forces are likely to penetrate the boundary and result in negative effects. Several potential forces are listed, including: (1) introduction of alien predators (particularly domestic cats and dogs), (2) increased nighttime illumination, (3) trespass, including pedestrian, equestrian, and off-road vehicles, (4) introduction of wildlife competitors, (5) pollution, and (6) disease transmission from domestic animals to wildlife. The paper illustrates the problem with an example of a wildlife reserve in Orange County. This reserve, which is up to a *mile wide* in places, is discussed by the authors as likely having *no interior area* immune from certain edge effects such as far-ranging pets, *even at a mile in width.* This reserve is much wider than the buffer allowed between the river trail (top of buried bank protection)

and the riparian vegetated zone in Landmark Village, which varies from zero to about 300 feet. Moreover, the EIR does not reference any studies concerning urban edge effects on riparian species.

A study by Stanford's Department of Biological Studies (Reference 3: Rottenborn, Stephen C., "Predicting impacts of urbanization on riparian bird communities) shows that the placement of urban uses in the vicinity of riparian zones has substantial impacts on riparian bird communities *out to a distance of 1500 feet.* Landmark Village setbacks range from zero to about 300 feet and thus fail to buffer the sensitive riparian resources of the project area. The Stanford paper's concluding paragraph contains the following statement: *"The single most important step that can be taken to conserve riparian communities in the face of urbanization is to minimize development in and along floodplains by maintaining broad buffers of undeveloped land between developed areas and riparian habitats."*

Floodplain modifications

Landmark Village, as proposed, will result in a loss of over 85 acres of river floodplain. The Los Angeles Regional Water Quality Control Board has recommended that Newhall Ranch avoid development in the floodplain and Friends agrees with that recommendation. The purpose of floodplains is to store floodwaters. Usurping the floodplain of a river can have serious immediate and long-term repercussions on the hydrology of the river and on channel morphology, both upstream and downstream (see comments above under Water Quality). Long-term impacts could include structural flood control measures of unknown magnitude which could be required in the future due to the cumulative effects of artificial reduction of the existing floodplain. The floodplain avoidance alternative would prevent these impacts and, if the project is eventually approved, this alternative or a lesser damaging environmental alternative, should be adopted. (See remarks above on hydromodification).

Traffic/Access

Friends will submit a separate comment letter on traffic impacts.

New Alternatives Needed

The proposed Landmark Village project includes construction of the Long Canyon bridge and an extensive section of buried bank protection downstream of the project for use in future phases of Newhall Ranch. These future phases will require separate EIRs and the extent to which they will be approved remains undetermined at this time. Both the bridge construction and the downstream section of bank stabilization will have significant impacts on riparian flora and fauna, and neither is actually needed for the great majority of the housing and commercial development within Landmark Village. A project alternative should therefore be developed that omits these parts of the project so that the impacts can be isolated and understood and a better determination made as to whether approval as part of the Landmark Village phase is warranted.

A second alternative should be developed which provides a minimum 500-foot buffer zone between the urban edge (top of the buried bank protection) and the riparian zone. Such an alternative would at least go part way towards reducing the urban edge effects discussed above under "Need for Larger Buffer Zones".

Cumulative Impacts

The unprecedented growth in the Santa Clara River watershed over the last few decades has caused an array of cumulative impacts to flora and fauna of the River corridor. Encroachment by development into the River floodplain and terrace lands has resulted in habitat loss and fragmentation and will inevitably be followed by a decline in species and loss of biological diversity. These cumulative impacts are not adequately addressed the DEIR. In its 1998 "Biological Opinion for the Valencia Company's Clean Water Act Section 404 Authorization for Portions of the Santa Clara River, Los Angeles County, California", the U. S. Fish and Wildlife Service (p. 33) states that "The potential increase in urbanization could result in alterations to the Santa Clara River through increasing the pollutant load reaching the river through runoff, human activity in the river, and introduction of additional exotic predators, all of which could adversely affect the unarmored threespine stickleback, southwestern willow flycatcher, and least Bell's vireo." Almost ten years later, the truth of this statement is evident as numbers of massive projects continue to impact the river. The DEIR must completely reexamine cumulative impacts of Santa Clara watershed projects and evaluate the effectiveness of mitigation for these impacts (see comments above under Water Quality).

EIS/EIR Review Document

We note with some puzzlement that the Landmark Village approval process is proceeding in advance of a major environmental review document that will impact the entire Newhall Ranch project. We refer to the EIS/EIR now being prepared by the California Department of Fish and Game and the Army Corps of Engineers that will govern the needed 1603 Stream Alteration Agreement and Corps 404 permit. This document, along with its associated public hearings and a finalizing process, could affect large sections of the project over which these two agencies have jurisdiction and could well result in major alterations. We therefore submit that project approval by Los Angeles County Regional Planning should be delayed until after such changes have been clarified and any associated alternatives evaluated. Sequencing project-level review after completion of the EIS/EIR could avoid needless staff time and expense if substantial changes are required in the project.

Conclusion

No approval for Landmark Village should be forthcoming until the DEIR is revised to account for the impacts discussed above. Cumulative impacts, in particular must be analyzed, understood and mitigated. If approval is granted, Friends recommends that the floodplain avoidance alternative, or an alternative less biologically damaging, be adopted.

Thank you for your consideration of these comments.

Sincerely,

Ron Bottorff

Ron Bottorff, Chair

References

1.Ambrose, R. F. et. al. *An Evaluation of Compensatory Mitigation Projects Permitted Under the Clean Water Act Section 401 by the Los Angeles Regional Quality Control Board, 1991-2002.* Department of Environmental Health Sciences, University of California, Los Angeles, December 2004.

2.Kelly, Patrick J. and Rotenberry, John T., *Buffer Zones for Ecological Reserves in California: Replacing Guesswork with Science,* in "Interface Between Ecology and Land Development in California". Southern California Academy of Sciences Symposium Proceedings: 1993.

3.Rottenborn, Stephen C., *Predicting the impacts of urbanization on riparian bird communities.* In Biological Conservation, v. 88, n.3, June, 1999, pages 289-299.

4.Personal email communication, Jonathan Baskin, Ph.D. to Ron Bottorff, February 28, 2003.

RESOURCE MANAGEMENT AGENCY

county of ventura

Planning Division

Kim Rodriguez
Director

January 19, 2007

Daniel Fierros
Department of Regional Planning
Los Angeles County
320 W. Temple St.
Los Angeles, CA 90012

FAX #: 213.626.0434

Subject: Newhall Ranch Landmark Village Project (phase of total specific plan), County Project No. 00-196

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Chuck Anthony, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Chuck Anthony at (805) 654-3683.

Sincerely,

Kim Rodriguez
County Planning Director

G:\Planning Division\Outside Environmental Documents\Response Letters\06-060 LA County Response Cover Letter

Attachment

County RMA Reference Number 06-060

800 South Victoria Avenue, L #1740, Ventura, CA 93009-1740 (805) 654-2481 FAX (805) 654-2509

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM

DATE: December 13, 2006

TO: Resource Management Agency, Planning Division
Attention: Carl Morehouse

FROM: Nazir Lalani, Deputy Director

SUBJECT: Review of Document 06-060
Newhall Ranch Landmark Village Project (Phase of Total Specific Plan).
The project is located in the northwest portion of the unincorporated area of the Los Angeles County within the Santa Clarita Valley Planning Corridor south of SR 126 near the intersection of Chiquito Canyon Road, north of Santa Clara River and west of I-5.
Applicant: The Newhall Ranch and Farming Company
Lead Agency: **County of Los Angeles**

The Public Works Agency -- Transportation Department has reviewed the DEIR for Newhall Ranch Landmark Village Project located in the unincorporated area of Los Angeles County within the Santa Clarita Valley Planning Corridor. The project proposes to construct 1,444 residential dwelling units, over 1,000,000 SF of mixed use/commercial uses, a nine-acre elementary School and a six-acre park/recreational facility.

The trip generation from this project is estimated to be 41,900 ADT. This project is only the first Phase of the Newhall Ranch Specific Plan. Page ES-96 of the DEIR states that the 2020 buildout of the entire Newhall Ranch Specific Plan would contribute to a potential significant impact at the intersection of Center Street and SR 126. The following measures are listed to mitigate the impacts on County Roadways and intersections:

Mitigation LV 4.7-23 listed on Page ES-111 of the DEIR identified no improvements at Main Street. The following improvements were identified at the intersection of SR 126 and Center Street.

1. Restripe Center Street Southbound approach resulting in right and left turn lanes.
2. Add a westbound right turn deceleration lane to SR 126 (Telegraph Road).
3. Install Traffic Signal when warranted.

Restriping Center Street resulting in right and left turn lanes appears to be in conflict with the improvements identified in the Piru Area Plan DEIR. The mitigation measure listed in the Piru Area Plan EIR is to construct a raised channeliser island to prohibit left turn movements from Center Street to SR 126.

The Transportation Department will require the applicant for the Newhall Ranch Project to contribute a pro rate share towards the cost of the improvement identified in the Piru Area Plan in addition to the mitigation measure measures identified in the DEIR for the Project.

The applicant shall contribute a project pro rata share for the following improvements at the intersection of SR 126 with Center Street and Main Street:

1. Improvements at SR 126 and Main Street as identified in the Piru Area Plan EIR for signal modifications with new signal phasing, mast arms, signal heads, westbound right-turn lane, eastbound left-turn lane, and lengthening the southbound left-turn lane at an estimated cost of $395,000. The project share at 9% (Page 4.7-92 reference 13) will amount to $35,550.

2. Improvements at SR 126 and Main Street as identified in the Piru Area Plan EIR for pedestrian crosswalk, pedestrian signal heads and pushbuttons, and wheelchair ramps at an estimated cost of $150,000. The project share at 9% will amount to $13,500.

3. Improvements at SR 126 and Center Street as identified in the subject EIR and the Piru Area Plan EIR for the construction of westbound right-turn deceleration lane on SR 126 is estimated at $100,000. The project share at 9% will amount to $9,000.

4. Improvements at SR 126 and Center Street as identified in the Piru Area Plan EIR to construct a raised channelizer island at an estimated cost of $50,000. The project share at 9% will amount to $4,500.

The project pro rata shares to mitigate the impacts on SR 126 corridor will amount to $62,550. **Prior to the issuance of the first building permit** within the Newhall Ranch Specific Plan, the applicant shall enter into an agreement with the County of Ventura to deposit $62,550 in a Trust Fund towards these improvements.

In addition, **prior to the issuance of the first building permit** within the Newhall Ranch Specific Plan, the applicant shall post bond their pro rata share towards the cost of design and construction of a Traffic Signal at the intersection of SR 126 and Center Street. The estimated cost of construction of a Traffic Signal projected to 15 years is estimated to be $600,000. The Traffic Signal will be constructed when the intersection meets warrant. If the Traffic Signal does not meet warrant at the end buildout of the Newhall Ranch Specific Plan, the deposit will be returned to the applicant.

The cumulative impacts that result from the incremental impact of traffic generated by this project, when added to other closely related past, present, and reasonably foreseeable probable future projects, may be individually minor, but collectively significant over a period of time. The EIR should be revised to address the cumulative impact of this project on County local roads and the Regional Road Network. To mitigate the cumulative impact of traffic, the EIR should include a condition for payment of the Traffic Impact Mitigation Fee (TIMF). The fee is due **prior to the issuance of the first building permit for the project.**

Based on the fee schedule established in accordance with County Ordinance Code 8601-0 et seq. for the Piru area and the information provided in the DEIR, the TIMF due to the County is:

1000 ADT* x $14.99/ADT = **$14,990**

* Newhall Ranch Traffic Analysis estimated that the Specific Plan would contribute 1000 ADT in the Piru area.

The above estimated fee may be subject to adjustment at the time of deposit, due to provisions in the Traffic Impact Mitigation Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record (ENR) construction cost index. The above is an estimate only based on information provided in the draft environmental document. If the project cumulative impacts are not mitigated by payment of a traffic mitigation fee, current General Plan policy will require County opposition to this project.

Our review is limited to the impacts this project may have on Ventura County's Regional Road Network.

Please call me at 654-2080 if you have questions.

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Ventura County
Watershed Protection District
Groundwater Section

MEMORANDUM

DATE: January 18, 2007

TO: Carl Morehouse, RMA - Planning Division

FROM: Theresa Stevens, WPD – Water & Environmental Resources Division

CC: Paul Callaway, WPD – Planning & Regulatory Division

SUBJECT: RMA 06-060, Draft EIR - Newhall Ranch Landmark Village

Project Description

The project consists of 418 lots to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-used space, an elementary school, a community park, a fire station, three private recreational facilities, open space and river trail uses. The project proposes to develop the 292.6-acre Landmark Village tract map site located within the boundary of the Newhall Ranch Specific Plan in western Los Angeles County, north of the Santa Clara River, South and north of Highway 126, east of the Ventura County line and west of Interstate 5. The current land uses of the site are agricultural operations.

Additional off-site project-related components on 750.9-acres of land include the following.

A cut and fill grading operation, which includes fill imported to the tract map site from a 215-acre borrow site (Adobe Canyon borrow site), grading to accommodate roadway improvements to SR-126, and debris basins for stormwater flows collected by the tract map's storm drainage system on approximately 120-acres of land, located directly north of SR-126 within Chiquito Canyon (Chiquito Canyon grading site);

A 225.5-acre utility corridor, which would run parallel to SR-126, from the western boundary of the tract map site to the approved Newhall Ranch Wastewater Reclamation Plant (WRP) near the Los Angeles County/Ventura County line, from the eastern boundary of the tract map site to the Old Road/Interstate 5 (I-5), and then south to the existing Valencia WRP, which would extend municipal services to and from the tract map site.

Several portable water tanks, reclaimed water tanks, construction of the Long Canyon Road Bridge, bank stabilization and storm drainage improvements.

Comments

Section 4.3 Water Quality
Page 4.3-19 indicates "...Compliance with SUSMP requirements is used as one method to evaluate the significance of project development impacts". This statement is followed by a series of Best Management Practices (BMPs). The BMPs appear to be suggested options rather than requirements in the way they are written. For example, several of the BMPs indicate the applicant "must" or "needs" to implement a particular BMP rather than stating the applicant "shall" implement a BMP. Please revise the EIR to reflect that BMPs are required mitigation measures for water quality impacts.

Page 4.3-20 indicates that the 0.2 inch per hour intensity rainfall was used to calculate runoff and therefore designs for flow-based BMPs. Please clarify in the EIR the duration of this intensity of rainfall.

The hourly rainfall intensity for LA County was also used as the standard for calculating runoff. We recommend recalculation using the hourly rainfall intensity for the Santa Clara River watershed, and not just LA County or the LA County portion of this watershed.

Page 4.3-20 discusses hydro-modification. The EIR discusses protection of the Santa Clara River. Please revise the EIR and mitigation measures to require the applicant to detain all runoff generated by the development on site to pre-project conditions in order to protect the Santa Clara River and all tributaries thereto.

Page 4.3-29. Why does the flow date included in the analysis stop with 1969? Please revise the EIR to address this question.

Page 4.3-30(b) indicates there will be no discharge to tributaries in the post-development condition. If there will be no future discharge to these tributaries, this is permanent and potentially adverse change in their hydrologic condition and aquatic habitats. Please revise the EIR to address these impacts and include additional mitigation measures if impacts are determined to be potentially significant.

Page 4.-3-50. The EIR indicates that "...Project related improvements to borrow sites would not result in introduction of impervious surfaces or any changes in drainage or hydrology characteristics..." and that "...all water quality impacts will be limited to the construction phase". The mass grading associated with this project will result in sedimentation downstream of the graded area. While the EIR concludes that impacts would be limited to the construction phase, this conclusion is not supported in the EIR. Please revise the EIR and explain how graded areas will be stabilized and the timing of such stabilization work. Additional measures to stabilize the site should be added to the EIR as required mitigation measures.

Pages 4.3-56 and 4.3-57 describe several previously adopted hydro-modification control measures. The document also indicates that bank stabilization in the form of buried soil cement is proposed. This is hydro-modification and appears to be inconsistent with the adopted hydro-modification adopted measures described in the EIR and existing policy. Please revise the EIR and explain how a buried soil cement levee is consistent with adopted measures and the Los Angeles Regional Board's Hydro-modification policy (adopted on January 27, 2005).

The references to the length of the buried soil cement are not clear. The EIR identifies variously 18,600 linear feet and 17,400 linear feet "...plus additional...". Please revise the EIR to clearly explain the entire extent (length) of buried soil cement.

Please revise the EIR and explain the hydraulic effects of the Turf Reinforcement Mat. Is it hydraulically equivalent to rock slope protection of buried soil cement?

Table 4.3-12. Please revise the EIR so that "will" statements should be revised to "shall" to make these conditions required and enforceable.

Page 4.3-102. Will the buried soil cement be covered with soil and planted? What is the temporary impact footprint for constructing this bank stabilization? Will the temporary impacts extend into the river beyond the permanent impact footprint? If so, how far? Please revise the EIR to answer these questions. Further, if the buried soil cement will be maintained by the Los Angeles County Public Works Department and/or re-planted by the applicant after high flows erode the soil and plants away, please revise the EIR and describe how cumulative impacts on the river as a result of such maintenance and/or re-planting will be avoided, minimized, and mitigated over the long term.

What other phases of the project and the larger Newhall land development include hydro-modification in the form of bank stabilization? Please revise the EIR and explain potential future hydro-modification in the cumulative impact analysis. Please add additional mitigation measures to address potentially significant future impacts associated with additional bank stabilization.

The statement that "...reset events buffer imperviousness..." oversimplifies the broader issue of the impact of urban development and increased impervious surfaces on water quality, biological resources, aesthetics, and sediment transport processes. What evidence is there to support this conclusion? Please revise the EIR to provide an example and a meaningful discussion of the cumulative impact of this development on the Santa Clara River and its tributaries so that the public and decisionmakers can make an informed decision on the project.

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VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Chuck Anthony, Planning DATE: January 17, 2007

FROM: Alicia Stratton AS

SUBJECT: Request for Review of Draft Environmental Impact Report for Newhall Ranch Landmark Village Project (Phase of Total Specific Plan), County of Los Angeles (Reference No. 06-060)

Air Pollution Control District staff has reviewed the subject project, which is a proposal to develop the 292.6-acre Landmark Village tract map site, located in the first phase of the Riverwood Village within the boundary of the approved Newhall Ranch Specific Plan. The land uses proposed as part of the Landmark Village tract map site are consistent with the approved Specific Plan. Proposed development is for construction of 1,444 residential dwelling units (308 single family units, 1,136 multi-family units), 1,033,000 sq. ft. of mixed use/commercial uses, a nine-acre elementary school, a 16-acre community park, public and private recreational facilities, trails and road improvements.

Section 4.9 of the draft environmental impact report addresses air quality issues related to the project. We concur with the findings of the air quality discussion and recommend that all air quality mitigation measures described on Pages 4.9-68 through 4.9-82 be implemented as described.

If you have any questions, please call me at 645-1426.

Ventura County
Watershed Protection District
Groundwater Section

MEMORANDUM

DATE: January 17, 2007

TO: Chuck Anthony, RMA - Planning Division

FROM: David Panaro, WPD – Groundwater Section

SUBJECT: RMA 06-060, Draft EIR - Newhall Ranch Landmark Village

Project Description

The project consists of 418 lots to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-used space, an elementary school, a community park, a fire station, three private recreational facilities, open space and river trail uses. The project proposes to develop the 292.6-acre Landmark Village tract map site located within the boundary of the Newhall Ranch Specific Plan in western Los Angeles County, north of the Santa Clara River, South and north of Highway 126, east of the Ventura County line and west of Interstate 5. The current land uses of the site are agricultural operations.

Additional off-site project-related components on 750.9-acres of land include the following:

A cut and fill grading operation, which includes fill imported to the tract map site from a 215-acre borrow site (Adobe Canyon borrow site), grading to accommodate roadway improvements to SR-126, and debris basins for stormwater flows collected by the tract map's storm drainage system on approximately 120-acres of land, located directly north of SR-126 within Chiquito Canyon (Chiquito Canyon grading site);

225.5-acre utility corridor, which would run parallel to SR-126, from the western boundary of the tract map site to the approved Newhall Ranch Wastewater Reclamation Plant (WRP) near the Los Angeles County/Ventura County line, from the eastern boundary of the tract map site to the Old Road/Interstate 5 (I-5), and then south to the existing Valencia WRP, which would extend municipal services to and from the tract map site;

Water tanks or storage reservoirs for potable and reclaimed water, construction of the Long Canyon Road Bridge, bank stabilization and storm drainage improvements are included in proposed plans.

Comments

The Landmark Village Draft EIR Section 4.3 – Water Quality states that cumulative impacts on groundwater quality from the proposed project and future urban development in the Santa Clara Watershed are addressed through compliance with the Municipal Separate Storm Sewer System Permit and Standard Urban Stormwater Mitigation Plan requirements, Construction General Permit requirements, General Dewatering Permit requirements, and benchmark Basin Plan groundwater quality objectives, which are intended to be protective of beneficial uses of the groundwater. Project compliance with the requirements designed to protect beneficial uses, cumulative groundwater quality impacts are mitigated to a level that is less than significant.

The groundwater recharge discussion contained within the water quality section of the DEIR summarizes that urbanization has been accompanied by long-tem stability in pumping and groundwater levels, plus the addition of State Water Project water to the Santa Clara River Valley. Together these factors have not reduced recharge to groundwater and not depleted the amount of groundwater that is in storage within the valley. Based on additional information provided within the groundwater recharge discussion, the cumulative impact on groundwater recharge is considered less than significant.

The Landmark Village Draft EIR Section 4.10 – Water Service reports no additional mitigation measures beyond those identified in the Newhall Ranch Specific Plan Program EIR are required or necessary, because the Landmark Village project does not result in any significant water-related impacts after implementation of the mitigation measures. The Landmark Village Draft EIR volumes on water supply assessment regarding groundwater management plans, state water project deliverability reports, etc. is an adequate review and a through account of water service for the proposed project.

The Landmark Village Draft EIR Section 4.11 – Wastewater Disposal mitigation measures requires that the project applicant implement the applicable mitigation measures from the Adopted Newhall Ranch Specific Plan as they relate to the Landmark Village project. Mitigation Measure Nos. 4.12-1 through 4.12.7 were adopted by Los Angeles County in connection with its approval of the Newhall Ranch Specific Plan. These applicable mitigation measures will be implemented, or have been implemented already, to mitigate the potentially significant wastewater disposal impacts associated with the proposed project.

Additional phases of this project will be examined at appropriate intervals.

DP:gl

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Office of
AGRICULTURAL COMMISSIONER
P.O. Box 889, Santa Paula, CA 93061
815 East Santa Barbara Street
Telephone: (805) 933-3165
(805) 647-5931
FAX: (805) 525-8922

Agricultural Commissioner
W. Earl McPhail

Chief Deputy
David Buettner

January 12, 2007

Daniel Fierros
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: Newhall Ranch, Landmark Village Project (RMA Ref # 06-060)

Dear Mr. Fierros:

Thank you for the opportunity to comment on the Initial Study and Draft EIR for the above project. The comment deadline is January 18, 2007.

The project description (abbreviated) is: Develop the 292.6-acre Landmark Village track map site, located in the first phase of the Riverwood Village within the boundary of the approved Newhall Ranch Specific Plan. Construction includes 1,444 residential dwellings, up to 1,033,000 sq ft of mixed-use/commercial uses, a 9-acre elementary school, a 16-acre Community park, a fire statement, public and private recreational facilities, trails, and road improvements, as well as related off-site support activities and construction, including construction of the Long Canyon Road Bridge, bank stabilization and storm drainage improvements.

With respect to the conversion of farmland, no part of the project is within Ventura County; and therefore, the Ventura County Agricultural Commissioner's Office has no comment on this topic.

With respect to conflicts with existing zoning for agriculture within Ventura County, the Newhall Ranch Specific Plan abuts farmland within Ventura County. However, no part of the Landmark Village tract map site (residential, school, or commercial uses) is within the development setback from the Los Angeles County/Ventura County line that was approved in the specific plan EIR. Storm drainage improvements for Landmark Village (debris basins) along the Santa Clara River appear to be within close proximity to Ventura County, but as they are considered non-human-intensive uses, they do not require extended setbacks from Ventura County farmland.

With respect to other changes in the existing environment which, due to their location or

nature, could result in the conversion of farmland downstream or downwind in Ventura County, the Ventura County Initial Study Assessment Guidelines (2000 Ed.), ("Initial Study Guidelines") state that any use that will decrease the quality of ground water available for agriculture to a level greater than 1200 mg/L total dissolved solids (TDS) is considered to have a significant impact. Any use that will cause a net decrease in the availability of water for agriculture is considered to have a significant project and cumulative impact. This includes uses that may increase the net utilization of ground water in an over drafted basin or in a basin in hydrologic continuity with a basin in over draft.

Further, the Initial Study Guidelines also provide that any project that will cause a 10 percent or greater increase in dust on agricultural parcels in Ventura County is considered to have a significant impact. The temporary construction of drainage improvements within one-half mile of farmland in Ventura County is likely to cause an increase in dust of over 10 percent, unless disturbed areas are watered and construction is halted during periods of high winds.

If you have any questions about these comments, please contact me at the telephone number or email address below.

Thank you.

Rita Graham
Agricultural Land Use Planner
(805) 933-8415
rita.graham@ventura.org

cc: Chuck Anthony, Ventura County Planning Division

[TO BE RETYPED ON DISTRICT LETTERHEAD]

By Facsimile and First-Class Mail

January 22, 2007

Mr. Daniel Fierros
Department of Regional Planning
Room 1346
320 West Temple Street
Los Angeles, California 90012

Re: County Project No. 00-196-(5)
Vesting Tentative Tract Map. No. 53108
General, Local and Specific Plan Amendment Case Nos. 00-196-(5)

Dear Mr. Fierros:

This letter constitutes the Castaic Union School District's ("School District") comments to the Draft Environmental Impact Report associated with the above-referenced project The School District appreciates the opportunity to comment upon this matter.

THE PROJECT

In 1997, the Newhall Land and Farming Company ("NLF") was the owner of land within the County, and partially within the School District's boundaries, that NLF proposed for development into a new community known as Newhall Ranch. The entire developed was proposed to include approximately 24,000 residential units as well as commercial and industrial facilities. Total build out of the development was anticipated over 30 years.

The portion of the Newhall Ranch development that is within the School District's boundaries was known as Riverwood, consisting of approximately 2,333 acres. NLF's development plans for Riverwood include 2,338 single family and 1,686 multi-family dwelling units. Riverwood is further divided into several project areas, including, but not limited to, Landmark Village. The Landmark Village project area consists of 292.2 acres that NLF proposes to develop into 1,444 residential units (308 single family and 1,136 multi-family) with an anticipated residential population of 3,684. The Landmark Village project area also contemplates the inclusion of 1,033,000 square feet of commercial/mixed use space, a 9-acre elementary school site, a 16-acre community park, three private recreational facilities, open space and river trails, and supporting roadway, drainage and infrastructure improvements.

By the above-referenced application, NLF is seeking approval of the Landmark Village portion ("the Project") of the Riverwood development. The proposed 9-acre school site is included among the lots for which NLF seeks approval within the Landmark Village Vesting Tentative Tract Map. No. 53108.

THE 1997 FUNDING AGREEMENT

The School District and NLF entered into a "School Facilities Funding Agreement" dated November 20, 1997 ("Funding Agreement"). The intent of the parties was to reach agreement as to the manner in which the Newhall Ranch project's impact on the School District would be mitigated. In relevant summary, the Funding Agreement provides:

- NLF will provide a school site appropriate for an elementary (K-5) school designed to house 837 students on traditional single, track, 9 month schedule.
- The school site will be 10 acres, or 7 acres with a 5 acre adjoining park.
- The school site is subject to consent of the District and the California Department of Education ("CDE").
- The School District will construct the school on the school site in compliance with State requirements and specifications, including the then current State School Building Lease-Purchase Program Applicant Handbook.
- NLF will advance funds to the School District for construction of the school in response to District draw requests.
- NLF's per student contribution to construction costs will be ½ of the total costs per student. If state funds are not available for the construction, then NLF will be responsible for the full costs per student.
- NLF will provide funding to the School District to lease emergency relocatable classrooms to house up to 420 students generated by Riverwood until the completion of the school.
- If Riverwood generates more than 1,260 K-5 students, then NLF will provide another elementary school site.

There have been no significant amendments or modifications to the terms of the Funding Agreement since its original execution.

SUMMARY OF DRAFT EIR AND SCHOOL DISTRICT IMPACTS

NLF submitted the draft EIR presently under consideration in November 2006. The Draft EIR provides that the Project would generate 336 new elementary, 93 middle and 161 high school students at complete build out. (Draft EIR, 4.15.1.) With regard to mitigating the impact of the students generated by the Project, the draft EIR states:

> On November 20, 1997, the Castaic District entered into a school facilities/funding agreement with Newhall to ensure that development within the Riverwood Village of the Specific Plan, either individually or cumulatively with other projects within District's boundaries, would have no adverse impacts on the District's ability to provide adequate educational opportunities to every student in the District. In particular, the Financing Schedule and Financing Plan contained in the agreement guarantees to the Castaic District that there will be adequate school facilities available to house every student within the Specific Plan's Riverwood Village. The agreement states that the funds and land to be provided to the Castaic District by Newhall constitute the entire extent of Newhall's obligation to provide school facilities for the Specific Plan's Riverwood Village. (Draft EIR, 4.15-5.)

The draft EIR then restates the terms of the Funding Agreement with regard to the school site size and construction requirements. For example, the draft EIR provides that the school will be designed for a capacity of 837 students, based on traditional, single track, nine-month schedule school program. It states that the school will be constructed in accordance with the requirements of the specifications contained in the Education Code and the Applicant Handbook for State School Building Lease-Purchase Program as they exist at the time of construction.

The draft EIR acknowledges that the Project's "cumulative impacts on the School District would be significant" but concludes that "compliance with the funding agreement would reduce the cumulative impacts to below a level of significance."

AREAS OF CONCERN

The School District has three (3) areas of concern with regard to the draft EIR and proposed mitigation measures outlined in the EIR and the Funding Agreement: (1) the size of the proposed school site; (2) the location of the proposed school site; and (3) the measures available to address interim student housing needs pending completion of the proposed elementary school.

1. Site Size.

As outlined above, the Funding Agreement contemplates NLF providing a 10-acre site or, in the alternative, a 7-acre site with an adjoining 5-acre park. The Funding Agreement, however, also provides that the school site shall meet Education Code requirements and be subject to School District and California Department of Education approval.

With regard to the size of a traditional track, K-5 elementary school designed to house 750 students, the current proposed site is below the California Department of Education recommended minimum acreage. The District and NLF are in discussions to determine what measures, including any modification of the Funding Agreement, are necessary to obtain CDE site approval.

2. Site Location

The current proposed school site is abutted by California Highway route 126 to the north. California Code of Regulations, Title 5, section 14010(e) states, "The site shall not be adjacent to a road or freeway that any site-related traffic and sound level studies have determined will have safety problems or sound levels which adversely affect the educational program."

In addition to noise concerns, the site's proximity to Highway 126 raises potentially significant hazardous materials, air quality and other student safety issues. For example, in 2003, subsequent to the execution of the Funding Agreement, the Legislature required school districts to consider and evaluate the impact of freeways and other busy traffic corridors within one-fourth of a mile of a proposed school site that "might reasonably be anticipated to emit hazardous air emissions, or to handle hazardous or acutely hazardous materials, substances or waste." (See Education Code section 17213.)

The current proposed school site is well within one-fourth of a mile of the Highway 126. Moreover, the growth and expansion of the entire valley area and the cumulative impact of that expansion on the traffic flows along Highway 126 may impact the mitigation measures required to make the site suitable for school purposes.

3. Interim Student Housing

The Funding Agreement contemplates that construction of the new elementary school will not begin until the Riverwood project has reached a certain level of development. Specifically, the Funding Agreement states, "District shall provide NLF with written notice ("District Notice") for the New Elementary School when District reasonably determines that at least 420 Riverwod Students are estimated to exist within the next 30 months of the District Notice and that the New Elementary School is reasonably required to house Riverwood Students." NLF would then begin to provide construction funds in response to draw applications from the School District.

Until the completion of the new elementary school, the Funding Agreement provides for NLF to fund the lease of emergency relocatable buildings to house up to 420 Riverwood students. In addition to this relocatable building option, the School District contemplated using excess capacity in other School District schools to house such students. One of the alternative schools the School District contemplating using was scheduled for completion in 2007. However, the School District's facilities needs and plans have changed, and as a result, the School District no longer has plans to construct the alternative school. As a result, the School District is still exploring options for interim housing for Riverwood students consistent with School District facility, class size, and transportation targets and procedures.

Finally, the School District notes that the California Department of Education has performed a preliminary evaluation of the current proposed site. The evaluation noted the size and location concerns discussed above. The report concluded that the School

District could proceed with further evaluation of the site. However, the report was inconclusive as to whether the site would receive CDE approval and as to exactly what mitigation measures may need to be taken to make the site suitable.

CONCLUSION

The School District believes that the Funding Agreement is a positive and substantial step in the joint effort with NLF to mitigate the Project's impacts on the School District. It provides a workable framework for the School District and NLF to move forward. However, as discussed above, several issues remain with regard to the practical implementation of the Funding Agreement to ensure the Project's impacts are adequately and appropriately addressed.

The School District looks forward to continuing its positive partnership with NLF to resolve these remaining issues. Nevertheless, the School District believes there is important work still to be done in this regard.

The School District once again thanks the County for the opportunity to comment upon this matter and hopes that these comments are helpful in the County's evaluation of the Project.

If you should have any questions regarding these comments or desire further information from the School District, please do not hesitate to contact me.

Sincerely,

Jaime Garcia

cc: Glenn Adamick, The Newhall Land and Farming Company
bc: Trevin E. Sims

s0066559

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
FACSIMILE COVER
ADM 0172 (REV. 4/93)

FM 92 13/2 M

Attention: DANIEL FIERROS	From: CHERYL POWELL
Unit / Company: LOS ANGELES COUNTY DEPT. OF REGIONAL PLANNING	Name of Sender: ELMER ALVAREZ
	Date: 1-22-07 / Total Pages (including cover sheet): 4
	FAX # (Include area code): / ATSS FAX:
District / City:	Phone # (& area code): (213) 897-3747 / ATSS:
Phone # (& area code): (213) 974-6411 / FAX # (Include area code): (213) 974-0434	ORIGINAL DISPOSTION: ☐ DESTROY ☐ RETURN ☐ CALL FOR PICK-UP

626

Comment:

The original letter will arrive via regular mail.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF PUBLIC
TRANSPORTATION AND REGIONAL PLANNING
IGR/CEQA BRANCH, MS 16
100 SOUTH MAIN STREET
LOS ANGELES, CA 90012
PHONE (213) 897-3747
FAX (213) 897-1337

Flex your power!
Be energy efficient!

January 22, 2007

Mr. Daniel Fierros
County of Los Angeles,
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: ***Landmark Village (formerly River Village)***
Vesting Tentative Tract Map No. 53108
Draft Environmental Impact Report
IGR/CEQA No. 061131/EA, SCH#2004021002
Vic. LA/126/0.0-5.00, LA-005-PM R53.9

Dear Mr. Fierros:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Draft Environmental Impact Report prepared for the Landmark Village development project. Landmark Village is the first subdivision tract map development of the Newhall Ranch Specific Plan. The Landmark Village Tract Map proposes construction of 1,444 residential dwelling units, 1.033 million square feet of mixed-use/commercial uses, an elementary school, and recreational facilities. We have reviewed document and have the following comments:

State Route 126

The traffic analysis determined the proposed development would result in significant transportation impacts to the following intersections at State highway 126 (SR-126): Long Canyon Road-Chiquito Canyon Road, Walcott Way, and Commerce Center Drive. We note that mitigation measures are recommended to reduce the impacts at all of these intersections to a level less than significant. Project related transportation impacts to the SR-126/I-5 Interchange have been mitigated to a less than significant level by the recently completed widening reconstruction of the SR-126 bridge over-crossing. Planned improvements to the Commerce Center Drive interchange and widening of SR-126 from I-5 to Commerce Center Drive are projected to be completed by 2008. **To avoid significant transportation impacts, we request completion of planned improvements prior to or concurrently with build-out of Landmark Village.** If not, significant transportation impacts would be expected at these locations, and they would need to be addressed in this environmental impact report.

Project Initiation Document (PID)

Typically, the Department (Caltrans) designs transportation improvements to a 20-year horizon, not to 2010 as the study has done. **To implement the proposed mitigation measures, a Project Initiation Document (PID) that includes an alternative analysis will be needed and further analysis will be necessary.**

Feasibility Study Report

A Feasibility Study Report was prepared by the project's consultant with Caltrans oversight to determine future roadway improvements on State Route 126. The Feasibility Study includes the following recommendations for improvements to SR-126:

- Widening of SR-126 to four-lanes in each direction from Commerce Center Drive to Long Canyon Road.
- New at-grade, signalized intersection at Walcott Way
- New at-grade, signalized intersection at Long Canyon Road/Chiquito Canyon Road

We note that at buildout of Phase Three (3) of Landmark Village (2010), a third through lane would be required at the Walcott Way and Long Canyon Road intersections. Although the Feasibility Study Report references the widening of SR-126, the Draft EIR does not mention the SR-126 widening. The EIR needs to explicitly state that the project (Newhall Ranch Specific Plan) applicant will fund widening of SR-126 from I-5 to Long Canyon Road.

Transportation/Traffic Mitigation Plan

We recommend that Transportation/Traffic Mitigation Plan be prepared detailing all project related mitigation measures for all phases of the project, including improvements to SR-126 and to Interstate 5. It needs to state that the applicant (Newhall Land and Farm) will be responsible for fully funding traffic mitigation to SR-126 including the widening of mainline through lanes, timely with development. We acknowledge that the applicant may seek other sources of funding. Section SP 4.8-7 of the document states: " Construction or funding of any required facilities shall not preclude the applicant's ability to seek state, federal, or local funding for these facilities." However, if the project's efforts to secure state, federal or local funding are unsuccessful, the developer is still responsible to fund the improvements. The mitigation plan needs to be consistent with the feasibility study report, and link improvements identified in the feasibility study report with future subdivision maps or phases of Newhall Ranch Specific Plan. The Transportation/Mitigation Plan needs to describe the "triggers" for initiation of specific mitigation measures, tied to both the project phases and the number of units built.

Reserving Right-of-Way

We acknowledge the statement on page 4.7-22, that the development project would construct temporary intersections with SR-126, which would be consistent with the project's planned potential future grade-separated crossings for Long Canyon Road and Walcott Way. We recommend that enough right-of-way be reserved for potential future grade-separated interchanges. The final design for both new access intersections will be determined by a Project Initiation Report that includes an alternative analysis. The pending decision to change highway designation from conventional highway to expressway may also influence the final intersection design and the number of access points as well.

Captured Vehicle Trips

As stated in our previous comment letter, we request for further clarification as to the assumption of unusually high percentage of captured vehicle trips, 30%. It is conceivable that higher captured trips could be achieved in multi-use development, when it includes affordable housing and retail uses. We remind you that school and office uses will also attract vehicle trips from outside the development as well.

Interstate-5

Regarding transportation impacts to Interstate-5, the traffic/access report does not indicate significant impacts as a result of the buildout of Landmark Village. However, through mitigation measures LV-4.7-21 (as shown in the document), the project applicant has committed to participate in capacity augmentation improvements on a fair-share basis for Interstate 5.

Contingency Mitigation Plan

The 2030 cumulative impact analysis for Interstate-5 shown on Table 4.7-30 assumes the addition of a High Occupancy Lane (HOV) in area. It is true that over the years various studies have recommended the addition of HOV lanes, and truck lanes in the area; however, its construction and completion prior to the buildout of Newhall Ranch is not certain. If capacity augmentation improvements such as HOV lanes, truck lanes, or mixed-flow lanes are not built prior to buildout of Newhall Ranch, significant transportation impacts would occur as a result. We request that alternate traffic mitigation measures and/or a contingency plan based on a no-HOV/truck lanes scenario by 2030 be prepared.

Enhanced Transit Usage & Other Smart-Growth Strategies

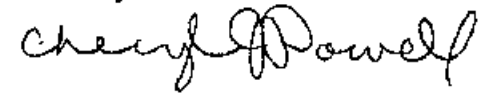
We encourage the implementation of Smart-Growth Strategies such as: bikeways, pedestrian walkways, enhanced transit usage, and increased Jobs/Housing Balance.

The document describes the following transit related mitigation measures:

- Landmark Village reserves 8 acres of land in a 35-foot wide strip along the south side of State Route-126 as a future rail corridor right of way.
- Construction of Park-and-Ride lot.
- Community design will include bus stop areas for future public bus services.

In the spirit of partnership, we look forward to continuing to work closely with the County and the project applicant regarding the transportation-related aspects of the project. If you have any questions regarding our comments and recommendations, you may call me at (213) 897-3747 or Elmer Alvarez, the IGR Coordinator, at (213) 897-6696, and refer to record number 060133/EA.

Sincerely,



CHERYL J. POWELL
IGR/CEQA Program Manager
Caltrans, District 7

cc: Scott Morgan, State Clearinghouse
Barry Witler, County of Los Angeles Department of Public Works

California Regional Water Quality Control Board

Los Angeles Region

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: http://www.waterboards.ca.gov/losangeles

Linda S. Adams
Cal/EPA Secretary

Arnold Schwarzenegger
Governor

Post-it™ brand fax transmittal memo 7671	# of pages ▸ 3
To Daniel Fierros	From Sam Unger
Co. LAC DRP	Co. LARWQCB
Dept.	Phone # 213-576-6622
Fax # 626-0434	Fax #

January 22, 2007

Mr. Daniel Fierros
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA, 90012

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LANDMARK VILLAGE PROJECT, COUNTY PROJECT NO. 00-196, SCH NO. 2004021002

Dear Mr. Fierros:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Landmark Village project.

The Landmark Village project site is located in unincorporated Los Angeles County, within the Santa Clarita Valley, and within the Santa Clara River watershed. The Landmark Village project site lies within the jurisdiction of the Los Angeles Regional Water Quality Control Board (Regional Board). The Regional Board is charged with protecting the surface and groundwater quality in the Santa Clara River watershed. Please address the following comments on the water quality section (Chapter 4.3) of the DEIR:

- The DEIR discusses the environmental impacts of urban runoff from the Landmark Village project site; however the impacts of wastewater (from the quality and quantity perspective), generated by residential and commercial uses, were not addressed. Reach 5 of the Santa Clara River is listed on the 2002 Clean Water Act (CWA) Section 303(d) List for chloride, coliform, and nitrate-nitrogen plus nitrite-nitrogen, and is on the proposed 2006 CWA Section 303(d) List for chloride and coliform. Wastewater discharges from the Los Angeles County Sanitation Districts' Saugus and Valencia Water Reclamation Plants have been identified as the primary source of chloride in the Santa Clara River by the Upper Santa Clara River (USCR) Chloride TMDL. Similarly, wastewater generated from the Landmark Village project site may have a potentially significant impact on the Santa Clara River if the treated wastewater is discharged to the USCR. Regional Board staff believes that the impacts of wastewater discharges, generated by the Landmark Village project, to the upper Santa Clara

River should be addressed by the DEIR. If the impacts of wastewater have been discussed in other documents, the DEIR should reference those documents.

- The DEIR should include a detailed impact analysis of urban pesticides. The DEIR presents very limited pesticide monitoring data. The current Landmark Village project site is largely open space with limited agricultural use and thereby limited pesticide applications. Urban pesticide applications that would be expected as part of the proposed project are likely to have greater pesticide applications at the site than current practice. Detailed information on pesticides monitoring and impact analysis is necessary to quantity the impacts of pesticides application.

- The potential impacts of actively used urban pesticides is not sufficiently discussed in the DEIR. The DEIR discusses mainly on chloropyrifos and diazinon. Chlorpyrifos and diazinon have been banned by the USEPA for most urban applications, although some public health uses such as fire ant eradicaiton and mosquito control have been continued; however, other active pesticides that are allowed for urban applications may have potentially significant impacts. In addition to discussing the impacts from the allowable uses of chlorpyrifos and diazinon, please discuss impacts from other pesticides that may be utilized in these areas.

- The DEIR should more adequately discuss the incremental steps needed to significantly reduce the project's stormwater runoff and accomplish the hydrologic goals (i.e., site drainage) of the project. As presented, the annual volume of stormwater runoff from the site will increase from 183 acre-feet per year to 331 acre-feet per year; this is an 81 percent increase in annual stormwater runoff. Increased stormwater runoff not only contributes more pollutants, but can cause significant hydromodification downstream which can cause further water quality impacts and habitat loss. Reduction of stormwater runoff may primarily be achieved through best management practices (BMPs) such as an increase in open spaces, and an increase in drainage flow pathway within the project area.

- The DEIR should describe the process of how the required principles of development will achieve the hydrologic goals through use of special exceptions, zoning or subdivision ordinances. Essentially, most development projects currently planned do not incorporate Low Impact Development (LID) strategies on site planning because these LID techniques require special exceptions and/or ordinances. Primarily, the LID approach is a site drainage approach designed to mimic the natural drainage prior to development.

- The DEIR should describe the procedures the developer will follow to achieve special exceptions (or code modifications) for zoning and subdivision ordinances to better protect the area's water resources. Model development techniques include: shorter or narrower streets, fewer and smaller cul-de-sacs, smaller parking lots, permeable pavement, increased storm

water BMPs, more community open spaces, flexible sidewalk standards, increased vegetated buffers and other similar measures.

- The DEIR should discuss in the development site-preparation plan and/or negative impact declaration, the 750-acre off-site grading area. In unusual circumstances or complex excavation and grading operations, the off-site grading may impact (extent of the pre- and post-grading operations) water quality and quantity of the project area due to clearing and grubbing, construction of access roads, by-passes, and controls and protection of existing natural drainages and slope stabilization.

- The DEIR should discuss cumulative impacts from hydromodification of the Landmark Village project in relationship to other projects in the Santa Clara River watershed. The total miles of hydromodification from all the projects of the Specific Plan need to be assessed. Each hydromodication shall be subject to 401 certification requirements.

If you have any questions, please contact Regional Board staff Dr. Yanjie Chu at (213) 576-6681 or Carlos D. Santos at (213) 620-2093.

Sincerely,

Samuel Unger for

Deborah J. Smith
Chief Deputy Executive Officer

California Regional Water Quality Control Board
Los Angeles Region

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: http://www.waterboards.ca.gov/losangeles

Linda S. Adams
Cal/EPA Secretary

Arnold Schwarzenegger
Governor

January 22, 2007

Mr. Daniel Fierros
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA, 90012

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- The DEIR should discuss in the development site-preparation plan and/or negative impact declaration, the 750-acre off-site grading area. In unusual circumstances or complex excavation and grading operations, the off-site grading may impact (extent of the pre- and post-grading operations) water quality and quantity of the project area due to clearing and grubbing, construction of access roads, by-passes, and controls and protection of existing natural drainages and slope stabilization.

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If you have any questions, please contact Regional Board staff Dr. Yanjie Chu at (213) 576-6681 or Carlos D. Santos at (213) 620-2093.

Sincerely,

Samuel Unger for

Deborah J. Smith
Chief Deputy Executive Officer

23621 Mesa Ct.
Valencia Ca 91355
11 Jan 2007

Miss Susan Tae
Los Angeles Regional Planning - Ventura County
320 W. Temple St.
Los Angeles Ca 90013

Dear Miss Tae:

I wish to present some points relative to the Newhall Ranch Project - Phase I:

A.) Please extend the comment period to 120 days

B.) Please take no action regarding approval of the Newhall Ranch Project prior to the EIS on the Santa Clara River being released.

C.) Please oppose any building in Significant Ecological Area (SEC) 23.

D.) Do not allow the destruction of the 67 oak trees as planned in Phase I of the Newhall Ranch Project.

Thank you for your support regarding these matters

Respectfully,

Edward D. Benison

Miss Susan Tae,

LA County Regional Planning Dept.
320 West Temple Street
LA, CA 90013

Ms. Tae,

I care deeply about the Santa Clara River. Please extend the comment period so more people have time to comment and review this issue. Also, I greatly oppose building in such ecologically significant region. The cutting down of 67 previous oaks is entirely inappropriate. And finally, it is unethical and seems to approve project before the Santa Clara River EIS is completed. Please take your time and complete this project in a way that does not harm the quality of life of my community.

Sincerely

Michael Gerenetz of Santa Clarita

17 January 2006
26402 Mountain Ave
Valencia, CA 91355

Ms Susan Tse
Los Angeles Water Reclamation Planning Dept
300 West Third Street
Los Angeles, CA 90013

Dear Ms Tse

I am writing in order, the first phase of the proposed Cornfield Arroyo project, the wetlands project along the Santa Clara River in the Symmes subdivision. I propose you let stand the comment period to 30 days. Our organization should be given until the EIS on the Santa Clara River project has been completed. Sixty days value and be be justified. You should be in holding on SEA 23. The project as proposed will have adverse effects on the species in Small Canyon, the principal cause of habitat destruction. Our dependence on automobiles needs to be changed.

Sincerely yours
David Ibarra

Jan 14, 2017

Ms Susan Tae
Los Angeles Regional Planning Dept
320 West Temple Street
Los Angeles, CA 90013

Subject: Proposed Newhall Ranch Project

Ms Tae

In reference to the above subject I am requesting that you extend the comment period 45 days, oppose building in a S.E.A., oppose the destruction of 67 acres, request that impacts to global warming be addressed and mitigated before the project can be approved.

In addition, do not approve the project before the EIS on the Santa Clara River has been released/completed because this may change the project configuration.

Thank you for these considerations.

Sincerely

Kenneth J. Kramer
1773 Highfalls St
Canyon Country, CA
91387

MS Susan Tae

June 11, 2007

L A County Regional Planning Dept
320 West Temple St
Los Angeles, Ca 90013

Dear MS Tae

I would like to express some comments on phase 1 of the newhall Ranch Project:

1. Please extend the comment area to 120 days
2. oppose building in a Significant Ecological Area
3. oppose destruction of 67 acres
4. Do not approve the project before EIS on the Santa Clara River has been revised/completed because this may change the project configuration
5.

Sincerely
Stephen Rodriguez
22641 Cappetville Dr #32
Saugus, Ca. 91350

Jan. 11, 2007

Ms. Susan Tae
L.A. County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90013

Re Newhall Ranch Project

Dear Ms. Tae:

Please oppose building in SEA 23.

Please oppose destruction of 67 oaks, they take hundreds of years to grow.

Please extend the comment period to 120 days.

Please don't approve this before the Environmental Impact ~~Report~~ Study on the Santa Clara River is completed.

This project is going to impact the traffic flow immensely and that is bad enough.

It is difficult to plan well given our current transportation systems.

Very truly yours
Karen Wood
27611 Nugget Dr. #3
Canyon Country, CA 91387

Tae, Susan

Subject: FW: Newhall Ranch will be a great place to live, work and play

-----Original Message-----
From: Ruiz, Rosie
Sent: Monday, January 22, 2007 3:03 PM
To: Tae, Susan
Subject: FW: Newhall Ranch will be a great place to live, work and play

FYI

Rosie O. Ruiz
Commission Secretary
Department of Regional Planning
(213) 974-6409
rruiz@planning.lacounty.gov

The information contained in this electronic mail transmission is confidential and intended to be sent only to the stated recipient of the transmission. It is protected from unauthorized use or dissemination by the attorney-client privilege and/or work product doctrine. If you are not the intended recipient or the intended recipient's agent, please take notice that any review, use, dissemination, distribution or copying of this communication is strictly prohibited. You are also asked to notify us immediately by telephone and to delete this e-mail and any attachments from your system and destroy any and all copies made.

-----Original Message-----
From: jillmhughes1978@yahoo.com [mailto:jillmhughes1978@yahoo.com]
Sent: Monday, January 22, 2007 1:16 PM
To: Ruiz, Rosie
Cc: fifthdistrict@bos.co.la.ca.us
Subject: Newhall Ranch will be a great place to live, work and play

Dear Chair Esther L. Valadez and members of the Planning Commission:

I look forward to the opportunity to purchase a home in the new masterplanned hometown of Newhall Ranch by Newhall Land, and I am writing to show my support for the plan.

From the information I have reviewed, the plan would offer a variety of much-needed new homes - from condominiums to traditional single-family homes to large estates. In addition, Newhall Ranch would include community features I am looking for; such as neighborhood parks, new schools, nature trails and nearby shops. And with more than 19,000 new jobs, many Newhall Ranch residents would enjoy the luxury of working close to home.

Please recommend approval for Landmark Village and the subsequent villages of Newhall Ranch.

Sincerely,

Jill Hughes
Valencia

CC:
Los Angeles County Supervisor Mike Antonovich

JAN. 11, 2007

MS. SUSAN TOE,
L.A. COUNTY REGIONAL PLANNING DEPT.

I AM WRITING TO EXPRESS MY OPPOSITION TO THE PROPOSED NEWHALL RANCH PROJECT. AT LEAST THE FIRST PHASE SHOULD SHOULD BE POSTPONED UNTIL PEOPLE CAN BE BETTER INFORMED ABOUT THE PROJECT. IS THE PROJECT BEING PROPOSED IN A SIGNIFICANT ECOLOGICAL AREA? IF SO, ITS CONSTRUCTION WOULD BE OPPOSED BY MYSELF. ALSO THE ISSUE OF "GLOBAL WARMING" MAY BE AN ISSUE WHICH MAY CAUSE OPPOSITION TO THE PROJECT.

THANK YOU FOR YOUR KIND CONSIDERATION OF THESE ISSUES

John Skelley
15670 POPPYSEED LANE
CANYON COUNTRY, CA 91387

Tae, Susan

From: Jeanette Vosburg [jeanette@saveballona.org]
Sent: Wednesday, January 24, 2007 10:57 AM
To: Tae, Susan; Fierros, Daniel; 'Lisa Fimiani'; paulherzog@riseup.net
Subject: Landmark Village, Draft EIR

January 24, 2007

Daniel Fierros
County of Los Angeles
Department of Regional Planning
Hall of Records (13th Floor)
320 West Temple Street
Los Angeles, CA 90012

Telephone: (213) 974-6411
Fax: (213) 626-0434
TDD: (213) 617-2292

Daniel Fierros email: dfierros@planning.lacounty.gov

RE: Project No. 00-196 / Tract Map No. 53108 / Landmark Village, Draft EIR

Dear Mr. Fierros,

I have been working to Green Up and Restore Water Function to the Ballona Watershed. I know from experience, we never appreciate what we have until we lose it.

As an owner of property in Santa Clarita since the 1980's, I am frequently out there. I marvel at the natural parts of the Santa Clara River and watch with horror as concrete begins to find its way into this natural watershed. Nature does a much better job of cleaning urban runoff than mechanical solutions. Please respect that. Look with fresh eyes, as your department receives comments regarding the Landmark Village Draft EIR.

There are obvious challenges -- air quality, water, traffic, and energy, which must be overcome, but the most overriding challenge of all is whether we can save the last free-flowing river in Southern California from being destroyed in one of the last truly wild areas of Los Angeles County.

This is a tremendous opportunity for all of us to save the upper Santa Clara River, it's floodplain, tributaries, and upland habitat -- which links to other wild areas in the state.

I am not against housing development, I understand the need to provide housing for our growing population -- however -- not at the detriment of this wonderful state resource.

Please reconsider the EIR and make recommendations that it be revised to include the proper studies to determine what areas are most critical to birds and wildlife. My greatest concern is that this project is being rushed through without acceptable scientific research, which has been strongly recommended by many non-profit organizations.

Sincerely,

Jeanette Vosburg, Ballona Network
4124 East Blvd., Los Angeles, CA 90066

Tae, Susan

From: Randi Parent [rparent@HealTheBay.org]
Sent: Wednesday, January 24, 2007 1:57 PM
To: Tae, Susan; dfierros@planninglacounty.gov

RE: Project No. 00-196 / Tract Map No. 53108 / Landmark Village, Draft EIR

Dear Ms. Tae and Mr. Fierros,

I am writing with the hope that you will be willing to look over comments regarding the landmark Village Draft EIR with fresh eyes and an open mind, and with a determination that saving the wilderness of the upper Santa Clara River is of the utmost importance.

There are obvious challenges -- air quality, water, traffic, and energy, which must be overcome, but the most overriding challenge of all is whether we can save the last free-flowing river in Southern California from being destroyed in one of the last truly wild areas of Los Angeles County.

This is a tremendous opportunity for all of us to save the upper Santa Clara River, its floodplain, tributaries, and upland habitat -- which links to other wild areas in the state.

I am not against housing development; I understand the need to provide housing for our growing population -- however -- not at the expense of this wonderful state resource.

Please reconsider the EIR and make recommendations that it be revised to include the proper studies to determine what areas are most critical to birds and wildlife. My greatest concern is that this project is being rushed through without acceptable scientific research, which has been strongly recommended by many non-profit organizations.

Sincerely,

Randi Parent
Community Outreach Coordinator
Santa Monica Pier Aquarium
1600 Ocean Front Walk
Santa Monica, CA 90401
310-393-6149, ext. 105

Tae, Susan

From: Susan Suntree [ssuntree@verizon.net]
Sent: Wednesday, January 24, 2007 4:19 PM
To: Tae, Susan
Subject: RE: Project No. 00-196 / Tract Map No. 53108 / Landmark Village,Draft EIR

January 24, 2007

Daniel Fierros
County of Los Angeles
Department of Regional Planning
Hall of Records (13th Floor)
320 West Temple Street
Los Angeles, CA 90012

Telephone: (213) 974-6411
Fax: (213) 626-0434
TDD: (213) 617-2292

Daniel Fierros email: dfierros@planning.lacounty.gov <mailto:dfierros@planning.lacounty.gov>

RE: Project No. 00-196 / Tract Map No. 53108 / Landmark Village, Draft EIR

Dear Mr. Fierros,

I am writing on behalf of an area that I hope you will be willing to look at with fresh eyes, as your department receives comments regarding the Landmark Village Draft EIR.

There are obvious challenges -- air quality, water, traffic, and energy, which must be overcome, but the most overriding challenge of all is whether we can save the last free-flowing river in Southern California from being destroyed in one of the last truly wild areas of Los Angeles County.

This is a tremendous opportunity for all of us to save the upper Santa Clara River, it's floodplain, tributaries, and upland habitat -- which links to other wild areas in the state.

I am not against housing development, I understand the need to provide housing for our growing population -- however -- not at the detriment of this wonderful state resource.

Please reconsider the EIR and make recommendations that it be revised to include the proper studies to determine what areas are most critical to birds and wildlife. My greatest concern is that this project is being rushed through without acceptable scientific research, which has been strongly recommended by many non-profit organizations.

Sincerely,
Susan Suntree
1223 11th Street
Santa Monica
CA 90401

Taylor, Gloria

From: Tae, Susan
Sent: Thursday, January 25, 2007 1:36 PM
To: Taylor, Gloria
Subject: FW: Newhall Ranch, Landmark Village Project No. 00-196-(5)/Attention Ms. Susan Tae

please print for our package!

Thanks,
Susie Tae, AICP
Land Divisions Section
(213) 974-6433

Please note new e-mail address: stae@planning.lacounty.gov

From: margoteiser [mailto:margoteiser@ojai.net]
Sent: Thursday, January 25, 2007 1:35 PM
To: Tae, Susan
Subject: Newhall Ranch, Landmark Village Project No. 00-196-(5)/Attention Ms. Susan Tae

Re: Newhall Ranch, Landmark Village Project No. 00-196-(5

Dear Ms.Tae,

Please do not approve the project before the EIS on the Santa Clara River has been released/completed because this may change the project configuration.

It is important to recognize that the Santa Clara River and its biology is a treasure with value far beyond the monetary profits imagined by those who would destroy it. People all over the country and the world are now recognizing and preserving remaining natural, open land for us in the present and as a legacy for future generations. To accommodate the many others who oppose building in Significant Ecological Area 23, please extend the comment period to at least 120 days,

It is clear that such a massive, project is sure to create major traffic and air pollution problems. In this day and age, with so many alternatives increasingly available, it is necessary that such huge additions to global warming and pollution be addressed and mitigation proposed before the project could even be considered for approval. Another obvious way the planners demonstrate a disregard for protecting the environment is by proposing to needlessly destroy at least sixty-seven oak threes which produce oxygen and provide habitat and do not pollute.

The general public deserves good service by it's governmental agencies. Please let the so called developers know that urban sprawl is no longer acceptable and make all efforts to postpone decisions on this project until all evidence has been submitted and evaluated. If you have not already done so, I urge you to visit the area yourself to see why so many are urging protection of this significant place. Please contact Lynne Plambeck (lynneplambeck@access4less.net) who has been leading informative walks by the river and its surroundings.

Very sincerely yours,
Margot Eiser
Co-Founder
Save Montebello HIlls Sierra Club Task Force
Montebello, California
323 728 7066

Ms.Susan Tae
Los Angeles County Regional Planning Dept
320 W. Temple St
Los Angeles, CAL 90013
SUBJECT: Newhall Ranch, Landmark Village Project No. 00-196-(5)

We urge you to oppose this Newhall Ranch, Landmark Village Project No 00-196-(5). This project is a bad idea. Not only will it destroy pristine wildlife and farming areas and the Santa Clara River, but also it will create terrible traffic jams and more air pollution problems.

Please do the following:

1. Extend the comment period to 120 days.
2. An EIS study on the Santa Clara River needs to be completed and then released before any project can be done. This study must be presented to the public so we can comment on your direction.
3. Oppose any building in significant ecological areas as well as opposing destroying 67 oaks.
4. Global warming must be addressed and mitigated before any project can be approved. The impacts on global warming are important.

We urge you to say No to the Landmark Village Project No 00-196-(5).

Thank you,

Sincerely,

[illegible]
[illegible]
6411 Stroup Ave
West Hills, CA 91307

Ms.Susan Tae
Los Angeles County Regional Planning Dept
320 W. Temple St
Los Angeles, CAL 90013
SUBJECT: Newhall Ranch, Landmark Village Project No. 00-196-(5)

We urge you to oppose this Newhall Ranch, Landmark Village Project No 00-196-(5). This project is a bad idea. Not only will it destroy pristine wildlife and farming areas and the Santa Clara River, but also it will create terrible traffic jams and more air pollution problems.

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4. Global warming must be addressed and mitigated before any project can be approved. The impacts on global warming are important.

We urge you to say No to the Landmark Village Project No 00-196-(5).

Thank you,

[illegible]
1167 FRANCIS PL.
LOS ANGELES, CA. 90026

Ms.Susan Tae
Los Angeles County Regional Planning Dept
320 W. Temple St
Los Angeles, CAL 90013
SUBJECT: Newhall Ranch, Landmark Village Project No. 00-196-(5)

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3. Oppose any building in significant ecological areas as well as opposing destroying 67 oaks.
4. Global warming must be addressed and mitigated before any project can be approved. The impacts on global warming are important.

We urge you to say No to the Landmark Village Project No 00-196-(5).

Thank you,

Linda Tae
Seth Tae
5067 Fulana Dr
Woodland Hills, CA
91364

REGIONAL PLANNING COMMISSION
FEBRUARY 28, 2007
AGENDA ITEM NO. 6
TR 53108
LANDMARK VILLAGE

ADDITIONAL CORRESPONDENCE RECEIVED AFTER HEARING PACKAGE

Tae, Susan

From: Thomas Barron [barron@imageg.com]
Sent: Tuesday, February 27, 2007 10:57 PM
To: Tae, Susan
Subject: LANDMARK VILLAGE - Metrolink Comments

Thomas Barron
28006 San Martinez Grande Canyon Road
Castaic, Ca 91384

The Newhall Ranch Master Plan incorporates a RIGHT OF WAY for a Metrolink Track and Station, but is not predicated on their timely construction. Thus LANDMARK VILLAGE will be another typical "landlocked" subdivision unless you REQUIRE THE IMPLEMENTATION OF THE TRAIN LINE NOW.

You may know that there was historically RAIL TRANSPORTATION to the site for decades until the mid seventies. This rail line was the key link between Los Angeles and Ventura until a bypass tunnel was dug taking traffic through the San Fernando Valley. When the tracks were turned over by Southern Pacific, Newhall Land had a vendor running trains in conjunction with the Indian Dunes filming location. The cities of Fillmore and Piru in Ventura County have improved their tracks creating a themed Heritage Valley with community amenities built around the Fillmore & Western Railway Co.

In Santa Clarita, ironically, the Valencia Auto Mall, including one of the largest HUMMER DEALERSHIPS, is atop what was the rail corridor. The old railway bridge is slated to become part of the bike path, but again, this is disconnected from the properties West of I5.

Why shouldn't the train go in now?

The momentum to build west of I5 has been assured by your previous approvals; Newhall / Lennar is a "premiere" vendor and the Counties own statistics show explosive growth in this area. Unless the tracks are RESTORED NOW you are inviting further delays in the future; as the urban build-out takes hold of the precious real estate required the costs to the community will climb to astronomical levels.

Regards,
--TMB

california water network

:arolee K. Krieger
›resident

)orothy Green
:ecretary

Ioan Hartmann
treasurer

Lloyd G. Carter
director

Malinda Chouinard
director

Yvon Chouinard
director

Jim Edmondson
director

Michael Jackson
director

Huey Johnson
director

Linda Mitrovich
director

Tom Stokely
director

February 11, 2007

Daniel Fierros
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90012
Fax: (213) 217-5108

Re: Landmark Village DEIR and all entitlements
Please copy to all commissioners

Dear Commissioners:

The California water Impact Network (C-WIN) wishes to thank the commissioners for extending the comment period on this very important project until February 20, 2007.

In addition to our earlier comment letter submitted on January 31, 2007, we would add that we have found a significant problem with several of the purported transfers that Landmark Village and the Newhall Land and Farming Company's Newhall Ranch Specific Plan Program EIR rely on. As we understand it, over 21,000 housing units and all of the other development that goes with them, including but not limited to, schools, parks, recreation facilities, commercial/industrial facilities, etc. is being planned by the Newhall Land and Farming Co. and Landmark Village is the first phase of this master plan. It is therefore very important to consider the cumulative impacts of the entire project; especially where water supply is concerned.

You must evaluate the Landmark Village development and the Newhall Land and Farming Company Specific Plan in light of the recent California Supreme Court's decision, Vineyard Area Citizens for Responsible Growth, Inc. et al. v. City of Rancho Cordova, Case No. S132972, in which the Court found that EIR's long term water planning to be inadequate. The Vineyard decision makes clear that water purveyors and land use planners must objectively and in good faith disclose the uncertainty associated with potential sources of water, and identify and evaluate alternative sources in light of such uncertainly. The Vineyard decision also makes clear that the outcome of future environmental reviews that could affect the identified water supplies may not be assumed. The DEIR's cumulative impacts analysis significantly understates the potential impacts, failing to adequately analyze the present project's role as one part of one of the largest sprawl development projects in California's history. The cumulative impacts analysis for water supply does not seem to ensure that all Newhall related development is being considered.

The DEIR seems to rely on overly optimistic assumptions about the long-term reliability of the water that can be delivered from the alluvial aquifer to show that State Water Project water is not required for this project (4.10-3). This is not an adjudicated aquifer and therefore for the Newhall Ranch Co to "assume" that it "owns" the rights to this water is not valid. There is no assurance that a given level of water will be available for permanent development.

Local environmental groups have argued for many years that all the local groundwater basins are at risk of serious shortfall, and the Santa Clara River is already experiencing significant problems as a result of existing development. The 2005 Urban Water Management Plan relied on extensively in the DEIR and the WSA, is presently being challenged in court partly because it overstates the availability and safety of local groundwater as well as water from the SWP. If these local environmentalists are correct, other supplies will be needed to support any new permanent development.

The DEIR summarily relies on speculation from the Valencia Water Co. that it will do a significant job in the future of containing and treating the perchlorate contamination in the alluvial aquifer and elsewhere (see 4.10-5 & 6). Apparently the authors of this DEIR have forgotten that CLWA's 2000 UWMP was invalidated due to its failure to address perhlorate problems. These problems have still not been addressed. Much more is needed on the perchlorate issue than to just summarily accept the water agencies assurances.

The DEIR discusses a 20,000 AF transfer from the Buena Vista/Rosedale Rio Bravo storage facility. The Landmark Village DEIR appears to mislead the reader into believing that this 20,000 AF transfer will be there in future years. C-WIN is currently litigating against the 11,000 AF transfer from Buena Vista/Rosedale Rio Bravo (BV/RRB). The BV/RRB Castaic Lake Water Agency (CLWA) EIR claims that this 11,000 AF transfer MIGHT occasionally be up to 20,000 AF when the water is available. But this assumes that there is actually a legitimate source for this water. We believe that the water source for this transfer is the Kern River; and the Kern River is already completely appropriated. In any event, this transfer is subject to litigation and can not be counted on until the litigation is resolved.

Another significant problem with the transfers is that they may be coming from so called "surplus" water. It appears that permanent housing might be constructed based on water that is classified as "surplus" and therefore not reliable. "Surplus" water is only available after all Table A requirements have been fulfilled; "surplus" water is generally available only in wet years. This is what used to be known as Article 21 "surplus" water in the DWR supply contracts; the Monterey amendments refer to this as Article 56C "surplus" water (see "2006 SWPC's 100% Final Deliveries Preliminary" attachment #1.) We believe there is a "shell game" going on here.

If existing long term demand, as indicated in the DEIR 4.10-7, is 70,755 AFY plus Agricultural demand of 12,786 AFY, any additional new demand will clearly depend on the reliability of the SWP Table A amounts when cumulative impacts are considered. The "banked" water in the BV/RRB account (20,000 AF) and the Semitropic account (17,000 AF) are ONE TIME occurrences and not a regular yearly transfer. That could eliminate 37,000 AF from the bottom line when considering the long term demand.

The DEIR does not disclose that the contracts for the water transfers themselves are expressly reliant on, and derivative of, the Monterey Amendments, which are themselves contingent and non-final. The Castaic/Wheeler Ridge contract expressly references the outcome of PCL v. DWR as a condition that affects the transfers water availability. The set-aside Monterey amendments of 1995 lack the programmatic review required by the court that must be prepared by DWR as the lead agency. The existing set-aside Monterey Amendments are only in effect on an interim basis and are waiting for DWR to complete the new programmatic review in what is known as the Monterey Plus EIR.

Also, as mentioned in our first comment letter, the highly contested 41,000 AF transfer from the Kern County Water Agency should not be counted on either until there is finality in the courts. The discussion in the DEIR at 4.10-54 -55 regarding why the 41,000 AF transfer is final is misleading claiming that "the contract was never legally challenged and therefore, is considered permanent and in full force." (footnote #26 4.10-54) The DEIR goes on to say, "Since 2000, DWR has allocated and annually delivered the water (41,000 AF) in accordance with the completed transfer." (4.10-54) Let us be very clear; this 41,000 AF transfer has been challenged since the PCL v CCWA case was won by PCL in the 3rd District Court of Appeal in 2000. The current challenge to this 41,000 AF transfer by PCL and C-WIN is scheduled to be heard soon in the Superior Court in LA. To continue to assert that the 41,000 AF transfer is a done deal could have dire consequences if unknowing planners and public moved ahead on that assertion. The error that undermined the 1999 contract for the 41,000 AF transfer was not a "tiering" technicality, but a prejudicial error rooted in the PCL v. DWR decision, which must still be honored. The DEIR ignores the fact that DWR's own counsel states in its opposition brief in pending litigation on CLWA's 41,000 AF EIR (p. 20) that this transfer remains "subject to possible changes or curtailments." More on this shortly.

The DEIR claims that the SB 610 WSA for Landmark Village shows that there will be sufficient water for the entire Santa Clarita Valley through 2030, even in the driest years, therefore there is no problem with cumulative impacts or long term supplies. Again, the same problems arise with the WSA as with the DEIR. We question:

- the reliability of the SWP water when it is based on the questionable CalSim II Model and global warming has not been considered
- using the 41,000 AF transfer as a done deal in spite of current litigation
- counting on groundwater from an unadjudicated basin as if it were always going to be there
- depending on the 2005 CLWA UWMP which fails to address the likelihood that the planned development of the 21,000-home Newhall Ranch will not be able to utilize water currently applied to agricultural uses on the site for this development's proposed domestic uses, due to the excessive levels of total dissolved solids (TDS) in this water. If Newhall Ranch cannot utilize its existing agricultural water for its projected domestic uses, then its demand for potable water will compete with other projected demands, potentially exceeding available supplies. (Attachment #2)

The DEIR alludes to alternative water sources which might be available in a "Planned Water Supply Program" but then does not outline what that program might be. This is not useful information about providing adequate water supplies.

This proposed development is based on water supply assessment documents that are flawed and currently being challenged in court. These documents include, but are not limited to, CLWA's 2005 Urban Water Management Plan (UWMP) and DWR's Draft SWP Water Delivery Reliability Report 2005. This EIR is relying on a 41,000 acre foot transfer of permanent Table A Allocation from the Kern County Water Agency that is not finalized and is currently in litigation.

We believe that these documents and the purported water transfer are further compromised by recent court rulings that include;

- the **October 2005 ruling by the 3rd District Court of Appeal overturning the CALFED Record of Decision.** This decision required analysis of sending significantly less water south of the San Francisco/San Joaquin Delta which, if implemented, would curtail deliveries from the SWP.
- the **2nd District Court of Appeal ruling in California Oak Foundation v. City of Santa Clarita (2005) 133 Cal. App. 4th 1219, 1236,** that overturned the Gates-King EIR because it was based on the illegal 41,000 AF water transfer from Kern County. This DEIR is repeating the CEQA error identified in Cal Oak, "turning CEQA on its head" by suggesting that the "pre-ordained outcome of the process is continued use of the 41,000 AF of water."
- the **February 9th, 2006 3rd District Court of Appeal ruling in which Golden Gate Audubon** prevailed and the court ordered that existing salinity standards in the Bay Delta be upheld; and the **subsequent Order by the State Water Resources Control Board (SWRCB) requiring DWR and the CVP to shut down their pumps** if the salinity standards are not met which means that more water must be left in the San Joaquin River and the Bay Delta and therefore there is less water to pump to southern California.

Because of the recent realization that several species of fish in the Bay Delta including the delta smelt, split tail, winter run salmon and several others, are on the verge of extinction and that a very likely cause of that problem is over pumping in the Delta, it is very important for developers in southern California to start making the connection that there is very likely to be less water in the SWP and the CVP available to them. Global warming also exacerbates this problem.

The recent attempts by the SWP and the CVP to pump up to 27% more water out of the Bay Delta as part of what is known as the South Delta Improvement Project (SDIP) is soundly critiqued by the California Sportfishing Protection Alliance (CSPA) in their comments submitted to DWR February 7, 2006 (see attachment #3.)

We have recently learned that the National Marine Fisheries Service has suspended formal consultation for the SDIP until more studies have been completed (Attachment #4). This is significant because the SWP Contractors were using the SDIP as a way to get up to 27% more water out of the dying San Joaqin Delta; this letter from the National Marine fisheries Service stops that.

ISSUES:

1. Water Reliability

CLWA is relying on the **2005 SWP Delivery Reliability Report** which is still full of "paper water" and relies on the illegal 41,000 AF water transfer from the Kern County Water Agency. "Paper water" is water that exists as "a hope and a prayer" (to quote the Third District Court of Appeal in the PCL Monterey case) because the original SWP contracts had allocations of up to 4.23 million acre feet yet the reality is that the average actual annual delivery between 1990 and 2000 was a mere 1.86 million acre feet. The 2005 Reliability Report makes it appear that 77% of the SWP Table A Allocation is available for development purposes. Given actual historical average deliveries when the SWP contractors were requesting as much as they could get, DWR could not even deliver 50 percent. **The SWP has promised to deliver 4.23 MAF a year. In reality, between 1990 and 2000, the SWP actually delivered only 1.86 MAF a year.** This is hardly 77%; it is actually under 50%. It is critical for land-use planners to have a document that is honest about what actual, wet water is available.

I have attached the December 19, 2005 comments on the deficiencies of the 2005 SWP Reliability Report submitted by Physicist and Systems Analyst Arve Sjovold (attachment #5). I have also attached the December 22, 2005 comments on the deficiencies of the 2005 SWP Reliability Report by PCL Water Program Manager Mindy McIntyre (attachment #6).

CALSIM II is the computer model upon which DWR bases its water reliability report. The peer review document of the DWR Water Reliability Reports, the December 4, 2003 "A Strategic Review of CALSIM II and its Use for Water Planning, Management, and Operations in Central California" is highly critical of the CALSIM II model and therefore this model should not be relied upon as factual. The peer review document needs to be considered when the actual numbers are calculated for planning and development purposes when SWP water is being considered as a water source. The **biggest problem with the CALSIM II model as I understand it, is that it takes groundwater as an unlimited resource.** This leads to a false impression of what water is actually available. I have attached a critique of CALSIM II for the record, "A Strategic Review of CalSim II and its Use for Water Planning, Management, and Operations in Central California" dated December 4, 2003 submitted to the California Bay Delta Science Program Association of Bay Governments (attachment #7.) Please also see "Additional Comments on CalSim II Pertinent to the Temporary Restraining Order" by Arve Sjovold regarding the Injunction granted by the Court in the InterTie case (attachment #8.) In addition, we submit "Musings on a Model: CalSim II in California's Water Community", 3/05 (attachment #9.)

More recently, "An Environmental Review of CalSim II" by Jeffrey T. Payne and David R. Purkey, November 2005, concludes "...we are left with the profound impression that it (CalSim II) is not a tool that can - under its current formulation – fully address the legally required water management objectives. CalSim II holds that the environment is a constraint on system operations, not one of the objectives for which the system should be managed." (attachment #10.) Also attached is a critique of CalSim II by Jan de Leeuw, Distinguished Professor and Chair CLA Department of Statistics, dated October 23, 2005 (attachment #11.) I have also attached three comment letters concerning the CalSim II modeling by Arve Sjovold; "Response to Director Johns' Letter of September 22, 2005 on CalSim II" (attachment #12), "Some Insights on Water Deliveries to Settlement Contractors", October 24, 2004 (attachment #13); "On the Adequacy of CalSim II for Environmental Impact Analysis and SWP Reliability Analysis", August 12, 2004 (attachment #14.) All of these documents clearly lay out the problems for anyone who wants to rely on CalSim II as the predictor of reliability for the SWP.

Global Warming must be taken into consideration when calculating water reliability in California. Global warming has not been factored in to the reliability of the water supply being considered. The consensus of scientists who are studying global warming concludes that it will snow less, rain more and the snow will melt sooner giving us a rush of water in the Spring rather than the snow pack acting as a reservoir as it has in the past. C-WIN incorporates "Emissions Pathways, Climate change, and Impacts on California" (Attachment #15.) **DWR** recently came out with a report titled **"Progress on Incorporating Climate Change Into Management of California's Water Resources"**, July 2006. This DWR report attempts to incorporate climate change into CALSIM. Arve Sjovold did a review of that report and concluded, "that it too was seriously flawed for the purposes intended. It does a decent job on reviewing the extant literature on climate change but its quantitative analyses have very little to do with the issues that attend climate change. For example, when they attempt to calculate the effect on stream runoff in the northern Sierra, they take gross estimates from the climate change models, use a more detailed runoff model (which may or may not be a good model) to develop a scale factor to ramp up peak runoff forecasts, but use this scale factor as a multiplier on a base year that is one of the driest in history. In effect, they show that the increase in runoff is not very large and they use their estimates of this increase to drive their quantitative studies of Delta behavior. I found practically nothing of value in their quantitative studies that really goes to the heart of the climate change problem." (Attachment 15 (a)).

Now, with the recent **3rd District Court of Appeal decision, the RCRC decision (JCCP No. 4152)** setting aside the CALFED EIR and overturning the CALFED ROD because of the failure of the CALFED EIR to analyze sending less water south of the San Francisco Delta, it is imperative for CLWA to be cautious in reporting the SWP reliability.

The **Castaic Lake Water Agency 2005 Urban Water Management Plan** is flawed and is currently being challenged in the courts. Like everything else, the CLWA UWMP is relying on the illegal and un-finalized 41,000 AF water transfer from the Kern county water Agency. Please see C-WIN's comments dated October 25, 2005 regarding the Draft CLWA UWMP (Attachment #16) and comments submitted by the Planning and Conservation League dated October 21, 2005 (attachment #17.)

Relevant here are comments submitted by C-WIN (attachment #18) and PCL (attachment #19) in opposition to the **Newhall County Water District's SB 610 Water Supply Assessment.** This WSA is flawed in part because it is relying on the illegal and un-finalized 41,000 AF water transfer from the Kern county Water Agency.

"Paper water" is also in the Central Valley Project (CVP) system. Please note the comments by Senior Judge Lawrence K. Karlton in his Federal District Court decision dated July 28, 2005 concerning the lack of water in many miles of the San Joaquin River because of the operation of the Friant Dam (attachment #20.) This is very damaging for expectations that there will be enough water to augment the current amount being sent to Southern California

Feb 15 07 10:17p David & Carolee Krieger

2. 41,000 AF Water Transfer from Kern County Water Agency to CLWA is NOT final; several court cases exist regarding this transfer

CLWA is relying on the transfer of 41,000 AF of agricultural water allocation from the Kern County Water Agency that is currently under litigation. The DEIR does not disclose that any non-Monterey transfer would be subject to the Article 18(a) agricultural cut-backs during shortages making this nnon-firm water of little value for residential and commercial development. Without the DWR Monterey Plus EIR being final, and with the current litigation, CLWA should not be citing 95,200 AF as its "firm" SWP allocation.

The 41,000 AF transfer was specifically singled out as NOT final and still under the cloud of litigation; which is exactly where it still is.

CLWA should be using 54,200 AF not 95,200 AF as its Table A Allocation for SWP water.

3. SWP Contract Articles 18 (a) & (b) issues

CLWA is a municipal water agency and a great deal of its imported water is coming from the State Water Project. Much of this imported water is being relied upon for building housing units in the Newhall Land and Farming area. The 41,000 AF of proposed transfer water from the Kern County Water Agency is agricultural, and DWR has not finalized the Monterey Plus EIR, therefore it is imperative that this draft UWMP wait until the Monterey Plus EIR becomes final before counting on the 41,000 AF water transfer. Article 18(a) of the SWP water contracts requires that agriculture take the first cut backs in SWP deliveries during drought years. This is a very important safe-guard for municipal water supplies. Article 18(b) states that DWR will only promise what it can actually deliver on a long range basis, thus eliminating "paper water", water that really doesn't exist. One of the most contentious parts of the PCL Monterey litigation was the fact that implementation of Article 18(b) was never analyzed as an alternative.

4. Other Issues affecting proposed water transfers

The following are some, but perhaps not all, of the other issues affecting proposed water transfers:

a. Impacts from transferring area.

b. Water quality issues about putting pumped water back into the SWP aqueduct.

c. SWP aqueduct carrying capacity.

d. How does this affect the negotiations on the Monterey Plus EIR?

All of these questions must be dealt with before CLWA can rely on such big numbers for water availability in the 2005 draft UWMP.

Feb 15 07 10:17p David & Carolee Krieger (805) 255-0004 p.6

14. "On the Adequacy of CalSim II for Environmental Impact Analysis and SWP Reliability Analysis" by Arve Sjovold, 8/12/04 (7 pgs)

15. "Emissions Pathways, Climate Change, and Impacts on California", August 24, 2004 (6 pgs)

15(a). "Comments on DWR's Technical Memorandum", "Progress on Incorporating Climate Change into Management of California's Water Resources", July 2006 by Arve Sjovold 9/2/06 (5 pgs)

16. C-WIN Comment Letter RE: Draft 2005 CLWA UWMP dated October 25, 2005 (3 pgs)

17. PCL Comment Letter RE: CLWA Draft 2005 UWMP dated October 21, 2005

For the above reasons, C-WIN respectfully requests that this commission not approve the DEIR for the Landmark Village Project until such time that a safe, reliable and adequate water supply be identified. C-WIN requests that this Commission rely only on 54,200 AF of SWP as their Table A amount and that because of serious critique of the SWP Water Delivery Reliability Report, that this 54,200 AF be relied on only at half its face value. The existing "paper water" must be removed from the system to protect the people who already live in the CLWA service area.

C-WIN incorporates all other comments opposed to this DEIR.

Sincerely,

Carolee Krieger

Carolee K. Krieger, President

808 Romero Canyon Road

Santa Barbara, CA 93108

PH: (805) 969-0824

Attachments:

1. 2006 SWPC's 100% Final Deliveries, Preliminary

2. Letters from Sierra Club (10/21/05) and Santa clarita Organization for Planning and the Environment (10/24/05) re: 2005 CLWA UWMP

3. "CSPA Comments on the South Delta Improvement Program, Draft EIS/EIR" by Bill Jennings, chairman and Executive Director, CSPA, 2/7/06 (50 pgs.)

4. Letter from NOAA National Marine Fisheries Service 1/11/07 re: SDIP

5. "Comments on the Draft SWP Reliability Report 2005" by Arve Sjovold, 12/19/05 (4 pgs.)

6. "Comments on Public Review Draft of the SWP Delivery Reliability Report 2005" by Mindy McIntyre, PCL Water Program Manager, 12/22/05 (20 pgs)

7. "A Strategic Review of CALSIM II and its Use for Water Planning, Management, and Operation in Central California" by A. Close, W.M. Haneman, J.W. Labadie, D.P. Loucks (Chair), J. R. Lund, D.C. McKinney, and J.R. Stedinger, December 4, 2003 (129 pgs)

8. "Additional Comments on CALSIM II by Arve Sjovold, Feb. 7, 2006 (1 pg)

9. San Francisco Estuary & Watershed Science, March 2005 "Musings on a Model: CALSIM II in California's Water Community." (13 pgs)

10. "An Environmental Review of CalSim II" by Jeffrey T. Payne and David R. Purkey, 11/05 (65 pgs)

11. "Response to Gerald Johns' Memo" by Jan de Leeuw, 10/23/05 (3 pgs)

12. "Response to Gerald Johns' Letter on CalSim II", by Arve Sjovold, 10/2/05 (3 pgs)

13. "Some Insights on Water Deliveries to Settlement Contractors" by Arve Sjovold, 10/24/04 (1 pg)

State of California - The Resources Agency

ARNOLD SCHWARZENEGGER, *Governor*

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201

February 20, 2007

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Mr. Daniel Fierros
Los Angeles Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

Draft Environmental Impact Report for
LANDMARK VILLAGE, County Project Number 00-196
State Clearinghouse Number 2004021002, Los Angeles County

Dear Mr. Fierros:

The Department of Fish and Game (Department) has not yet completed its review of the Draft Environmental Impact Report (DEIR) for the Landmark Village project relative to impacts on biological resources. You may recall the Department previously requested an extension from the County to submit comments by March 2, 2007. Despite our best efforts, however, Department review of the DEIR is not yet complete and we are not in a position to forward comments today.

Consistent with our prior request, the Department will submit written comments to the County regarding the DEIR by no later than the close of business on March 2, 2007. We are sympathetic the delay may be an inconvenience to the County. Yet, we hope more comprehensive review of the DEIR will ultimately benefit the County, the public-at-large, and the fish and wildlife resources the Department holds in trust for the people of California.

Thank you again for the opportunity to provide comments regarding Landmark Village. Questions regarding this letter and further coordination on these issues should be directed to Ms. Betty Courtney in our Regional Office at (661) 263-8306.

Sincerely,

Larry L. Eng, Ph.D.
Regional Manager

cc: Mr. Larry Eng, San Diego
Mr. Michael Mulligan, San Diego
Ms. Terri Dickerson, Laguna Niguel
Ms. Betty Courtney, Newhall

bcc: Ms. Mary Meyer, Ojai

Mr. Scott Harris, Pasadena
Mr. Maurice Cardenas, Ojai

RM-Chron; HCP-Chron
Department of Fish and Game

Mr. Scott Morgan, Sacramento
State Clearinghouse

SPH:sph

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UNITED WATER CONSERVATION DISTRICT

"Conserving Water Since 1927"

February 20, 2007

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Mr. Daniel Fierros
Department of Regional Planning
County of Los Angeles
320 West Temple Street
Los Angeles, CA 90012

Reference: Draft Environmental Impact Report – Landmark Village (SCH No. 2004021002)

Dear Mr. Fierros,

United Water Conservation District has reviewed the Draft Environmental Impact Report (DEIR) for the Landmark Village Development. Reviewing the voluminous DEIR with all the attached technical appendixes pertaining to hydrology, water supply/water use, and waste water is truly challenging but, the volume reflects the considerable amount of information amassed since submittal of the original EIR for the Newhall Ranch Specific Plan in the 1990s. Ventura County water users as well as Los Angeles County water users are clearly much better served by the DEIR for the Landmark Village Project than the original EIR for the Newhall Ranch Specific Plan. United Water has only a few comments and a couple of recommendations.

United notes a number of inconsistencies or errors related to chloride discharges associated with the Landmark Village development. Chloride TMDL development is currently in progress for Reach 5 and 6 of the Santa Clara River and not in "downstream reaches" as suggested in the document. Annual surface water chloride load from the proposed development is repeatedly listed in section 4.3 as 6 pounds of total load, while Geosyntec's actual estimate is six *tons* of chloride. Section 4.3 also significantly underreports discharges from the Valencia water reclamation plant, and is not consistent with the plant discharges reported in Section 4.11. The chloride influence of small local tributaries such as Potrero Canyon and San Martinez Canyon appear to be overstated, while the influence of upstream wastewater discharges is not specifically addressed. United Water wonders why the wet weather chloride value of 61 mg/l at USGS station 11108500 (shown in Table 4.3-7) is doubled to a value of 122 mg/l when discussed in the text. Chloride pollution in the Santa Clara River is a concern of water users in Ventura County, and the errors and lack of clarity of the chloride discussions in section 4.3 do not allow for an accurate evaluation of potential impacts.

United seeks assurances that there is a long-term commitment to the repair and maintenance of the numerous storm water treatment and retention mechanisms detailed in the draft EIR. We

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applaud the use of these innovative technologies but recognize the long-term need to maintain these facilities to keep them functioning efficiently and as designed. The routine and storm-event maintenance and repairs of BMPs mentioned in construction-related impacts must also be included for the storm water BMPs serving the developed community.

The Landmark Village Development DEIR states that 702 afy of potable water and 336 afy of non-potable recycled water will be needed for the development. The 702 afy year of additional water demand on the local water supply represents only 1% and 2.3% of the Castaic Lake Water Agency's and Valencia Water Company's respective 2005 municipal demand. Even if the entire 702 afy of additional water demand were pumped from groundwater it is highly unlikely that this would create overdraft in the Eastern Basin. Recent groundwater pumping within the basin has been approximately 45,000 afy, and neither the Alluvial nor Saugus aquifers show any indication of overdraft. In addition, if the municipal and industrial pumping for the Landmark Village Project simply offsets agricultural pumping by Newhall Ranch Farming along this reach of the river, there is no apparent reason why surface water flow at the Ventura County line would be impacted.

Although United Water does not believe the Landmark Village Project by it self would result in the overdraft of the Eastern Basin or impact flows at the Ventura County line, it is important to remember that this is only the first phase of a much larger build-out of the Newhall Ranch Community. The Newhall Ranch Specific Plan identified four primary sources of supply for the overall Newhall Ranch Community: (1) Newhall Ranch agricultural pumped groundwater; (2) recycled water; (3) imported George Nickel Enterprise water from Kern County; and (4) banked SWP water in the Semitropic Water Storage District. Although a number sources for meeting water supply for the overall Newhall Ranch Community have been identified, from a broader perspective the cumulative impact of the full built-out of Newhall Ranch and the overall increased pumping demands elsewhere within the Eastern Basin may present challenges to water managers in both Los Angeles and Ventura County not fully anticipated at this time. Therefore enhanced monitoring of the groundwater and surface water conditions is essential.

Since 2001, United Water has been working with the Santa Clara Valley Upper Basin Water Purveyors to take a cooperative approach to solving regional groundwater management issues. United Water strongly endorses the considerable effort made by the Water Purveyors with respect to increasing their surface water supply and conducting technical analyses to assure their ability to increase groundwater production without negative impacts. The development of the Regional Groundwater Model for the Santa Clarita Valley was the most important technical improvement for addressing the potential impacts associated with various scenarios of increased pumping and aquifer storage recovery projects. United Water is especially comfortable with the CH2M Hill modeler, who created the regional model. John Porcello and his team of modelers at CH2M Hill have also worked with the updated calibration of the Ventura County Groundwater Model. United Water uses groundwater modeling extensively to evaluate the effectiveness of

UNITED WATER CONSERVATION DISTRICT

various conjunctive use projects and groundwater management strategies. Although staff uses modeling extensively, it also depends on groundwater monitoring as a means to measure both the effectiveness of a project or management strategy and the validity of the model projections. While United Water endorses the Regional Groundwater Model for the Santa Clarita Valley, it highly recommends detailed monitoring of groundwater and surface water for evaluating the validity of the model and more importantly to gauge the health of the Eastern Basin and surface water flow and water quality at the Ventura County line.

United Water recommends that since the Landmark Village Project is the first phase of a total build-out of the overall Newhall Ranch Community that the Santa Clara River Valley Upper Basin Water Purveyors and United Water work together to assure that there is adequate monitoring of groundwater levels, groundwater quality, surface water flow, and surface water quality adjacent to and downstream of the Landmark Village Project and the future build-out of the Newhall Ranch Community.

If you have any questions please contact either Ken Turner or Dr. Steve Bachman at (805) 525-4431, or alternatively at kent@unitedwater.org or Steveb@unitedwater.org respectively.

Sincerely,

Dana L. Wisehart

Dana L. Wisehart
General Manager

CC: BDRF
Jeff Pratt

Friends of the Santa Clara River

660 Randy Drive, Newbury Park, California 91320-3036 • (805) 498-4323

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Ventura County Environmental Coalition

Wishtoyo Foundation

February 25, 2007

Mr. Daniel Fierros
Los Angeles County Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple St.
Los Angeles, CA 90012

Re: Comments on Draft Environmental Impact Report - Newhall Ranch, Landmark Village (County Project No. 00-196)

Dear Mr. Fierros,

Enclosed is the 2001 Fox Canyon Groundwater Agency comment letter on total water availability for Newhall Ranch.

Sincerely,

Ron Bottorff

Ron Bottorff, Chair

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

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Lowell Preston, Ph.D.

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REGIONAL PLANNING
L.A. COUNTY

December 24, 2001

Los Angeles County Board of Supervisors
C/O Ms. Joanne Sturges, Executive Officer
Room 383
500 W. Temple Street
Los Angeles, CA 90012

Subject: **Final Additional Analysis and Staff Report (Water Resources) for the Newhall Ranch Specific Plan FEIR DATED October 2001**

Dear Members, Board of Supervisors:

The subject report addresses the utilization of agricultural water, state project water and reclaimed water to support a demand of 17,680 acre feet for the subject project. Additional sources of ASR banking, water from Kern Water Bank and flood flows have also been identified as potential supplies. The Fox Canyon Groundwater Management Agency (FCGMA) has reviewed the Staff Report and the Final Additional Analysis for the Newhall Ranch Specific Plan and provides the following comments:

Irrigation Water. The applicant proposes to transfer the irrigation water previously used by Newhall Ranch to be used as a supply for the Newhall Ranch Development. We concur that the agricultural irrigation water used on parcels that will be taken out of service and become part of the Newhall Ranch Project represent an existing use and can therefore be shown as a source of water for the project. This only applies to the parcels that are within the boundary of this project. We agree that this is a valid supply and we agree that the existing use can be reasonably determined by applying the California Irrigation Management Information System (CIMIS) formula. However, we believe that additional accuracy is required. The FCGMA uses CIMIS as one means of managing the groundwater within its boundary. Due to this employment of CIMIS, the FCGMA has an indepth awareness of the detailed requirements necessary to determine the quantity of irrigation water used by various crop types. The following comments apply to the use of CIMIS: 1

1. The rainfall was not accounted for in the calculation of water use. Evapotranspiration (Et) values represent the water needed by a crop type. When there is rainfall the amount of rainfall that deep percolates supplies part of the total water required for that period. This part of the needed supply would not have been drawn from groundwater. The applicant made no provision to include rainfall. This inflates the water use. 2
2. The calculated irrigation water use included an additional arbitrary factor of 60% or 70% for soil type and irrigation method that is not part of the CIMIS formula. This factor inflates the water use. 3
3. Et is applicable to irrigated acreage. The calculated value did not explain how the acreage was determined. Experience from the FCGMA has shown that the acreage is typically overstated by 10 to 20% by simply using the parcel size and not deducting areas not irrigated. 4

800 South Victoria Avenue, Ventura, CA 93009-1600
(805) 654-2327 or 645-1372 FAX (805) 654-3350
Web sites: *www.foxcanyongma.org* or *www.ventura.org/vcpwa/fcgma*

4. There was no description of the irrigated agricultural properties. It is assumed that the irrigation water to be transferred to supply the demand for the project is currently being used on properties that are within the project boundary. Due to difficulties of monitoring and control, we do not concur with the use of irrigation water from any area not within the project boundary. 5

If the property currently receiving the irrigation water is within the project boundary, Table 1 shows a more accurate calculation of the irrigation water used. To construct Table 1., a crop factor of 1.0 was used since there is no detailed explanation of the crops actually grown. This favors the applicant. An effective rainfall of 25% of the approximately 16 inch annual average rainfall was applied.

Table 1.

Year	Crop	Acres	Et	Rain	Crop Factor	AF	Sub Totals
2000	Alfalfa	55	62.21	4	1	266.795 8	
	Sudan/pasture	150	62.21	4	1	727.62 5	
	Veg. Row crop	722	62.21	4	1	3502.30 2	4496.723
1999	Alfalfa	55	63.08	4	1	270.783 3	
	Sudan/pasture	150	63.08	4	1	738.5	
	Veg. Row crop	709	63.08	4	1	3490.64 3	4499.927
1998	Alfalfa	115	56.39	4	1	502.070 8	
	Sudan/pasture	100	56.39	4	1	436.583 3	
	Veg. Row crop	663	56.39	4	1	2894.54 8	3833.202
1997	Alfalfa	160	61.34	4	1	764.533 3	
	Sudan/pasture	103	61.34	4	1	492.168 3	
	Veg. Row crop	663	61.34	4	1	3168.03 5	4424.737
1996	Alfalfa	105	61.28	4	1	501.2	
	Sudan/pasture	170	61.28	4	1	811.466 7	
	Veg. Row crop	537	61.28	4	1	2563.28	3875.947
	Average						**4226.107**

6

The irrigated acreage was not changed nor was there an additional factor employed to account for soil type and irrigation method. It is believed that, even though the average annual use is considerably less, Table 1. shows a reasonable accommodation of the proposed methodology while still relating to CIMIS concept.

The agricultural water available for transfer to the new project is on the order of 4200 to 4300 acre feet per year. If the water is used, then recycled, approximately 50% to 80% of the water can be recovered depending upon the treatment selected. Using the maximum of 80% would result in a supply of 3440 acre feet available for irrigation. This would then make up a total supply of 4300+3440 = 7740 acre feet. Adding the 3691 acre feet of reclaimed water from CLWA would bring the total excluding imported water to 7740+3691 = 11431 acre feet. The balance of water needed can then be supplied by imported water 7

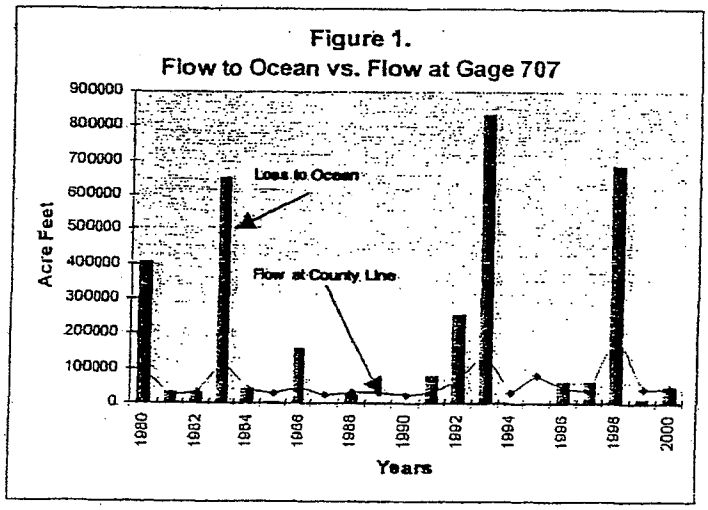
(New Imported Water 17680-11431 = 6249. Imported water would be any water obtained from a source not in hydrologic continuity with the Santa Clara River. e.g. water stored in the Kern Water Bank) 7

Regarding the ASR project. The ability of the Saugas Aquifer to function under storage and recovery operations has been shown by testing and is no longer a point of contention. However, the lack of calibration to transient conditions is still questioned. 8

The applicant addressed the impacts to Ventura County by comparing the existing and future flows at the County line during wet periods and dry years. Constructing a model calibrated to steady state conditions facilitated a conclusion that the net water flowing into Ventura County would be increased. There are two problems with this procedure; 1) the steady state model selected, and 2) the analysis using a net flow criterion.

1) The problem with the model produced by the additional analysis is that a steady state solution was used to determine the effects of the injection/extraction. Since the pumping and recharge to the aquifer varies over time, the model used to portray the system must have the ability to incorporate the changing environment to which it is exposed. The effects to an aquifer result in different pressures in the aquifer. These pressures are called heads. Steady state solutions are useful to determine the relative difference in heads due to drawdown from pumping, but they do not produce the absolute value of the head. The absolute value of the head is the true pressure in the aquifer and the pressure that produces the gradient that is used to determine the potential for flow (in this case flow into Ventura County). Steady state conditions do not incorporate regional flow caused by regional head gradients and are not appropriate to represent systems that change over time. To determine the effects of time dependent influences, a transient model is required. The difference between a transient model and a steady state model is that a steady state model generates one set of heads and a transient model produces a set of heads for each time period. 9

The proponent's response to this problem contended that one steady state pressure head was compared to a new steady state pressure head thereby eliminating the necessity for transient calibration. This is inaccurate for two reasons; 1) the steady state model does not apply to a system constantly under going changes, and 2) because the question of concern is the absolute value of the pressure head, not the relative difference between two heads.



10

The analysis of the results of the model is also inaccurate because increasing the water crossing the County line at USGS Gauging Station Number 707 during a wet year does not contribute to recharge and

consequently has no value. This happens because river water is already being lost to the ocean. **Figure 1.** shows the water lost to the ocean in wet years as compared to river flow. It is easy to see that any time there is increased flow at the County Line there is an even greater loss to to the ocean during that same period. This leads to discounting the potential benefit of additional water during wet years. 10

An adequate model of the river system is complicated and difficult. However, a solution that would be adequate consists of injecting 9000 acre feet before the first 4100 acre feet is extracted. Thereafter an injection of 4500 acre feet may be followed by an extraction of 4100 acre feet without damage to downstream flows. This solution adds an additional 4500 acre feet to the Saugas Aquifer that is never removed. 11

In summary, there are three problems:

1) The calculation of the agricultural water used.
2) The type of model selected for analysis.
3) The wet year/dry year analysis.

All three of these issues can be resolved by:

1) Limiting the groundwater use to the 4300 acre feet that is available from the current agricultural irrigation water.
2) Increasing the imported water to 6249 acre feet. (State water or water stored in a location not hydrologically connected to the Santa Clara River)
3) Injecting 9000 acre feet during the first year of the ASR program and subsequently withdrawing 4100 acre feet as proposed. After the first year, 4500 acre feet could be added and 4100 acre feet extracted. 12

It is requested that this letter be made a part of the Administrative Record.

Very truly yours,

Lowell Preston, Ph.D.

cc: Lee Stark, Los Angeles County Planning Department, 320 Temple St., Los Angeles Ca 90012

SCOPE
Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386

2-16-07

Mr. Daniel Fierros/ Ms. Susan Tae
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90013

RECEIVED
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Re: Newhall Ranch, Landmark Village (Project No. 00-196-(5)
Request for Continuation of hearing date and Extension of EIR Comment Period

Please copy to all commissioners

Dear Mr. Fierros and Ms. Tae:

It has come to our attention that two important sections of the Environmental Impact Report lack essential information that is required by the County of Los Angeles to process all entitlements. They are the Development Monitoring System infrastructure analysis and the SB610/ SB221 water verification (see comments under **Water Supply**). We therefore request that the public hearing scheduled for Feb.28th be continued and the comment period be extended so that this information may be provided and circulated.

Failure to Comply with the Los Angeles County Development Monitoring System

The Los Angeles County Development Monitoring System (DMS) came into being as a result of a court-ordered General Plan Amendment (SP-87). This amendment was approved to settle a case filed by Center for Law in the Public Interest and brought to ensure that infrastructure including schools, libraries, roads, fire, water and sewer service would be adequate to serve additional housing units while not reducing the existing level of service provided to existing residents. SCOPE has previously argued, and continues to assert that Sheriff's services should also be a part of the DMS evaluation.

The DMS requires that each project in an urban expansion area analyze existing, pending, recorded and approved projects, along with the addition of the current project proposal, to ensure that the six infrastructure areas will be adequate to provide for the new project in addition to the previously approved projects.

In 1993, SCOPE was a party to successful litigation brought for inconsistency with this General Plan section against the Newhall Land and Farming's Westridge project. That litigation resulted in the project being set aside until agreements with school districts to provide adequate school funding were reached and a library assessment district to provide adequate library materials to serve new residents was established.

The DMS analysis for the project before you includes the first part of the General Plan requirement, i.e., it evaluates the number of existing, pending and recorded the infrastructure requirements for existing pending and approved projects. But the printouts in the EIR do not provide information as to the level of infrastructure service needed for these existing, pending and approved projects. For example, there is no information as to the level of sewage plant capacity (normally represented in millions of gallons) for existing, pending and approved projects. Nor do the printouts indicate the additional load that will be placed on each of these service areas by the new project. Without this information, the decision-makers cannot adequately assess the level of service available to current and future residents of the Santa Clarita Valley. There is no evaluation of the adequacy of fire, school. Library, water and sewage service in the face of the additional projects that have already been approved. Nor has traffic been evaluated under this system.

We have attached previous evaluation forms for other projects as an example of the information that should be provided to the decision-makers. (Attachment 1). The mere disclosure of the number of existing units in each of the service areas is meaningless. Thus, this EIR does not comply with the Los Angeles County Development Monitoring System. ***We request that this information be provided prior to further hearings on this project.***

Lack of DMS Reporting of water availability

The EIR erroneously states that this project will be entirely served from Valencia's "agricultural water" that it "owns". Although the Newhall Land and Farming Company does have riparian rights for farming water along the Santa Clara River, riparian rights are not transferable to municipal uses. The Santa Clara River is an "unadjudicated" ground water basin. That means there has never been a legal proceeding to decide how much water each user may withdraw from the basin. It also means that Valencia Water Co, the wholly owned subsidiary of Lennar Corp., has NO rights to any particular amount of water. They are subject, like the other water companies, to a "Memorandum of Understanding" as to the safe yield of the Santa Clara River basin, but no party has any set amount that they may withdraw from the basin. Newhall/Lennar has been stating for quite some time that they will supply the many projects for which they have received entitlement approvals since 2000 (app.8,000-9,000 units) from the water currently being used for agriculture. Yet the amount of water used for agricultural remains listed at the same level. It is therefore imperative that a current DMS analysis be conducted for this project, both to ensure an adequate water supply for this future community and existing residents as well as to comply with consistency requirements for the Los Angeles County General Plan.

Inadequacy of Sheriff Services under the DMS

According to page 4.13.1 the sheriff's department stated that an additional 15 deputies would be required for the project. This is consistent with a report the Sheriff's Dept. produced for the needs of Westside services in 1999 (Attached 2). The EIR preparer claims that only four would be required and relies on a letter from the Sheriff's department in 2004 stating that estimated current response times would fall into the acceptable time categories. ***However, these estimates were made at a time when no housing exists in the project!*** Further, ***estimates were made based on the then current (2004) population and traffic in the Santa Clarita Valley.*** After a housing boom that has substantially increased traffic and population in this area, these projections are no longer valid.

We therefore believe the County should evaluate this service need as part of the DMS in order to project the needed officers for the amount of existing housing approvals so that adequate mitigation can be required.

In addition, the mitigation for the required new sheriff's officers is to provide them out of the tax base generated by the new development. If that is to occur, there should be an evaluation of the property tax generated to see if it will be sufficient to provide for new officers. There is no fiscal evaluation of the sufficiency of funds to provide for new officers, nor is there any mitigation measure devoted to directing tax funds specifically to the Sheriff's Department. Therefore, the proposed mitigation for this shortfall seems to be infeasible.

Inadequacy of School classroom space under DMS

The William S. Hart Union High School District has been unable to provide adequate school capacity for students from already developed areas. They are currently in financial difficulty and unable to built schools promised in the previous bonds passed by voters. We request that current information on this issue be disclosed in the EIR.

Water Supply

The water section of this Environmental Impact Report is incomplete. At the tract map approval stage, the County of Los Angeles requires that a project proponent to supply both an SB661 Water Assessment and a SB221 Water Verification. The Dept. of Regional Planning requested these two documents on January 27, 2004 and Jan 6, 2005 (correspondence attached 3). The only such report included in the EIR is a draft 610 assessment, not even a final assessment! The Dept. of Regional Planning may not rely on a draft document for approval. Since the requirements of SB221 are more stringent, including the necessity for actual contracts and permits to show water availability, it is important that the project proponent comply with the County's request prior to consideration of this proposal. We therefore request that the Feb 28th hearing be delayed until the developer and Lennar Corporation have fully complied with the County and State requirements regarding water supply and that this information be circulated to all interested parties.

Further, the California Public Utilities, the regulating oversight governance for Valencia Water Co., stated in its Decision D.0111048, Nov. 30th, 2001 that:

> "If Valencia proposes to expand its service area to serve the Newhall Ranch Specific Plan, or any part of it, Valencia shall file an application requesting authority to expand its service area, and provide an updated Water Management Program and advice letter covering any such service area expansion."
> (Decision at Page 46, cover and cited page attachment 4)

Since to our knowledge, no updated Water Management Program has been provided or approved, we believe that the above is an indication that this proposal currently does not comply with the requirements of SB221.

Ammonium Perchlorate Pollution in the Saugus Aquifer

A recent decision in the California Supreme Court, *Vineyard Area Citizens for Responsible Growth, Inc. et al. v. City of Rancho Cordova,* Case No. S132972 makes clear the Court's direction on long-term water analysis and disclosure requirements for such an analysis. We do not believe that this EIR complies with the requirements of this decision in that it makes no disclosure of the possibility of delays in the permitting and building of the ammonium perchlorate clean-up facilities. The indicated pumping from the Saugus Aquifer cannot be accomplished with out the return to service of the wells that are currently closed due to ammonium perchlorate pollution. Construction of this

project was originally scheduled to begin in 2005, but has consistently been delayed (see CLWA Agenda item attachment 5 indicating construction will begin 10/06 and a current agenda item indicating the schedule has slipped to 1/08. Both the Vineyard decision and the 5th Appellate Court decision that set aside the Santa Clarita Valley water purveys' 2000 Urban Water Management Plan (*Friends of the Santa Clarita River v. Castaic Lake Water Agency*), require a timeline for re-instatement of this water if reliance upon it is indicated as a source of supply and an alternative source in case the supply is not forth coming. Such analysis is important to the decision making process because Castaic Lake Water Agency intends to rely on water pumped from the Newhall Ranch area ground water in case of emergency need. This means that they will be drawing from the same ground water source identified for this project.

In the meantime, the study for this project conducted by the Army Corps of Engineers concluded that the pollution plume was moving in a westerly direction. It detected extremely high pollution levels in some areas (see attachment 6). The pollution plume also migrated to another Newhall County Water District Well (NCWD 13), causing its temporary closure. (news article included in previous attachment.)

The chart on page 4.10-30 depicting well capacity for the Saugus aquifer is incorrect since well # 159 was destroyed due to ammonium perchlorate pollution. Also, maximum pumping capacity of a well should not be used as an indication of how much water can actually be supplied from that well due to other limitations such as maintenance and distribution capabilities. A better indication of water supply capability is the amount actually pumped from each well on a yearly basis. This table should be updated to include that information.

We concur with other commentors that the 41,000 AF Monterey Amendment water transfer identified in the EIR as part of the total water supply may not be relied upon for SB221 purposes since the environmental documentation is not complete. Although the EIR claims that it will not rely on this water, in a drought the project may have no other choice. Alternatively, a cut back in state water supply may require that the existing residents be supplied with ground water from the project area. Such scenarios must be disclosed and considered in this EIR in light of the Vineyard decision.

In a Court supervised settlement where the litigants, including SCOPE, agreed to drop their appeal of the Specific Plan for this project, Newhall Land agreed to identify the farming acreage that would be retired to support the water usage for each tract map. This stipulation is also a condition of the Specific Plan (SP4.11.22). Newhall Land also agreed to identify how the water usage on that acreage was calculated and provide documentation of such. We do not see this information in the EIR.

Due to the controversy and litigation surrounding water supply for this project, the Specific Plan placed several other conditions on the project's tract map approvals regarding water supply. Compliance with those conditions, if it exists, should be disclosed and discussed in the EIR.

Use of Recycled Water

We believe this project represents an opportunity to use recycled water in much more creative and truly conservative uses than just application on a golf course. We request that the developer explore the use of recycled water for all public medians, open space areas and home gardens. We realize that the Dept. of Health Services does not currently allow the use of gray water for local

landscaping. But should this development be approved, we would like to work with the developer to try to include this option wherever possible.

Water Quality Issues

The effluent produced from the LA County Sanitation Districts already fails to comply with limits for chlorides (see attached RWQCB Complaint and excerpts from their slide presentation to the City of Santa Clarita attachment 7). Please indicate how this project will avoid increased releases of this unpermitted pollutant into the Santa Clara River and appropriate mitigation to avoid increased releases.

Federal Army Corps Permit and State Streambed Alternation permit EIR/EIS should proceed this approval

We continue to request that this entitlement process NOT proceed until after the completion of the EIR/EIS for required permits affecting the Santa Clara River. That document has not yet even been released. We believe that this process should not proceed the release of that document because impacts identified and mitigated for those federal and state permits may very well affect the design of the project before you. The Army Corps/DFG EIS/EIR should be completed first, mitigation measures adopted, and special permit conditions approved, before this project is approved. The current sequencing risks greater delay than if the Landmark project were stayed pending completion of the EIS/EIR and issuance of the Army Corps/DFG permits, which is the proper sequence.

Inconsistency with the Regional Water Quality Control Board Hydromodification Resolution and requirements for a 401 permit

In February of 2005 the Los Angeles Regional Water Quality Board passed a resolution expressing its intent to vigorously enforce permitting under its jurisdiction through its enabling legislation (resolution attached). Despite extensive bank stabilization and floodplain development, the EIR does not evaluate the project's consistency with the RWQCB's Hydromodification Resolution. (Attachment 8). The Regional Board will need to issue a 401 certification in connection with the project, and has indicated that it will look closely at all future hydromodification projects to ensure they evaluate the required range of alternatives. Here, the project fails to consider eliminating or reducing downstream bank stabilization and eliminating the Long Canyon Bridge.

Geology and Soils

We request that the Commission carefully read and evaluate the enormous amount of fill to be placed under some of the housing units in this project. We believe that amount of fill will prove to be unsafe, particularly in liquefaction areas. In fact, settling that is resulting in damage to homes is already occurring in fill areas next to San Francisquito Creek where similar fill patterns were utilized.

The public believes that the County approval process will protect it from such defects. They do not go down to the Public Works Department to investigate the stability of the lot on which their home is built before they purchase it. Therefore, if the County intends to approve projects that are built on substantial amounts of fill dirt, we request that notification of such be required in large (14 pt) bold type in the Real Estate Purchase Agreement so that the public may be aware of exactly what they are purchasing and act accordingly.

We concur and incorporate by reference the comments of other organizations expressing concern over impacts to habitat and species in this sensitive area. The only way that these impacts can be

reduced is through greater avoidance. Many of the impacts could be reduced or avoided by eliminating the downstream bank stabilization and the Long Canyon Bridge. Other permanent impacts (oak woodland, riparian forest, etc.) could be avoided by alterations in the project footprint. For instance, the EIR should consider alternatives that drop the downstream bank stabilization and the Long Canyon Bridge and alternative footprints that avoid the necessity for removing the 67 oaks. Moving oaks does not result in a high survival rate in the Santa Clarita Valley and many are merely removed at a later date under some kind of emergency process that excludes public participation.

SCOPE continues to oppose building in the Significant Ecological Area. The specific plan for this project already substantially reduced the area of SEA 23, the Santa Clara River. We request that no further reduction be allowed and that the original buffer along the Santa Clara River be restored.

The proposed mitigation measures will not reduce these impacts to less than significant levels. Fuel modification features of the project are not adequately described in the project description, nor the effects of fuel modification zones sufficiently accounted for in the impact analysis. Instead, the EIR defers development of the fuel modification plan until later, making it impossible to determine the true impacts to habitats of the project.

Unwarranted Bank Stabilization Proposals

The downstream bank protection on the south bank should not be included as part of the Project Description. As the EIR indicates, it is a mitigation measure for the project's impacts. But when those impacts are analyzed, it turns out that they are localized and less than significant. One mile of bank protection that will clearly serve future development is not proportionate to the impacts disclosed in the EIR. The bank protection component should be removed from the project description and evaluated as a mitigation measure. Because the bank stabilization will itself result in significant temporary and permanent impacts to riparian vegetation, less damaging and more proportionate mitigation should be considered for the project's localized impacts, if such impacts are significant at all.

A similar argument applies to the bank protection for the utility corridor on the north bank. Localized velocity impacts may require localized bank protection solutions, but they don't require another nearly one mile segment of bank protection.

The EIR should consider alternatives that drop the downstream bank stabilization and the Long Canyon Bridge. The Long Canyon Bridge is not an essential part of the project and should be dropped from the Project Description. Its only purpose is to serve future development that has not been approved. Its environmental effects can still be considered in the cumulative impact analysis.

We re-iterated again that this entitlement process should NOT preceed the Army Corp/\DFG EIR/EIS process, as the above modifications may not be approved anyway.

Significant Impact to Solid Waste

We do not support the expansion of Chiquita Canyon Landfill as the neighboring communities have already been severely impacted by that facility. Further expansion will now impact even more nearby residents if this project is approved. We believe compliance with AB939 and aggressive recycling on the part of the adjacent jurisdictions will alleviate much of the need for expansion.

However, should expansion be approved anyway, we request that future residents of the Landmark project be notified in their real estate agreements in 14-pt type of the intention to expand the landfill.

We also believe that a large piece of open space area comparable to Central Park in the City of Santa Clarita should be donated as mitigation for that expansion. Donating portions of the floodplain or SEA currently slated for development in the Landmark project might be considered.

Traffic

The project does not identify the substantial impacts to the I-5 corridor. This corridor is already at a service level of F between the hours of 6 AM and 9AM and 3:30PM and 7PM. Newhall Pass acts as a choke point where traffic generated by substantially increased development approvals along the Hwy. 14 meet the I-5. The additional trips generated by this project cannot be supported by the existing infrastructure. This fact should be disclosed in the EIR.

Further, the very mitigation that would resolve this issue has been eliminated. We believe that this project should not be approved without the re-instatement and commitment to funding of a rail right of way and a commuter rail service.

Further, Highway 126 will require widening to accommodate future buildout of this project, but this project proposes building in areas that would later have to be condemned for such a widening. Condemnation proceeding would occur only at great cost to the public and disruption to merchants that have begun their businesses in this area. We therefore request that highway right of way be included in this project to accommodate the 357,000 per day estimated future commuters.

Global Warming

In an attempt to control greenhouse gases, the State of California recently passed AB32. A major source of greenhouse gas emission is the automobile. This project proposes to add 357,000 trips per day at build out. Nowhere does the EIR evaluate this project's contribution to global warming. Nor does it evaluate the cumulative impacts of such auto-related land use. The EIR must at the very least, evaluate the project's contribution to greenhouse gas emissions. Feasible measures exist to reduce or avoid these impacts and must be considered in the EIR.

Sincerely,

Lynne Plambeck
President

Enclosure: Attachments as indicated in the text

DEVELOPMENT MONITORING SYSTEM (DMS)
OVERVIEW

87-222-(5)

NEED FOR DMS:

1. Development Policy Map Designation: 4 - Urban Expansion / 7 - Non-Urban Hillside
2. Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains, or Santa Clarita Valley Planning Area? ☒ Yes ☐ No (if yes, circle which area)
3. Is the project at urban densities and located within, or proposes a plan amendment to, an urban expansion designation? ☒ Yes ☐ No

IF BOTH QUESTIONS ARE ANSWERED "YES," A DMS ANALYSIS IS NECESSARY. CONTINUE WITH THIS OVERVIEW.

A. INFRASTRUCTURE CRITERIA:

	SERVICE	WATER (ACRE FEET/YEAR)	SANITATION (MILLION GALLONS/DAY)	SCHOOLS (CLASSROOMS)			LIBRARY	
DEMAND	AGENCY NAME	Valencia Water Company	Sanitation Dist. Nos. 26 and 32	Elementary Saugus Union	Intermediate Bart Jr. Hi.	Secondary Bart Sr. Hi.	Valencia	DEMAND
	CURRENT USE	14,667	13.70	183.9	129.1	229.4	78,065	
	RECORDED DEMAND	1,524	1.12	21.1	11.3	22.5	12,208	
	APPROVED DEMAND	2,996	2.30	1.7	13.1	37.4	19,194	
	SUBTOTAL	19,187	17.12	206.8	153.5	289.3	109,467	
	PROJECT DEMAND	1,050	0.56	16.4	5.4	10.7	7,479	
	TOTAL DEMAND	20,237	17.68	223.2	158.9	300.0	116,946	
SUPPLY	CURRENT SUPPLY	25,500	19.10	131.0	108.0	203.0	74,699	SUPPLY
	ADDITIONAL SUPPLY	-	-	-	-	-	-	
	TOTAL SUPPLY	25,500	19.10	131.0	108.0	203.0	74,699	
	IS SUPPLY ADEQUATE?	~~No~~ Yes	Yes	No	No	No	No	

Fire Department: Identification of nearest Fire Station: #73 Distance to Fire Station: 2.0 mi. Fire Department Threshold Distance: 1.5 mi.

1. Is the project within acceptable distance? ☐ Yes ☒ No

IDENTIFY INFRASTRUCTURE (LISTED ABOVE) MITIGATION MEASURES, IF NECESSARY, IN MITIGATION BOX (OVER).

006359

1990 Westridge DEIR

TABLE E-5: PROJECTED GROWTH IN WATER DEMAND IN VALENCIA WATER DISTRICT

YEAR	PHASE	POPULATION (1)	PERCENTAGE OF TOTAL POPULATION INCREASE	WATER DEMAND INCREASE (MGD)(2)	INCREASE BY PROJECT BUILDOUT (AF/YR)	TOTAL FUTURE DEMAND (3)	ASSURED WATER SUPPLY
1988		126,667				14,667	22,000
1989		133,333	4.65%	738.6		15,406	22,000
1990		140,000	4.65%	738.2		16,144	22,000
1991		147,000	4.88%	775.0		16,919	25,500
1992		154,000	4.88%	775.0		17,694	25,500
1993		161,000	4.88%	775.0		18,469	25,500
1994		168,000	4.88%	775.0		19,244	25,500
1995		175,000	4.88%	775.0		20,019	25,500
1996	buildout	182,000	4.88%	775.0	6,127	20,794	25,500
1997		189,000	4.88%	775.0		21,569	25,500
1998		196,000	4.88%	775.0		22,344	25,500
1999		203,000	4.88%	775.0		23,119	25,500
2000		210,000	4.88%	775.0		23,894	25,500
2001		216,000	4.19%	664.3		24,558	25,500
2002		222,000	4.19%	664.3		25,222	25,500
2003		228,000	4.19%	664.3		25,887	25,500
2004		234,000	4.19%	664.3		26,551	25,500
2005		240,000	4.19%	664.3		27,215	25,500
2006		246,000	4.19%	664.3		27,880	25,500
2007		252,000	4.19%	664.3		28,544	25,500
2008		258,000	4.19%	664.3		29,208	25,500
2009		264,000	4.19%	664.3		29,872	25,500
2010		270,000	4.19%	664.3	9,743	30,537	25,500
TOTAL			100.00%	15,870	15,870		

---

(1) Source: Staff Report on Plan Amendment # SPA 87-275, 8/19/87. Projections given for years 1987, 1990, 2000, and 2010; populations for other years were estimated.

(2) Source: Water demand assumed to grow at same rate as population, therefore: yearly water demand increase = the % of population increase x total water demand increase (15,870 AF/YR).

(3) Source: 1988 and 2010 water demand from DMS Analysis, 6/01/89, and Zoned District Report, 9/27/89, for ZCs & PAs.

TABLE III-4B

PROJECT-GENERATED WATER DEMAND

LAND USE	DU, STUDENTS, OR NET ACRE	GENERATION FACTOR (AF/YR) (1)	DEMAND (AF/YR)	EXISTING DEMAND (AF/YR)(1)	EXISTING + PROJECT DEMAND (AF/YR)	EXISTING CONDITIONS CAPACITY (AF/YR)	EXISTING CONDITIONS REMAINDER /DEFICIT (AF/YR)	FUTURE CONDITIONS: CAPACITY (AF/YR)(1)	FUTURE CONDITIONS: REMAINDER/ DEFICIT (AF/YR)
Single Family	1,221	0.59 per DU	720						
Multi-family	718	0.25 per DU	180						
Elem. school (2)	660	0.03 per student	20						
Commercial	31.1	4.40 per acre	137						
Golf Course/ Graded Slopes	192.0	(3)	770						
TOTAL			1,827	14,667	16,494	22,000	5,506	25,500	9,006

(1) Source: Los Angeles County Department of Regional Planning, DMS Inventory Information for Water Service, 6/01/89.

(2) Per conversation with Art Clark, new elementary schools will be built to hold approximately 660 students.

(3) Generation factor = acres * average daily demand * days/year /1,000,000 * 3.069 AF/YR
= 192 acres * 3,578 gal/acre/day * 365/1,000,000 * 3.069
= 769.5 AF/YR

003562

- Informational Briefing-

Development of the Westside

The Impact on Police Services

Captain Donald A. Rodriguez

Santa Clarita Valley Station

March 16, 1999

Development on the "Westside"

The purpose of this report is to provide a brief overview regarding the development of the "Westside" of our station area. This geographical zone encompasses the area from the boundaries of the City of Los Angeles north to Highway 126. The western boundary runs along the Ventura County line, the Pico Canyon Oil development of the Chevron Corporation and the City of Los Angeles. Basically, it eastern border runs for ten miles from the 14/I-5 split along the I-5 Freeway to Highway 126. The piece of land, in size, is mostly rural, but will contain the largest areas of development for our station geographical boundaries. (See an included map)

There are four major residential development projects in the area. They are Sunset Pointe, Stevenson Ranch, Westridge and Newhall Ranch.

Sunset Pointe

Sunset Pointe is the oldest of the projects. Development began in the early 1980's and will be completed this year. The primary land developer was the Larwin Corporation. The project is 1,200 housing units made up of single family dwellings, condominiums and apartments. The approximate population is 3,600 people. There is a small commercial district. The main portion of the commercial district is three major motor motels.

The project's northern boundary is Pico Canyon Road and its southern boundary is appromately the extension of Calgrove Boulevard. Its eastern boundary is the I-5 freeway and its western boundary is approximately two miles west of the freeway.

This area received major damage during the 1994 Earthquake. The main fissure ran the length of the project and very few homes were not damaged severely.

Stevenson Ranch

Stevenson Ranch is the next area north of Sunset Pointe. It is the second largest development in the area. It will have a single commercial area of one million square feet, but that will be completed near the end of the project. At build-out, there will be approximately 5,800 residential units.

The project's southern boundary is Pico Canyon Road and it will run north to the extension of Valencia Boulevard. The eastern boundary is the City of Santa Clarita or the I-5 Freeway. The western border is the property line of the Chevron Corporation Pico Canyon Oil property.

This area's primary developer was the Dale Poe Corporation. Unfortunately, Mr. Poe was killed in a single car traffic collision several years ago. Lernar Homes purchased the parcel and is now the primary developer.

Currently, about 2,300 residential units are completed. It is estimated that an additional 3,500 residential units will be finished at build-out. These units will include single family dwellings, condominiums and apartments. At build-out, approximately 17,400 people will occupy this area.

Westridge

The Westridge project was recently before the Board of Supervisors and is near final approval, but there are some minor legal challenges to overcome. Grading for this project is expected to begin soon. Westridge is being developed by Newhall Land and Farming Company and at build-out, there will be 1,712 housing units adding approximately 5,100 people to the area. A major golf course will be a part of this development.

Westridge's boundaries are somewhat hard to define. The southern border will be along the extension of Valencia Boulevard, but will extend along The Old Road to Mc Bean Parkway. The eastern boundary is the I-5 Freeway. The western boundary runs about a mile west of the freeway.

Newhall Ranch

This will be the largest project. It is being developed by the Newhall Ranch Company, a division of Newhall Land and Farming, and will add a total of 22,000 housing units for 66,000 people. The final plan is before the Board of Supervisors and it is expected to be approved this month. The project will face major legal challenges. Be that as it may, grading for the project is expected to begin within four years. The build-out for this project is 25 years.

The southern border for this project is the extension of Valencia Boulevard. The northern boundary runs mostly along Highway 126. The eastern border is the I-5 Freeway and the western border is approximately the Ventura County line. The project encompasses approximately 11, 963 acres.

Commercial Projects

The commercial projects will mostly follow "The Old Road." This is a road that parallels the I-5 Freeway's west side, running from Calgrove Boulevard to Highway 126. Valencia Marketplace is the largest of these projects. It is one mile long and features several major retail stores including Walmart, Toys-R-Us and Circuit City. Also, there are several popular eating establishments including Chuckie Cheese, The Macaroni Grill and Claim Jumpers.

Near the completion of the Stevenson Ranch project, a one million square foot commercial area will be developed. This development will run along Valencia Boulevard.

Summary

These projects will add a significant population to the area. Currently, the total population for this area is approximately 7,000. Stevenson Ranch will add approximately 3,500 more housing units, Westridge another 1,712 and Newhall Ranch, 22,000. This means that within the next 25 years, the "build out" time, a total of 27,212 housing units will be added to this area. Using an average number of three persons per household, a total of 81,636 people will be added to the area, for a total of 88,636 people, a 1,166% increase. Most of the housing is planned for moderate to upper income families.

Police Services

Much public interest has been expressed as to the impact of municipal services in the area. The specific concern is police service. The Sunset Pointe project and Stevenson Ranch environmental impact reports were written in the early 1980's. The calculations of police services needs were made based upon the initial population figures, but the reports are no longer in our possession. The Westridge project was updated in March 1998. The report used the old calculation of one police officer for every 1,000 persons. This report means that only five additional police personnel were requested.

The calculations for the Newhall Ranch project were quite different. In 1996, two lieutenants took the populations figures and projected the actual police services based upon a similar population in the area. The comparison used was the City of Santa Clarita because the target housing products were geared toward a similar marketing population. In terms of 1996 dollars, the City of Santa Clarita was spending $77.68 per capita for police services. This includes full service for both general law and traffic services. The general law per capita cost for the Newhall Ranch project was estimated at $55.39. At build out, the following personnel classifications would be needed to provide adequate police services in Newhall Ranch:

- 2.5 sergeants
- 17.0 patrol deputies
- 3.0 non-patrol deputies
- 3.0 detectives
- 3.0 Desk Operations Assistants
- 1.0 Community Services Officers
- 3.5 Station Clerks
- 2.0 Telephone Operators

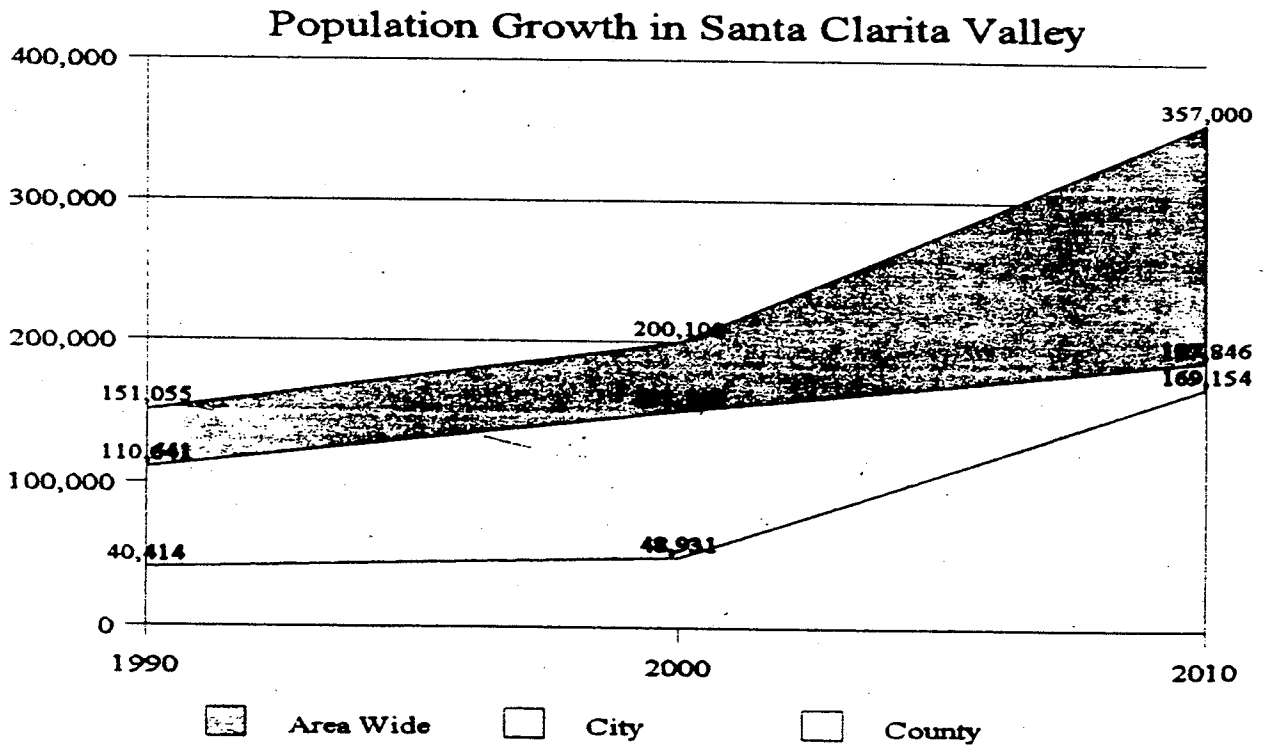
The annual cost in 1996 dollars at the build out would be approximately $3.8 million. Besides personnel, we also considered the needs of shotguns, vehicles, and other supplies and equipment.

POLICE SERVICE FACILITY

The one factor that was not addressed in any environmental impact report is our need for new facilities. The current station was built in the early 1970's and was designed for about 150 personnel. We currently have over 200 personnel assigned and we have no place to expand. Projecting into the future, we need to either build another major facility similar in size to the current physical plant or build a large facility that would be capable of housing over 400 personnel. This is a major political issue in that the City of Santa Clarita desires that we be located inside the city. Their master plan has a site for a large police facility, but that project has been placed on hold. If we acquire land outside the city to build a major facility, the contract could be in jeopardy. Initially, the Poe Development Company, initial developers of Stevenson Ranch, offered land for a major station. The City strongly opposed our move.

The Valencia Marketplace, the Stevenson Ranch commercial area and Newhall Ranch will provide storefront locations. The Valencia Marketplace's location remains vacant because we do not have enough personnel to staff it. Storefront operations will extend the life of any current police facilities, but there still will remain a need to build an additional large facility.

Even with the increase in calls and crime in this area, we are still holding our own in terms of staffing. But, the building companies are constructing residential units at the rate of 6,000 per year. This means that 18,000 more people reside in our area each year. The below graph indicates the population growth through the year 2010:



CURRENT "WESTSIDE" POLICE ACTIVITIES AND CRIME STATISTICS

STATION'S AREA

	1997	1998	% Change
• Total Calls	**39,727**	**40,123**	**+0.9%**
• Westside	**2,719**	**3,132**	**+15.2%**
• % of Whole	**6.8%**	**7.8%**	**+14.7%**
• Total Part I Crimes	**3,862**	**3,870**	**+0.2%**
• Westside	**235**	**324**	**+37.8%**
• % of Whole	**6.1%**	**8.4%**	**+37.7%**

WESTSIDE AREA

	1997	1998	% Change
• Calls for Service	**2,719**	**3,132**	**+15.2%**
• Part I Crimes	**235**	**324**	**+37.8%**

RESIDENTIAL AREAS

	1997	1998	% Change
• Part I Crimes	**104**	**123**	**18.3%**

COMMERCIAL AREAS

	1997	1998	% Change
• Part I Crimes	**131**	**201**	**53.4%**

RESIDENTIAL AREAS

SUNSET POINTE

Year	Homicide	Rape	Robbery	Aggravated Assault	Burglary	Larceny	Grand Theft Auto	Arson	Total
1997	0	0	1	10	5	29	8	2	55
1998	0	0	2	9	17	30	9	1	68
Difference	0	0	+1	-1	12	1	1	-1	13
% Change	0%	0%	100%	-10%	240%	3%	13%	-50%	24%

STEVENSON RANCH

Year	Homicide	Rape	Robbery	Aggravated Assault	Burglary	Larceny	Grand Theft Auto	Arson	Total
1997	1	0	1	4	18	20	5	0	49
1998	0	0	1	10	21	19	4	0	55
Difference	-1	0	0	6	3	-1	-1	0	6
% Change	-100%	0%	0%	150%	17%	-5%	-20%	0%	12%

COMMERCIAL AREAS

NORTH I-5 CORRIDOR AREA

Year	Homicide	Rape	Robbery	Aggravated Assault	Burglary	Larceny	Grand Theft Auto	Arson	Total
1997	0	0	2	7	0	19	13	1	42
1998	0	0	5	7	4	31	11	0	58
Difference	0	0	3	0	4	12	-2	-1	16
% Change	0%	0%	150%	0%	400%	63%	-15%	-100%	38%

THE VALENCIA MARKETPLACE

Year	Homicide	Rape	Robbery	Aggravated Assault	Burglary	Larceny	Grand Theft Auto	Arson	Total
1997	0	0	2	0	4	18	1	0	25
1998	0	0	7	0	11	20	5	0	43
Difference	0	0	5	0	7	2	4	0	18
% Change	0%	0%	250%	0%	175%	11%	400%	0%	72%

MAGIC MOUNTAIN

Year	Homicide	Rape	Robbery	Aggravated Assault	Burglary	Larceny	Grand Theft Auto	Arson	Total
1997	0	0	0	4	4	44	12	0	64
1998	1	1	2	11	6	69	10	0	100
Difference	1	1	3	7	2	25	-2	0	36
% Change	100%	100%	200%	175%	50%	57%	-17%	0%	56%

COUNTY AREA STAFFING

SANTA CLARITA VALLEY STATION
COUNTY DEPLOYMENT

EARLY MORNING SHIFT

• UNIT 66	TWO DEPUTIES	WESTSIDE
• UNIT 65	TWO DEPUTIES	EASTSIDE

DAY SHIFT

• UNIT 65*	TWO DEPUTIES	EASTSIDE
• UNIT 66	ONE DEPUTY	WESTSIDE
• UNIT 67	ONE DEPUTY	WESTSIDE
• UNIT 68	ONE DEPUTY	GORMAN
• UNIT 68K	ONE DEPUTY	GORMAN
• UNIT 60H1	ONE DEPUTY	PYRAMID LAKE
• UNIT 60H2	ONE DEPUTY	PYRAMID LAKE
• UNIT 66D	ONE DEPUTY	VAL VERDE YOUTH PROGRAM

• COMMUNITY RELATIONS	ONE DEPUTY	
• RESERVE COORDINATOR	ONE DEPUTY	
• Y.A.L. COORDINATOR	ONE DEPUTY	VAL VERDE

PM SHIFT

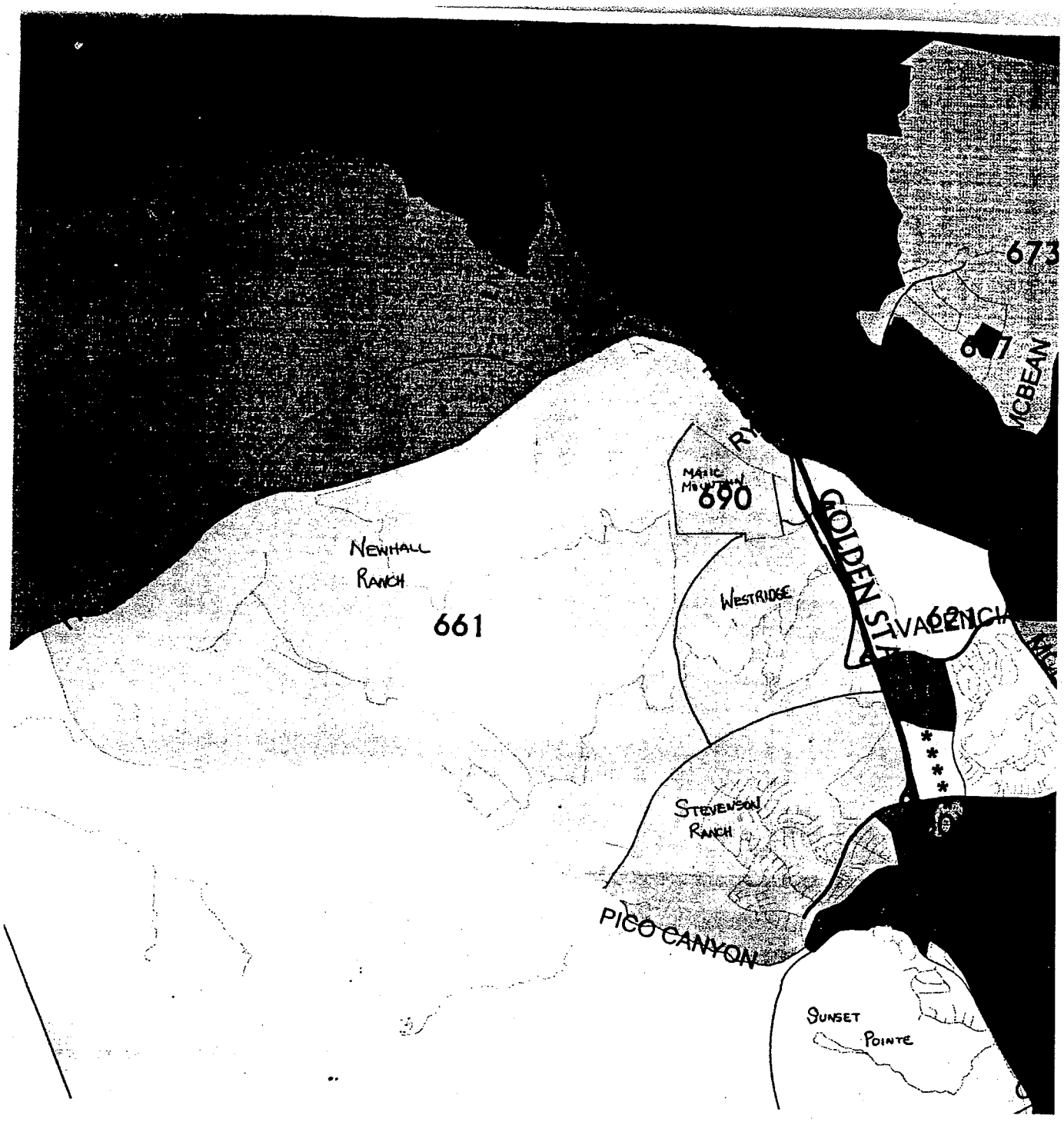
• UNIT 65*	TWO DEPUTIES	EASTSIDE
• UNIT 65A	ONE DEPUTY	EASTSIDE
• UNIT 66	TWO DEPUTIES	WESTSIDE
• UNIT 66B	TWO DEPUTIES	WESTSIDE
• UNIT 68K9	ONE DEPUTY	WESTSIDE & EASTSIDE

*TRAINING CAR

COUNTY COPS TEAM

- SERGEANT
- TEN DEPUTIES

** BETWEEN MEMORIAL DAY AND LABOR DAY, FOUR COPS DEPUTIES ARE REASSIGNED TO PYRAMID LAKE**


673
MCBEAN
MAGIC MOUNTAIN
690
NEWHALL RANCH
661
WESTRIDGE
GOLDEN STATE
VALENCIA
STEVENSON RANCH
PICO CANYON
SUNSET POINTE

COUNTY AREA STAFFING

SANTA CLARITA VALLEY STATION
COUNTY DEPLOYMENT

EARLY MORNING SHIFT

- UNIT 66 TWO DEPUTIES WESTSIDE
- UNIT 65 TWO DEPUTIES EASTSIDE

DAY SHIFT

- UNIT 65* TWO DEPUTIES EASTSIDE
- UNIT 66 ONE DEPUTY WESTSIDE
- UNIT 67 ONE DEPUTY WESTSIDE
- UNIT 68 ONE DEPUTY GORMAN
- UNIT 68K ONE DEPUTY GORMAN
- UNIT 60H1 ONE DEPUTY PYRAMID LAKE
- UNIT 60H2 ONE DEPUTY PYRAMID LAKE
- UNIT 66D ONE DEPUTY VAL VERDE YOUTH PROGRAM

- COMMUNITY RELATIONS ONE DEPUTY
- RESERVE COORDINATOR ONE DEPUTY
- Y.A.L. COORDINATOR ONE DEPUTY VAL VERDE

PM SHIFT

- UNIT 65* TWO DEPUTIES EASTSIDE
- UNIT 65A ONE DEPUTY EASTSIDE
- UNIT 66 TWO DEPUTIES WESTSIDE
- UNIT 66B TWO DEPUTIES WESTSIDE
- UNIT 68K9 ONE DEPUTY WESTSIDE & EASTSIDE

*TRAINING CAR

COUNTY COPS TEAM

- SERGEANT
- TEN DEPUTIES

** BETWEEN MEMORIAL DAY AND LABOR DAY, FOUR COPS DEPUTIES ARE REASSIGNED TO PYRAMID LAKE**

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

January 27, 2004

Valencia Water Company
24631 Avenue Rockefeller
Valencia, CA 91385-5904
Attn: Environmental Review

SUBJECT: Water Supply Written Verification and Assessment
Project No. 00-196 The River Village Project
Tract Map No. 53108

The staff of the Department of Regional Planning is preparing an environmental review of the project identified above. To ensure that the County of Los Angeles is in compliance with SB 221 and SB 610, which became effective on January 1, 2002, we ask your assistance in providing the required water supply assessment for the project.

The project site is the first phase of the Riverwood Village Planning Area development of the Newhall Ranch Specific Plan in western unincorporated Los Angeles County, north of the Santa Clara River and west of Interstate 5 ("I-5"). The project is an application to subdivide the subject property into 418 lots to include a maximum of 1,444 residential units, a maximum of 1,353,000 square feet of non-residential mixed-used space, an elementary school, a community park, three private recreational facilities, open space and river trail uses. Two borrow sites (one located south of the Santa Clara River and the other north of SR-126 of unspecified acreage) and possible haul routes will be located outside of the tract map boundary but within the SP area. The domestic water system will be connected to existing facilities within the Valencia Commerce Center to the northeast.

SB221 and SB610 mandate that a water agency responds to the requested information within 90 days upon receiving the request. If you have any questions or foresee delay in completing your water supply assessment, please contact Dr. Hsiao-ching Chen of the Impact Analysis Section at (213) 974-6461, Monday through Thursday between 7:30 a.m. and 6 p.m. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Daryl Koutnik, Supervising Regional Planner
Impact Analysis Section

JEH:DLK:hcc

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

January 6, 2005

Valencia Water Company
24631 Avenue Rockefeller
Valencia, CA 91385-5904
Attn: Environmental Review

SUBJECT: Water Supply Written Verification and Assessment
Project No. 00-196 - The River Village Project
Tract Map No. 53108

The staff of the Department of Regional Planning continues preparing an environmental impact report for the project identified above. In compliance with SB 221 and SB 610, we previously asked your assistance in providing the required water supply assessment and verification for the project in a letter dated January 27, 2004 (see attachment).

Quite some time has expired since that letter. We would appreciate receiving your assessment and verification as soon as possible. SB221 and SB610 mandate that a water agency respond to the requested information within 90 days upon receiving the request.

If you have any questions or foresee delay in completing your water supply assessment, please contact Hsiao-ching Chen of the Impact Analysis Section at (213) 974-6461, Monday through Thursday between 7:30 a.m. and 6 p.m. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Daryl Koutnik, Supervising Regional Planner
Impact Analysis Section

JEH:DLK:hcc

Mailed 11/30/2001

Decision 01-11-048 November 29, 2001

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Valencia Water Company (U34-W) seeking approval of its updated Water Management Program as ordered in Commission Resolution W-4154 dated August 5, 1999.	Application 99-12-025 (Filed December 17, 1999)

Nossaman, Guthner, Knox & Elliott, LLP, by Martin A. Mattes, Attorney at Law, and Robert J. Di Primio, for Valencia Water Company, applicant.

Brecher & Volker, LLP, by Stephan C. Volker. Attorney at Law, for Friends of the Santa Clara River, Santa Clarita Organization for Planning the Environment and Sierra Club, complainants.

James L. McBride, County Counsel, by Dennis L. Slivinski, Assistant County Counsel and Antonette B. Cordero, Assistant County Counsel for the County of Ventura.

Edwin and Joan Dunn, Robert P. Lathrop, for themselves.

Peter G. Fairchild, Attorney at Law, and Fred Curry, for the Water Division.

OPINION APPROVING WATER MANAGEMENT PROGRAM AND AUTHORIZING SERVICE AREA EXPANSION

water resources available to serve the projects described in Advice Letters 88 and 90.

2. Valencia is authorized to extend its service area to provide public utility water service to the North Valencia 2, Mountain View, West Creek and Tesoro del Valle developments as described in Advice Letters 88 and 90.

3. Advice Letters 88 and 90 are accepted for filing and shall become effective as of the date of this decision.

4. If Valencia proposes to expand its service area to serve the Newhall Ranch Specific Plan, or any part of it, Valencia shall file an application requesting authority to expand its service area, and provide an updated Water Management Program and advice letter covering any such service area expansion.

5. This proceeding is closed.

This order is effective today.

Dated November 29, 2001, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
RICHARD A. BILAS
CARL W. WOOD
GEOFFREY F. BROWN
Commissioners

ITEM NO. 6.1

Castaic Lake Water Agency
Memorandum

January 4, 2007

To: CLWA Board of Directors

From: William J. Manetta WJM
Acting Engineering and Operations Manager

Subject: Engineering and Operations Department Report

TREATMENT PLANT AND MAINTENANCE OPERATIONS

Completed Work:

Deliveries to the purveyors in December totaled 2,508 acre-feet (AF), for an average daily flow rate of 26 million gallons per day (MGD). December 2006 deliveries were 10% above December 2005 deliveries. Calendar year to date (CYTD) deliveries are 40,646 AF, which is 7% above 2005 CYTD deliveries. The fiscal-year-to-date (FYTD) deliveries for FY 2006/07 are 24,645 AF, which is 1% above FYTD 2005/06. Monthly flows for 2004, 2005 and 2006 are presented in the attached table. *(FY 2006/07 Goal 2.3.6: Meet all purveyor water demands and Goal 2.3.7: Meet all applicable water quality regulations.)*

Rio Vista Water Treatment Plant (RVWTP) maintenance activities included disassembling and cleaning ozone generator #1 and rebuilding the compressor for the ozone nitrogen system. Fabrication of media screens for clarifiers #1-4 has been completed.

Earl Schmidt Filtration Plant (ESFP) maintenance activities included cleaning and inspection of clarifier underdrains and recovering clarifier media from the wash water basins and placing the material back into the clarifiers.

Distribution System maintenance activities included valve vault inspections and cleaning and continued painting and re-labeling of pipeline bollards and station markers.

Work in Progress:

Recruitment for one treatment plant operator. *(Goal 4.1: Workforce Excellence – CLWA will hire and maintain excellent employees and compensate employees fairly)*

Restoration of clarifiers at RVWTP; restoration of media level to original specifications, and working with design engineers to minimize media loss and increase clarifier performance.

Optimization of Packaged Wash Water Return Recovery Units to comply with Department of Health Services (DHS) Crypto Action Plan.

Performance testing and monitoring of ozone system at ESFP for 120 days started on September 18th.

On November 15th pumps at Earl Schmidt Intake Pump Station were started to supply ESFP with water. Water could no longer be delivered to ESFP by gravity due to the lowered water level at Castaic Lake.

Planned Actions:

Install replacement polymer chemical feed pumps with automated flow pacing chemical feed pumps for Packaged Wash Water Recovery Units at ESFP.

Install new chlorine feed pumps replacing chlorine feed valves for improved efficiency and precise chlorine dosage at ESFP. Control system programming is complete, testing is currently underway.

PERCHLORATE CONTAMINATION PROGRAM MANAGEMENT

(FY 2006/07 Goal 2.1.5: Treat 2,400 gallons per minute of water from the Saugus Formation that is contaminated with perchlorate and restore to potable water service and Goal 2.1.6: Develop replacement wells for capacity lost due to perchlorate contamination.)

Completed Work:

The Agency and purveyors are proceeding to restore the production capacity of the groundwater supply wells contaminated by perchlorate while working on the objectives of containing the downgradient migration of perchlorate and recovering costs incurred in responding to the perchlorate contamination.

Work in Progress/Planned Actions:

Work continues on multiple tasks to address the perchlorate contamination of portions of the local aquifers stemming from past manufacturing activities on the Whittaker-Bermite site. The Agency and purveyors are proceeding to restore the production capacity of the groundwater supply wells contaminated by perchlorate, while working on the objectives of containing the downgradient migration of perchlorate and recovering costs incurred in responding to the perchlorate contamination.

The Agency has authorized Black & Veatch (B&V), Carollo Engineers (CE) and Kennedy/Jenks Consultants (K/J) to assist in providing services to respond to the various tasks associated with the Perchlorate Remediation Program. The following table provides a status report on the activities and tasks:

Task Group	Tasks	Consultant	Status
Settlement Activities	Project Description	K/J	Complete.
	Final Settlement	K/J, Nossaman	Negotiations ongoing.
DTSC Approval Activities	Remedial Investigation (RI)	K/J	DTSC approved 8/16/05.
	Feasibility Study (FS)	K/J	DTSC approved 8/16/05.
	Draft Remedial Action Plan (RAP)	K/J	DTSC approved 8/16/05.
	Final RAP	K/J	Public Hearing held 9/7/05. DTSC approved 1/20/06.
U.S. Army Corps of Engineers Feasibility Phase Study	Conceptual Hydrogeology Technical Memorandum	CH2MHILL	Final distributed 1/19/05. Progress report with model construction calibration distributed 10/11/05.
U.S. Army Corps of Engineers Feasibility Phase Study	Monitoring	CH2MHILL	Federal FY 2005 funding provides for limited monitoring of existing test wells and testing of NCWD NC13 Southern Saugus well. Completed 6/14/06.

Task Group	Tasks	Consultant	Status
DHS Approval Activities (97-005)	Source Water Assessment	B&V, CE	Incorporated in Engineer's Report.
	Water Quality Investigation	B&V, CE	Incorporated in Engineer's Report.
	Source Protection Plan	B&V	Incorporated in Engineer's Report.
	Effective Monitoring and Treatment	B&V, CE, CH2MHILL	Incorporated in Engineer's Report.
	Human Health Risk	B&V	Incorporated in Engineer's Report.
	Alternatives Evaluation	B&V, CE	Incorporated in Engineer's Report.
	Engineers Report	B&V	Final Draft submitted to DHS 10/27/06. Comments received on 12/1/06. Responded to DHS comments 12/19/06.
	CEQA	B&V	Mitigated Negative Declaration certified 9/14/05.
	Permit Application	B&V	Pending design completion.
	Public Hearing	B&V	Pending design completion.
	DHS Evaluation & Permit	B&V	Pending design completion.
Implementation Activities	Easements and Right of Way	K/J	Alignment studies complete 8/08/05. Document preparation in progress.
	Treatment Design	K/J	Scheduled design completion 1/07.
	Pipeline Design	K/J	Scheduled design completion 1/07.
	Construction	K/J	Plan to start 5/07.
	Startup and Monitoring	K/J	Scheduled 1/08.

The City of Santa Clarita's Multi-Jurisdictional Task Force and Citizens Advisory Group meetings will be held on February 28, 2007. The next bi-monthly DTSC meeting will be held on January 23, 2007.

CAPITAL IMPROVEMENT PROJECTS

Sand Canyon Pipeline and Reservoir

(FY 2006/07 Goal 2.2: Construction – CLWA will building facilities which reflect the best available technology and materials, in a cost effective and timely manner and Goal 2.2.3: Complete the Sand Canyon Reservoir.)

Completed Work:

At the reservoir, base slab, drain overflow pipeline, inlet/outlet pipeline, and reservoir walls are complete.

ITEM NO. 9

Castaic Lake Water Agency
Memorandum

November 22, 2005

To: CLWA Planning and Engineering Committee

From: Ken Petersen
Engineering and Operations Manager

Subject: Perchlorate Remediation Program

SUMMARY

Work continues on multiple tasks to address the perchlorate contamination of portions of the local aquifers, stemming from past manufacturing activities on the Whittaker-Bermite site. The Agency and purveyors are proceeding to restore the production capacity of the groundwater supply wells contaminated by perchlorate, while working on the objectives of containing the downgradient migration of perchlorate and recovering costs incurred in responding to the perchlorate contamination.

DISCUSSION

The Agency has authorized Black & Veatch (B&V), Carollo Engineers (CE) and Kennedy/Jenks Consultants (K/J) to assist in providing services to respond to the various tasks associated with the Perchlorate Remediation Program. The following table provides a status report on the activities and tasks:

Task Group	Tasks	Consultant	Status
Settlement Activities	Project Description	K/J	Complete.
	Final Settlement	K/J, Nossaman	Negotiations ongoing.
DTSC Approval Activities	Remedial Investigation (RI)	K/J	DTSC Approved 8/16/2005.
	Feasibility Study (FS)	K/J	DTSC Approved 8/16/2005.
	Draft Remedial Action Plan (RAP)	K/J	DTSC Approved 8/16/2005.
	Final RAP	K/J	Public Hearing held 9/7/05. DTSC responding to comments.
U.S. Army Corps of Engineers Feasibility Phase Study	Conceptual Hydrogeology Technical Memorandum	CH2MHILL	Final distributed 1/19/2005. Progress report with model construction calibration distributed 10/11/2005.

Task Group	Tasks	Consultant	Status
U.S. Army Corps of Engineers Feasibility Phase Study	Monitoring	CH2MHILL	FY 2005 funding provides for limited monitoring of existing test wells.
DHS Approval Activities (97-005)	Source Water Assessment	B&V, CE	Received comments from DHS 5/17/2005.
	Water Quality Investigation	B&V, CE	Received comments from DHS 5/17/2005.
	Source Protection Plan	B&V	Received comments from DHS 5/17/2005.
	Effective Monitoring and Treatment	B&V, CE, CH2MHILL	Received comments from DHS 8/15/2005.
	Human Health Risk	B&V	Draft completed. Awaiting comments from DHS.
	Alternatives Evaluation	B&V, CE	Draft completed. Awaiting comments from DHS.
	CEQA	B&V	Mitigated Negative Declaration certified 9/14/2005.
	Permit Application	B&V	Pending design completion.
	Public Hearing	B&V	Pending design completion.
	DHS Evaluation & Permit	B&V	Pending design completion.
Implementation Activities	Easements and Right of Way	K/J	Alignment studies complete.
	Treatment Design	K/J	Scheduled design completion 2/06.
	Pipeline Design	K/J	Alignment studies complete.
	Construction	K/J	Plan to start 2/06.
	Startup and Monitoring	K/J	Scheduled 10/06.

The City of Santa Clarita held its regular Multi-Jurisdictional Task Force and Citizens Advisory Group meetings on October 19, 2005. The City of Santa Clarita will hold its next regular Multi-Jurisdictional Task Force meeting examining the issues surrounding the Whittaker-Bermite site on December 7, 2005 and the Citizens' Advisory Group (CAG) meeting will immediately follow this meeting. The bi-monthly DTSC meeting was held on October 18, 2005. The next bi-monthly DTSC meeting will be held on December 5, 2005.

FINANCIAL STATUS

Settlement negotiations are ongoing with the purveyors, Whittaker-Bermite and insurance carriers.

KP

QUARTERLY GROUNDWATER MONITORING REPORT, OPERABLE UNIT 7
Third Quarter 2005
(Calendar Quarter July 1 to September 30, 2005)

Former Whittaker-Bermite Facility
Santa Clarita, California

Submitted to:

California Environmental Protection Agency
Department of Toxic Substances Control
Glendale, California

On behalf of:

Whittaker Corporation
Simi Valley, California

Prepared by:

ENVIRON International Corporation
Emeryville, California

April 3, 2006
Project No. 03-11368L

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QUARTERLY GROUNDWATER MONITORING REPORT, OPERABLE UNIT 7

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April 3, 2006
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TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
11-MW-1	Alluvium	1/25/05	**206**	na	524.2	<0.50	**3.4**	<0.50	<0.50	<0.50
11-MW-1	Alluvium	4/13/05	**399**	12	524.2	<0.50	**8.2**	<0.50	<0.50	<0.50
11-MW-1	Alluvium	7/25/05	**255**	<3.9	524.2	<0.50	**1.6**	<0.50	<0.50	<0.50
11-MW-2	Alluvium	4/26/04	**170**	na	8260B	1.0 UJ	**2.0 J**	1.0 UJ	1.0 UJ	1.0 UJ
11-MW-2	Alluvium	7/15/04	**188**	na	524.2	<0.50	**2.9**	<0.50	<0.50	<0.50
11-MW-2	Alluvium	9/15/04	**255**	na	524.2	<0.50	**4.1**	<0.50	<0.50	<0.50
11-MW-2	Alluvium	1/17/05	**251**	na	524.2	<0.50	**5.8**	<0.50	<0.50	<0.50
11-MW-2	Alluvium	4/13/05	**194**	27	524.2	<0.50	**4.9**	<0.50	<0.50	<0.50
11-MW-2	Alluvium	7/25/05	**233**	<3.9	524.2	<0.50	**1.1**	<0.50	<0.50	<0.50
11-MW-3	Saugus	4/27/04	**<4.0**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
11-MW-3	Saugus	7/14/04	**<4.0**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-3	Saugus	9/15/04	**<4.0**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-3	Saugus	1/18/05	**27.4**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-3	Saugus	4/13/05	**33.4**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-3-FD		4/13/05	**38.7**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-3	Saugus	7/27/05	**7.3**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-4	Saugus	4/26/04	**918**	na	8260B	<1.0	**12**	<1.0	<1.0	<1.0
11-MW-4	Saugus	7/14/04	**472**	na	524.2	<0.50	**14**	<0.50	<0.50	<0.50
11-MW-4	Saugus	9/15/04	**438**	na	8260B	<1.0	**13**	<1.0	<1.0	<1.0
11-MW-4-FD		9/15/04	**436**	na	8260B	<1.0	**14**	<1.0	<1.0	<1.0
11-MW-4	Saugus	1/17/05	**419**	na	524.2	<0.50	**16**	<0.50	<0.50	<0.50
11-MW-4	Saugus	4/13/05	**549**	<3.9	524.2	<0.50	**25**	<0.50	<0.50	<0.50
11-MW-4	Saugus	7/26/05	**524**	<3.9	524.2	<0.50	**13**	<0.50	<0.50	<0.50
11-MW-4-FD		7/26/05	**540**	<3.9	524.2	<0.50	**17**	<0.50	<0.50	<0.50
11-MW-5	Saugus	4/22/04	**9.8**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-5	Saugus	7/15/04	**8.5**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-5	Saugus	9/16/04	**11.6**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-5	Saugus	1/18/05	**14.3**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-5-FD		1/18/05	**14.0**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-5	Saugus	4/14/05	**11.7**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-5	Saugus	7/26/05	**12.2**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-6	Saugus	4/26/04	**15.8**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
11-MW-6	Saugus	7/14/04	**13.4**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-6	Saugus	9/16/04	**15.7**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-6	Saugus	1/18/05	**13.9**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-6	Saugus	4/14/05	**15.6**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-6	Saugus	7/26/05	**16.5**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-7	Saugus	4/26/04	**81.6**	<10	8260B	1.0 UJ	1.0 UJ	1.0 UJ	1.0 UJ	1.0 UJ
11-MW-7	Saugus	7/15/04	**75.6**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-7	Saugus	9/16/04	**87.8**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-7	Saugus	1/18/05	**72**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-7	Saugus	4/14/05	**68.2**	<78	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
11-MW-7	Saugus	7/26/05	**62.3**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
14-MW-1	Saugus S-III	4/20/05	**8,490**	**12**	8260B	<6.2	**500**	<6.2	**8.8**	<6.2
14-MW-1-FD		4/20/05	**8,680**	**11**	8260B	<10	**510**	<10	**12**	<10
14-MW-1	Saugus S-III	7/28/05	**7,730**	na	8260B	<5.0	**410**	<5.0	<5.0	<5.0
14-MW-2	Saugus S-III	4/20/05	**62,200**	**15**	8260B	<200	**8,700**	<200	<200	<200
14-MW-2	Saugus S-III	7/26/05	<4.0	na	8260B	<78	**6,200**	<78	<78	<78
14-MW-2-FD		7/26/05	**53,700**	na	8260B	<100	**6,200**	<100	<100	<100
20-MW-2	Saugus	7/15/04	**101**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
20-MW-2	Saugus	9/17/04	**123**	<10	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
20-MW-2	Sangus	1/20/05	**113**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
20-MW-2	Saugus	4/19/05	**128**	<39	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
20-MW-2	Saugus	7/29/05	**120**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
20-MW-3	Saugus	7/16/04	**187**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
20-MW-3	Saugus	9/17/04	**270**	<10	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
20-MW-3	Saugus	1/20/05	**265**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
20-MW-3	Saugus	4/20/05	**273**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
20-MW-3	Saugus	7/29/05	**276**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
21-MW-1	Saugus	7/16/04	**56.6**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
21-MW-1	Saugus	9/16/04	**73.2**	<10	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
21-MW-1	Saugus	1/19/05	**67**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
21-MW-1	Saugus	4/20/05	**67.6**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
21-MW-1	Saugus	7/29/05	**56.0**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
33-MW-1A	Saugus S-III	4/26/04	**432**	na	524.2	<0.50	**1.6**	<0.50	<0.50	<0.50
33-MW-1A-FD		4/26/04	**447**	na	524.2	<0.50	**1.5**	<0.50	<0.50	<0.50
33-MW-1A	Saugus S-III	7/14/04	**420**	na	524.2	<0.50	**1.8**	<0.50	<0.50	<0.50
33-MW-1A	Saugus S-III	9/17/04	**410**	na	524.2	<0.50	**2.4**	<0.50	<0.50	<0.50
33-MW-1A	Saugus S-III	1/13/05	**123**	59	524.2	<0.50	**7.2**	<0.50	<0.50	<0.50
33-MW-1A	Saugus S-III	4/7/05	**273**	20	524.2	<0.50	**7.3**	<0.50	<0.50	<0.50
33-MW-1A	Saugus S-III	7/27/05	**397**	na	524.2	<0.50	**6.9**	<0.50	<0.50	<0.50
33-MW-1B	Saugus S-III	1/12/05	**811**	**150 J**	524.2	<1.7	**220**	<1.7	<1.7	<1.7
33-MW-1B	Saugus S-III	4/8/05	**651**	**130 J**	524.2	<2	**230**	<2	<2	<2
33-MW-1B	Saugus S-III	7/22/05	**242**	na	524.2	<1.2	**130**	<1.2	<1.2	<1.2
33-MW-1C	Saugus S-III	1/12/05	**281**	**220**	524.2	<0.50	**0.58**	<0.50	<0.50	<0.50
33-MW-1C	Saugus S-III	4/8/05	**283**	**220 J**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
33-MW-1C	Saugus S-III	7/21/05	**69.5**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
50-MW-1	Saugus	7/14/04	**338**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
50-MW-1	Saugus	9/15/04	**296**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
50-MW-1	Saugus	1/19/05	**267**	**50**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
50-MW-1-FD		1/19/05	**270**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
50-MW-1	Saugus	4/19/05	**456**	**68**	524.2	<0.50	**1.2**	<0.50	<0.50	<0.50
50-MW-1	Saugus	7/27/05	**262**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
51-MW-1	Saugus	4/23/04	<4.0	<10	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-1	Saugus	7/14/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-1	Saugus	9/15/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-1	Saugus	1/19/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-1	Saugus	4/15/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-1	Saugus	7/29/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-1 -FD		7/29/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-2	Saugus	7/14/04	<4.0	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
51-MW-2	Saugus	9/17/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-2	Saugus	1/12/05	<4.0	3.9 UJ	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-2	Saugus	4/13/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
51-MW-2	Saugus	7/26/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
61-MW-1	Saugus	4/22/04	**295**	<10	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
61-MW-1	Saugus	7/13/04	**318**	na	524.2	0.5 UJ	0.5 UJ	0.5 UJ	0.5 UJ	0.5 UJ
61-MW-1-FD		7/13/04	**313**	na	524.2	0.5 UJ	0.5 UJ	0.5 UJ	0.5 UJ	0.5 UJ
61-MW-1	Saugus	9/21/04	**320**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
61-MW-1	Saugus	1/19/05	**271**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
61-MW-1	Saugus	4/15/05	**278**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
61-MW-1	Saugus	7/20/05	**291 J**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
67-MW-1	Alluvium	1/18/05	**80.1**	130	524.2	<0.50	4.2	0.92	<0.50	<0.50
67-MW-1	Alluvium	4/11/05	**70.1**	**44**	524.2	<0.50	1.5	<0.50	<0.50	<0.50
67-MW-1	Alluvium	7/20/05	**56.6**	**31**	524.2	<0.50	1.2	<0.50	<0.50	<0.50
67-MW-2	Saugus	4/23/04	**950**	**1,800**	8260B	<1.0	**50**	**47**	<1.0	<1.0
67-MW-2	Saugus	7/14/04	**1,180**	**1,700**	524.2	<0.50	**45**	**51**	<0.50	<0.50
67-MW-2-FD		7/14/04	**1,180**	**1,700**	524.2	<0.50	**49**	**55**	<0.50	<0.50
67-MW-2	Saugus	9/15/04	**1,200**	na	8260B	<1.0	**41**	**44**	<1.0	<1.0
67-MW-2	Saugus	1/18/05	**1,060**	**1,800**	524.2	<0.50	**53**	**57**	<0.50	<0.50
67-MW-2	Saugus	4/15/05	**1,000**	**1,500**	524.2	<0.50	**53**	**56**	<0.50	<0.50
67-MW-2	Saugus	7/22/05	**1,110**	**1,900**	524.2	<0.50	**57**	**58**	<0.50	<0.50
67-MW-3A	Fill	7/22/05	**53.5**	<3.9	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
67-MW-3B	Saugus	7/22/05	**88.2**	**140**	8260B	<1.0	**8.8**	**17**	<1.0	<1.0
67-MW-3	Saugus	4/23/04	<4.0	<10	8260B	<1.0	<1.0	**24**	<1.0	<1.0
67-MW-3	Saugus	7/14/04	<4.0	<10	524.2	<0.50	<0.50	**35**	<0.50	<0.50
67-MW-3	Saugus	9/15/04	<4.0	na	8260B	<1.0	<1.0	**26**	<1.0	<1.0
67-MW-3	Saugus	1/18/05	<4.0	<3.9	524.2	<0.50	<0.50	**26**	<0.50	<0.50
67-MW-3	Saugus	4/15/05	**9.2**	<3.9	524.2	<0.50	<0.50	**32**	<0.50	<0.50
67-MW-3-FD		4/15/05	<4.0	<3.9	524.2	<0.50	<0.50	**32**	<0.50	<0.50
67-MW-3	Saugus	7/22/05	<4.0	**23**	524.2	<0.50	<0.50	**26**	<0.50	<0.50
67-MW-4	Saugus	4/23/04	**574**	**900**	524.2	<0.50	**3.3**	<0.50	<0.50	<0.50
67-MW-4	Saugus	7/13/04	**258**	**190**	524.2	<0.50	**2.1**	<0.50	<0.50	<0.50
67-MW-4	Saugus	9/15/04	**899**	na	524.2	<0.50	**8.6**	<0.50	<0.50	<0.50
67-MW-4	Saugus	1/17/05	**163**	**190**	524.2	<0.50	**0.81**	<0.50	<0.50	<0.50
67-MW-4	Saugus	4/13/05	**89.5**	**83**	524.2	**0.55**	**0.79**	<0.50	<0.50	<0.50
67-MW-4	Saugus	7/21/05	**65.8**	**71**	524.2	**0.60**	**0.59**	<0.50	<0.50	<0.50
67-MW-4-FD		7/21/05	**64.1**	**72**	524.2	**0.63**	**0.64**	<0.50	<0.50	<0.50

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
67-MW-5	Saugus	4/23/04	**3,660**	**2,400**	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
67-MW-5	Saugus	7/13/04	**4,220**	**2,400**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
67-MW-5	Saugus	9/15/04	**4,190**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
67-MW-5	Saugus	1/18/05	**3,340**	**2,300**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
67-MW-5-FD		1/18/05	**3,480**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
67-MW-5	Saugus	4/14/05	**2,860**	**1,500**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
67-MW-5	Saugus	7/27/05	**4,180**	**2,900**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
67-MW-6	Saugus	7/13/04	**2,990**	**4,200**	8260B	<1.0	**1.3**	<1.0	<1.0	<1.0
67-MW-6	Saugus	9/15/04	**2,940**	**3,900**	8260B	<1.0	**1.7**	<1.0	<1.0	<1.0
67-MW-6	Saugus	1/18/05	**2,580**	**4,200**	524.2	**0.84**	<0.50	<0.50	<0.50	<0.50
67-MW-6	Saugus	4/14/05	**2,670**	**4,100**	524.2	<0.50	**0.94**	<0.50	<0.50	<0.50
67-MW-6	Saugus	7/22/05	**1,550**	**4,400**	524.2	<0.50	**1.2**	<0.50	<0.50	<0.50
67-PZ-7A	Alluvium	7/26/05	**7.9**	<3.9	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
67-MW-7	Saugus	7/27/05	**105**	**37**	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
67-MW-8	Saugus	7/25/05	<4.0	<3.9	8260B	<1.0	<1.0	**2.6**	<1.0	<1.0
67-MW-9	Saugus	7/22/05	<4.0	<3.9	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
69-MW-1	Saugus	4/22/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
69-MW-1	Saugus	7/14/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
69-MW-1	Saugus	9/21/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
69-MW-1	Saugus	1/19/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
69-MW-1	Saugus	4/15/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
69-MW-1	Saugus	7/20/05	4 UJ	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-PW-1	Alluvium	4/21/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-PW-1	Alluvium	7/12/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-PW-1	Alluvium	9/13/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-PW-1	Alluvium	1/14/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-PW-1	Alluvium	4/11/05	<4.0	**57**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-PW-1	Alluvium	7/18/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-1	Alluvium	1/12/05	**38.3**	**49 J**	524.2	**2.3**	**0.58**	<0.50	<0.50	<0.50
75-MW-1-FD		1/12/05	**10.3**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-1	Alluvium	4/12/05	**8.1**	**54**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-1	Alluvium	7/19/05	**11.9**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-2	Alluvium	1/19/05	**53.6**	**44**	524.2	**1.1**	<0.50	<0.50	<0.50	<0.50
75-MW-2	Alluvium	4/11/05	**23.4**	**49**	524.2	**0.73**	<0.50	<0.50	<0.50	<0.50
75-MW-2	Alluvium	7/19/05	**60.8**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-3	Alluvium	1/19/05	**78.2**	**75**	524.2	**1.1**	<0.50	<0.50	<0.50	<0.50
75-MW-3	Alluvium	4/11/05	**82.6**	**70**	524.2	**0.99**	<0.50	<0.50	<0.50	<0.50
75-MW-3	Alluvium	7/19/05	**73.6**	na	524.2	**0.86**	<0.50	<0.50	<0.50	<0.50
75-MW-4	Saugus	4/20/04	**173**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-4	Saugus	7/7/04	**165**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-4	Saugus	9/14/04	**200**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-4	Saugus	1/14/05	**164**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-4	Saugus	4/13/05	**152**	<78	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-4	Saugus	7/21/05	**137**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
75-MW-5	Alluvium	4/19/04	109	na	524.2	0.78	<0.50	<0.50	<0.50	<0.50
75-MW-5	Alluvium	7/6/04	150	na	524.2	1.3	<0.50	<0.50	<0.50	<0.50
75-MW-5	Alluvium	9/14/04	182	na	524.2	0.91	<0.50	<0.50	<0.50	<0.50
75-MW-5	Alluvium	1/14/05	148	na	524.2	0.83	<0.50	<0.50	<0.50	<0.50
75-MW-5	Alluvium	4/12/05	115	64	524.2	1.4	0.54	<0.50	<0.50	<0.50
75-MW-5	Alluvium	7/20/05	99.3	59	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-6	Saugus	4/20/04	116	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-6	Saugus	7/7/04	98.6	na	524.2	<0.50	0.56	<0.50	<0.50	<0.50
75-MW-6	Saugus	9/14/04	96.1	na	524.2	<0.50	0.58	<0.50	<0.50	<0.50
75-MW-6	Saugus	1/14/05	96.9	na	524.2	<0.50	0.53	<0.50	<0.50	<0.50
75-MW-6	Saugus	4/12/05	95.9	25	524.2	<0.50	0.63	<0.50	<0.50	<0.50
75-MW-6	Saugus	7/19/05	79.1	na	524.2	<0.50	0.51	<0.50	<0.50	<0.50
75-MW-7	Saugus	4/20/04	47.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-7	Saugus	7/7/04	87.9	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-7	Saugus	9/15/04	104	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-7	Saugus	1/14/05	94	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-7	Saugus	4/13/05	95.2	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-7	Saugus	7/20/05	94.8	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-8	Saugus	4/20/04	10.7	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-8-FD		4/20/04	10.8	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-8	Saugus	7/8/04	17.4	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-8-FD		7/8/04	17.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-8	Saugus	9/13/04	15.4	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-8-FD		9/13/04	15.6	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-8	Saugus	1/12/05	13.1	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-8	Saugus	4/12/05	15.4	480	524.2	0.7	<0.50	<0.50	<0.50	<0.50
75-MW-8	Saugus	7/20/05	18.3	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-9	Saugus	4/19/04	161	na	524.2	1.3 J	0.66 J	0.50UJ	0.50UJ	0.50UJ
75-MW-9	Saugus	7/6/04	109	na	524.2	1.6	0.66	<0.50	<0.50	<0.50
75-MW-9	Saugus	9/14/04	133	na	524.2	1.1	0.54	<0.50	<0.50	<0.50
75-MW-9	Saugus	1/14/05	96.8	na	524.2	0.88	<0.50	<0.50	<0.50	<0.50
75-MW-9	Saugus	4/12/05	109	27	524.2	1.2	0.56	<0.50	<0.50	<0.50
75-MW-9	Saugus	7/20/05	107	na	524.2	0.92	<0.50	<0.50	<0.5	<0.50
75-MW-10	Saugus	4/20/04	43.1	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-10	Saugus	7/7/04	34.6	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-10	Saugus	9/14/04	42.4	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-10	Saugus	1/13/05	27.6	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-10	Saugus	4/13/05	27.9	13	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-10	Saugus	7/20/05	33.2	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-11	Saugus	4/19/04	130	na	524.2	<0.50	1.0	<0.50	<0.50	<0.50
75-MW-11	Saugus	7/9/04	115	na	524.2	0.7	1.1	<0.50	<0.50	<0.50
75-MW-11	Saugus	9/14/04	144	na	524.2	1.1	1.6	0.53	<0.50	<0.50
75-MW-11	Saugus	1/13/05	112	na	524.2	2.1	2.5	0.95	<0.50	<0.50
75-MW-11	Saugus	4/11/05	110	54	524.2	1.6	1.1	<0.50	<0.50	<0.50
75-MW-11	Saugus	7/20/05	98.9	na	524.2	1.2	1.6	0.52	<0.50	<0.50

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
75-MW-12	Alluvium	1/17/05	**14.5**	**260**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-12	Alluvium	4/12/05	**33.3**	**150**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-12	Alluvium	7/21/05	**32.2**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-13	Saugus	4/19/04	**52.3**	na	524.2	**1.1 J**	**1.5 J**	0.50UJ	0.50UJ	0.50UJ
75-MW-13	Saugus	7/9/04	**54.2**	na	524.2	**0.75**	**0.51**	<0.50	<0.50	<0.50
75-MW-13	Saugus	9/14/04	**66.9**	na	524.2	**0.77**	<0.50	<0.50	<0.50	<0.50
75-MW-13	Saugus	1/12/05	**66.5**	na	524.2	**1.6**	**0.7**	<0.50	<0.50	<0.50
75-MW-13	Saugus	4/12/05	**69.8**	**100**	524.2	**1.1**	**0.51**	<0.50	<0.50	<0.50
75-MW-13	Saugus	7/21/05	**64.0**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-14	Alluvium	1/14/05	**156**	**55 J**	8260B	**110**	**17**	<2.0	**26**	**29**
75-MW-14	Alluvium	4/13/05	**61.8**	**51**	524.2	**83**	**5.5**	<0.50	**12**	**7.2**
75-MW-14	Alluvium	7/25/05	**61.3**	**46**	524.2	**66**	**7.9**	<0.50	**10**	**6**
75-MW-15	Saugus	4/21/04	**98.4**	**24**	8260B	**37**	**74**	<1.0	**4.9**	<1.0
75-MW-15	Saugus	7/7/04	**100**	**39**	524.2	**58**	**77**	**0.59**	**4.2**	<0.50
75-MW-15	Saugus	9/15/04	**106**	na	8260B	**60**	**95**	<1.0	**4.8**	<1.0
75-MW-15	Saugus	1/13/05	**192**	na	8260B	**91**	**41**	<2.0	**4.7**	2.8
75-MW-15	Saugus	4/13/05	**131**	**50**	524.2	**160**	**15**	<12	**20**	**22**
75-MW-15	Saugus	7/26/05	**91.9**	**52**	524.2	**140**	**18**	<1.0	**26**	**16**
75-MW-16	Saugus	4/20/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-16	Saugus	7/7/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-16	Saugus	9/15/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-16	Saugus	1/14/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-16	Saugus	4/13/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-16	Saugus	7/26/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
75-MW-17	Alluvium	4/20/04	**177**	na	524.2	**0.74**	**1.3**	<0.50	<0.50	<0.50
75-MW-17	Alluvium	7/8/04	**94.4**	na	524.2	**1.6**	**1.4**	<0.50	<0.50	<0.50
75-MW-17	Alluvium	9/14/04	**180**	na	524.2	**1.2 J**	**1.6 J**	0.5 UJ	0.50 UJ	0.50 UJ
75-MW-17	Alluvium	1/14/05	**29.2**	na	524.2	**1.1**	**0.54**	<0.50	<0.50	<0.50
75-MW-17	Alluvium	4/12/05	**49**	**53**	524.2	**0.67**	**0.8**	<0.50	<0.50	<0.50
75-MW-17	Alluvium	7/19/05	**188**	**33**	524.2	**1.0**	**2.8**	<0.50	<0.50	<0.50
75-MW-18A	Alluvium	7/21/05	**75.1**	**23**	524.2	**1.1**	**21**	<0.50	<0.50	<0.50
75-MW-18	Alluvium	4/21/04	**64.7**	na	8260B	<50	**2,000**	<50	<50	<50
75-MW-18	Saugus	7/7/04	**51.1**	**24**	8260B	<50	**1,900**	<50	<50	<50
75-MW-18	Saugus	9/15/04	**70.3**	na	8260B	<25	**1,400**	<25	<25	<25
75-MW-18	Saugus	1/14/05	**89.1**	na	8260B	<50	**2,100**	<50	<50	<50
75-MW-18	Alluvium	4/13/05	**111**	**48**	8260B	<50	**3,000**	<50	<50	<50
75-MW-18-FD		4/13/05	**110**	**45**	8260B	<50	**3,300**	<50	<50	<50
75-MW-18	Alluvium	7/26/05	**114**	**43**	8260B	<50	**2,500**	<50	<50	<50
75-MW-19	Saugus	4/21/04	**140**	na	8260B	<200	**14,000**	<200	<200	<200
75-MW-19	Saugus	7/7/04	**136**	**53**	8260B	<500	**16,000**	<500	<500	<500
75-MW-19	Saugus	9/15/04	**137**	na	8260B	<200	**13,000**	<200	<200	<200
75-MW-19	Saugus	1/14/05	**173**	na	8260B	<250	**13,000**	<250	<250	<250
75-MW-19	Saugus	4/12/05	**147**	**61**	524.2	<200	**13,000**	<200	<200	<200
75-MW-19	Saugus	7/26/05	**151**	**48**	8260B	<170	**12,000**	<170	<170	<170
75-MW-19-FD		7/26/05	**152**	**49**	8260B	<120	**12,000**	<120	<120	<120

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
75-MW-20	Saugus	7/26/05	99	68	8260B	<100	8,600	<100	<100	<100
CW-11A	Saugus-S III	5/5/04	39,200	na	524.2	12 UJ	1,900 J	12 UJ	12 UJ	12 UJ
CW-11A	Saugus-S III	7/14/04	39,800	na	8260B	<50	2,400	<50	<50	<50
CW-11A	Saugus-S III	9/17/04	42,500	na	8260B	<25	1,900	<25	<25	<25
CW-11A	Saugus-S III	1/14/05	42,900	na	8260B	<50	2,300	<50	50 UJ	<50
CW-11A	Saugus-S III	4/6/05	49,800	20	8260B	<50	2,800	<50	<50	<50
CW-11A	Saugus S-III	7/20/05	45,900 J	na	8260B	<25	2,000	<25	<25	<25
CW-11B	Saugus-S III	5/4/04	17.1	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
CW-11B	Saugus-S III	7/15/04	6.7	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-11B	Saugus-S III	9/15/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-11B	Saugus-S III	1/12/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-11B	Saugus-S III	4/5/05	15.5	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-11B-FD		4/5/05	15.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-11B	Saugus-S III	7/18/05	<4.0	na	524.2	<0.50	0.54	<0.50	<0.50	<0.50
CW-12A	Saugus S-III	4/29/04	5,620	na	524.2	1.6	39	0.51	<0.50	<0.50
CW-12A	Saugus S-III	7/20/04	6,120	na	524.2	<0.50	46	0.72	<0.50	<0.50
CW-12A	Saugus S-III	9/15/04	3,470	na	8260B	<1.0	21	<1.0	<1.0	<1.0
CW-12A	Saugus S-III	1/14/05	10,200	na	524.2	<4.2	330	<4.2	<4.2	<4.2
CW-12A	Saugus S-III	4/6/05	9,840	10	524.2	<0.50	73	1.4	<0.50	<0.50
CW-12A-FD		4/6/05	9,940	12	524.2	<0.50	79	1.5	<0.50	<0.50
CW-12A	Saugus S-III	7/20/05	625 J	na	524.2	<0.50	47	2.2	<0.50	<0.50
CW-12B	Saugus S-III	4/29/04	150	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-12B	Saugus S-III	7/16/04	1,340	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-12B	Saugus S-III	9/14/04	231	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-12B	Saugus S-III	1/13/05	220	na	524.2	<0.50	0.94	<0.50	<0.50	<0.50
CW-12B	Saugus S-III	4/5/05	1,980	<3.9	524.2	<0.50	1.6	<0.50	<0.50	<0.50
CW-12B	Saugus S-III	7/19/05	180 UJ	na	524.2	<0.50	0.68	<0.50	<0.50	<0.50
CW-12B-FD		7/19/05	171 UJ	na	524.2	<0.50	0.65	<0.50	<0.50	<0.50
CW-13A	Saugus S-III	9/17/04	5,440	na	8260B	<2.5	120	<2.5	<2.5	<2.5
CW-13A	Saugus S-III	1/14/05	4,060	na	8260B	<25	190	<25	<25	<25
CW-13A	Saugus S-III	4/8/05	254,000	na	8260B	<5.0	330	<5.0	<5.0	<5.0
CW-13A	Saugus S-III	7/27/05	24,600	na	8260B	<5.0	240	<5.0	<5.0	<5.0
CW-13B	Saugus-S III	7/21/04	10	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
CW-13B	Saugus S-III	9/13/04	14.5	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-13B	Saugus S-III	1/11/05	28.6	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-13B-FD		1/11/05	28.2	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-13B	Saugus S-III	4/6/05	<30	<7.8	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-13B	Saugus S-III	7/27/05	27	na	524.2	<0.50	<0.5	<0.50	<0.50	<0.50
CW-13C	Saugus-S III	7/21/04	<4.0	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
CW-13C	Saugus S-III	9/16/04	8.4	<10	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-13C	Saugus S-III	1/11/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-13C	Saugus S-III	4/7/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-13C-FD		4/7/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-13C	Suagus S-III	7/20/05	4 UJ	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
CW-14	Saugus-S III	7/23/04	<8.0	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
CW-14	Saugus S-III	9/17/04	<8.0	<10	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-14	Saugus S-III	1/14/05	<20	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-14	Saugus S-III	4/8/05	21.1	20 UJ	524.2	<0.50	0.67	<0.50	<0.50	<0.50
CW-14	Saugus S-III	7/28/05	<8.0	na	524.2	<0.50	0.79	<0.50	<0.50	<0.50
CW-14-FD		7/28/05	<8.0	na	524.2	<0.50	0.83	<0.50	<0.50	<0.50
CW-15	Saugus-S III	7/26/04	<4.0	<10	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
CW-15	Saugus S-III	9/14/04	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-15	Saugus S-III	1/17/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-15	Saugus S-III	4/8/05	59.8	3.9 UJ	524.2	<0.50	0.54	<0.50	<0.50	<0.50
CW-15	Saugus S-III	7/27/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
CW-16A	Saugus S-III	4/4/05	12,800	15	8260B	<12	980	<12	<12	<12
CW-16A	Saugus S-III	7/27/05	12,300	na	8260B	<10	490	<10	<10	<10
CW-16B	Saugus S-III	4/22/05	6.8	10	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
CW-16B	Saugus S-III	7/28/05	<8.0	<3.9	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
CW-16B-FD		7/28/05	<8.0	<3.9	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
OS-MW-1A	Saugus S-I	4/28/04	4.6	na	524.2	0.50UJ	0.50UJ	0.50UJ	0.50UJ	0.50UJ
OS-MW-1A	Saugus S-I	7/22/04	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1A	Saugus S-I	9/16/04	4.7	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1A	Saugus S-I	1/18/05	4.3	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1A	Saugus S-I	4/18/05	<4.0	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1A	Saugus S-I	7/28/05	6.1	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1B	Saugus S-III	4/28/04	105	na	524.2	0.50UJ	0.50UJ	0.50UJ	0.50UJ	0.50UJ
OS-MW-1B	Saugus S-III	7/22/04	32.3	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1B	Saugus S-III	9/16/04	132	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1B-FD		9/16/04	132	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1B	Saugus S-III	1/18/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1B	Saugus S-III	4/19/05	106	34	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1B	Saugus S-III	7/28/05	94	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1C	Saugus S-III	4/27/04	9.8	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1C	Saugus S-III	7/23/04	5.1	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1C	Saugus S-III	9/17/04	8.4	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1C	Saugus S-III	1/17/05	4.6	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1C-FD		1/17/05	5.3	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1C	Saugus S-III	4/18/05	5.4	20	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-1C	Saugus S-III	7/22/05	5.8	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-2A	Alluvium	7/16/04	116	65	8260B	110	16	<2.0	19	42
OS-MW-2A	Alluvium	9/16/04	139	67	8260B	69	13	<1.0	24	26
OS-MW-2A	Alluvium	1/14/05	91.5	na	524.2	32	8.2	<0.50	11	14
OS-MW-2A	Alluvium	4/6/05	82.9	57	524.2	49 J	9.5 J	0.5 UJ	14 J	17
OS-MW-2A	Alluvium	7/22/05	<4.0	na	524.2	5.0	1.2	<0.50	1.4	0.61

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
OS-MW-2B	Alluvium	7/16/04	**111**	**61**	8260B	**77**	**16**	<1.0	**31**	**36**
OS-MW-2B	Alluvium	9/16/04	**127**	**66**	8260B	**38**	**9.4 J**	<1.0	**12 J**	**14**
OS-MW-2B	Alluvium	1/14/05	**32.7**	na	524.2	**3.4**	**1.2**	<0.50	**1.0**	**1.2**
OS-MW-2B	Alluvium	4/6/05	**16.8**	**49**	524.2	**3.2 J**	**0.77 J**	0.5 UJ	**0.79 J**	**0.84**
OS-MW-2B-FD		4/6/05	**19.0**	**47**	524.2	**3.4 J**	**0.83 J**	0.5 UJ	**0.84 J**	**0.94**
OS-MW-2B	Alluvium	7/22/05	<4.0	na	524.2	**0.71**	<0.50	<0.50	<0.50	<0.50
OS-MW-2B-FD		7/22/05	<4.0	na	524.2	**0.72**	<0.50	<0.50	<0.50	<0.50
OS-MW-3A	Alluvium	4/28/04	**138**	**61**	524.2	**78 J**	**14 J**	**0.63 J**	**27 J**	**44 J**
OS-MW-3A	Alluvium	7/16/04	**135**	**61**	524.2	**86**	**19**	<1.0	**27**	**43**
OS-MW-3A	Alluvium	9/16/04	**159**	**61**	8260B	**88**	**19**	<1.0	**34**	**33**
OS-MW-3A	Alluvium	1/19/05	**43.4**	na	524.2	**5.9**	**1.6**	<0.50	**1.2**	**1.6**
OS-MW-3A	Alluvium	4/6/05	**9.9**	**54**	524.2	**1.2 J**	0.5 UJ	0.5 UJ	0.5 UJ	<0.50
OS-MW-3A	Alluvium	7/22/05	**11.8**	na	524.2	**2.0**	**0.52**	<0.50	<0.50	<0.50
OS-MW-3B	Saugus	7/23/04	<4.0	<10	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
OS-MW-3B	Saugus	9/16/04	<4.0	<10	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-3B	Saugus	1/20/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-3B	Saugus	4/6/05	**11.4**	<3.9	524.2	0.5 UJ	0.5 UJ	0.5 UJ	0.5 UJ	<0.50
OS-MW-3B	Saugus	7/29/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-4A	Alluvium	7/22/04	**5.7**	**34**	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
OS-MW-4A	Alluvium	9/16/04	**8.3**	**47**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-4A	Alluvium	1/19/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-4A	Alluvium	4/6/05	<4.0	**62**	524.2	0.5 UJ	0.5 UJ	0.5 UJ	0.5 UJ	<0.50
OS-MW-4A	Alluvium	7/27/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-4B	Alluvium	7/22/04	**33.5**	**38**	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
OS-MW-4B	Alluvium	9/16/04	**9.1**	**47**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-4B	Alluvium	1/19/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
OS-MW-4B	Alluvium	4/6/05	<4.0	**61**	524.2	0.5 UJ	0.5 UJ	0.5 UJ	0.5 UJ	<0.50
OS-MW-4B	Alluvium	7/27/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
AL-12A	Alluvium	11/23/04	<4.0	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
AL-12A	Alluvium	1/18/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
AL-12A	Alluvium	4/14/05	**68.3**	**21**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
AL-12A	Alluvium	7/27/05	<4.0	na	524.2	<0.50	**1.3**	<0.50	<0.50	<0.50
AL-12B	Alluvium	11/24/04	**31.6**	na	8260B	<5.0	**7.0**	<1.0	<1.0	<1.0
AL-12B	Alluvium	1/18/05	**10**	na	524.2	<0.50	**2.4**	<0.50	<0.50	<0.50
AL-12B-FD		1/18/05	**9.2**	na	524.2	<0.50	**2.7**	<0.50	<0.50	<0.50
AL-12B	Alluvium	4/14/05	<8.0	**5,100**	524.2	**0.69**	**3.8**	<0.50	<0.50	<0.50
AL-12B	Alluvium	7/27/05	**19.3**	na	524.2	<1.0	**24 J**	<1.0	<1.0	<1.0
SG1-HSU1	Saugus S-I	11/23/04	<4.0	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
SG1-HSU1	Saugus S-I	1/18/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
SG1-HSU1	Saugus S-I	4/14/05	**5.3**	**140**	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
SG1-HSU1	Saugus S-I	7/27/05	<4.0	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
Perched Groundwater Zones										
OU1Ds-DB-02B	Perched	6/4/04	**6,800**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
OU1Ds-DB-02B	Perched	7/23/04	**6,150**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
OU1Ds-DB-02B	Perched	9/21/04	**5,630**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
OU1Ds-DB-02B	Perched	1/20/05	**7,960**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
OU1Ds-DB-02B	Perched	4/19/05	**5,760**	<3.9	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
OU1Ds-DB-02B	Perched	7/29/05	**35,300**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
EX-4	Perched	4/30/04	**5,810**	<10	8260B	<10	**540**	<10	<10	<10
EX-4	Perched	7/15/04	**3,180**	na	8260B	<6.2	**500**	<6.2	<6.2	<6.2
EX-4-FD		7/15/04	**2,770**	na	8260B	<6.2	**520**	<6.2	<6.2	<6.2
EX-4	Perched	9/20/04	**6,330 J**	na	8260B	<10	**450**	<10	<10	<10
EX-4	Perched	1/20/05	**3,300**	na	8260B	<5.0	**290**	<5.0	<5.0	<5.0
EX-4	Perched	4/19/05	**4,930**	<3.9	8260B	<5.0	**360**	<5.0	<5.0	<5.0
EX-4	Perched	7/29/05	**8,390**	na	8260B	<10	**530**	<10	<10	<10
P-9	Perched	9/17/04	**179,000**	na	–	na	na	na	na	na
P-9	Perched	1/11/05	na	na	8260B	<12	**1,000**	<12	<12	<12
P-9	Perched	4/11/05	**177,000**	na	8260B	<20	**2,000**	<20	<20	<20
P-9	Perched	8/1/05	**155,000**	na	8260B	<12	**930**	<12	<12	<12
P-12	Perched	9/17/04	**509**	na	–	na	na	na	na	na
P-12	Perched	1/13/05	**267**	na	8260B	<1.0	**53**	<1.0	<1.0	<1.0
P-12	Perched	4/14/05	**372**	na	8260B	<2.0	**87**	<2.0	<2.0	<2.0
P-12	Perched	8/1/05	**344**	na	8260B	<1.0	**85**	<1.0	<1.0	<1.0
P-13	Perched	9/22/04	**122**	na	–	na	na	na	na	na
P-13	Perched	1/20/05	**413**	na	8260B	<1.0	**13**	<1.0	<1.0	<1.0
P-13	Perched	4/14/05	**508**	na	8260B	<1.0	**18**	<1.0	<1.0	<1.0
P-13	Perched	7/26/05	**1,780**	na	8260B	<1.0	**10**	<1.0	<1.0	<1.0
P-14	Perched	9/22/04	**1,600**	na	–	na	na	na	na	na
OU2-PW-1	Perched	5/4/04	**139,000**	**61**	8260B	250 UJ	**9,400 J**	250 UJ	250 UJ	250 UJ
OU2-PW-1	Perched	7/21/04	**132,000**	na	8260B	<250	**8,500**	<250	<250	<250
OU2-PW-1	Perched	9/20/04	**135,000 J**	na	8260B	<250	**7,900**	<250	<250	<250
OU2-PW-1	Perched	1/20/05	**111,000**	na	8260B	<100	**7,100**	<100	<100	<100
OU2-PW-1	Perched	4/8/05	**110,000**	**58 J**	8260B	<200	**8,700**	<200	<200	<200
OU2-PW-1	Perched	7/28/05	**9,000**	na	8260B	<12	**1,000**	<12	<12	<12
OU2-PW-2	Perched	4/30/04	**1,980**	<10	8260B	<1.0	**59**	<1.0	<1.0	<1.0
OU2-PW-2	Perched	7/21/04	**16,300**	na	8260B	<10	**430**	<10	<10	<10
OU2-PW-2	Perched	9/21/04	**8,330**	na	8260B	<5.0	**280**	<5.0	<5.0	<5.0
OU2-PW-2-FD		9/21/04	**8,420**	na	8260B	<5.0	**260**	<5.0	<5.0	<5.0
OU2-PW-2	Perched	1/20/05	**6,250**	na	8260B	<5.0	**300**	<5.0	<5.0	<5.0
OU2-PW-2	Perched	4/14/05	**14,500**	<3.9	8260B	<10	**450**	<10	<10	<10
OU2-PW-2-FD		4/14/05	**14,600**	<3.9	8260B	<10	**460**	<10	<10	<10
OU2-PW-2	Perched	7/29/05	**11,600**	na	8260B	<10	**570**	<10	<10	<10

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
OU2-PW-3	Perched	4/27/04	**121,000**	<10	8260B	<50	**3,000**	<50	<50	<50
OU2-PW-3	Perched	7/20/04	**127,000**	na	8260B	<50	**2,600**	<50	<50	<50
OU2-PW-3	Perched	9/22/04	**137,000**	na	8260B	<50	**2,700**	<50	<50	<50
OU2-PW-3	Perched	1/20/05	**129,000**	na	8260B	<50	**2,900**	<50	<50	<50
OU2-PW-3-FD		1/20/05	**113,000**	na	8260B	<50	**3,300**	<50	<50	<50
OU2-PW-3	Perched	4/8/05	**124,000**	3.9 UJ	8260B	<50	**3,300**	<50	<50	<50
OU2-PW-3	Perched	7/29/05	**109,000**	na	8260B	<25	**1,800**	<25	<25	<25
OU2-PW-3-FD		7/29/05	**132,000**	na	8260B	<25	**1,900**	<25	<25	<25
OU2-PW-4	Perched	4/27/04	**12,700**	na	8260B	<1.0	**460**	<1.0	<1.0	<1.0
OU2-PW-4	Perched	7/20/04	**318**	na	8260B	<1.0	**9.8**	<1.0	<1.0	<1.0
OU2-PW-4-FD		7/20/04	**376**	na	8260B	<1.0	**9.5**	<1.0	<1.0	<1.0
OU2-PW-4	Perched	9/20/04	**291 J**	na	8260B	<1.0	**9.2**	<1.0	<1.0	<1.0
OU2-PW-4	Perched	1/20/05	**288**	na	8260B	<1.0	**11**	<1.0	<1.0	<1.0
OU2-PW-4	Perched	4/20/05	**334**	<3.9	8260B	<1.0	**15**	<1.0	<1.0	<1.0
OU2-PW-4	Perched	7/29/05	**440**	na	8260B	<1.0	**17**	<1.0	<1.0	<1.0
OU2-PW-5	Perched	4/30/04	**286**	<10	8260B	<1.0	**12**	<1.0	<1.0	<1.0
OU2-PW-5-FD		4/30/04	**276**	<10	8260B	<1.0	**11**	<1.0	<1.0	<1.0
OU2-PW-5	Perched	7/20/04	**8,520**	na	8260B	<10	**420**	<10	<10	<10
OU2-PW-5	Perched	9/22/04	**7,010**	na	8260B	<10	**650**	<10	<10	<10
OU2-PW-5	Perched	1/20/05	**3,450**	na	8260B	<25	**180**	<25	<25	<25
OU2-PW-5-FD		1/20/05	**3,450**	na	8260B	<25	**190**	<25	<25	<25
OU2-PW-5	Perched	4/15/05	**20,400**	<3.9	8260B	<10	**480**	<10	<10	<10
OU2-PW-5	Perched	7/29/05	**3,700**	na	8260B	<2.5	**160**	<2.5	<2.5	<2.5
OU2-PW-6	Perched	7/22/04	**19,600**	na	8260B	<5.0	**230**	<5.0	<5.0	<5.0
OU2-PW-6	Perched	9/21/04	**22,900**	na	8260B	<2.5	**160**	<2.5	<2.5	<2.5
OU2-PW-6	Perched	1/20/05	**20,800**	na	8260B	<5.0	**200**	<5.0	<5.0	<5.0
OU2-PW-6	Perched	4/14/05	**38,200**	<78	8260B	<4.0	**270**	<4.0	<4.0	<4.0
OU2-PW-6	Perched	7/29/05	**30,400**	na	8260B	<5.0	**250**	<5.0	<5.0	<5.0
OU6-PW-1	Perched	5/3/04	**147,000**	na	8260B	<62	**4,500**	<62	<62	<62
OU6-PW-1	Perched	7/21/04	**201,000**	na	8260B	<100	**9,000**	<100	<100	<100
OU6-PW-1	Perched	9/20/04	**169,000 J**	na	524.2	<25	**4,500**	<25	<25	<25
OU6-PW-1	Perched	1/20/05	**159,000**	na	8260B	<50	**3,600**	<50	<50	<50
OU6-PW-1-FD		1/20/05	**169,000**	na	8260B	<50	**3,500**	<50	<50	<50
OU6-PW-1	Perched	4/19/05	**194,000**	<39	8260B	<62	**4,000**	<62	<62	<62
OU6-PW-1	Perched	7/22/05	**149,000**	na	8260B	<33	**3,300**	<33	<33	<33
CW-16-P	Perched	4/20/05	**53.8**	<3.9	8260B	**120**	**690**	<20	<20	<20
14-PW-2	Perched	5/4/04	**488**	<10	8260B	<1.0	**28**	<1.0	<1.0	<1.0
14-PW-2	Perched	7/15/04	**403**	na	8260B	<1.0	**35**	<1.0	<1.0	<1.0
14-PW-2	Perched	9/16/04	**469**	na	8260B	<1.0	**21**	<1.0	<1.0	<1.0
14-PW-2	Perched	1/21/05	**433**	na	8260B	<1.0	**17**	<1.0	<1.0	<1.0
14-PW-2	Perched	4/19/05	**283**	<3.9	8260B	<1.0	**18**	<1.0	<1.0	<1.0
14-PW-2-FD		4/19/05	**276**	<3.9	8260B	**1.1**	**20**	<1.0	<1.0	<1.0
14-PW-2	Perched	7/29/05	**309**	na	8260B	**4.2**	**140**	<2.0	<2.0	<2.0

TABLE 7. SUMMARY OF QUARTERLY GROUNDWATER ANALYTICAL RESULTS - PERCHLORATE, CHLORATE, AND FREQUENTLY DETECTED VOCs
Former Whittaker Corporation Bermite Facility; Santa Clarita, California

Well No.	Aquifer (Prelim.)	Sample Date	Perchlorate (µg/l)	Chlorate (µg/l)	EPA Method (VOCs)	PCE (µg/l)	TCE (µg/l)	cis-1,2-DCE (µg/l)	1,1-DCE (µg/l)	1,1,1-TCA (µg/l)
14-PW-3	Perched	5/5/04	**46,900**	<10	8260B	**55,000**	<1,000	<1,000	<1,000	<1,000
14-PW-3	Perched	7/16/04	**93,700**	na	8260B	**80,000**	<2,500	<2,500	<2,500	<2,500
14-PW-3	Perched	9/22/04	**117,000**	na	8260B	**89,000**	<1,200	<1,200	<1,200	<1,200
14-PW-3	Perched	1/21/05	**48,400**	na	8260B	**67,000**	<2,500	<2,500	<2,500	<2,500
14-PW-3-FD		1/21/05	**57,900**	na	8260B	**68,000**	<2,500	<2,500	<2,500	<2,500
14-PW-3	Perched	4/20/05	**12,500**	<3.9	8260B	**120,000**	<2,000	<2,000	<2,000	<2,000
14-PW-3	Perched	8/9/05	**30,100**	na	8260B	**57,000**	<620	<620	<620	<620
14-PW-3 -FD		8/9/05	**27,000**	na	8260B	**60,000**	<620	<620	<620	<620
17-PW-1	Perched	5/5/04	**5,560**	<10	8260B	**1.2 J**	1.0 UJ	**9.0 J**	1.0 UJ	1.0 UJ
17-PW-1-FD		5/5/04	**5,700**	<10	8260B	<1.0	1.0 UJ	**9.2**	<1.0	<1.0
17-PW-1	Perched	7/15/04	**10,500**	na	8260B	**1.1**	<1.0	**8.2**	<1.0	<1.0
17-PW-1	Perched	9/21/04	**9,410**	na	8260B	<1.0	<1.0	**5.5**	<1.0	<1.0
17-PW-1	Perched	1/21/05	**12,600**	na	8260B	<1.0	<1.0	**5.9**	<1.0	<1.0
17-PW-1-FD		1/21/05	**12,800**	na	8260B	<1.0	<1.0	**5.9**	<1.0	<1.0
17-PW-1	Perched	4/13/05	**14,100**	<7.8	8260B	<1.0	<1.0	**9.1**	<1.0	<1.0
17-PW-1	Perched	7/28/05	**9,230**	na	8260B	<1.0	<1.0	**4.3**	<1.0	<1.0
41-PW-1	Perched	7/14/04	**109**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
41-PW-1	Perched	9/17/04	**91.3**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
41-PW-1	Perched	1/20/05	**245**	na	8260B	<0.50	<0.50	<0.50	<0.50	<0.50
41-PW-1	Perched	4/18/05	**117**	<3.9	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
41-PW-1	Perched	7/29/05	**130**	na	8260B	<1.0	**1.8**	<1.0	<1.0	<1.0
50-PW-1	Perched	7/14/04	**606**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
50-PW-1	Perched	9/20/04	**876 J**	<10	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
50-PW-1-FD		9/20/04	**759 J**	na	524.2	<0.50	<0.50	<0.50	<0.50	<0.50
50-PW-1	Perched	1/20/05	**788**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
50-PW-1	Perched	4/15/05	**906**	<3.9	8260B	<1.0	<1.0	<1.0	<1.0	<1.0
50-PW-1	Perched	7/27/05	**873**	na	8260B	<1.0	<1.0	<1.0	<1.0	<1.0

Notes:

All units are in micrograms per liter (µg/l), or parts per billion

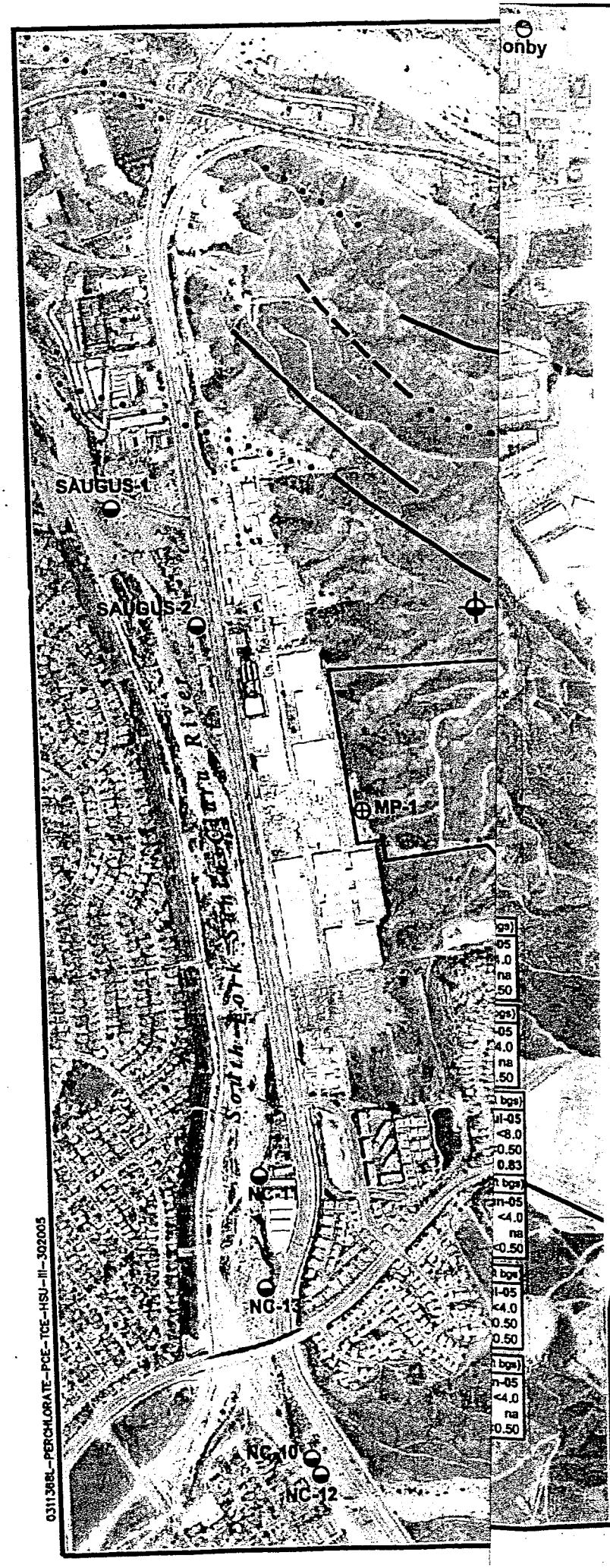
FD = duplicate sample

<xx = Analyte not detected above the indicated detection limit

na = not analyzed

J = Estimated concentration

UJ = The analyte was analyzed for, but it was not detected and the sample detection limit is an estimated quantity.



EXPLANATION:

Existing Well Location

- Alluvium Production Well
- Saugus Production Well
- Saugus Monitoring Well

USACE RI Monitoring Wells

- Single Screen
- Multiport

San Gabriel Fault Zone

- Fault dashed where approximate, dotted where concealed

OU-5 Site Operable Unit

NOTES:

CW-11A (322-337 ft bgs) = Well name and screen interval

ft bgs = feet below ground surface

PCE = Tertrachloroethene

TCE = Trichloroethene

J = Analyte positively identified; the reported concentration is approximate.

UJ = Analyte not detected, but the reported quantitation limit is approximate.

Chemical concentrations are in µg/l (parts per billion)

* Indicates Subunit HSU S-IIIa

N

0 1200 2400

SCALE IN FEET

ENVIRON

Perchlorate, PCE, and TCE Concentrations - Saugus Formation HSU S-III
Third Quarter 2005
Santa Clarita, California

DATE:	CONTRACT NUMBER:	FIGURE
1/26/05	03-11368L	4c
DRAFTER: RS	APPROVED: / REVISED:	

03113681_PERCHLORATE-PCE-TCE-HSU-III-302005

World Cup

SPORTS

Daily News

dailynews.com/santaclarita

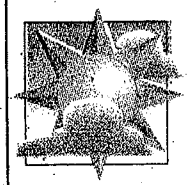
NTA CLARITA

EDITION

TUESDAY, JUNE 13, 2006

50 Cents
DESIGNATED AREAS HIGHER

WEATHER



June gloom
Highs: 74-79
Lows: 53-57
Air quality:
Moderate

For details, see back of Business

t discovered in well water

ket fuel component in low concentrations

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level for safe drinking water is about 6 parts per billion.

"It was detected at a very low concentration," Jose Diaz, project manager with the state Department of Toxic Substances Control overseeing cleanup at Whittaker-Bermite, said Monday. "We're doing investigations in the general vicinity of that well to determine where the plume extends."

Perchlorate in high doses has been connected to thyroid problems. One part per billion is roughly the volume of one grain of sand in an Olympic-size swimming pool.

The well, which taps into the deep Saugus Aquifer, is located within 1,000 feet of another well that was capped due to perchlorate contamination in 1998.

Decades of munitions testing and manufacturing at the 996-acre Whittaker—Bermite property north of Soledad Canyon Road has left a chemical plume in the aquifer — one of Santa Clarita Valley's prime water sources.

Eight water wells — including NC-13 — have tested positive for perchlorate. Though officials are unsure about the exact size of the plume, studies by the U.S. Army Corps of Engineers suggest it is moving west and northwest, Diaz said.

Officials with Whittaker Corp., which is charged with decontaminating the property, did not return calls for comment Monday. But Cole said the company will pay for the construction of a monitoring well between NC-13 and the Bermite property.

"They will be able to pull samples from those special zones as far as what effects it has on our wells in case of increase concentration," he said. "It'll give us data in overall risks that's out there."

PIZZERIA

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California Regional Water Quality Control Board

Los Angeles Region

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Dr. Alan Lloyd
Secretary for Environmental Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: http://www.waterboards.ca.gov/losangeles

Arnold Schwarzenegg
Governor

December 20, 2005

Mr. James F. Stahl
Chief Engineer and General Manager
County Sanitation Districts
1955 Workman Mill Road
Whittier, California 90607-4998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
NO. 7003 3110 0003 3258 4325

COMPLAINT NO. R4-2005-0045 FOR MANDATORY MINIMUM PENALTIES AGAINST THE COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY, 28185 THE OLD ROAD, VALENCIA, CA (ORDER NOS. 95-081 AND R4-2003-0145, NPDES PERMIT NO. CA0054216, CI-4993)

Dear Mr. James F. Stahl:

Enclosed is Complaint No. R4-2005-0045 for Mandatory Minimum Penalties in the amount of $246,000 against County Sanitation Districts of Los Angeles County (hereinafter Permittee) for violation of waste discharge requirements contained in Regional Board Order Nos. 95-081 and R4-2003-0145. Also enclosed for your information is a copy of the Regional Board Revised Procedures for the Conduct of Hearing Panel Proceedings.

Unless waived, a hearing before the Regional Water Quality Control Board, Los Angeles Region (Regional Board) or Regional Board Hearing Panel (Hearing Panel) will be held on this Complaint pursuant to California Water Code (CWC) §§ 13228.14 and 13323. Should the Permittee choose to waive its right to a hearing, an authorized agent must sign the waiver form attached to Complaint No. R4-2005-0045 and return it to the Regional Board by January 23, 2006. If we do not receive the waiver and payment of the full mandatory minimum penalty, or partial payment and proof of payment of the balance to a Regional Board-approved Supplemental Environmental Project (SEP) by January 23, 2006, this matter will be heard before the Regional Board or Hearing Panel. An agenda containing the date, time, and location of the hearing will be mailed to you not less than ten (10) days prior to the hearing date.

The Regional Board or Hearing Panel will hear the staff presentation, any evidence and argument the Permittee wishes to present, and any comments offered by interested parties. To ensure that the Regional Board or Hearing Panel members are given the opportunity to fully study and consider the information the Permittee wishes to present at the hearing, all documentation that the Permittee desires to be considered must be submitted to this office at least five (5) working days prior to the date of the hearing. The documentation must include: (a) any written comments, (b) a list identifying each witness to be called, and (c) the estimated time required by witnesses to present testimony. Failure to comply with these requirements is grounds for the

Regional Board or Hearing Panel to refuse to admit the proposed written comments or exhibits into evidence (Title 23, California Code of Regulations, § 648.4).

The Regional Board may allow the Permittee to expend a portion of the mandatory minimum penalty amount on a SEP. The Regional Board approved a list of SEPs in order to facilitate the SEP selection and implementation process. The Permittee may select a pre-approved project from this list to fulfill part of the requirements of Complaint No. R4-2005-0045. The pre-approved SEP list is available on our web site at www.waterboards.ca.gov/losangeles/html/programs/enforcement.html.

Please contact Mr. Hugh Marley at (213) 620-6375 or Ms. Joyce Lee at (213) 620-6369 should you have any questions.

Sincerely,

Jonathan Bishop
Executive Officer

Enclosures

cc: Mr. Michael Lauffer, Office of Chief Counsel, State Water Resources Control Board
Mr. Robert Sams, Office of Chief Counsel, State Water Resources Control Board
Mr. James Maughan, Division of Water Quality, State Water Resources Control Board
Mr. Bill Paznokas, Department of Fish and Game
Ms. Cindy Forbes, Southern California Field Operations Branch, Cal.-DHS/DDWEM
Mr. Kurt Souza, Drinking Water Field Operations Branch, Region V, Cal.-DHS
Ms. Kathryn Barger-Leibrich, Chief Deputy, Fifth District, County of Los Angeles

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

In the matter of:	)	**Complaint No. R4-2005-0045**
	)	**Mandatory Minimum Penalties for**
	)	**Violation of California Water Code § 13376**
County Sanitation Districts of Los Angeles County	)	**And**
Valencia Water Reclamation Plant	)	**Order Nos. 95-081 and R4-2003-0146**
Valencia, California	)	**(NPDES No. CA0054216)**

This Complaint to assess the mandatory minimum penalties pursuant to California Water Code (CWC) § 13385, subdivisions (h) & (i) is issued to County Sanitation Districts of Los Angeles County (hereinafter Permittee) based on findings of violations of waste discharge requirements prescribed in Order Nos. 95-081 and R4-2003-0146 (NPDES No. CA0054216, CI No. 4993).

The Executive Officer (Executive Officer) of the Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds the following:

1. The Permittee operates the Valencia Water Reclamation Plant (hereinafter facility) located at 28185 The Old Road, Valencia. The Permittee can discharge up to 17 million gallons per day (MGD) of tertiary-treated municipal and industrial wastewater at the facility (Latitude 34°25'47", Longitude 118°35'27"). The wastewater is susceptible of containing chloride, cyanide, nitrate plus nitrite (as nitrogen) and other pollutants which can degrade water quality and impact beneficial uses of water, and which are defined as wastes under the Porter-Cologne Water Quality Control Act (CWC § 13000 et seq.). The wastewater flows to the Santa Clara River, a navigable water of the United States.

2. On June 12, 1995 the Regional Board adopted Order No. 95-081, which prescribed waste discharge requirements to the Permittee for the discharge of treated wastes from the facility.

3. Order No. 95-081 (Part I.A., page 6-8) included the following effluent limitations for chloride, cyanide, and nitrogen:

Constituent	Unit of Measure	Discharge Limitations (daily maximum)	Discharge Limitations (30-day average)
Chloride	Mg/L	100	--
Chloride	lbs/day	10,508* / 14,178 **	--
Cyanide	µg/L	--	5.2
Cyanide	lbs/day	--	0.55* / 0.74**
Nitrate + Nitrite (as N)	Mg/L	10	--

mg/L = milligrams/liter; µg/L = micrograms/liter
* Mass Emission Rate (MER) of 12.6 MGD (lbs/day = Concentration x MER x 8.34)
** MER beginning May 2003 due to increase in design capacity from 12.6 MGD to 17 MGD

4. On December 6, 2003, the Regional Board adopted Order No. R4-2003-0145, which replaced Order No. 95-081 and prescribes waste discharge requirements to the Permittee for the discharge of treated wastes from the facility.

5. Order No. R4-2003-0145 (Part J, page 32) includes the following interim effluent limitations for cyanide.

Constituent	Unit of Measure	Discharge Limitations (daily maximum)	Discharge Limitations (monthly average)
cyanide	ug/L	-	5.2

µg/L = micrograms/liter

Any discharge containing pollutants violating the effluent limitations set in the waste discharge requirements is prohibited by CWC § 13376.

6. Among the provisions in the Permittee's waste discharge requirements are the requirements to implement a discharge monitoring program and to prepare and submit quarterly NPDES self-monitoring reports to the Regional Board pursuant to the authority of CWC § 13383.

7. Seventy three (73) violations of Order No. 95-081 and eleven (11) violations of Order No. R4-2003-0145 were noted in the Permittee's self-monitoring reports during the period January 2001 through March 2005. These violations include effluent limit exceedances for chloride, cyanide and nitrogen. The violations are identified in Table 1 attached hereto and incorporated herein by reference.

8. CWC § 13385(h) requires the Regional Board to assess a mandatory minimum penalty of three thousand dollars ($3,000) for each serious violation. Pursuant to CWC § 13385(h)(2) a "serious violation" is defined as any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant, as specified in Appendix A to § 123.45 of Title 40 of the Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to § 123.45 of Title 40 of the Code of Federal Regulations, by 40 percent or more.

Furthermore, CWC § 13385.1(a)(1) identifies a failure to file a discharge monitoring report required pursuant to CWC § 13383 for each complete period of 30 days following the deadline for submitting the report as a "serious violation."

9. CWC § 13385(i) requires the Regional Board to assess a mandatory minimum penalty of three thousand dollars ($3,000) for each violation whenever the permittee violates a waste discharge requirement effluent limitation in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations within that time period.

10. A portion of the penalty not to exceed fifteen thousand dollars ($15,000) plus fifty percent (50%) of the penalty amount that exceeds fifteen thousand dollars ($15,000) may be directed to be expended on a Supplemental Environmental Project (SEP) pursuant to CWC § 13385(l).

11. The maximum amount of administrative civil liability assessable pursuant to CWC § 13385 for each day of violation is $10,000 per day of violation plus $10 times the number of gallons by which the volume discharged but not cleaned up exceeds 1,000 gallons.

YOU ARE HEREBY GIVEN NOTICE THAT:

12. The Executive Officer proposes that the Permittee be assessed a mandatory minimum penalty in the amount of $246,000 for the violations which occurred during January 2001 through March 2005. Refer to Table 1 for the calculation of the amount of mandatory minimum penalty.

13. A hearing shall be conducted on this Complaint by the Regional Board or Regional Board Hearing Panel (Hearing Panel) within 90 days after service of this Complaint on the Permittee pursuant to CWC §§ 13228.14 and 13323. The Permittee will be notified of the date, time and location of the hearing. The Permittee may waive the right to a hearing. Should the Permittee choose to waive the right to a hearing, an authorized agent must sign the waiver form attached to this Complaint and return the executed waiver to the Regional Board at 320 West 4th Street, Suite 200, Los Angeles, CA 90013, to be received by the Regional Board by the close of business on January 23, 2005. If the hearing is waived, the following options are available to satisfy the civil liability:

    a. A check in the amount of $246,000 (payable to the State Water Resources Control Board Cleanup and Abatement Account) shall accompany the signed waiver; or

    b. The Permittee may pay up to $130,500 of the civil liability by contributing to a SEP on the Regional Board approved SEP List at http://www.waterboards.ca.gov/losangeles/html/programs/enforcement.html. To the greatest degree practicable, there must be a nexus demonstrated with the violations cited in this Complaint and the chosen SEP.

In the event that the Permittee elects to contribute to a SEP, a check in the amount of $115,500 (payable to the State Water Resources Control Board Cleanup and Abatement Account) shall accompany the signed waiver along with a written statement indicating the SEP chosen and proof of payment of the penalty balance to the SEP shall be submitted to the Regional Board by the close of business on January 23, 2006.

14. Notwithstanding the issuance of this Complaint, the Regional Board shall retain the authority to assess additional penalties for violations of the requirements of the Permittee's waste discharge requirements.

15. This enforcement action is exempt from the provisions of the California Environmental Quality Act, California Public Resources Code § 21000 et seq., in accordance with California Code of Regulations, title 14, § 15321.

16. Regulations of the US Environmental Protection Agency require public notification of any proposed settlement of the civil liability occasioned by violation of the Clean Water Act including NPDES permit violations. Accordingly, interested persons will be given 30 days to comment on any proposed settlement of this Complaint.

December 20, 2005

_____
Jonathan Bishop
Executive Officer

Chloride Sources

- Majority of chloride load to SCR from Saugus and Valencia WRPs
- 60% of WRP effluent chloride comes from potable water supply
- Most additional chloride from Self Regenerating Water Softeners (SRWS)
- 2004 ban on new SRWS installation

From RWCQB Presentation

Background
Beneficial Uses and WQOs

- Beneficial Uses
  - Agricultural Supply
  - Groundwater Recharge
  - Aquatic Life Habitat
- Water Quality Objectives
  - Surface Water Quality Objective - 100 mg/l
  - Groundwater Quality Objectives - 100mg/l-200 mg/l

From Regional WQCB [illegible] Contra Costa

State of California
California Regional Water Quality Control Board, Los Angeles Region

RESOLUTION NO. 2005-002
January 27, 2005

Reiteration of Existing Authority to Regulate Hydromodifications within the Los Angeles Region, and Intent to Evaluate the Need for and Develop as Appropriate New Policy or Other Tools to Control Adverse Impacts from Hydromodification on the Water Quality and Beneficial Uses of Water Courses in the Los Angeles Region

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region, finds that:

1. Protecting beneficial uses within the Los Angeles Region consistent with the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) requires careful consideration of projects that result in hydrogeomorphic changes and related adverse impacts to the water quality and beneficial uses of waters of the State. The alteration *away from a natural state* of stream flows or the beds or banks of rivers, streams, or creeks, including ephemeral washes, which results in hydrogeomorphic changes, is generally referred to in this resolution as a hydromodification.

2. This resolution is intended to reiterate the existing authority the Regional Board relies upon to regulate hydromodifications within the Los Angeles Region. As such, it has no regulatory effect. This resolution represents a initial step in the process of first, heightening awareness about the potential impacts of hydromodification on water quality and beneficial uses and evaluating existing laws and regulations and the current methods employed by Regional Board staff when reviewing proposed hydromodification projects and, second, strengthening, if necessary, controls and policies governing hydromodifications that negatively affect water quality and beneficial uses. As a first step, it sets forth a process to achieve one of the Regional Board's highest priorities, which is to maintain and restore, wherever feasible, the physical and biological integrity of the Region's water courses. Secondarily, maintaining the natural functions of water courses maximizes opportunities for stormwater conservation and groundwater recharge, which is very important in the semi-arid Los Angeles region where groundwater makes up half of the Region's water supply.

3. In addition to the process outlined in this resolution, the Regional Board has and will continue to strongly support restoration efforts in and along the Region's urbanized, highly modified water courses. The Regional Board also strongly supports preservation efforts geared toward ensuring long-term protection for the Region's remaining natural water courses.

4. Section 101(a) of the Clean Water Act, sets forth a national objective "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." (33 U.S.C. § 1251(a).) Chapter 1 of the Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) recognizes this national goal and specifies that the Basin Plan is designed to implement the Clean Water Act and its goals. As a result, a regional priority of maintaining and restoring, wherever feasible, the physical and biological integrity of the Region's water courses is firmly grounded in federal and state law.

5. To realize this objective, the Clean Water Act (33 U.S.C. § 1313(c)) and federal regulations (40 C.F.R. § 131.10(a)) direct States to specify appropriate designated uses to be achieved and protected. The classification of the waters of the State must take into consideration the use and value of water for public water supplies, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. The standards must explicitly be designed to "protect the public health or welfare and enhance the quality of the water." (33 U.S.C. § 1313(c).)

6. The Basin Plan designates the beneficial uses of the Region's water bodies consistent with the California Water Code, federal Clean Water Act, federal regulations, and with the national "fishable/swimmable" goal of the CWA forming the broad basis for the beneficial use designations of surface waters throughout the Region. Some of the beneficial uses most benefited by preserving water courses in a natural state include aquatic life [WARM and COLD among others], wetland habitat, and groundwater recharge. In addition, the Basin Plan establishes water quality objectives for the protection of these beneficial uses. An important provision of the Basin Plan, which is required by federal law (40 C.F.R. § 131.12) and state law (SWRCB Resolution No. 68-16), is an anti-degradation policy designed to maintain existing, high quality waters. The beneficial uses of water bodies, water quality objectives and anti-degradation policies, together, constitute a State's water quality standards.

7. The Regional Board primarily relies upon a three-pronged approach to regulating hydromodifications. The first two are (1) waste discharge requirements issued pursuant to Water Code section 13263 and waivers issued pursuant to Water Code section 13269 to protect waters of the State and (2) certifications issued in accordance with Clean Water Act section 401 to protect waters of the U.S. These two approaches are not mutually exclusive. (Cal. Code Regs., tit. 23, § 3857.) The third prong consists of municipal stormwater permits issued pursuant to section 402 (p) of the Clean Water Act to address stormwater related problems including stormwater quality and increased flows.

8. "Waters of the State" include all waters of the U.S. In addition, waters of the State include waters that are not "navigable waters" under the federal Clean Water Act, including certain intermittent and ephemeral streams, wetlands, lakes, reservoirs, and other isolated non-navigable waters.

9. Human civilization has attempted to alter the environment through hydromodifications for centuries. In the Los Angeles Region, beginning in the early part of the 20th century, hydromodifications were constructed by public agencies to protect residents from floods and to collect and conserve stormwater for drinking water purposes and recreation. In addition, extensive urban development, and the corresponding increase in impervious area within the watershed and decrease in the width of natural floodplains, has often resulted in significantly altered patterns of surface runoff and infiltration and, consequently, stream flow. This, in turn, has necessitated further in-stream hydromodification in order to stabilize banks and constrain the stream to the channel to prevent flooding. The sequence of events is discussed extensively in the Basin Plan and in the Regional Board's municipal storm water permit for Los Angeles County. (Regional Board Order No. 01-182.)

10. Many hydromodifications were undertaken with laudable goals often for public safety and welfare, but have later been shown to de-stabilize and enlarge stream channels as well as degrade habitat and reduce species abundance and diversity. As a result, when reviewing

hydromodification projects it is important to carefully consider whether the immediate improvements sought are designed in such a way as to avoid unintended adverse consequence on the character of the receiving water and its beneficial uses in the vicinity, and downstream of the hydromodification.

11. Activities that alter natural *stream flows* may include increasing the amount of impervious land area within the watershed, altering patterns of surface runoff and infiltration, and channelizing natural water courses. Activities that alter the natural *stream channel* include but are not limited to human-induced straightening, narrowing or widening, deepening, lining, piping/under-grounding, filling or relocating (i.e. channelization); bank stabilization; in-stream activities (e.g. construction, mining, dredging); dams, levees, spillways, drop structures, weirs, and impoundments.

12. Hydromodifications may impair beneficial uses such as warm and cold water habitat, spawning habitat, wetland habitat, and wildlife habitat in a variety of ways. Modifications to stream flow and the stream channel may alter aquatic and riparian habitat and affect the tendency of aquatic and riparian organisms to inhabit the stream channel and riparian zone. As a result of these hydromodifications, the biological community (aquatic life beneficial uses) may be significantly altered, compared to the type of community that would inhabit an unaltered, natural stream.

13. For example, channelization usually involves the straightening of channels and hardening of banks and/or channel bottom with concrete or riprap. These modifications may impair beneficial uses by disturbing vegetative cover, removing habitat; modifying or eliminating instream and riparian habitat; degrading or eliminating benthic communities; increasing scour and erosion as a result of increased velocities, and increasing water temperature when riparian vegetation is removed. The regular maintenance of modified channels may impair beneficial uses by disturbing instream and riparian habitats if not managed properly. These modifications may also, if not managed properly, impair beneficial uses by depriving wetlands and estuarine shorelines of enriching sediments or by excessive deposition in downstream environments; changing the ability of natural systems to both absorb hydraulic energy and filter pollutants from surface waters; and altering habitat for spawning and other critical life stages of aquatic organisms. Hardening of channels may also eliminate opportunities for groundwater recharge in some areas. Furthermore, some hydromodifications may reduce recreational opportunities and may reduce the aesthetic enjoyment of people engaged in recreation in and around the water body.

14. As a result of past hydromodifications, there are few natural stream systems remaining in the region. Water bodies that have not undergone extensive hydromodification such as portions of the Santa Clara River, upper San Gabriel and Los Angeles Rivers, Malibu Creek, Topanga Canyon, coastal streams in the Santa Monica Mountains, and tributaries to these larger rivers provide immeasurable benefits to the Region. These benefits include high quality warm and cold-water aquatic habitat, spawning habitat, migratory pathways, wildlife corridors, wildlife and riparian habitat, wetland habitat, recreational and aesthetic enjoyment, and groundwater recharge. Yet, many of these water bodies and their tributaries continue to be threatened by expanding urban development.

15. The Regional Board acknowledges that there is a wide array of hydromodification projects. Some result in positive environmental impacts such as stream restoration projects. Others result in negligible or temporary adverse environmental impacts if managed properly. These may include widening bridges and installing flow measuring devices, such as weirs, or energy

dissipating devices where a constructed channel meets a natural channel. On the other end of the continuum are large hydromodification projects or multiple projects with cumulative impacts that permanently alter the hydrologic and ecological functions of a stream and, thus, adversely affect the beneficial uses described above. These include, but are not limited to, projects that bury natural stream channels, channelize natural water courses, or involve instream activities such as mining or construction. Regional Board staff evaluates the severity of adverse environmental impacts on a project-by-project basis.

16. The Regional Board recognizes that maintenance activities are required in modified channels in order to ensure continued flood protection and vector control. The Regional Board has authorized such activities through the issuance of Section 401 certifications in the past and would expect to continue to authorize such activities. The Regional Board also recognizes that maintenance activities may need to be carried out on an emergency basis due to various exigencies, including brush fires and flooding. The Board through the issuance of Section 401 certifications has also authorized these emergency maintenance activities. Nothing in this resolution is intended to alter the ability of these local agencies to continue ongoing maintenance activities.

17. The Regional Board also recognizes the value of the spreading grounds that have been constructed along many of the Region's larger water courses. These spreading grounds serve a valuable function by recharging storm water into the Region's groundwater to bolster local water supplies. Nothing in this resolution is intended to alter the ability of local and regional agencies to conserve stormwater within existing regulations with the goal of increasing local water supplies.

18. The Regional Board and local agencies have undertaken or sponsored hydromodification field assessments and studies to develop peak flow design criteria to minimize or eliminate adverse impacts from urbanization for water courses in the counties of Ventura and Los Angeles. These studies include the 'Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA' (2004), and the 'Peak Impact Discharge Study' sponsored by the County of Los Angeles, which is in progress. The results from these studies will be used to develop objective criteria to reduce or eliminate the adverse impacts of hydromodification in the Los Angeles Region from new development and redevelopment.

19. Though the Regional Board does not have authority to regulate land use, the Regional Board strongly encourages land use planning agencies and developers to carefully consider, early in the development planning process, the potential impacts on water quality and beneficial uses of hydromodification projects proposed as part of new development. The Regional Board strongly discourages direct hydromodification of water courses except in limited circumstances where avoidance or other natural alternatives are not feasible. In these limited circumstances, project proponents must clearly demonstrate that a range of alternatives, including avoidance of impacts, has been thoroughly considered, hydromodification has been minimized to the extent practicable, and adequate in situ and/or off site mitigation measures have been incorporated to offset related impacts. Project proponents must also document that there will be no adverse effects to water quality or beneficial uses. This approach is consistent with the California Environmental Quality Act (CEQA), federal regulations and State and federal antidegradation policies.

20. Chapter 4 of the Basin Plan, "Strategic Planning and Implementation", outlines the suite of regulatory tools available to the Regional Board to maintain and enhance water quality. One of these tools is the 401 Certification Program. This federally required program regulates

most hydromodification projects to ensure that the projects will not violate State water quality standards of which beneficial uses are an essential component. Section 401 Certifications may include conditions to minimize impacts from hydromodification activities by implementing Best Management Practices such as working in the dry season or out of the water, among many others. Certifications may also include monitoring requirements in order to ensure that the project is completed as specified and any proposed mitigation is successful.

21. Under section 401 of the Clean Water Act, the State Water Resources Control Board and the Regional Boards have a time limit as prescribed by applicable laws and regulations, from the receipt of a complete application, to certify that a project will comply with applicable state water quality standards prior to issuance of a federal 404 dredge and fill permit for any activity that may result in a discharge to a surface water of the United States. In the event that a project will not comply with applicable water quality standards, even with all conditions proposed, then the certification may be denied. (Cal. Code Regs., tit. 23, § 3837, subd. (b).)

22. Under section 402 (p) of the federal Clean Water Act, the State Water Resources Control Board and the Regional Boards are required to issue storm water permits to owners and operators of municipal separate storm sewer systems (MS4s). On a permit-by-permit basis, MS4 permits may identify storm water-related problems and include provisions requiring municipalities to implement measures to reduce adverse impacts of hydromodification, primarily increased flows, on beneficial uses.

23. Under separate authority granted by State law (see Article 4 (commencing with section 13260) of Chapter 4 of the Porter-Cologne Act), a Regional Board may regulate discharges of dredge or fill materials as necessary to protect water quality and the beneficial uses of waters of the State by issuing or waiving waste discharge requirements, a type of State discharge permit. For projects that may result in a discharge to a surface water of the U.S., waste discharge requirements may be issued in addition to the 401 certification. (Cal. Code Regs., tit. 23, § 3857.) Issuance of waste discharge requirements may be the only option for the Regional Board in situations where the proposed discharge is to waters of the state (e.g. isolated waters, vernal pools, etc.) rather than waters of the U.S., or in situations where the federal agency does not claim jurisdiction. All discharges of waste, including dredged and fill material, to waters of the State are privileges and not rights.

24. With certain exceptions, the California Environmental Quality Act (CEQA) requires the preparation of environmental documents for all projects requiring certifications by the state or state-law-only waste discharge requirements from the Regional Board. Hydromodification activities discussed above that require certification under section 401 of the Clean Water Act or that require waste discharge requirements for dredging and filling of State waters may be subject to CEQA. For projects that may have a significant effect on the environment that cannot be mitigated, an environmental impact report must be prepared that requires consideration of feasible alternatives to the project. (Pub. Resources Code, § 21061.)

THEREFORE, be it resolved that

1. Maintaining and restoring, where feasible, the physical, chemical and biological integrity of the Region's watercourses is one of the Regional Board's highest priorities.

This resolution reiterates existing law and regulatory requirements and current staff practices. As such, it has no regulatory effect. However, the Regional Board directs staff to undertake a two-step process to evaluate and consider further action to control adverse impacts from hydromodification. During this process, staff is directed to involve stakeholders and regulatory agencies with jurisdiction, consistent with the requirements of the Porter-Cologne Water Quality Control Act. The first step shall be an evaluation process and shall address, at a minimum, the following:

- Prioritization for control of those hydromodification activities that cause the greatest adverse effects on water quality and beneficial uses;
- Evaluation of existing regulation of hydromodification as defined herein;
- Consideration, in light of the existing regulatory scheme, of issues affecting the Board's ability to achieve its identified objectives;
- Consideration of existing legal authorities for Board actions;
- Consideration of staff resources; and
- Evaluation and identification of the best regulatory means available to the Board and the other agencies with jurisdiction to fulfill Board objectives.

The second step shall involve, as necessary based on the above evaluation, proposals for Board consideration of actions, including without limitation educational campaigns, memoranda of understanding with other regulatory agencies, adoption of new guidance, additional municipal stormwater permit requirements or further Basin Plan amendments as necessary to address gaps in existing hydromodification control in order to maximize the Regional Board's authority to ensure that a hydromodification project does not adversely affect water quality or degrade beneficial uses of those waters.

2. Given the priority set forth in paragraph 1, the Regional Board reaffirms that the Executive Officer will only issue a certification pursuant to Clean Water Act section 401 with adequate documentation (i) that the project will comply with applicable water quality standards, including antidegradation policies, and (ii) if necessary, that adequate analysis of a range of alternatives has been performed consistent with federal regulations, the California Environmental Quality Act, and antidegradation requirements.

3. Furthermore, given the significant potential adverse impact of large-scale or multiple hydromodification projects, the Regional Board reaffirms that the Executive Officer may at his discretion choose to bring a proposed project before the Board for direction prior to certification or recommend waste discharge requirements for the proposed project, which would be subject to Board approval.

4. Given the priority set forth in paragraph 1, the Regional Board reaffirms that it will only issue waste discharge requirements with adequate documentation (i) that the WDR will implement any relevant water quality control plan, including the water quality standards contained therein, and (ii) that adequate analysis of a range of alternatives, where an alternatives analysis is required, has been performed consistent with the Porter-Cologne Water Quality Control Act, CEQA and antidegradation requirements.

5. Following completion of the two-step evaluation process described in 2 above, the Regional Board directs staff to develop, if necessary based on the conclusions of the evaluation, new policy or additional regulatory or non-regulatory tools to control adverse impacts from hydromodification, which may include educational campaigns, memoranda of understanding,

- The findings of the study "Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA – Final Report" (2004) completed by the Ventura County Watershed Protection District, in order to satisfy a requirement of the Ventura County Municipal Storm Water Permit (Regional Board Order No. 00-108), which calls for the development of criteria to prevent or minimize erosion of natural channels and banks caused by urbanization and protect stream habitat; and
- Additional data collected or initiated by municipalities, dischargers and developers on stream stability for study sites in Los Angeles and Ventura Counties to reduce statistical uncertainty and/or improve model predictability when establishing stream stability protective criteria.

7. If a Basin Plan amendment is deemed necessary, staff is directed to consult with affected state and local agencies prior to formulating the draft amendment(s).

8. During the evaluation process, staff is directed to seek input from:

- the Department of Fish and Game and the U.S. Army Corps of Engineers, the United States Fish and Wildlife Service and other agencies with jurisdiction over hydromodification projects to ensure that any future policies and requirements to be proposed do not conflict with the jurisdiction and regulatory authority of these agencies; and
- stakeholders, including flood control agencies, agricultural interests, the building and construction industry, and environmental groups.

9. Pursuant to section 13224 and 13225 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Resolution.

I, Jonathan Bishop, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on January 27, 2005.

ORIGINAL SIGNED BY *2/23/05*

Jonathan S. Bishop, P.E.
Executive Officer

Date

Leo G. Curd
29289 Longview Road
Pearblossom, CA 93553
(661) 944-3886

February 26, 2007

Mr. Mitch Glaser
Los Angeles County Planning

RE: Division of property to 2.5 acres vs. 5 acres, Vegetation and Fencing

Dear Mr. Glaser:

As owner of 40 acres (38.25 with easements) in Juniper Hills, I would not like the division of acreage to be 5 acre minimums. Our family property is probably 25 acres of water courses and 10 plus or minus of build able (if desired) acres to live on. With our house already on part of the 10 plus or minus build able acres, our family would be lucky (if it's even possible) to build a second house on our land. Our land is zoned for a duplex which, if I understand means a second home. If the county has a 2.5 minimum, I don't see much of a chance to build our "dream" home. Maybe there is a need to control over building on a few specific parcels in Juniper Hills; however, as far as our property at 29289 Longview Road, It seems only as a way for people living in their already desired homes with small lots or otherwise to be able to control their views and viewpoints on and over others. California is not a place to stop building. If so, it should have stopped 200 years ago.

I also disagree with what seems to me to be very restrictive vegetation removal. If vegetation can be removed and not adversely affect properties in the area, then why must there be a new amendment (law). Vegetation requirements should not make 5 acres or 2.5 acres just big enough to build a home that complies with fire requirements.

I will never agree that barb wire is not a "rural character" addition and cannot understand, with the exception of safety, why anyone wastes time with it. It seems all the chain link fence in the world is ok to many as long as it is only 6' tall and you can see 90 degree clear through the top 3 feet. The amendment has requirements on interior livestock fencing. I suppose in some people's eyes livestock doesn't contribute to rural character either. What has the county done wrong in the past that makes for all the new regulations? A lot of people with a lot of free time are trying to control other people's properties so as to have that which they want. These are my thoughts and feelings and I hope they may be heard.

Thank you for your consideration. Feel free to distribute copies of this letter at the meeting.

Sincerely,

Leo G. Curd

Thomas Barron
28006 San Martinez Grande Canyon Road
Castaic, Ca 91384

Good morning Commissioners, thank you for this opportunity to contribute testimony for your consideration of the specifics of the PROPOSED Landmark Village plan.

I have lived for the past 35 years on the immediate border of the project area, and have participated in the consideration of the Newhall Ranch Plan since its inception. I have given public comment in the past and have attended hearings including the Supervisors Hearing in which the Specific Plan was approved, as well as traveling to Kern County for the court case.

I have reviewed the document submitted to you today in electronic form and have listened this morning to the request that we not "REHASH" the issues that have been settled, so I will try to limit my testimony today to the subjects of TRANSPORTATION and AIR QUALITY.

My work, like so many of the residents in our area, is outside the area and commuting is part of my life. I have passed by the project area for years and years and always reflect on how my neighbors who settled the area, took the street car from FLOWER STREET and then by TRAIN from Union Station to the nearby CASTAIC JUNCTION station. When I moved in in the earlier seventies, the Freight trains still ran to Ventura and we could hear their whistles in the distance.
This rail line was destroyed by FLOOD, and the Newhall Company bought up the right of way and removed the tracks that traveled the length of what is now the project area. Filmore and Piru have kept a portion of that track alive, and in fact have "branded" their communities around trains as "Heritage Valley."

In the plan before you there is provision for rail but it is not a certainty that is actually going to be restored in a timely manner. **Why not require the construction of the rail to PROCEED or be be concurrent with the build-out of Landmark Village?**

Like the commissioner, who is also a commuter down I5, we are all very concerned with TRAFFIC. The applicant addresses the TRAFFIC issue in a number of documents, but it really comes down to the basic assumption that the JOBS TO WORK ratio analysis is correct. Supervisor Yaraslovsky stated in the approval hearing that even he didn't believe this. The maps show millions of feet of industrial space between this project and Town Center and the implicit representation is that the residents will work there, having commuted the short

distance across the Bridge at Castaic Creek down Hwy 126, and that their use of other community resources is off-peak and less impactful.

I am an avid cyclist and am currently the President of the Santa Clarita Velo Bicycle Club whose many members use the bike trails and the roads throughout the area. It is not uncommon for our members to put in more than 100 miles a week in both individual and group rides; we are intimately familiar with the traffic issues "on the ground" and our club has been working with the City of Santa Clarita and Los Angeles Bicycle Coalition to establish trails and bike lanes. Unfortunately we are having to compete directly with the increased traffic flow in these plans, which obviously puts priority on automobiles.

I have the unique opportunity to reduce my impact on the environment by BICYCLE COMMUTING past the project four days a week. It is a very beautiful ride, along a wide shoulder with a terrific view down into the Santa Clara River floodplain. Unfortunately the many trucks of CHIQUITO CANYON LANDFILL and the new traffic on WOLCOTT WAY in addition to the high speed of the roadway is a concern and DANGER to cyclists. The Santa Clarita Velo frequently takes group rides down 126 on the weekend and this often a topic at our meetings.

AIR QUALITY, especially OZONE is a major concern to cyclists. The plan contains documentation of the appropriately named "carbon monoxide non attainment area" The EIR continues the argument that the principal cause is "out of the area" sources; thus any additional impacts from the project are incidental.

I would ask the commissioners to require more specific definition of the mitigations outlined, especially a proper bicycle circulation plan. Now its too vague, for the importance of placed on it by the applicant. (Such as in the document:)

2.0 Environmental and regulatory setting
page-31 Goal 5.11: consider air quality ... ensure consistency and minimize conflicts
Analysis: "network of pedestrian and bicycle trails that would provide for local travel by a combination of transportation modes, including bicycles, walking...

What else is new?; well the President of the United States has identified GLOBAL CLIMATE CHANGE as a NATIONAL concern. Our Governor is driving a Hydrogen vehicle. Isn't this County required to re-examine the mitigations in light of this important Global Issue? **Why not require that Landmark Village be Carbon Neutral as suggested by Vice President Gore's "Inconvenient Truth."**

Thank You,
--TMB

19/02/2007

Cody Hitt
25346 Avenida Cappela
Valencia, CA 91355

My name is Cody Hitt, I'm 13 years old. Last year just before Halloween I was hit by a truck while I was riding my bike with my parents in Santa Clarita. I was on the shoulder of a road with no bike lane or sidewalk. I spent several days in the hospital, first at Henry Mayo and then at UCLA in intensive care. Why do we keep putting up houses and roads but no place for bikes? The bike path is nice but you can't get to a lot of places on it. Everyone talks about pollution from cars and my family would rather ride their bikes but my Mom is too scared to let me ride on the roads with her and my Dad.

My dad took me to Beales cut which is so grown over you can hardly walk through it. I thought it would be a good place for a bike path so we could preserve the history of Beales cut and have a safe place to ride our bikes from this valley to the other valley.

Sincerely,

Cody Hitt

24427 Eilat St.
Woodland Hills, Ca
February 21, 2007

Susan Tae
LA Cty Regional Planning Dept.
320 W. Temple St. L.A. Ca. 90013

Greetings

Please do not approve the proposed Newhall Ranch development before an environmental impact Statement on the Santa Clara River has been released and completed.

I also oppose this project because it will create major traffic problems, major air pollution problems, the traffic alone adding another projected 357,000 traffic outings per day.

Sincerely yours
Stephen F. Rudolph

22845 Leonora Dr.
Woodland Hills, CA 91367
February 20, 2007

Susan Tae
L.A. Co. Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90013

Dear Ms. Tae,

Please do not approve Newhall Ranch's project on the Santa Clara River before the Environmental Impact Statement has been released. Do not allow building in a Significant Ecological Area or the destruction of 67 oaks. Please see that impacts on global warming are addressed and mitigated before the project can be approved.

This project will create 357,000 more traffic trips per day.

Thank you.

Sincerely,

Elizabeth J. McMahon

RECEIVED
FEB 2 2007

February 20, 2007

GAYLE DUFOUR
4725 San Sebastian DR.
Woodland Hills, CA 91364

Ms. Susan Tae
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90013

Dear Ms. Tae,

Please help us save the Santa Clara River. As a member of The Sierra Club here in Los Angeles, I am writing to you out of great concern concerning the proposed development by the Newhall Ranch. Cutting down 67 oak trees for a huge housing project next to the last major wild river in Southern California shows an absolute disregard for the ecological impact of such an idea!

The Newhall Ranch has been very successful up until now creating a city of housing development. Now, they should stop and realize that this destructive sprawl in that area has its limits.

Thank you for your concern on this matter.

Sincerely yours,

Gayle Dufour

2/21/07

S. Garcia
7500 Lasaine Ave.
Van Nuys CA 91406

Susan Tae
LA County Regional
Planning Dept.
320 W. Temple St.
LA CA 90013

Dear Ms. Tae,

As a "native" of Southern California, I am very proud of the many natural resources that surround us. I want my baby to be as enthusiastic & supportive of nature as I am... it belongs to all of us. I am concerned about the Santa Clara River, our county's last wild river, and I am hoping that the project for development will not be approved. I strongly oppose the destruction of the oaks, and I am saddened that so many people underestimate their importance.

Thank for ~~to~~ taking the time to read my letter.

-Sincerely: Ms. Sylvia Garcia

2·20·07

To Susan Tae,

I'm writing out of concern for the future of the Santa Clara River.

Please do not approve the project before the Environmental Impact Statement on the Santa Clara River has been released and/or completed as this may change the project config.

I oppose, and hope you will too, building in a significant ecological area.

I also oppose the destruction of 67 oaks.

I request impacts to global warming be addressed & mitigated before the project can be approved.

Signed,

LAUREL NEISWANDER
7133 TEXHOMA AVE.
NORTHRIDGE, CA 91325

laurel@neisinteriors.com

Betty Schnaar
P.O. Box 8152
Northridge, Ca. 91327

Feb. 20, 2007

Dear Ms. Tae:

RE: Santa Clara River

Please do not approve the project before the EIS on the Santa Clara River has been released.

Please oppose building in a Significant Ecological Area.

I oppose destroying 67 oak trees. They are our California heritage!!

Also please be sure that impacts to Global Warming be addressed & adequately dealt with before the project can be approved.

I would like the Santa Clara River to be left in as natural a state as possible.

Sincerely,

Betty L. Schnaar

Linda Klein
5210 Zelzah Ave #216
Encino, CA 91316

February 20, 2007

Susan Tae,
Los Angeles County Regional Planning Dept
320 West Temple St
Los Angeles, CA 90013

Dear Ms Tae,

I am writing to you re: Santa Clara River.

The Santa Clara River is Los Angeles County's last wild River. I hope that you will oppose Newhall Ranch's project. This proposed development will have a severe impacts to SEA area 23, the Santa Clara River, and its Biology. It will cut down 67 oaks, and create major traffic + air pollution problems.

The project, when fully built will create another 357,000 traffic trips per day on our roads and freeways.

Please consider the impacts of Global warming, and try to mitigate these problems before approval of such a large project.

Thank you for your consideration

Linda Klein

2-20-07

Dear Ms Tal

I am against building so many homes in such an environmentally sensitive area.

Please do not approve the project ~~to~~ before the EIS on the Santa Clarita Rivers has been released as they may change the project configuration.

I oppose the destruction of the 67 oak trees.

Thanks for your consideration

Elaine Trogman
6709 CALHOUN AVE
VAN NUYS, CA 91405

2/20/07

To Whom It May Concern

"What is man without the beasts. If all the beasts were gone, man would die from a great loneliness of spirit. For whatever happens to the beasts, soon happens to man. All things are connected"

Chief Seattle

Please save our last wild river for wildlife!

Alan Pollack, M.D.
6006 Lubao Ave
Woodland Hills, CA
91367

Susan Jae,

Please help save the
Santa Clara River.
Please don't approve the project
Oppose building in a Significant
Ecological area.
Oppose destruction of 67 oaks.
Request the impacts to global
warming be addressed.

Sincerely,
Ken Platner

Beals, Charles
6611 McLennan Ave.
Lake Balboa, CA 91406

February 20, 2007

Susan Tae
Los Angeles County Regional
Planning Department

Dear Ms. Tae:

I am writing to urge you to not approve the Newhall Ranch Project before the Environmental Impact Statement on the Santa Clara River has been completed and released.

I also oppose building in a Significant Ecological Area and I oppose the destruction of 67 oak trees that would be effected.

I request that impacts to global warming be addressed and mitigated before the Project is approved.

Sincerely,
Charles Beals

Bette Simons
4020 Stone Cyn Ave
Sherman Oaks, CA 91403
February 19, 2007

Susan Tae
L.A. County Regional Planning Dept.
320 W. Temple St
L.A. CA 90013

Dear Susan Tae,

To cut down 67 oaks, threaten L.A. County's last wild river and to increase traffic and air pollution with the Newhall Ranch project is outrageous.

Please address the impact of this threat to the Santa Clara River and oppose approving this project without releasing, or before releasing, the Environmental Impact Statement.

Be well remembered.

Sincerely,
Bette Simons

To Whom it may Concern,

Pollution is a danger to any environment. With the building of new houses, which is neither wanted or needed, there will be an increased amount of pollution, as well as many more disturbances that are needed in the area. Santa Clara, + the area around there, is a high activity full of disturbance and danger to the environment. In building these houses, this will only increase the disturbance that is impossible to get rid of.

I oppose the destruction of 67 oaks, which may house many species that are currently threatened + endangered. This is a selfish + unneeded destruction of the environment. Why not use + sell the houses + condos that are already built + empty, instead of building in areas that need not have houses? Instead of building needlessly, build + construct helpful things. Think about the environment first + wait for the release of the Environmental Impact Statement. I don't know if this would change your mind, but please consider a change. Thank you.

Sincerely,

Wyndee A. Haley

Feb. 21, 2007

Dear Ms. Tae,

I am writing you with concerns I have regarding the Newhall Ranch project. I am against building in a significant ecological area that would turn the floodplain of the Santa Clara River into a city of tract homes, roads, shopping centers, schools, etc. I oppose the idea of destroying native oak trees that are a vital part of the biological community and the carbon/oxygen cycle needed to offset global warming. I think it is a bad idea to divert, alter, or destroy streams, tributaries or flood plains of our last wild rivers in Southern California. This housing development would create major traffic and air pollution problems. Please do all you can to protect one of our last wild places for survival of the biodiversity crucial to our planet's health. When it's gone, it's gone forever.

Thank you,

Kathleen Blair Grantham
11209 Dempsey Ave.
Granada Hills, California 91344

Dan McCrory
P.O. Box 16461
N. Hollywood, CA 91615

Susan Tae
LA County Regional Planning Dept.
320 W. Temple St.
LA, CA 90013

Ms Tae,

I'm writing to express my concern over the proposed development the Newhall Ranch project. The impact of the area around the Santa Clara River will be significant and detrimental. The E.I.R. clearly shows that increased traffic and air pollution will result from this development, creating another 357,000 traffic trips per day. I also oppose the destruction of 67 thriving oak trees for this project.

Please consider the issues of global warming that even the Bush administration has now started to address. I appreciate your consideration and attention to these issues.

Sincerely
Dan McCrory