Regional Planning Commission Transmittal Checklist

Hearing Date
11/10/2010
Agenda Item No.
8

Project Number: 04-181-(5)

Case(s):
Vesting Tentative Tract Map No. 61105
Conditional Use Permit Case No. 200500080
Conditional Use Permit Case No. 200500081
Parking Permit Case No. 200500011
Oak Tree Permit Case No. 200500032
Oak Tree Permit Case No. 200500047
Substantial Conformance Review No. 201000001
Environmental Assessment Case No. 04-181

Planner: Samuel Dea/Carolina Blengini

- ☒ Factual
- ☒ Property Location Map
- ☒ Staff Report
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☐ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☒ Environmental Documentation (EIR)
- ☐ Correspondence
- ☐ Photographs
- ☐ Aerial Image(s)
- ☒ Land Use Radius Map
- ☒ Tentative Tract
- ☒ Exhibit Map
- ☒ SEATAC Meeting Minutes and Response to Comments
- ☒ Newhall Affordable Housing Implementation Plan
- ☒ Mission Village Planning Notebook

Reviewed By: _____

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT NO. 04-181-(5), TRACT MAP NO. 61105
RCUP200500080, RCUP200500081
ROAK 200500043, ROAK 200500032
RPKP 200500011, RSCR 201000001

RPC MEETING DATE	CONTINUE TO
AGENDA ITEM 8	
PUBLIC HEARING DATE November 10, 2010	

APPLICANT	OWNER	REPRESENTATIVE
Newhall Land and Farming Company	Newhall Land and Farming Company	Psomas

REQUEST "Mission Village"

Tentative Tract Map: To subdivide 15 parcels, 1,261.8 gross acres, into 661 lots consisting of 382 single-family lots, 44 condominium lots with 4,030 multi-family units, 11 mixed-use/commercial lots with 1,555,100 square feet of commercial floor space, 146 open space lots, and 78 lots for the remaining proposed uses including Spineflower Preserve, recreation facilities, a fire station, a bus transfer station, library, school, utility uses and roadways;

Conditional Use Permits: To ensure compliance with the requirements of development within a Significant Ecological Area/Special Management Area; to authorize on-site project grading, off-site project grading, development of 73 second dwelling units, a continued care retirement community and three water tanks;

Oak Tree Permits: To authorize the removal of 147 (8 heritage) oak trees and encroachment on 49 (2 heritage) oak trees located within the project site and within 200 feet of the proposed grading limit line of the project site; and the removal of 11 (3 heritage) oak trees and encroachment on 2 oak trees located within 200 feet of the proposed grading in connection with construction of the easterly extension of Magic Mountain Parkway (off-site);

Parking Permit: To authorize off-site reciprocal and shared parking for the proposed mixed use area;

Substantial Conformance Review: To determine substantial conformance with the Specific Plan for grading and hillside management guidelines, setback standards, housing and building types and trail sections.

LOCATION/ADDRESS	ZONED DISTRICT
South of the Santa Clara River and SR126, east of Ventura County and west of I-5 and The Old Road, within Newhall Ranch Specific Plan	Newhall
ACCESS	**COMMUNITY**
Access from the east to project site is provided through The Old Road and Magic Mountain Parkway off of the Golden State Freeway	Newhall Ranch: Mission Village
	EXISTING ZONING
	SP (Specific Plan)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
Project area: 1,854.6 gross acres (includes off-site improvements and Tentative Map) Tentative Map area: 1,261.8 gross acres	Agricultural and vacant	Irregular	Slight to steeply sloping

SURROUNDING LAND USES & ZONING

North: SR-126, vacant, Santa Clara River, Commerce Center Industrial Park, Travel Village trailer park, Chiquito Canyon Landfill; A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing), M-1-½-DP (Restricted Heavy Manufacturing – Development Program), R-R (Resort and Recreation)	**East:** Magic Mountain Amusement Park, vacant; A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), P-R (Parking Restricted) and C-R (Commercial-Recreation), C-M (Commercial Manufacturing)
South: Vacant, residential; RPD-8,500-5 (residential Planned Development – 8,500 square feet minimum lot size – 5 dwelling units per acre), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area); C-R (Commercial-Recreation)	**West:** Vacant; SP (Specific Plan)

GENERAL	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Newhall Ranch Specific Plan	RC (River Corridor), OA (Open Area), L (Low Density), LM (Low-Medium Density), M (Medium Density), C (Commercial), MU (Mixed Use)	4,412 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 Service and Agricultural Resources.

DESCRIPTION OF SITE PLAN ("Mission Village")

The Tentative Map and Exhibit Map depict the residential and commercial mixed-use development. Residential types include single-family homes, detached and attached condominiums, and apartments. On-site and off-site project grading consists of a maximum of 29.9 million c.y. of cut and 29.9 million c.y. of fill of earthwork which would be balanced within the overall project area. Three parks are depicted within the subdivision in addition to recreation areas, a 65.6-acre spineflower preserve, a 217 river corridor dedication and 312 acres of open space that are depicted throughout the subdivision and function as a separation between development planning areas, and include trails and utility easements. Approximately 40,000 linear feet of trails are depicted throughout the project site.

KEY ISSUES

- Public comment period to the Draft EIR is from October 8, 2010 to November 21, 2010 (45 days).

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. 04-181-(5)

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☒ APPROVAL ☐ DENIAL

☐ No improvements _X_ 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 _X_ 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.

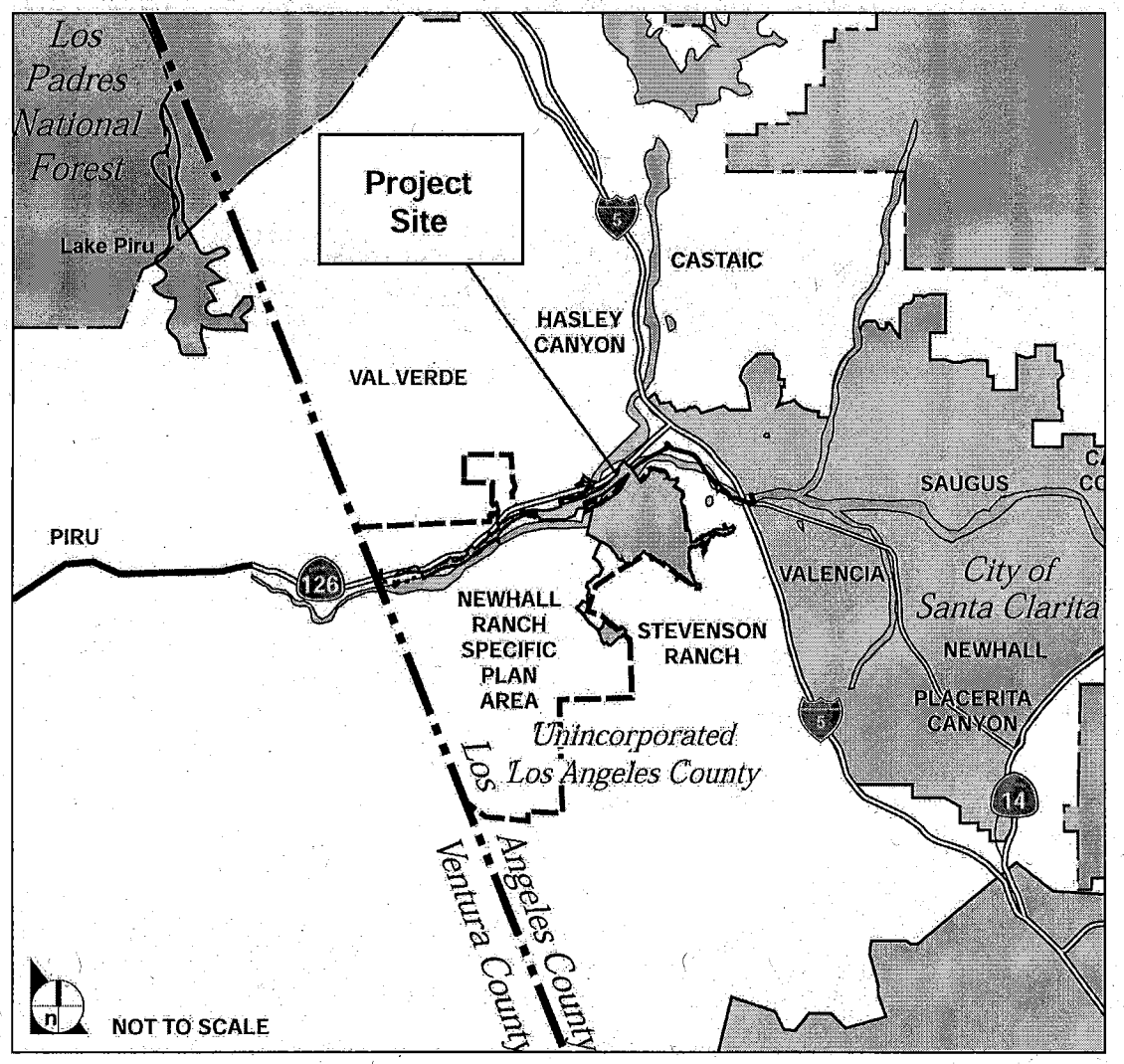
Health

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 Service and Agricultural Resources.

Prepared by: Carolina Blengini


Los Padres National Forest
Lake Piru
Project Site
CASTAIC
HASLEY CANYON
VAL VERDE
SAUGUS
PIRU
126
VALENCIA
City of Santa Clarita
NEWHALL RANCH SPECIFIC PLAN AREA
STEVENSON RANCH
NEWHALL
PLACERITA CANYON
Unincorporated Los Angeles County
Los Angeles County
Ventura County
14
NOT TO SCALE

PROJECT NO. 04-181-(5)
VESTING TENTATIVE TRACT MAP NO. 61105
CONDITIONAL USE PERMIT CASE NO. 200500080
CONDITIONAL USE PERMIT CASE NO. 200500081
OAK TREE PERMIT CASE NO. 200500043
OAK TREE PERMIT CASE NO. 200500032
PARKING PERMIT NO. 200500011
SUBSTANTIAL CONFORMANCE REVIEW NO. 201000001

STAFF ANALYSIS
NOVEMBER 10, 2010 REGIONAL PLANNING COMMISSION PUBLIC HEARING

PROJECT OVERVIEW

The applicant, Newhall Land and Farming Company, proposes a 1,854.6-acre development known as Mission Village ("Project").The Project is comprised of a 1,261.8-acre master planned community located within Vesting Tentative Tract Map No. 61105 ("Tentative Map") and 592.8 acres of improvements located outside of the Tentative Map ("off-site"). This project is located within the Mesas Village area of the adopted Newhall Ranch Specific Plan ("Specific Plan") and occupies approximately 71% of the Mesas Village Specific Plan planning area. The Project is the second phase of the Specific Plan and is located in the Santa Clarita Valley, southeast of the Santa Clara River and State Route 126 ("SR-126"), east of the Ventura County boundary, and west of the Golden State Freeway ("I-5") and The Old Road. A portion of the Tentative Map, 39 acres, is located outside of the Specific Plan area. A portion of the off-site Improvements, 338.9 acres, is also located outside the Specific Plan area.

The proposed master planned community is comprised of 4,412 housing units at a variety of house types ranging from detached single-family residences to age qualified living facilities, 1,555,100 square feet of commercial/mixed-uses, an elementary school, fire station, public library, bus transfer station, community and neighborhood parks, private recreation facilities, trails, and road improvements. Approximately 592.3 acres of the Project site are outside the tract boundary and would be developed to include several off-site project-related improvements which include a utility corridor, water quality basin, electrical substation, and the easterly extension of Magic Mountain Parkway.

The Project applicant requests approval of the following entitlements to implement the Project: Vesting Tentative Tract Map No. 061105 to subdivide 15 existing parcels into 661 lots; Significant Ecological Area (SEA) Conditional Use Permit No. 200500080 for project-level development, including utilities, within the boundaries of the Specific Plan's River Corridor Special Management Area (SMA)/SEA 23, and to ensure consistency with the adopted Specific Plan and Conditional Use Permit No. 94-087; Conditional Use Permit No. 200500081 to authorize the development of 73 second dwelling units, a continued care retirement community, three water tanks, on-site grading, and off-site grading associated with the extensions of Westridge Parkway and Commerce Center Drive and the construction of off-site improvements, including the extension of Magic Mountain Parkway, a utility corridor, a water quality basin, an electrical substation, and two water tanks; Oak Tree Permit No. 200500032 for the removal and encroachment on oak trees located within the Tentative Map boundary and within 200 feet of the proposed grading limit line of Mission Village; Oak Tree Permit No. 200500043 for the removal and encroachment on oak trees located within 200 feet of the proposed grading in connection with construction of the easterly extension of Magic Mountain Parkway (off-site); and Parking Permit No. 200500011 for off-site reciprocal and shared parking for selected lots within the tentative Map. All the parcels where the off-site improvements are located, with the exception of portions of grading for the extension of Magic Mountain Parkway, are owned by the applicant.

The applicant also requests a determination of consistency through Substantial Conformance Review No. 201000001 for Grading and Hillside Management Guidelines, setback standards, housing and building types and trail sections pursuant to requirements of the Specific Plan. Section 5.2.2 of the Specific Plan contains procedures for making 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 a Substantial Conformance determination to the Planning Commission. If the Planning Commission determines that proposed actions are in substantial conformance with the provisions of the Specific Plan, the action shall be approved by the Planning Commission.

Access to the Property is provided from Westridge Parkway to the south, The Old Road and Magic Mountain Parkway to the east, and from Henry Mayo Drive to the north. The Commerce Center Drive bridge is part of this project, and will span over the Santa Clara River, approximately 1,300 feet in length and 120 feet in width, connecting the project site with the north side of the Santa Clara River.

Major engineering features associated with the project include the construction of the Commerce Center Drive bridge, bank stabilization along the south side of the Santa Clara River, improvement of Lion Canyon drainage, an off-site utility corridor, soil cement bank stabilization and Turf Reinforced Matting bank stabilization located downstream of the project site associated with the utility corridor, a potential off-site Southern California Edison substation, an on-site potable water storage and distribution system, a recycled water storage and distribution system, a wastewater/sewage system, two off-site debris basins, an off-site water quality basin, three off-site water tanks (two potable and one reclaimed) and the extension of Magic Mountain Parkway and Westridge Parkway from existing terminus. Approximately 59.8 million cubic yards (c.y.) of grading are proposed in a balance cut and fill operation (29.9 million c.y. of cut and 29.9 million c.y. of fill) which includes grading for on-site and off-site improvements. In addition, 479,000 c.y of grading (372,000 c.y. of cut and 107,000 c.y of fill) are proposed for one of the two Southern California Edison substation alternate locations.

The Draft Environmental Impact Report ("EIR"), which is a tiered document from the certified Specific Plan Program EIR, analyzes potentially significant impacts of the project, including Geotechnical and Soils Resources, Hydrology, Biota, Visual Qualities, Traffic/Access, Noise, Air Quality, Water Service, Wastewater Disposal, Solid Waste Disposal, Sheriff Services, Fire Protection Service, Education, Parks and Recreation, Library Service, Agricultural Resources, Utilities, Mineral Resources, Environmental Safety, Cultural/Paleontological Resources, Floodplain Modifications, Water Quality, and Global Climate Change. Project impacts that cannot be mitigated to less than significant include Biota, Visual Qualities, Noise, Air Quality, Solid Waste Service, and Agricultural Resources. Cumulative impacts determined to be significant and unavoidable include Biota, Air Quality, Solid Waste Service and Agricultural Resources.

DESCRIPTION OF PROJECT PROPERTY

Location: The project site is located in Santa Clarita valley, southeast of the Santa Clara River and SR-126, and west of I-5, The Old Road and Six Flags Magic Mountain Theme Park, within the Specific Plan and in the Newhall Zoned District.

Physical Features:
The total project area is 1,854 acres from which 1,261.8 acres are located within Vesting Tentative Map and 592.8 acres are comprised of improvements located outside of the Tentative Map. The Tentative Map site is irregular in shape with slight to steeply sloping terrain. The northeast portion of the Tentative Map site which contains 126.4 acres of Prime Farmland is used presently for agricultural purposes. The rest of the area is primarily open space, with remnants of abandoned oil and gas operations dispersed throughout the project site. The Tentative Map site has been disturbed by historic and ongoing agriculture activity; however, there are existing sensitive biological resources and habitat types in the Tentative Map area and within its vicinity. On-site vegetation communities vary depending upon their location on the project site. In addition to disked farm fields, habitat communities include, among others, non-native grassland, upland scrub habitat and sensitive riparian habitat located primarily in areas adjacent to and within the Santa Clara River to the north of the project site. Additionally, the Mission Village project includes a 65.7-acre Spineflower Preserve situated in the northeast portion of the Tentative Map. The Santa Clara River forms the northern boundary of the Tentative Map site. The river area is located within the approved Specific Plan River Corridor Special Management Area (SMA), which is also designated as part of the County's Significant Ecological Area (SEA) 23. The approved River Corridor SMA/SEA 23 area located in the northern portion of the project site was protected at the Specific Plan level because of the resource values present in that designated area. The area includes riparian habitats and associated species; and it also functions as a regional east/west wildlife movement corridor.

Access: Existing access from the east to project site is provided through The Old Road and Magic Mountain Parkway off of the I-5. Existing access from the south is provided through Westridge Parkway. Both, Magic Mountain Parkway and Westridge Parkway terminate at the eastern and southern boundary of the Project site, respectively. Proposed access from the north will be provided through the extension of the Commerce Center Drive and the Commerce Center Drive Bridge off of SR-126. The extension of Commerce Center Drive, Magic Mountain Parkway and Westridge Drive, associated with numerous public street and private driveways, will provide internal access to the project site.

Services: Domestic water will be provided by Valencia Water Company. Reclaimed water will be provided by either the approved Newhall Ranch Water Reclamation Plant (WRP), if operational at the time Mission Village will be occupied, or the existing Valencia Water Reclamation Plant. Sanitary service will be provided by the Sanitation District 32 and the Newhall Ranch WRP. Gas utilities will be provided by Southern California Gas Company, and electricity by Southern California Edison Company. Cable TV will be provided by Time Warner Cable and telephone by AT&T. The project is within the boundaries of the Newhall School District, the Saugus Union Elementary School District and the William S. Hart Union High School District.

ENTITLEMENTS REQUESTED

Vesting Tentative Tract Map (VTTM 61105): The applicant requests approval of a vesting tentative tract map to subdivide 15 parcels, 1,261.8 gross acres, into 661 lots consisting of 382 single-family lots, 44 condominium lots with 4,030 multi-family units, 11 mixed-use/commercial lots with 1,555,100 square feet of commercial, retail and office floor space, 150 open space lots, and 74 lots for the remaining proposed uses including Spineflower Preserve, recreation facilities, a fire station, a bus

transfer station, library, school, utility uses and roadways. The applicant also requests approval of large lot parcel maps and unit phasing.

Conditional Use Permit – SEA (RCUP 200500080): The applicant requests to authorize project-level development, including utilities, and ensure compliance with the requirements of development within the boundaries of the Specific Plan River Corridor Special Management Area (SMA)/SEA 23, and to ensure consistency with the adopted Specific Plan and Conditional Use Permit No. 94-087.

Conditional Use Permit (RCUP 200500081): The applicant requests approval of conditional use permits for the following:

- Development of 73 second dwelling units;
- Development of three water tanks;
- Development of a continued care retirement community on a lot located northeast of the Village Center;
- On-site grading associated with the Tentative Map; and
- Off-site grading associated with the extensions of Westridge Parkway and Commerce Center Drive and the construction of off-site improvements, including the extension of Magic Mountain Parkway, a utility corridor, a water quality basin, an electrical substation, and two water tanks.

Oak Tree Permit (ROAK 200500043): The applicant requests approval of an Oak Tree Permit for the removal of 147 (8 heritage) and encroachment on 49 (2 heritage) of the 517 existing oak trees located within the Tentative Map and within 200 feet of the proposed grading limit line of Tentative Map;

Oak Tree Permit (ROAK 200500032): The applicant requests approval of an Oak Tree Permit for the removal of 11 (3 heritage) and encroachment on 2 of the 64 existing oak trees located within 200 feet of the proposed grading in connection with construction of the easterly extension of Magic Mountain Parkway (off-site); and

Parking Permit (RPKP 200500011): The applicant requests approval of off-site reciprocal and shared parking in the Village Center area of the Project.

Substantial Conformance Review (SCR 201000001):
While not technically an entitlement, the applicant also requests a determination of substantial conformance with the Specific Plan through Substation Conformance Review No. 201000001 for Grading and Hillside Management Guidelines, setback standards, housing and building types and trail sections. Section 5.2.2 of the Specific Plan contains procedures for making substantial conformance determinations, with authority lying with the Planning Director of the Los Angeles County Department of Regional Planning and the Director of the Los Angeles County Department of Public Works with discretion by the Planning Director to refer a Substantial Conformance determination to the Planning Commission. If the Planning Commission determines that proposed actions are in substantial conformance with the provisions of the Specific Plan, the action shall be approved by the Planning Commission. While this request for substantial conformance is associated with this project, such determinations for substantial conformance may apply to any 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: A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), M-1-½ (Restricted Heavy Manufacturing), M-1-½-DP (Restricted Heavy Manufacturing – Development Program), R-R (Resort and Recreation);

East: A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), P-R (Parking Restricted) and C-R (Commercial-Recreation), C-M (Commercial Manufacturing);

South: RPD-8,500-5 (residential Planned Development – 8,500 square feet minimum lot size – 5 dwelling units per acre), A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area); C-R (Commercial-Recreation); and

West: SP (Specific Plan).

EXISTING LAND USES

Subject Property: The subject property consists of 15 parcels created from PM24500 approved along with the Specific Plan. The project site comprises mostly vacant land with on-going agricultural activities (growing crops and cattle grazing). Remnants of abandoned oil and gas operations are dispersed throughout the project site.

Surrounding Properties: Surrounding uses are as follows:

North: SR-126, vacant land, Santa Clara River, Commerce Center Industrial Park, Travel Village trailer park, Chiquito Canyon Landfill;

East: Magic Mountain Amusement Park, vacant land;

South: Vacant land, residences within the Westridge community; and

West: Vacant 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 11,963-acre property for 20,885 dwelling units with 423 second units; 629 acres of mixed use development; 67 acres of commercial uses; 249 acres of business park land use; 37 acres of visitor-serving uses; 1,010 acres of open space area (including 141 acres of community parks and 869 acres of other open areas); 5,159 acres within Special Management Areas (SMAs); 50 acres of neighborhood parks; a 15-acre lake; public trail system; one 18-hole golf course; two fire stations; one public library; one electrical substation; reservation of five elementary school sites, one junior high school and one high school site; a 6.8-million gallon per day WRP; and other associated infrastructure facilities, such as roads and bridges.

The Specific Plan area is organized in five "villages". The Project is located within a village called the Mesas. The Mesas Village is located in the northeast portion of the Specific Plan on a plateau that overlooks the Santa Clara River to the north and Six Flags Magic Mountain Theme Park to the east. With approximately 1,766 acres, the Mesas Village was approved with a maximum of 7,716 dwelling units, 122 second dwelling units, and approximately 347 acres allocated for mixed-use and non-residential development (Mission Village occupies 71 percent of the Mesas Village). The Mesas Village contain approximately 15 acres for three neighborhood parks, one seven-acre elementary school site, one fire station, a 20-acre community park and 71 acres of arterial roads. The Santa Clara River, a major open space area within the Mesas Village, is part of the River Corridor SMA. The SMA is a major feature of the Specific Plan with approximately 491 acres from which 296 acres or 60% is located within the Mesas Village.

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 which concluded that there were significant overriding public benefits with approval of the Specific Plan and WRP. 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. The Specific Plan also established the regulations and standards for the protection of open areas adjacent to development and the two large River Corridor and High Country SMAs, totaling approximately 6,170 acres.

PROJECT DESCRIPTION

The Mission Village project intends to create 661 lots on 1,261.8 acres to develop 4,412 dwelling units, 1,555,100 square feet of mixed-use/commercial uses, recreation centers, parks, school, open spaces and public facilities. The following is a descriptive listing of the 661 lots within the Tentative Map:

- 382 Single-family lots for 382 single-family units and 73 second units
- 44 Multi-family lots for 4,030 multi-family units (including 20 lots with 459 units reserved for age-qualified residents, 1 lot reserved for a 351-unit continued care retirement facility, 2 lots for mixed use residential/commercial development consisting of 491 units and 5 condominium/apartment lots with 905 units)
- 11 Mixed-use commercial lots for 1,555,100 square feet of retail/commercial/office uses
- 4 Recreation lots (including community recreation centers and private parks)
- 2 Public park lots
- 1 Elementary school lot
- 150 Open space lots (including landscape zone , open space and river)
- 2 Spineflower Preserve lots
- 14 Utility lots (including water quality basins, water tanks, sewer lift station and debris basin)
- 48 Street/access lots (including public, private, bridge and fire access)
- 1 Library lot

- 1 Fire station lot
- 1 Transit lot

The following is a description of the proposed primary uses within the Tentative Map and Project defining characteristics:

Residential

A total of 4,412 dwelling units are proposed within the residential lots with a range of housing types from detached single-family residences to high density multifamily units and various densities within the subdivision. The 382 traditional single-family lots (i.e. one home on each lot) with densities varying from 1 to 8.9 dwelling units per acre (lot size ranges between 4,000 square feet and one acre) are concentrated on the western portion of the development. The average lot size on the far western portion of the project site is one acre. All other single-family lots vary from minimum 4,000 square feet to 7,150 square feet in size. All single-family lots have been designed for garage access from private streets and drives. Four flag lots are proposed at the end of cul-de-sac roads where it is not possible to accommodate the required street frontage. The applicant's burden of proof which accompanies this request describes topographical conditions as the reason this type of lots are proposed. The applicant's burden of proof is attached (**Attachment B**).

The 44 multi-family lots with 4,030 units are comprised of condominium and rental units and are designed as detached condominiums, townhouses, live/work units, duplexes and condominiums/apartments style buildings with densities varying from 4.7 to 55 units per acre. Included in the 4,430 multi-family units are 459 age-qualified residences located south of Magic Mountain Parkway and a 351-unit retirement community offering independent and assisted living for seniors located on the southwest corner of the intersection between Commerce Center Drive and "A" Street.

Flexibility of development in selected lots

Flexibility has been incorporated into the Specific Plan to respond to the changes in demand and economic marketplace which will occur over the 25-year buildout of the community. Section 5.2.5 of the Specific Plan allows flexibility in the project through the Adjustment/Transfer/Conversion Provisions. The purpose of this process is to allow adjustments, dwelling unit transfers, as well as other types of adjustments, including residential and non-residential building square footage transfers and conversions.

As part of the Substation Conformance Review process prescribed in the Specific Plan, the applicant is seeking approval to allow these adjustments envisioned by the Specific Plan to be finalized at the final map stage rather during the tentative map stage. The applicant is requesting that multifamily units (i.e. condo vs. apartments and attached vs. detached), commercial building types and square footage, in designated area identified in the Tentative Map, to be finalized at the final map stage. Typically the unit type such as condo, townhomes and apartments, unit count and commercial building type and square footage are determined during the tentative map phase. Changes to these features normally are subject to the Amended or Revised Tentative Map process. The Specific Plan contemplates these changes in the implementation process, however, it does not state if these changes are limited to the tentative map or final map stage.

The project buildout is estimated to occur over several years and be completed by 2021. The intent of the applicant's request is to allow flexibility contemplated in the Specific Plan until final map stage so the development can adapt to changes in market conditions and consumer needs over time.

The following thresholds will be in place to ensure consistency with the approval:

The number of units and amount of non-residential uses on the lots will not exceed the maximum allowed and the open space and recreational uses will not be reduced. Shift in the number of residential units and commercial square footage among lots may be allowed as long as it does not exceed 20 percent of the number of residential units and commercial square footage allowed for each lot approved by the Tentative Map. The designated land use in each lot shall not change (i.e. commercial lots cannot be switched to residential lots and vice versa).

The resulting changes to the Tentative Map will be subject to the substantial conformance process per the provisions of Section 5.2 of the Newhall Ranch Specific Plan, and consistent with the environmental analysis in the project EIR. The changes on the map would be reviewed and approved by the Subdivision Committee through the Amended Exhibit Map process prescribed in Section 21.16.15 of the County Subdivision Ordinance.

The request includes the following adjustments incident to the change in housing and building type: apartments to condominiums and vice versa, attached to detached units, building type and location, driveway location, alignments, driveway widths and drive entries, private drive alignments and locations, lotting configurations, residential unit location and commercial building type and location. Page 59 of the Planning Notebook (**Attachment P**) illustrates three development scenarios that would be in accordance with the concept of flexibility. The possible changes are contemplated within the development envelope and are evaluated by the DEIR.

With the required threshold in place and the Subdivision Committee review to ensure consistency with the conditions of approval, staff believes that the this procedure is consistent with the intent of Section 5.2.5, Adjustment/Transfer/Conversion Provisions, of the Specific Plan.

Village Center

The Village Center, as described in the Specific Plan, is located on the eastern portion of the Tentative Map, close to the I-5 and Six Flags Magic Mountain Theme Park. The Village Center is a 135-acre pedestrian oriented mixed use neighborhood and designed to be the village center for the project as contemplated in the Specific Plan. This area is proposed to have 2,146 multi-family residential units (including 351 units in the proposed continued care retirement community), and 704,100 square feet of Mixed Use Commercial. Other uses proposed for the Village Center include a library, a private park, and a community recreation center.

Access to the Village Center is provided from Commerce Center Drive and Magic Mountain Parkway, both are designated Highways, connecting to an internal circulation system consisting of public streets and private drives. This area is connected to the rest of the project area through a series of trails, paseos and sidewalks.

Mixed Use

The Mixed Use land use designation, as defined in the Specific Plan, allows for centers which contain a combination of retail/commercial, office and/or residential uses. The lots may have a single use in

the Mixed Use land use designation but the combination of adjacent lots with different uses form the mixed use Village Center. These uses may be combined with civic, public and recreational uses.

The mixed use Village Center is characterized by an integration of uses including housing with retail, work places and recreational uses to encourage pedestrian mobility and the creation of a lively and convenient environment for nearby residents.

Commercial

The Project proposes to develop 1,555,100 square feet of office and commercial space on approximately 57.4 acres. 704,100 square feet is allocated to the Village Center area. The remainder 851,000 square feet of commercial and office uses are proposed to be located at the northern portion of the Tentative Map, north of the Commerce Center Drive and at the southeastern portion of the Tentative Map, south of Magic Mountain Parkway.

Elementary School

A 9.5-acre elementary school site (Lot No.157) is located northwest of the Village Center, north of “A” Street. Actual site designs for the school are to be determined at a later phase.

Parks/Recreation/Open Space

Three park lots are depicted within the Tentative Map: a 20-acre public Community Park east of Commerce Center Drive (Lot No. 469), a 5-acre public Neighborhood Park located at the northwesterly boundary of the Tentative Map (Lot No. 653) and a 2.9-acre private park, called Village Green, located in the Village Center (Lot No. 527). A 6.9-acre private Community Recreation Center is proposed west of the Village Green in the Village Center (Lot No. 526) with a 25,000 square foot recreational building, pools and sports courts. In addition, a 4.6 acre private Recreation Center (Lot No. 424) is proposed in the age-qualified residential area improved with a 25,000 square foot recreational building, pools and sports courts.

A total of 311 acres of open space area, distributed among 146 lots, are depicted throughout the Tentative Map. The open space areas function as connection buffer between development planning areas, trails and utility easements. The proposed trail system is divided hierarchically as community, local and other pathway trails, as identified in the Specific Plan, connecting to the Specific Plan's Regional River Trail, which traverses the Santa Clara River to the northwest. Community trails are 8-foot wide pedestrian and bicycle routes located within 24-foot wide landscaped zones along major roads like Magic Mountain Parkway and Commerce Center Drive. The Project proposes 18,900 linear feet of community trails. Local trails are 8 foot-wide pedestrian and bicycle route which may or may not follow a roadway. There are 12,900 linear feet of local trails proposed throughout Mission Village. Pathway trails serve bicycle and pedestrian use which are located adjacent to local collector roadways but separated by a landscaped parkway from the vehicular traffic. The project proposes 9,200 linear feet of pathways. In addition, dedicated bike lanes (class II) are provided along Magic Mountain Parkway and Commerce Center Drive. The project applicant requests reduction to the required trail width from 12 to 8 feet for community trails, local trails and pathways through the Substantial Conformance Review process. The width reduction is necessary to provide additional area for landscaping and to comply with Low Impact Development Standards.

The Project includes 217 acres of River Corridor dedication (Lot No. 650, 651, 657, 658). The Specific Plan allows a 10 percent (21.7 acres) park land credit for River Corridor dedication. In sum, the

proposed Project includes 70.4 acres of public park and recreational space throughout the Tentative Map area. In addition, a total of 65.6 acres of Spineflower Preserve (Lot Nos. 500, 501) is also dedicated at the northeast portion of the Tentative Map area, east of Commerce Center Drive.

Library
A 3.3-acre library lot is proposed in the Village Center area of the Project.

Fire Station
A 1.5-acre fire station lot is proposed to be located south of Magic Mountain Parkway on the easterly side of Westridge Parkway. This site would accommodate a 13,500-square foot fire station and ancillary buildings.

Transit
A 1.2-acre lot is proposed for the development of a bus transfer station in the Village Center. The site would facilitate local bus service and provide connection points for express or commuter bus operations. The proposed Project depicts three bus stops, one at the intersection of Commerce Center Drive and “A” Street, and two others along Magic Mountain Parkway at the intersections with “HH” and “A” Streets.

Access and Roads
The circulation system for the Project consists of two main highways: Commerce Center Drive and Magic Mountain Parkway. Commerce Center Drive is the main connection for the project to SR-126 and I-5 via Magic Mountain Parkway. Commerce Center Drive is proposed to be extended at its southern terminus from SR-126 via a proposed bridge over the Santa Clara River on to the Project site connecting to the westerly extension of Magic Mountain Parkway. The proposed 1,300 feet in length and 120-129 feet wide bridge was approved as part of the adoption of the Specific Plan. Commerce Center Drive, including the bridge crossing, is designated as a Major Highway, on the adopted Specific Plan and the County Highway Plan. Commerce Center Drive will be fully improved with 114 foot wide right-of-way consisting of a bike lane and three vehicular travel lanes on both directions of traffic, divided by a 14 foot landscaped center median.

Magic Mountain Parkway provides a westerly connection from the project site to the I-5. Magic Mountain Parkway is proposed to be extended onto the Project from its western terminus and will be fully improved to highway standards consisting of two-three vehicular travel lanes and one bike lane on both direction with a variable width landscape median. Westridge Parkway is proposed to be extended north to Magic Mountain Parkway with a 84 foot wide right-of-way to accommodate two travel lanes on both directions with a 12 foot center median.

Public Streets, Private and Future Streets and Private Drives are proposed within the development, providing internal access in single-family, multi-family neighborhoods, mixed use areas, and between the Village Center and the other uses such as the school and the parks. The widths of these streets and drives range from 40 to 110 feet.

Grading (On-site and off-site)
The Mission Village site contains moderate to steep topography and to implement the development as permitted by the Newhall Ranch Specific Plan, significant grading would be necessary. The Project proposed a maximum of 59.8 million cubic yards (c.y.) of grading (29.9 million c.y. of cut and 29.9

million c.y. of fill) for on-site (within the Tentative Map) and off-site project related improvements within the overall project area.

Approximately 56 million c.y. of grading (28 million c.y. of cut and 28.4 c.y. of fill) is proposed for on-site (within the Tentative Map), which includes infrastructure grading for a sanitary sewer system and pump stations, potable and reclaimed water systems, and drainage improvements. The 28 million c.y. of grading associated with the Tentative Map also includes approximately 186,000 c.y. of cut and 945,000 c.y. of fill grading for the off site grading portion of the following improvements which are partially inside and partially outside the Tentative Map: extension of Westridge Parkway (32,390 c.y. of cut and 232,390 c.y. of fill), extension of Commerce Center Drive (31,900 c.y. of cut and 288,270 c.y. of fill), water tanks (55,380 c.y. of cut and 130,030 c.y. of fill), water quality basin (18,900 c.y. of cut and 63,635 c.y. of fill), two debris basins (23,970 c.y. of cut and 100,425 c.y. of fill), Lion Canyon drainage improvements and miscellaneous grading necessary to tie to existing grades (55,955 c.y. of cut and 130,395 c.y. of fill).

An additional 3.4 million c.y. of grading (1.9 million c.y. of cut and 1.5 c.y. of fill) is required for the proposed off-site infrastructure improvements including the Magic Mountain Parkway extension (900,000 c.y. of cut and 500,000 c.y. of fill, the excess dirt would be placed within the Tentative Map), utility corridor (618,000 c.y. of cut and 618,000 c.y. of fill), and the larger of the two Southern California Edison substation alternative sites (372,000 c.y. of cut and 107,000 c.y. of fill, the excess , 265,000 c.y., will be placed in a existing agricultural field within the Specific Plan). These improvements are located completely outside of the Tentative Map area.

Project grading summary table:

Area	Adjusted Cut Volume (c.y.)	Adjusted Fill Volume (c.y.)	Total Earthwork
Mission Village On-Site (within Tentative Map)	**28,000,000**	**28,400,000**	**56,400,000**
Magic Mountain Parkway Off-site	900,000[1]	500,000	1,400,000
Utility Corridor Off-site	618,000	618,000	1,236,000
SCE Substation Off-site (Alternative 2)[2]	372,000	107,000	479,000
Disposal Site Off-site (Alternative 2)		265,000	265,000
Total Off-site	**1,890,000**	**1,490,000**	**3,380,000**
Total Project Site	**29,890,000**	**29,890,000**	**59,780,000**

1. 400,000 c.y. cut to be used as fill for Mission Village on-site grading

2. Alternative 2 is the largest of the two Souther California Edison Substation (SCE) alternative sites

Off-site Improvements

Water Tanks: Three water tanks are proposed as part of the Project. Two water tanks (potable and reclaimed) are proposed partially within the boundaries of the Mission Village Tentative Map along the southerly boundary and partially off-site to the south within the boundaries of pending Vesting Tentative Tract Map 61996 (same applicant), and outside of the boundaries of the Newhall Ranch Specific Plan. The potable and reclaimed water tanks have a total capacity of 6.5 million gallons (4 million gallons potable and 2.5 million gallons reclaimed) and would be located on a single graded pad. The third tank (potable) is proposed completely off-site at an existing tank site located along Westridge Parkway and would not require grading. A Conditional Use Permit is required for the development of the three water tanks.

Water Quality Basin: The proposed water quality basin will serve to mitigate the water quality impacts of the proposed project. It is proposed to be located on a 9 acre site along the northeast boundary of the Mission Village within the boundary of the Tentative Map, south of the Santa Clara River and west of a parking lot in the Six Flags Magic Mountain Theme Park.

Debris Basins: Two off-site debris basins are proposed to be constructed along the southerly boundary of the Tentative Map, partially within the boundary of pending Vesting Tentative Tract Map 61996. They will serve to mitigate the water quality impacts of the proposed project.

Lion Canyon Drainage and Miscellaneous Grading: Development of Mission Village will involve the stabilization of the Lion Canyon drainage with the construction of drainage treatment improvements, including grade stabilization measures to maintain sediment equilibrium and protect the channel bed and banks from hydromodification impacts. Part of the drainage treatment improvements may involve grading and construction of improvements outside of the Tentative Map.

Utility Corridor: The proposed utility corridor generally runs east/west for approximately 2.5 miles along SR-126 from the approved Newhall Ranch Water Reclamation Pant (WRP) near the Los Angeles/Ventura County border to the I- 5. The 418-acre corridor is located completely outside of the Tentative Map and 165 acres of the corridor is located outside of the Specific Plan. The corridor would provide utility extensions to serve Mission Village, including water lines, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics, reclaimed water lines, storm drain pipes, and outlet structures.

Electrical Substation: An electrical substation would be necessary to serve the Mission Village area and two possible locations are considered. The first alternative site is located almost entirely within the Potrero Valley portion of the Specific Plan, with a portion encroaching outside the boundaries of the Specific Plan into the Legacy Village project area (pending VTTM 061996). A total of 158,000 c.y. of cut and 45,000 c.y. of fill grading will be required to develop a substation at this location. The second alternative site is located easterly of the first site and is partially within Potrero Valley portion of the Specific Plan and partially within the Legacy Village project site, outside the boundaries of the Specific Plan. A Total of 372,000 c.y. of cut and 107,000 c.y. of fill grading will be required to develop a substation at this location. All excess dirt will be placed in an existing agricultural field in Potrero Valley.

Note: All the grading for the on-site and off-site improvements have been analyzed as part of either the Specific Plan EIR or the Mission Village DEIR.

SPECIFIC PLAN CONSISTENCY

The Newhall Ranch Specific Plan is a comprehensive document that guides the development of the Newhall Ranch property. The document sets forth a comprehensive set of plans, development regulations, design guidelines, and implementation programs designed to produce a project consistent with the goals, objectives, and policies of the Los Angeles County General Plan and Santa Clarita Valley Area Plan. The Newhall Ranch Specific Plan was adopted by the Board on May 27, 2003, and 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 identifies conceptual land uses with associated acreage, density and/or nonresidential square footage and includes implementing exhibits for trails, circulation, resource management, drainage and water quality, water and sewer infrastructure as well as its land use plan. The Specific Plan is regulatory in nature and serves as zoning for the Newhall Ranch community. All the subsequent development plans and subdivision maps must be consistent with the Specific Plan. Consistency between the proposed Project and the Specific Plan is analyzed below.

The applicant has provided a booklet, titled "Mission Village Planning Notebook" (Notebook) which staff will refer to in discussion of Specific Plan consistency. This Notebook provides the detailed exhibits and tables that update the Specific Plan within the Mission Village subdivision boundary, and identify goals and objectives within the Specific Plan that these project features achieve.

Affordable Housing (Notebook Section 1.6, Page 26)

The Specific Plan requires affordable housing, with a total of 2,200 affordable units located throughout the Specific Plan area (Specific Plan Section 3.10). These include housing units reserved for Very Low Income households (0%-50% Median Income), Low Income households (51%-65% Median Income and 66%-80% Median Income), and Moderate Income households (81%-120% Median Income); and may be rental, for-sale and any units supported by state, local or private affordable housing assistance. The applicant submitted the Newhall Affordable Housing Implementation Plan to the County, and in June 25, 2010, it was approved by the Los Angeles County Community Development Commission (**Attachment O**).

Mission Village proposes up to 300 dwelling units affordable homes within the project site, which shall comply with the Affordable Housing Implementation Plan mentioned above. According to the Affordable Housing Implementation Plan, it is estimated that there will be multiple affordable programs located within three planning areas in Mission Village:

- 88 Rental Affordable Housing Units located in an area next to commercial services near the Village Center with an elementary school and recreation center within a mile.
- 96 Rental Affordable Housing Units located in an area within the Village Center with an elementary school and neighborhood recreation center within one-half a mile.
- 116 Rental Affordable Housing Units located adjacent to a community park with an elementary school and neighborhood recreation center within one-half a mile.

Circulation (Notebook Section 2.1, Pages 30-31)

The circulation plan proposed for Mission Village is a refinement of the Newhall Ranch Master Circulation Plan approved as part of the Specific Plan and it is consistent with the designation,

location and dimensions of the highways and collector roads depicted in the Specific Plan. Commerce Center Drive and Magic Mountain Parkway west of Commerce Center Drive are designated Major Highways, while Magic Mountain Parkway west of Commerce Center Drive is designated a Secondary Highway. Westridge Parkway and "A" Street are designated Collectors. Private Drives and Local Roadways are not depicted on the Specific Plan Master Circulation Plan; however, they are shown on the Mission Village Circulation Plan and provide local access to the various proposed neighborhoods.

Private Drives are designed to conform to the final design criteria approved in the Westside Communities Private Drives and Traffic Calming Manual.

Transit (Notebook Section 2.1, Page 33)
The Specific Plan contemplated two bus pull-in areas within areas located within Mission Village. The proposed project depicts three bus stops, one at the intersection of Commerce Center Drive and "A" Street, and two others along Magic Mountain Parkway at the intersections with "HH" and "A" Streets. A bus transfer station is proposed on the east side of Commerce Center Drive, one block north of its intersection with Magic Mountain Parkway. The proposed locations of the transfer station and bus stops are a refinement of the location in the Specific Plan to accommodate final circulation design of the project, and are consistent with the intent of the Specific Plan to provide convenient access to public transit within the Mission Village project area.

Trails (Notebook Section 2.2, Pages 35)
The Master Plan of Trails in the Specific Plan is general in nature, and provides general locations for trails within the project area. The Tentative Map provides more detailed information regarding the location of trails within the Mission Village project area. 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 location of the trails depicted on the Tentative Map is consistent with the Specific Plan. The Map depicts community trails along Commerce Center Drive, Magic Mountain Parkway and Westridge Parkway. Pathways are depicted along "A", "B" and "R" Streets, and private drives south of Magic Mountain Parkway. However the applicant is requesting an adjustment in the required 12-foot wide trail section to 8-foot wide trails for the community trails, local trails and pathways. The four feet reduction will provide additional landscaping along the trail, reduce the trail's paved area and increase permeable area around the trails to comply with Low Impact Development Standards. The intent of the trails is to provide pedestrian and bicycles use and the reduction of the width of the trail will not compromise the intended use. Therefore, the proposed 8-foot wide trails are consistent with the Specific Plan.

Spineflower Preserve (Notebook Section 2.3, Pages 36)
The Specific Plan Land Use Plan depicts a 20.3 acre Specific Plan conservation easement within Mission Village. The applicant is proposing to expand the existing easement to approximately 65 acres in an effort to provide connectivity to permanent open space, preserve known spineflower populations and establish a Spineflower Preserve. The proposed Spineflower Preserve is located at the northwest portion of the project site, east of Commerce Center Drive. The conservation easement, along with the proposed Spineflower Preserve are depicted on page 36 of the Planning Notebook.

The proposed expansion of the Spineflower Preserve area is consistent with the Specific Plan because it provide for additional protection of sensitive resources in keeping with the policies in the Specific Plan to protect such resources.

Drainage and Water Quality Plan (Notebook Section 2.4, Pages 38-40)
The Conceptual Backbone Drainage Plan of the Specific Plan sets forth the framework by which drainage and flood protection to the site would be provided. A primary goal of the plan was to provide drainage and flood protection while preserving the Santa Clara River as a resource. To meet this goal, several criteria were identified in the planning process and commitments to meet the ongoing requirements of all National Pollutant Discharge Elimination System (NPDES) permits and programs were established.

Mission Village proposes to use open space areas as detention basins with naturalized infiltration areas and depressed open space areas as water quality filters. Four water quality basins are proposed on-site and one off-site (example photos provided on pages 40 and 41 of Notebook).

The Mission Village Drainage and Water Quality Plan is consistent with the Specific Plan, which included conceptual drainage plans that reflects innovative methodologies to meet NPDES requirements, and reflects a comprehensive system of flood control and detention basins to maintain water quality standards.

Water Plan (Notebook Section 2.5, Page 44-47)
The Conceptual Backbone Water Plan was designed in the Specific Plan for the Mission Village portion of the overall project with water main and reclaimed water lines to be located along Commerce Center Drive, Magic Mountain Parkway, Westridge Parkway, and “A” Street. The Potable and Reclaimed Water Plan (page 45 of Notebook) follows the Conceptual Backbone Water Plan and depicts in greater detail, the infrastructure lines to serve the Mission Village project. While the precise routing of water lines for the delivery system delineated by Mission Village Water Plan differ to some extent from the Conceptual Plan set forth in the Specific Plan, this routing flexibility falls within the prescribed Substantial Conformance parameters set in the Specific Plan Implementation Section 5.2.2b(a).

The Conceptual Backbone Water Plan depicts three water tanks with capacities of 4 million, 3 million and 0.9 million gallons. Three water tanks are also depicted on the Mission Village Reclaimed Water Plan. Two of the proposed water tanks (potable and reclaimed) are partially within the boundaries of the Mission Village Tentative Map and outside of the boundaries of the Newhall Ranch Specific Plan (page 47 of Notebook) south of Magic Mountain Parkway, while the two water tanks depicted in the Specific Plan are located just north of Magic Mountain Parkway. The potable and reclaimed water tanks would hold a maximum of 4 million and 2.5 million gallons, respectively.

Sewer Plan (Notebook Section 2.5, Pages 48-49)
The Conceptual Backbone Sewer Plan of the Specific Plan set forth a system for sewage collection witch included connection to a water reclamation plant, a collection system with pump stations, and both gravity and force mains. A detailed Sewer Plan was prepared for Mission Village (page 49 of Notebook) that provides further refinement to the location of sewer main lines and while the precise routing of sewer lines for the delivery system differ to some extent from the Conceptual Plan set forth

in the Specific Plan, this routing flexibility falls within the prescribed Substantial Conformance parameters set in the Specific Plan Implementation Section 5.2.2b(a).

The Mission Village Sewer Plan depicts connection lines extending east to the existing Valencia WRP near the SR-126/I-5 interchange if the Newhall WRP is not operational at the time Mission Village requires connection. However, if the Newhall WRP is operational at the time Mission Village requires connection, sewer lines will extend to the west to connect to the Newhall WRP. Connections for Mission Village are shown with both options, assuming one or both options will eventually be utilized.

<u>Land Use Plan (Notebook Section 3.1, Pages 50-53)</u>
The Mission Village project is proposed within the Mesas Village area identified in the Specific Plan. Land Uses depicted within the project boundary are Low Density Residential, Low-Medium Density Residential, Medium Density Residential, High Density Residential, Commercial, Mixed Use, Open Space and River Corridor. As described on page 51 of the Notebook, 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, page 5-14), within certain parameters. The Mesas Village is divided into Planning Areas, as Mission Village only covers 71 percent of the Mesas Village area, some planning areas do not pertain to Mission Village even though they are within Mesas Village. Although Mesas Village is entitled to a maximum of 7,716 dwelling units and 2,232,000 square feet of building space, Mission Village is only entitled to a maximum of 5,465 dwelling units and 1,948,500 which corresponds to the Planning Areas within the Mission Village Tentative Map boundary.

The applicable regulations include:

- The total number of dwelling units in the Mesas Village shall not exceed 5,465 total dwelling units.
  Mission Village represents approximately 71 percent of the total Mesas Village area (page 64 of Notebook). Currently, there is no other residential development proposed in the Mesas Village area. Mission Village proposes 4,412 dwelling units. Therefore, this regulation has been met.
- The total maximum building square footage for the Mission Village project shall not exceed the total maximum building square footage set forth in the Annotated Land Use Plan Statistical Summary for the Specific Plan area.
  The Annotated Land Use Plan Statistical Summary determines that the maximum building square footage allowed by the Specific Plan for this area is 1,948,500 square feet. Mission Village proposes 1,555,100 building square feet. Therefore, this regulation has been met.
- No planning area may change in total acreage by more than 20 percent.
  Mission Village is proposing changes to the acreage of most of the planning areas, however, none of the changes exceed 20 percent. Therefore, this regulation has been met.

  Each land Use designation contains several Planning Areas. The table below shows a summary of the changes between the Project and the Mesas Village (Specific Plan) in total acreage, number of dwelling units and non-residential square footage. Detailed information about the changes per Planning Area is available in a table format on page 53 and 65 of the Notebook, with exhibits on pages 51 and 52.

Land Use	Area comparison to Specific Plan	Dwelling Units Comaprison to Specific Plan	Planned Non-Residential Square footage comparison to Specific Plan	Maximum Non-Residnetial Square Footage comparison to Specific Plan
Low	4.9% increase	-8	n/a	
Low-Medium	3.8% decrease	-235	n/a	
Medium	3.6% decrease	-129	N/a	
High	19.4% increase	-41	n/a	
Mixed Use	4.0% increase	-640	212,000	-372,000
Commercial	18.5% decrease	n/a	24,100	-20,900
Open Area	1.7% decrease	n/a	n/a	n/a
River Corridor	0%	n/a	n/a	n/a

The table above show that Low-Medium and Medium Residential land use designations decreased in area and in number of dwelling units while Low and High Residential land use designations increased in area but still decreased the number of dwelling units. The Mixed Use designation increased four percent in area, decreased the number of dwelling units but increased the commercial square footage. Even though the commercial square footage was increased in the Mixed Use and Commercial land use designations, the commercial square footage is still under the maximum allowed for commercial area within those categories as permitted by the Specific Plan. These changes are due to project refinement which results in changes in the number of housing units, square footage of non-residential space and area dedicated to each use.

The elementary school as well as the Community and Neighborhood Parks are part of land use overlays, and are 'flexible' as to their final location within the Specific Plan. The land use overlay adjustments are permitted pursuant to Section 5.2-5 of the Specific Plan with respect to size, quantity and location of public service facilities such as parks and schools. There were two Neighborhood Parks and one Community Park depicted on the Specific Plan Land Use Plan within the Project site. The Community Park has been relocated a location adjacent to the Village Center. One Neighborhood Parks is proposed adjacent to the river and close to single family neighborhoods. The second Neighborhood Park is the Village Green, a private park located within the Village Center. In addition, the project depicts two private recreation centers. As part of the overlay uses depicted in the Specific Plan, Mission Village is proposing an elementary school, a fire station and a library as land use overlays.

The River Corridor allows for certain uses, with mitigation measures 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. Transition areas are also required between development areas and the Santa Clara River. The standards and design of the transition area is described in greater detail in Section 2.6-2.a.(3).(b) of the Specific Plan. These design features include provision of 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; bridges; sewer, water and utility easements; abutments; river trail; 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. Within the SEA/SMA, the Project proposes the following improvements: Commerce Center Drive bridge, bank stabilization, underground utility corridor, storm drain outfalls and associated energy dissipaters, trails, riparian mitigation sites and off-site transport of materials associated with grading.

SUBSTANTIAL CONFORMANCE

Section 5.2-2 (Substantial Conformance) 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 the Planning Commission. If the Planning Commission determines that proposed actions are in substantial conformance with the provisions of the Specific Plan, the action shall be approved by the Planning Commission. The purpose of substantial conformance is to determine whether proposed developments or uses substantially comply with the standards, regulations and guidelines of the Specific Plan and other applicable Los Angeles County ordinances which do not conflict with the Specific Plan.

As required by the Specific Plan, the applicant requests determinations of substantial conformance for grading and hillside management guidelines, setback standards, housing and building types and trail sections.

Grading and Hillside Management

Section 2.7, Hillside Preservation and Grading Plan, of the Newhall Ranch Specific Plan was prepared in accordance with the Los Angeles County Performance Review Criteria of Hillside Management. The Specific Plan Conceptual Grading Plan (Specific Plan Exhibit 2.7-1) identifies the majority of the Mission Village area as graded. As defined by that Plan, grading for the Specific Plan area will consist of approximately 180 million c.y. of grading (90 million c.y. of cut and 90 million c.y. of fill). The grading will be balanced within the Specific Plan. The 56.4 million c.y. of grading (28 million c.y. of cut and 28.4 million c.y. of fill) proposed within the Mission Village Tentative Map is under the 180 million c.y. of grading and therefore, it is consistent with the Specific Plan. The proposed grading will be balanced within the Specific Plan area and all the impacts are analyzed in the Mission Village Draft EIR. Grading for the off-site improvements is requested by CUP 200500081.

The Specific Plan also requires a determination of Substantial Conformance Review be filed for subdivisions having slopes equal or grater than 25 percent to ensure compliance with the Grading and Hillside Management Guidelines contained in Chapter 4.8, 1a-1h.

Grading and Hillside Management:

a. Los Angeles County hillside development guidelines should be followed in hillside areas in order to minimize grading impacts.
b. Significant ridges, knolls, and rock outcroppings should be respected in the site design and incorporated as features where feasible.
c. Contour grading should be employed where feasible to lessen the visual impact of large slopes and long major uniform slopes should be avoided.
d. Avoid the removal of oak trees to the maximum extent feasible and minimize grading to the edge

of tree driplines.

e. Grading should emphasize and accentuate scenic vistas and natural landforms.
f. Slopes requiring special erosion control or fuel modification prevention should be designed for ease of maintenance.
g. Special attention should be given to arrangement of landscape materials as means of creating a natural, hillside appearance.
h. Graded slopes should be planted and stabilized in compliance with County approved landscape, irrigation, and maintenance requirements.

The Substantial Conformance Interpretation Memo pertaining to grading and hillside management submitted by the applicant and the applicant's responses to the Grading and Hillside Guidelines are attached (**Attachment C**).

Setback Standards

Pursuant to the Specific Plan, Section 5.2 (2)(13), modifications of development standards contained on Table 3.4-1 (Site Development Standards) are allowed through a determination by the Director that the modifications are in substantial conformance with the provisions of the Specific Plan pursuant to the Substantial Conformance Review process set forth in the Specific Plan.

The applicant is requesting a front yard setback modification for Mixed-Use Residential, Mixed-Use Commercial, Commercial, High Residential, Medium Residential designated lots within the Village Center area (lots 508-515, 517-526 and 528-530) with no front yard setback requirement and a minimum 10-foot separation between structures on adjacent lots. The Village Center is proposed as the urban town center for the proposed Project and future and existing surrounding developments. The intent of the front yard modification is to allow buildings to be located closer to the street and promote a more urban and pedestrian oriented environment. The intent of the 10-foot distance between buildings on adjacent lots is to provide flexibility on the rear and side yard setbacks as long as the minimum required distance between buildings is maintained. Due to the orientation of the structures with frontage on more than one street, the conceptual nature of the Exhibit Map that accompany the Tentative Map and the size of the project, the designation of the lot frontage should be determined during the construction phase.

The Substantial Conformance Interpretation Memo pertaining to the modification of setback standards submitted by the applicant is attached (**Attachment D**).

Trail Sections

Section 5.2-2-a-(9) of the Specific Plan determines that adjustments to the Master Circulation Plan which includes any trail design are allowed pursuant to the Substantial Conformance Review process. The project applicant requests reduction to the required trail width from 12 to 8 feet for community trails, local trails and pathways. The four feet reduction will provide additional landscaping along the trail, reduce the trail's paved area and increase permeable area around the trails to comply with Low Impact Development Standards.. The intent of the trails is to provide pedestrian and bicycles use and the reduction of the width of the trail will not compromise the intended use. Therefore, the proposed 8-foot wide trails are consistent with the Specific Plan.

The Substantial Conformance Interpretation Memo pertaining to the modification of trail sections submitted by the applicant is attached (**Attachment E**).

Housing and building types

For discussion on the Substantial Conformance Review on housing and building types see “Flexibility of development in selected lots” on page 7 of this report.

CONDITIONAL USE PERMITS

The applicant has requested the approval of two Conditional Use Permits (CUPs) related to the Mission Village project. The CUPs are requested to authorize the following development and activities:

Development within Significant Ecological Areas (CUP 200500080)

In conjunction with approval of the Specific Plan, the Los Angeles County Board of Supervisors approved a program-level SEA Conditional Use Permit (CUP) No. 94-087, which applied to the entirety of the Specific Plan area and will continue to apply even with the approval of the requested CUPs. The approved CUP resulted in two significant outcomes regarding the SEA: (a) it adjusted the existing boundaries of the County's original SEA 23 boundaries, consistent with General Plan policies requiring protection of natural resources within SEAs, and (b) it allowed Specific Plan development within the River Corridor SMA/SEA 23 boundaries subject to certain limitations. The allowable Specific Plan development within the SEA includes three bridge crossings, including the Commerce Center Drive bridge, buried and exposed bank stabilization, trails, utilities and development on mostly agricultural land, some of which is prime agricultural land, within the approved River Corridor SMA/SEA 23 area. Pursuant to Table 3.4-2, Permitted Uses Matrix, Footnote 16, and Section 5.2-3 of the Specific Plan, and Section 22.56.215, Hillside management and significant ecological areas--Additional regulations, of the Los Angeles County Code (“County Code”), the applicant has requested a CUP for proposed development associated with the Mission Village project within the River Corridor SMA/SEA 23 in order to ensure consistency with both the adopted Specific Plan and the approved program-level SEA CUP.

Within the SEA/SMA, the Project proposes the following improvements: Commerce Center Drive bridge, bank stabilization, underground utility corridor, storm drain outfalls and associated energy dissipaters, trails, riparian mitigation sites and off-site transport of materials associated with grading. Commerce Center Drive 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 and CUP 94-087 in that location. Off-site transport of materials associated with grading for the bridge is part of the bridge construction permitted by the Specific Plan and CUP 94-087. The entire bridge will be located within the SEA along with a portion of the Commerce Center Drive. The portion of Commerce Center Drive that will be located within the SEA is approximately 400 linear feet with a right-of-way of 114 feet.

Along with the Specific Plan, approved CUP 94-087 allows for riparian mitigation as habitat restoration as well as bank stabilization to protect the river against erosion within the River Corridor SMA. CUP 94-087 also addresses drainage improvements related to potential indirect impacts to the River Corridor SMA due to sedimentation and debris transport during construction which would be controlled by the installation of devices such as debris basins, drainage swales, slope drains, and storm drain inlet/outlet protection which would be part of final drainage plans prepared for each subdivision. The Specific Plan calls for a minimum 100 foot wide buffer adjacent to the Santa Clara River between the top river-side of bank stabilization and development. CUP 94-087 allows for public

infrastructure such as flood control access, sewer, water and utility easements, abutments, trails and parks to be located within the buffer area and the SEA. The County of Los Angeles General Plan requires that any development proposal within an SEA be reviewed for compliance with certain "design compatibility criteria." The Los Angeles County Zoning Code implements this General Plan requirement by requiring a CUP for development within the SEA. In addition, the General Plan requires that an application for an SEA CUP must undergo an "SEA Performance Review." This process involves review of the application by the appointed Significant Ecological Area Technical Advisory Committee (SEATAC). SEATAC reviews the application and accompanying biological resources report for adequacy, and makes recommendations for final project design. Such recommendations are then considered by the Los Angeles County Regional Planning Commission.

A Biota Report dated December 2006 was prepared by the project environmental consultant, Impact Sciences, and submitted to SEATAC for review. Three SEATAC meeting were held on this project on the following dates: January 29, 2007; September 10, 2007; and April 7, 2008. In each meeting, SEATAC provided comments. Revisions of the Biota report and response to comments were provided to SEATAC by the project environmental consultant. The SEATEC meeting minutes and the response to comments provided by the environmental consultant are attached (**Attachment N**).

SEATAC expressed concern mainly with habitat loss and encroachment within the Santa Clara River SMA/ SEA 23 and impacts on spineflower. The project is not proposing any permanent impact to the SEA that is not authorized by the Specific Plan and CUP 94-087. In addition, the project proposes a minimum 100-foot buffer from the outer edge of CDFG jurisdictional habitat associated with the Santa Clara River. Additional buffer is provided in some portions of the project adjacent to the River SEA through open space lots and development restriction areas. The elevation difference between the proposed development area and the SEA varies between 100 and 200 feet which further segregate the two areas. The Specific Plan Land Use Plan depicts a 20.3 acre conservation easement within Mission Village. The applicant is proposing to expand the existing easement to approximately 65 acres in an effort to provide additional protection to spineflower populations and establish a Spineflower Preserve.

In addition to the standard burden of proof required for a CUP, which is set forth in Section 22.56.040, the applicant must also meet the burden of proof required for development within an SEA.

Pursuant to Section 22.56.215 of the County Code, the applicant must meet the following burden of proof:

Significant Ecological Areas:

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 Burdens of Proof for the CUP and development within SEA are attached (**Attachment F**).

Development Proposed Under CUP 200500081

For the following CUP requests, Pursuant to Section 22.56.040 of the County Code, the applicant must meet the following Burden of Proof:

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
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; and

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; and

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.

Development of 73 second dwelling units (CUP 200500081)

Pursuant to Table 3.4-3 (Accessories Uses Matrix) of the Specific Plan, the applicant has requested a CUP to authorize the development of 73 second dwelling units in Planning Area TM-14 in the Low Residential land use designation, shown as Lot Nos. 279-351. According to the Specific Plan (Table 5.4-1), 122 second dwelling units are allowed with a CUP in Planning Area TM-14. The provision of second dwelling units in Mission Village will provide additional affordable housing opportunities, while maintaining the character of a single-family neighborhood. The applicant's Burden of Proof for the second units is attached (**Attachment G**).

Development of a continued care retirement community (CUP 200500081)

Pursuant to Table 3.4-2 (Permitted Uses Matrix) of the Specific Plan, the applicant has requested a CUP to authorize the development of a continued care retirement community (CCRC) with a maximum of 351 dwelling units. Residential care facilities (7 or more persons) are allowed by the Specific Plan subject to a Conditional Use Permit in the Mixed Use land use designation. The CCRC is located on lot 528 within the Village Center area in the Mixed Use Residential land use designation. The Exhibit Map provides a conceptual design for the CCRC with three and four story buildings containing units designated for independent and assisted living. The applicant is proposing a total of 280 parking spaces for the continued care retirement community with 197 independent living units and 154 assisted living units. The parking requirements for such uses are not specified in the Los Angeles County Code, however, a similar use with parking standards was identified as senior citizen

housing development which would require 200 parking spaces. The 280 parking spaces proposed by the applicant are consistent with the County Code parking requirements.

The applicant's Burden of Proof for CCRC is attached (**Attachment H**).

Development of three water tanks (CUP 200500081)

Pursuant to Los Angeles County Code, Section 22.24.150, water tank is a use subject to a Conditional Use Permit. The applicant is proposing the construction of three new water tanks. Two water tanks for potable and reclaimed water storage are proposed along the southerly boundary of the Tentative Map, partially inside the Tentative Map and partially outside of the Tentative Map and Specific Plan in the A-2-5 zone (Heavy Agriculture, 5-acre minimum lot size). The proposed potable and reclaimed water tanks have a total capacity of 6.5 million gallons (4 million gallons potable and 2.5 million gallons reclaimed) and would be located on a single graded pad. The third tank (potable) is proposed at an existing tank site located along Westridge Parkway, south of the Tentative Map and would not require grading. Even though the third water tank does not require grading, a CUP is still required for its development. The applicant's Burden of Proof for the water tanks is attached (**Attachment I**).

On-site grading (CUP 200500081)

Pursuant to Los Angeles County Code, Section 22.56.210, grading projects that exceed 100,000 c.y. of grading require a CUP. The Project proposed a maximum of 59.8 million cubic yards (c.y.) of grading (29.9 million c.y. of cut and 29.9 million c.y. of fill) of on-site and off-site combined which would be balanced within the overall project area.

Approximately 56 million c.y. of grading (28 million c.y. of cut and 28.4 c.y. of fill) is proposed for on-site, which includes infrastructure grading for a sanitary sewer system and pump stations, potable and reclaimed water systems, and drainage improvements. The 28 million c.y. of grading associated with the Tentative Map also includes approximately 186,000 c.y. of cut and 945,000 c.y. of fill grading for off site grading portion of the following improvements which are partially inside and partially outside the Tentative Map: extension of Westridge Parkway (32,390 c.y. of cut and 232,390 c.y. of fill) and Commerce Center Drive (31,900 c.y. of cut and 288,270 c.y. of fill), water tanks (55,380 c.y. of cut and 130,030 c.y. of fill), water quality basin (18,900 c.y. of cut and 63,635 c.y. of fill), two debris basins (23,970 c.y. of cut and 100,425 c.y. of fill), Lion Canyon drainage improvements and miscellaneous grading necessary to tie to existing grades (55,955 c.y. of cut and 130,395 c.y. of fill).This grading has been analyzed in the DEIR.The applicant's Burden of Proof for off-site grading is attached (**Attachment J**).

Off-site grading (CUP 200500081)

Pursuant to Los Angeles County Code, Section 22.56.210, off-site grading projects require a CUP. The applicant is proposing grading outside the boundaries of the Tentative Map and outside the boundaries of the Newhall Ranch Specific Plan as part of the proposed project. In addition to the 56.4 million c.y. (28 million c.y. of cut and 28.4 million c.y. of fill) of on-site grading, 1.9 million c.y. of grading (1.9 million c.y. of cut and 1.9 million c.y. of fill) is required for the proposed off-site infrastructure improvements including the Magic Mountain Parkway extension, utility corridor, and the larger of the two Southern California Edison substation alternative sites. The proposed off-site grading was analyzed as part of the Mission Village DEIR.

The new water tanks, water quality basin, debris basins, and Lion Canyon drainage improvements are also located partially on-site and partially off-site of the Tentative Map. The water tanks site is 5.2 acres in size (3.8 acres are off-site). The water quality basin is 13.2 acres in size (9 acres are off-site). The debris basins along the south boundary of the tentative map is 5.9 acres in size (5.4 acres are located off-site). The Lion Canyon drainage improvements is 17.3 acres in size (1.9 acres is off-site). Due to the contiguous nature of these improvements, the total grading is included as part of the on-site 28 million c.y of grading. the total Grading for these improvements are approximately 186,000 c.y. of cut and 945,000 c.y. of fill grading for the off site grading portion of the improvements and are counted as part of the 28 million c.y. (28 million c.y. of cut and 28.4 c.y. of fill) of on-site grading.

The 3.8 million c.y. of off-site grading (1.9 million c.y. of cut and 1.9 million c.y. of fill) account for the following:

Extension of Magic Mountain Parkway: Approximately 4,700 linear feet of the proposed extension of Magic Mountain Parkway would be outside of the boundaries of the tentative map. The grading for this portion will require approximately 1.4 million c.y. of grading (900,000 c.y. of cut and 500,000 c.y. of fill). Approximately 400,000 c.y. of earth would be transported to a location within the Tentative Map area and it has been analyzed in the DEIR

Utility Corridor: The proposed utility corridor generally runs east/west for approximately 2.5 miles along SR-126 from the approved Newhall Ranch Water Reclamation Pant (WRP) near the Los Angeles/Ventura County border to the Interstate 5. Grading for this corridor would be a balanced operation of 618,000 c.y. of cut and 618,000 c.y. of fill grading over approximately 156 acres.

Electrical Substation: Two locations for the electrical substation to serve the Mission Village area are considered. The first alternative site is located almost entirely within the Potrero valley portion of the Specific Plan, with a portion encroaching outside the boundaries of the Specific Plan into the Legacy Village project area (pending VTTM 061996). A total of 158,000 c.y. of cut and 45,000 c.y. of fill grading will be required to develop a substation at this location. The second alternative site is located easterly of the first site and is partially within Potrero Valley portion of the Specific Plan and partially within the Legacy Village project site, outside the boundaries of the Specific Plan. A Total of 372,000 c.y. of cut and 107,000 c.y. of fill grading, for a total of 479,000 cy of earthwork, will be required to develop a substation at this location. All excess dirt will be placed in an existing agricultural field in Potrero Valley.

The applicant's Burden of Proof for off-site grading is attached (**Attachment K**).

PARKING PERMIT

Although Mission Village meets the required parking standards according to the Specific Plan and the Los Angeles County Code, the applicant is requesting a Parking Permit to allow reciprocal and shared parking for uses located on separate lots in the Village Center area, as depicted on the Shared Parking Plan Exhibit on page 63 of the Planning Notebook. Part of the parking for Lot Nos. 508, 509, 510, 511, 526, 527, 516 and 529 within the Village Center may be provided on adjacent lots, nearby lots or on private driveways. These lots contain residential and commercial uses. The required residential parking will be provided on site; the required commercial parking will be provided either on-site or off-site. The use of private drives for the shared parking increases the urban feel of the Village Center and enhances the mixed use pedestrian oriented development character of the area.

The applicant's Burden of Proof for the parking permit is attached (**Attachment L**).

OAK TREE PERMITS

Pursuant to Section 22.56.2050 of the County Code, two Oak tree reports were submitted by Impact Sciences, Inc. The first oak tree report, dated August 2010, is referent to Oak Tree Permit No. 2005-00032, which proposes to remove 11 oak trees, including three heritage oaks, of the existing 64 oak trees and encroach on two non-heritage oak trees in connection with construction of the easterly extension of Magic Mountain Parkway (off-site). The Applicant's Burden of Proof states that easterly extension of Magic Mountain Parkway is necessary to connect the proposed development to the Old Road and the I-5. The alignment of this Highway has been previously established and realignment is not feasible due to other potential impacts such as grading and traffic safety. Since the 13 (11 removals and 2 encroachments) oak trees that would be impacted by this extension are located in areas of the property where their continued existence would preclude the extension of this Highway, their impact is unavoidable.

The second Oak tree report, dated November 2007 with an updated report submitted March 2010, is referent to Oak Tree Permit No. 2005-00043, which proposes to remove 147 of the existing 517 oak trees, including eight heritage oaks, and encroach on 49 oak trees, including two heritage oaks, located within the Tentative Map. The Applicant's Burden of Proof states that the impacted oak trees are located in areas of the property where their continued existence would preclude the development of the property in an efficient manner. It also states that natural resources, including oak trees, were evaluated in the preparation of the development plan to limit the impact to such resources while allowing the development authorized by the Specific Plan. The proposed project cluster development to avoid impacts to on-site resources such as spineflower, the Santa Clara River and other areas with oak trees.

Mitigation measures recommended by the County Forester/Fire Warden for both Oak Tree Permits include replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 358 mitigation trees for Oak Tree Permit No. 2005-00043 and 46 mitigation trees for Oak Tree Permit No. 2005-00032. The replacement trees will be planted in designated oak woodland mitigation areas in the Specific Plan.

The permittee shall also properly maintain each mitigation tree and shall replace any tree failing to survive in a period of five years due to lack of proper care and maintenance with a tree meeting the specifications in the mitigation measures.

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 Burdens of Proof for both permits are attached (**Attachment M**).

ENVIRONMENTAL DOCUMENTATION

The program-level Specific Plan EIR with a Statement of Overriding Considerations was certified along with the adoption of the Specific Plan by the Board of Supervisors in 2003. The Board found that there were overriding public benefits, which 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 Mission 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 that are unavoidable and that cannot be mitigated to a less than significant level. Copies of the Draft EIR were distributed to the Commission.

Identified potential impacts found to be less than significant with project mitigation, include:

- Geotechnical and Soil Resources
- Hydrology
- Water Quality
- Floodplain Modification
- Traffic/Access
- Environmental Safety
- Cultural/Paleontological Resources
- Utilities
- Global Climate Change
- Mineral Resources
- Water Service
- Wastewater Disposal
- Sheriff Services
- Fire Protection Services
- Education
- Library Services
- Parks and Recreation

Identified potentially significant 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 Service

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 during the construction of the Commerce Center Drive bridge. Daytime pile driving, should it occur during the construction of the proposed Commerce Center Drive bridge, would be audible to occupants of on-site uses constructed prior to the bridge, and to the occupants of Travel Village and nearby non-residential uses, including visitors and employees of Magic Mountain Theme Park. The potential range of significant noise impacts from this activity for sensitive receptors would be approximately 4,000 feet from the pile driving site for a period of approximately 9–12 months during the later phases of the construction, assuming no attenuation by terrain, structures, or vegetation. Noise-sensitive receptors proposed on the site within this 4,000-foot range could include persons that would reside in apartments, condominiums, and single-family residences constructed prior to the bridge. Off-site sensitive receptors within this 4,000-foot range would include occupants of the eastern half of Travel Village. Although mitigation is proposed, should pile driving be necessary in connection with bridge construction, the potentially significant noise impacts attributable to pile driving would be significant and unavoidable. Pile driving noise impacts on future residents of Landmark Village (Specific Plan Phase one development), should Landmark Village be constructed before the Commerce Center Drive bridge, would be less than significant.

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 Mission Village Draft EIR, and include mitigation measures originally prescribed within the Specific Plan EIR.

Five alternatives to the Mission Village 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 Alternative; (3) Expanded Spineflower Preserve Alternative; (4) 20% Reduction in the Number of Dwelling Units Alternative and (5) Cluster Alternative. Each alternative is evaluated for potential impacts and the environmentally superior alternative is identified.

Within this Draft EIR, the No Project/No Development Alternative No. 1 (Draft EIR dated May 2010, Page 5.0-4) is identified as the environmentally superior alternative. As specified in the State CEQA Guidelines (Section 15126(d)(2)), if the No Project/No Development Alternative is the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Of the other alternatives considered, Alternative 3, the Expanded Spineflower Preserve Alternative, would be the environmentally superior alternative because this alternative entails the least amount of development relative to the proposed project and other alternatives and, correspondingly, would have the least amount of developmental impacts. This alternative also is environmentally superior in that it would increase the amount of area used for spineflower preserves.

The technical appendices include geological, hydrological, biological and water services reports, traffic analysis, noise conditions, air quality analysis, archeological survey, and other technical documents supporting the Draft EIR.

The formal public review period for the Draft EIR is for a period of 45 days. The public comment period began on October 8, 2010, and will end on November 21, 2010. All written comments received prior to the close of the public comment period will be responded to in the Final EIR.

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, which reviews proposed subdivision projects for compliance with applicable County and State rules and regulations. The Subdivision Committee has reviewed the Tentative Tract and Exhibit "A" maps dated April 19, 2010, and recommends the attached conditions (**Attachment A**). Public Works indicated that the Tentative Map is technically sufficient but the following items shall be complied with before the Regional Planning Commission take final action on the Project:

- The subdivider shall record an easement for the necessary off-site regional sewer improvement to obtain a written commitment from the Sanitation Districts of Los Angeles County to obtain said easement.
- The subdivider shall obtain a will serve letter from the Sanitation District.
- The subdivider shall provide detailed information regarding an agreement with Caltrans for mitigation of impacts to the state freeway system.
- Provide proof that the subdivider can obtain the necessary off-site full width right-of-way/easement to construct the off-site grading and full improvements on an alignment.

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 Association of Governments ("SCAG") as well as City of Santa Clarita and County of Ventura, among others.

No correspondence has been received to date in response to the Draft EIR. Nonetheless, any comments received during the public review period will be incorporated into the Final EIR.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

Approximately 328 notices of public hearing and completion and availability of the DEIR were mailed to property owners within a 1,000-foot radius of the subject property as well as additional notices to those on the courtesy mailing list for projects in the Newhall and Castaic Canyon Zoned Districts. The public hearing notice was published in The Signal on October 6, 2010, and La Opinion on October 7, 2010. The Draft EIR and project materials, including a vesting tentative tract map, exhibit map, and draft conditions, were available for review at the Newhall Library, Valencia Library and Castaic Library beginning October 8, 2010. On October 7, 2010, three large public hearing notice boards, eight feet wide by four feet high, were posted on the subject property at the north end of Westridge Parkway,

west end of Magic Mountain Parkway and south end of Commerce Center Drive (At Henry Mayo Drive). Public hearing materials were also posted on the Department of Regional Planning's website.

The applicant has also presented the project on several occasions to the West Ranch Town Council and one occasion to the Castaic Area Town Council. Comments have not yet been received from the town councils regarding the project.

CORRESPONDENCE RECEIVED BEFORE PUBLIC HEARING

Staff received a phone call on October 19, 2010 from a nearby resident inquiring about the status of the project. The resident expressed support to the project.

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 with input and participation from many organizations and community groups as well as from interested individuals. The Specific Plan also incorporated changes that came about 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 for development of the Specific Plan area.

A program level EIR was prepared for the Specific Plan, which indicated that certain impacts could not be mitigated to a less than significant level. Therefore, in connection with the adoption of the Specific Plan, the Board also adopted a Statement of Overriding Considerations finding there were overriding public benefits to approval of the project. These benefits included that the project was designed to preserve over nine square miles of open space, including the Santa Clara River; to incorporate "buried bank stabilization" as proposed by the City of Santa Clarita, which exceeds the requirements of the County's General and Area Plan; to utilize "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 to construct new Water Reclamation Plant.

The Specific Plan, as adopted, allowed 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. The Board of Supervisors in adopting the Specific Plan determined that it is consistent with the Los Angeles Countywide General Plan and the Santa Clarita Valley Area Plan.

The total Mission Village project area is 1,854.6 acres, from which 1,261.8 acres are a master planned community located within the Tentative Map and 592.8 acres are off-site improvements located outside of the Tentative Map. A portion of the Tentative Map, 39 acres, is located outside of the Specific Plan area. A portion of the off-site Improvements, 338.9 acres, is also located outside the Specific Plan area. Mission Village is the second proposed subdivision to implement the Specific Plan, and proposes 4,412 dwelling units and 1,555,100 square feet of nonresidential uses. The Project proposes single-family residences, 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 a fire station and a library.

The Mission Village subdivision was submitted and evaluated for compliance with the Title 21 of the County Code (Subdivision Ordinance) as well as the California Map Act. As the project is located within the Newhall Ranch Specific Plan, the subdivision was also evaluated for consistency with the Specific Plan, including density, layout of streets and recreational areas, and parking as necessary to accommodate multi-family and commercial uses as well as other development standards. Staff determines that the project as proposed is consistent with the Specific Plan.

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. Section 5.2.2 of the Specific Plan contains procedures for making substantial conformance determinations, with authority lying with the Planning Director of the Los Angeles County Department of Regional Planning and the Director of the Los Angeles County Department of Public Works, with discretion by the Planning Director to refer a Substantial Conformance determination to the Planning Commission. If the Planning Commission determines that proposed actions are in substantial conformance with the provisions of the Specific Plan, the action shall be approved by the Planning Commission. The project seeks determinations of substantial conformance related to front yard setbacks, grading and hillside management, housing and building types and trail sections. Staff considers the request in substantial conformance with the provisions and intent of the Specific Plan.

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 and planning areas which comply with the parameters for such adjustments and conversions as stated in the Specific Plan.

The project also proposed development within the SEA/SMA, the Santa Clara River, including Commerce Center Drive bridge, bank stabilization, underground utility corridor, storm drain outfalls and associated energy dissipaters, trails, riparian mitigation sites and off-site transport of materials associated with grading which are improvements contemplated by CUP 94-087 approved with the Specific Plan.

SEATAC expressed concern with the loss of suitable habitat in the Santa Clara Rived SMA/SEA 23 and the impact on spineflower. Although SEATAC was not in complete satisfaction with the proposed Project, the Project was prepared to the satisfaction of the resource agencies.

The buffer provided between the SEA and the proposed development area is consistent with the Specific Plan. Additional buffer is provided in some portions of the project adjacent to the River SEA through open space lots and development restriction areas. To provide additional protection to spineflower, the applicant is proposing to expand the existing 20-acre easement to approximately 65 acres. In addition, the Mission Village DEIR has provided sufficient mitigations to avoid significant impact to biotic resources in the SEA. It is staff's opinion that the applicant's proposal adequately addressed the concerns raised by SEATAC.

Impacts from the requested entitlements have been analyzed as part of the Mission Village DEIR. While the EIR concluded that not all impacts from Mission 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. Off-site impacts from project components such as utility corridor, extension of Magic Mountain Parkway, water quality basin, electrical

substation and water tanks were analyzed as part of the Mission Village DEIR and covered by its Statement of Overriding Considerations.

Staff believes that the applicant satisfied the Burden of Proof requirements for the Conditional Use Permits, Parking Permit and Oak Tree Permits and that the project is consistent with the Specific Plan and CUP 94-087. Staff supports approval of the entitlements along with the Tentative Map.

FEES/DEPOSITS

If approved as recommended by staff, the following shall apply:

California Department of Fish and Game:

1. Processing fee of $2,867.25 (includes $75.00 processing fee) 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 $6,000.00 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 $2,000.00 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.

Staff recommends that the Commission continue the public hearing to consider all testimony on the project, including the Draft EIR and allow the applicant to address and resolve the outstanding issues with the Department of Public Works regarding the tentative map.

SUGGESTED MOTION: "I MOVE THAT THE REGIONAL PLANNING COMMISSION CONTINUE THE PUBLIC HEARING TO A DATE CERTAIN TO ALLOW TIME FOR INTERESTED PARTIES TO REVIEW AND PROVIDE COMMENTS ON THE PROJECT AND ITS DRAFT ENVIRONMENTAL IMPACT REPORT, AND TO ALLOW THE APPLICANT ADDITIONAL TIME TO ADDRESS OUTSTANDING ISSUES AND TO WORK WITH STAFF TO PREPARE THE FINAL ENVIRONMENTAL IMPACT REPORT AND PROJECT FINDINGS AND CONDITIONS FOR THE COMMISSION'S CONSIDERATION."

Attachments:

A. Draft Conditions
B. Flag Lot Burden of Proof
C. Substantial Conformance Interpretation Memo pertaining to grading and hillside management and applicnat's responses to Grading and Hillside Guidelines
D. Substantial Conformance Interpretation Memo pertaining to the modification of setback standards
E. Substantial Conformance Interpretation Memo pertaining to the modification of trail sections
F. Development within SEA and CUP Burdens of Proof
G. Second Unit Burden of Proof
H. Continued Care Retirement Community Burden of Proof
I. Water Tanks Burden of Proof
J. Off-site Grading Burden of Proof
K. On-site Grading Burden of Proof
L. Parking Permit Burden of Proof
M. Oak Tree Permit Burden of Proofs
N. SEATAC Meeting Minutes
O. Newhall Affordable Housing Implementation Plan
P. From Applicant: Mission Village Planning Notebook, October 2010
Q. Vesting Tentative Tract Map No. 61105 - reduced size copy
R. Exhibit Map for VTTM 61105 – reduced size copy
S. Land Use Map

SD:CB:cb
10/28/10

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DEPARTMENT OF REGIONAL PLANNING
VESTING TENTATIVE TRACT MAP NO. 61105
(TENTATIVE AND EXHIBIT MAP DATE: APRIL 19, 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, conform to the requirements of Conditional Use Permit Nos. 200500080, 200500081 and 94-087, Oak Tree Permit Nos. 200500032 and 200500043, Parking Permit No. 200500011, Mission Village Environmental Impact Report (EIR) and Mitigation Monitoring Plan.

2. Except as otherwise specified in these conditions or by Conditional Use Permits No. 200500080 and No. 200500081, 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. 200500080, 200500081 and 94-087, Oak Tree Permit Nos. 200500032 and 200500043, Parking Permit No. 200500011, and the EIR Mitigation Monitoring Program, which is incorporated by this reference, and the attached reports recommended by the Los Angeles County Subdivision Committee ("Subdivision

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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. 61105, including the development of private drives designed per the Westside Communities Private Drive and Traffic Calming Design Guidelines, to the satisfaction of Public Works.

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

9. 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.

10. Permission is granted to record a conservation easement to the California Department of Fish and Game on Lots 500 and 501 prior to final map recordation.

11. For lots 385, 386, 387, 400, 401, 402, 405, 406, 407, 411 and 434, the front yard, as established along the Private Drive frontage identified on sheet 1 of the Exhibit Map, may be reduced to not less than 10 feet consistent with the allowable front yard for side entry garages permitted by the Newhall Ranch Specific Plan.

    Though shown differently on the Exhibit Map, for lots 397, 398 and 399 the street frontage shall be "LL1" Private Drive and for lots 439 and 432 the street frontage shall be "LL2" Private Drive. Building setbacks, consistent with the Newhall Ranch Specific Plan, will be established from "LL1" and "LL2" Private Drive, respectively. "XX", "WW", "VV" "NN" and "SS" Private Drives shall function as private driveway and fire lane shall be subject to the criteria below.

    Where access is provided from a private drive and fire lane driveway, the length of the driveway apron to individual units shall be either a minimum of 18 feet or a maximum of 3 feet in length.

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

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

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

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

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

PRIOR TO USE

12. 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 $2,792.50 plus $75.00 processing fee) payable to the County of Los Angeles in connection with the filing and

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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.

13. Upon termination of the appeal period, subdivider shall deposit the sum of $6,000.00 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 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 Regional Planning as frequently as may be requested by the department.

PRIOR TO ISSUANCE OF GRADING PERMIT

14. 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. 61105, Conditional Use Permit Nos. 200500080, 200500081 and 94-087, Oak Tree Permit Nos. 200500032 and 200500043, and Parking Permit No. 200500011.

PRIOR TO RECORDATION OF THE FINAL MAP

15. 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.

16. Subdivider shall submit evidence that the conditions of the associated Conditional Use Permit Nos. 200500080 and 200500081, Oak Tree Permit Nos. 200500032 and 200500043, and Parking Permit No. 200500011 have been recorded with the office of the County Recorder and that all fees as required by Condition Nos. 12 and 13 have been paid.

17. In order to ensure compliance with the previously approved Conditional Use Permit No. 94-087, 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.

18. 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 Environmental Impact Report ("EIR"). Prior to recordation, subdivider shall submit a copy of the covenant to the Director for review and approval.

19. 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 4,000 and 4,999 square feet 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. No more than 91 single-family lots may have a minimum net area of 4,000 square feet (Lots 550-640). Subdivider shall provide approximately radial lot lines for each lot.

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20. Subdivider shall show “A” Street, "B" Street, "H" Street, "I" Street, "Q1" Street”, "Q2" Street”, "Q3" Street”, “R” Street, “GG” Street, “HH” Street, “MM” Street, “QQ” Street, “RR” Street, Commerce Center Drive, Magic Mountain Parkway, and Westridge Parkway, as dedicated streets on the final map to the satisfaction of Public Works.

21. Subdivider shall make an offer of private and future right-of-way on “C” Street, “D1” Street, “D2” Street, “E” Street, “K” Street, “L” Street, “M” Street, “N” Street, “O” Street, “S” Street, “T” Street, “U” Street, “V” Street, “W” Street, “X” Street, “Y” Street, “Z” Street, “AA” Street, and “UU” Street to the satisfaction of Public Works.

22. Subdivider shall conform to the final design criteria of the approved Westside Communities Private Drives and Traffic Calming Manual for private drives “F” Private Drive, “G” Private Drive, “J” Private Drive, “P” Private Drive, “BB” Private Drive, “CC” Private Drive, “DD” Private Drive, “EE” Private Drive, “FF” Private Drive, “II” Private Drive, “JJ” Street, “KK” Private Drive, “LL1” Private Drive, “LL2” Private Drive, “NN” Private Drive, “OO” Private Drive, “PP” Private Drive, “SS” Private Drive, “TT” Private Drive, “VV” Private Drive, “WW” Private Drive, “XX” Private Drive, “YY” Private Drive, and “ZZ” Private Drive.

23. Subdivider shall dedicate vehicular access rights on the final map from all lots abutting Commerce Center Drive, Magic Mountain Parkway, and Westridge Parkway.

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

25. 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.

26. 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.

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

28. Subdivider shall reserve easements for ingress/egress purposes over any sidewalks or paseos constructed outside the public right of way to the satisfaction of Public Works.

29. 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 Fire Code.

30. Subdivider shall dedicate to the County of Los Angeles on the final map the right to restrict the construction of residential and commercial buildings on open space lots 124-139, 150-156,159-160, 259-273, 353-356, 358-359 (Lyon Canyon), 360, 362-366, 367 (River Adjacent), 377-379 (LDZ), 382-383 (LDZ), 391-395, 414-422, 425, 426 (LDZ), 428-431, 435-437, 438 (LDZ), 440, 444 (LDZ), 446 (LDZ), 449, 451-452, 453-454 (LDZ), 460-467 (LDZ), 470-475, 476-479 (LDZ), 487-495, 498-499, 502-507 (LDZ), 531-532, 541-549 (LDZ), 641-645, 648 (River), 650-651 (River), 652, 655 (River Adjacent), 657-658 (River), 659-660, and 500-501 (Spineflower Preserve);

31. 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 352, 413, 432, 450, 486, 496, 497, 647, and 656; private and future street lots 140-149, 274-278, 368-370; private drive lots 371-375, 388-390, 408-410, 412, 441, 455-459, 485, and 533-540;

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recreation lots 177, 424, and 526; public park lots 469, and 653; private park lot 527 and public facility lots 157 (elementary school), 396 (fire access road), 423 (water tanks), 515 (library), 516 (bus transfer station), 357, 646, and 654 (sewer lift station), 433 (water facilities), 448 (fire station), 649 (Commerce Center Drive bridge), and 661 (future right of way).

32. Subdivider shall provide for the ownership and maintenance of the following lots by a homeowners' association, dedication to the County or other acceptable agency to the satisfaction of the Department of Regional Planning, or as described in other conditions of approval: open space lots 124-139, 150-156,159-160, 259-273, 353-356, 358-359 (Lyon Canyon), 360, 362-366, 367 (River Adjacent), 377-379 (LDZ), 382-383 (LDZ), 391-395, 414-422, 425, 426 (LDZ), 428-431, 435-437, 438 (LDZ), 440, 444 (LDZ), 446 (LDZ), 449, 451-452, 453-454 (LDZ), 460-467 (LDZ), 470-475, 476-479 (LDZ), 487-495, 498-499, 502-507 (LDZ), 531-532, 541-549 (LDZ), 641-645, 648 (River), 650-651 (River), 652, 655 (River Adjacent), 657-658 (River), 659-660, and 500-501 (Spineflower Preserve); water quality and debris basin lots 352, 413, 432, 450, 486, 496, 497, 647, and 656; private and future street lots 140-149, 274-278, 368-370, private drive lots 371-375, 388-390, 408-410, 441, 412, 455-459, 485, 533-540; recreation lots 177, 424, and 526; public park lots 469, and 653; private park lot 527 and public facility lots 157 (elementary school), 396 (fire access road), 423 (water tanks), 515 (library), 516 (bus transfer station), 357, 646, and 654 (sewer lift station), 433 (water facilities), 448 (fire station), and 649 (Commerce Center Drive bridge) to the satisfaction of Regional Planning.

33. Subdivider shall number all open space lots on the final map and ensure access, to each open space lot to the satisfaction of Regional Planning.

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

35. 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. Post a bond with Public Works to ensure the planting of the required trees to the satisfaction of Regional Planning.

36. Subdivider shall place a note on the final map indicating that lots 469 and 653 are for public parks.

37. Subdivider shall provide for the maintenance of the private park lot 527, private recreation lots 177, 424, and 526 and open space lots 531-532, 151-155 in the project CC&Rs.

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

39. Subdivider shall place a note on the final map indicating that lot 448 is for a fire station.

40. This development shall comply 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.

41. Concurrently with the recordation of the applicable final map, the applicant 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

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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.

42. Multi-family lots designated for apartment or condominium uses on Vesting Tentative Tract Map No. 61105 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 easements and any other information required by the County of Los Angeles is recorded.

43. 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 the amended exhibit map process described in Section 21.60.015 of the County Code to demonstrate conformance with the approved tentative tract map and the provisions of the Newhall Ranch Specific Plan and Los Angeles County Code.

44. Permission is granted to allow future design flexibility within lots 158, 161, 162, 361, 376, 380, 384-387, 396 (fire access), 397-407, 414, 427, 434, 439, 442, 443, 445, 447, 468, 480-484, 490, 508-526, 527, 528-530, 531 and 532 and associated private drives CC, DD, EE, FF, II, JJ, KK, LL1, LL2, NN, OO, PP, SS, TT, VV, WW, XX, YY, ZZ noted on the Vesting Tentative Tract Map and Exhibit Map, including changing apartments to condominiums or condominiums to apartments, changing from attached to detached units, changes to building type and location, changes to driveway location, alignments, driveway widths and drive entries, changes to private drive alignments and locations, changes to lotting configurations, change to residential unit location and commercial building type and location 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 project EIR.

    The submittal of each 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 Vesting Tentative Tract Map No. 61105 will not exceed 4,412, of which 382 will be located on single-family lots.

45. 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.

46. 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 the amended exhibit map process described in Section 21.60.015 of the County Code to ensure substantial conformance with the Newhall Ranch Specific Plan and the Zoning Ordinance.

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47. For the multi-family lots, lots 158, 161, 162, 361, 376, 380, 381, 384-387, 397-407, 411, 427, 434, 439, 442, 443, 445, 468, 511-514, and 517-525, subdivider shall use the standard lease project or condominium note on the final map.

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

49. Lot 528 is depicted as a continuing care retirement community on Vesting Tentative Tract Map No. 61105 for the development with 351 independent and assisted living units. The subdivider shall submit a revised Exhibit Map for approval by the Subdivision Committee pursuant to Section 21.60.015 of the County Code indicating the number of for sale (condominium) and/or for lease units. Use the standard lease project or condominium note on the final map.

    Or if the subdivider chooses not to develop Lot 528 as a continuing care retirement community, it may be developed as for sale or for lease multi-family residences with up to 351 units, provided that the site can be developed per the standards of the Newhall Ranch Specific Plan. In this case, the subdivider shall submit a revised Exhibit Map for approval by the Subdivision Committee pursuant to Section 21.60.015 of the County Code indicating the number of for sale and/or for lease units.

50. 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 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, 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.

51. The mitigation measures set forth in the project mitigation measures in the Final EIR are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 61105. 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.

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COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
TRACT NO. 61105 (Rev.)

TENTATIVE MAP DATED 04-19-2010
EXHIBIT MAP DATED 04-19-2010

We recommend proceeding to the Regional Planning Commission with this project. Public Works recommended conditions are attached. However, prior to final action by the Commission, the following items shall be complied with to the satisfaction of Public Works:

1. The subdivider shall obtain for the construction of any necessary off-site regional sewer improvements either: 1) a recorded easement or other instrument satisfactory to Public Works, or 2) a written commitment from the Sanitation Districts of Los Angeles County to obtain said easement.

2. 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.

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

4. Provide proof that the subdivider can obtain the necessary off-site full width right of way/easement to construct the off-site grading and full improvements on an alignment to the satisfaction of Public Works on:

    a. Magic Mountain Parkway from the easterly tract boundary to join the existing improvements.
    b. Westridge Parkway from the southerly tract boundary to join the existing improvements.

Prepared by Julian Garcia Phone (626) 458-4921 Date 09-30-2010
tr61105RPC-rev8(rev'd 09-30-10).doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 61105 (Rev.)

TENTATIVE MAP DATED 04-19-2010
EXHIBIT MAP DATED 04-19-2010

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 for the apartment lots on the final map to the satisfaction of Public Works.

10. 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.

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

12. The boundaries of the unit final maps shall be designed to the satisfaction of the Director of Public Works and the Department of Regional Planning.

13. The first unit of this subdivision shall be filed as Tract No. 61105-01, the second unit, Tract No. 61105-02, and the last unit, Tract No. 61105.

14. If unit filing occurs, reserve reciprocal drainage, ingress/egress, sewer, water, utilities, and maintenance purposes, etc., in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.

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

16. Reserve reciprocal easements for drainage, ingress/egress, sewer, water, utilities, right to grade, and maintenance purposes, etc., in documents over the common private driveways to the satisfaction of Public Works.

17. Quitclaim or relocate easements running through proposed structures.

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

19. If 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.

20. 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.

21. 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.

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

23. 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.

HCW JKC

Prepared by John Chin Phone (626) 458-4910 Date 10-04-2010

tr61105L-rev9.doc

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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

TRACT NO: 061105

TENTATIVE MAP DATE: 04/19/10
EXHIBIT MAP DATE: 04/19/10

STORM DRAIN SECTION CONDITIONS OF APPROVAL, PHONE: (626) 458-4921

Prior to Improvement Plans Approval:

1. Submit a hydrology study for review and approval and comply with the requirements of the Drainage Concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 01/30/08 and 02/23/10 to the satisfaction of Public Works.

2. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. Provide a copy of the 1605 Agreement upon processing the drainage plans. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).

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

4. 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 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).

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 to the satisfaction of the Department of Public Works.

6. This site is located in Zone "A" per the Federal Flood Insurance Rate Map. Obtain a Conditional Letter of Map Revision (CLOMR) from FEMA to the satisfaction of the Department of Public Works.

7. Obtain and record notarized drainage covenants, in a form approved by Public Works, from all impacted offsite property owners, as determined by 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 drainage 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.

8. Department of Public Works approval for location, span, and clearance for the proposed Commerce Center Bridge spanning Santa Clara River is required prior to grading plan approval. The Commerce Center Bridge and Embankment at the north side are under a different project by Caltrans and the County.

9. 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.

10. 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.

11. 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.

12. 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.

13. Portions of the County Adopted Floodway (maps 43-ML23, 43-ML24, 43-ML25, 43-ML26, and 43-ML27) must be revised and/or rescinded by the Board of Supervisors. 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.

14. 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.

15. Lots 358 and 359 - Lion Canyon contain a restored stream area. At the time of the approval of the vesting tentative tract map, the exact design of the restored stream area was not known. This restored stream area may contain a variety of drainage devices to convey, transmit, and stabilize storm flows and sediment. These devices may include rock and/or concrete step-pool structures, bio-stabilization, soil cement embankment and/or drop structures/grade control, turf reinforcement matting, culverts, rock and/or concrete check structures and grade control and drains. The restored stream design and implantation shall be in compliance with the Newhall Ranch Tributary Channel Design Guidelines, as approved on 7/9/2009 to the satisfaction of Public Works.

    Grading will also occur within this area to implement the appropriate drainage devices and for the creation of a geomorphic channel design. Grades shown on the tentative map may vary ± 20 feet. However, grading will not extend beyond the limits of the cross hatched area without the approval of Department of Regional Planning and Department of Public works.

Prior to Recordation of a Final Map or Parcel Map Waiver:

1. Submit plans of drainage facilities as required by hydrology study for design of drainage facilities to the satisfaction of the Department of Public Works.

2. Show and dedicate to Flood Control District or to the County of Los Angeles easements and/or right of way on the final map to the satisfaction of the Department of Public Works.

3. Show and label all natural drainage courses.

4. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area.

5. An assessment district shall be formed to finance the future ongoing maintenance and capital replacement of all SUSMP devices/systems identified by the Department of Public Works. Unless sufficient funds have been collected prior to acceptance by Public works, the subdivider shall deposit the first year's total assessment based on the Public Works engineering report. 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. This is required to the satisfaction of the Department of Public Works.

6. If the County authorizes a Grant of Waiver, delineate the flood hazard area and/or place a flood hazard note on a plat which shall be attached to the waiver. This is required to the satisfaction of the Department of Public Works.

Prior to Building Permit:

Prior to issuance of building permits, plans must be approved to: provide for the proper distribution of drainage and for contributory drainage from adjoining properties and eliminate the sheet overflow, ponding, and protect the lots from high velocity scouring action; comply with NPDES, SWMP, and SUSMP requirements.

Prior to Improvement Acceptance for Public Maintenance:

1. Portions of the County Adopted Floodway Map (maps 43-ML23, 43-ML24, 43-ML25, 43-ML26, and 43-ML27) must be rescinded and revised by the Board of Supervisors as proposed in the drainage concept approved on 01/30/08.

2. A Letter of Map Revision (LOMR) from FEMA must be obtained. Public Works, Watershed Management Division (626) 458-4322, should be contacted to obtain required procedures.

3. All maintenance permits of the regulatory agencies must be active at the time of acceptance.

Name Yong Guo Date 06/07/10 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
__ Geologist
__ Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT MAP 61105
TENTATIVE MAP DATED 4/19/10 (Rev)
SUBDIVIDER Newhall Land and Farming Co.
LOCATION Newhall Ranch
ENGINEER Psomas
GEOLOGIST & SOILS ENGINEER R.T. F & A
REPORT DATE 4/29/10, 12/21/09, 10/14/09, 10/13/09

Additional Reports Reviewed Allan Seward: 7/20/04; Leighton & Assoc.:3/16/10 (offsite grading)

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 5/17/10 is attached.

Prepared by _____ Reviewed by _____ Date 5/24/10
Charles Nestle

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 GMPH
Sheet 1 of 1

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

Tentative Tract Map	61105
Location	Castaic
Developer/Owner	Newhall Land and Farming Company
Engineer/Architect	Psomas
Soils Engineer	R.T. Frankian & Associates (94-502-60)
Geologist	Same as above

Review of:

Revised Tentative Tract Map Dated By Regional Planning 4/19/10
Soils Engineering and Geologic Report Dated 4/29/10, 12/21/09, 10/13/09 (Change of Consultant), 6/13/05, 12/22/04, 7/22/04
Geology Report Dated 10/14/09
Soils Engineering and Geology report by Leighton and Associates Dated **3/16/10 (Offsite Grading – SCE substation)**
Previous Review Sheet Dated 4/28/10

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. *Soil parameters.* Provide additional shear strength test results of various materials required for additional stability analyses as indicated below.
   b. *Slope stability analyses.* Provide additional stability analyses for slopes based on a 40-scale to substantiate those proposed at 100-scale. Indicate the various shear strength parameters used in the analyses, in the appropriate segments of each failure plane. Show locations of the cross sections used in slope stability analyses on the geotechnical map. Recommend mitigation if factors of safety are below County minimum standards.
   c. *Debris flow hazards.* Provide recommendations at 40-scale as necessary.
   d. *Debris basins.* Provide slope stability analyses considering rapid drawdown condition for debris basins with slopes steeper than 3:1 gradient and designed with outlet structures, as necessary. Recommend mitigation if factors of safety is below the minimum standard.

NOTE TO THE PLAN CHECKER/BUILDING AND SAFETY DISTRICT ENGINEER:
A. THE ON-SITE SOILS ARE MODERATELY TO SEVERELY CORROSIVE TO FERROUS METALS.
B. THE ON-SITE SOILS HAVE A MEDIUM EXPANSION POTENTIAL.
C. PER THE PREVIOUS SOILS ENGINEER, DEWATERING SHALL BE PERFORMED FOR REMOVALS IN THE VICINITY OF BORINGS B-72E AND B-73E.
D. PER THE SOILS ENGINEER, LOTS 484, 19 AND 20, 300, 322 THRU 325 HAVE BEEN PLACED IN OPEN SPACE LOTS 487, 130, 367, 358, RESPECTIVELY.

Prepared by _____ Date 5/17/10
Yoshiya Morisaku

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

NOTICE: Public safety, relative to geotechnical subsurface exploration, is 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:\Yosh\61105TentTj (revision-A RTF & SCE Substation by Leighton)

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – GRADING
TRACT MAP NO. 61105 REV8

TENTATIVE MAP DATED 04-19-2010
EXHIBIT MAP DATED 04-19-2010

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

REQUIREMENTS PRIOR TO GRADING PLAN APPROVAL:

1. Notarized covenants shall be prepared and recorded by the applicant for any offsite impacts, as determined by Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require the construction or installation of an off-site 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. (Offsite work is shown on the tentative map, but not required for public improvements, and design changes during the improvement change may allow the offsite improvements or impacts to be omitted or mitigated, respectively)

2. Provide approval of:

   a. The latest drainage concept/hydrology/Standard Urban Stormwater Mitigation Plan (SUSMP)/Low Impact Development (LID) plan (if applicable) by the Storm Drain and Hydrology Section of Land Development Division.

   b. The location/alignment and details/typical sections of any park/trail, as shown on the grading plan, to the satisfaction of the Department of Parks and Recreation.

   c. The grading plan by the Geotechnical & Materials Engineering Division (GMED).

   d. Permits and/or letters of non-jurisdiction from all State and Federal Agencies, as applicable. These agencies may include, but may not be limited to the State of California Regional Water Quality Control Board, State of California Department of Fish and Game, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), and the Army Corps of Engineers.

   e. A Conditional Letter of Map Revision (CLOMR) from FEMA to the satisfaction of the Department of Public Works.

   f. Identify all oak trees on the grading plan; use the same numbers as the oak tree report, and provide status (to remain, to be encroached, or to be removed) in concurrence with the arborist's oak tree report and oak tree permit.

REQUIREMENTS PRIOR TO FINAL MAP RECORDATION:

3. Submit a grading plan for approval. The grading plan must show and call out the following items, including but not limited to: construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, SUSMP and LID devices (if applicable), and any required landscaping and irrigation not within a common area or maintenance easement. Acknowledgement and/or approval from all easement holders may be required.

4. Construct curb, gutter, base, pavement, and sidewalk (if applicable) on all private drives to the satisfaction of Public Works. In addition, if applicable, construct additional sidewalk pop-outs in the vicinity of any above ground utilities to meet current American with Disabilities Act (ADA) requirements to the satisfaction of Public Works. All final design criteria (alignment, curvature, slopes, right-of-way widths) for private drives shall conform to the approved "Private Drives and Traffic Calming Design Guidelines Manual". All private drives shall be constructed per an approved grading plan to the satisfaction of Public Works.

5. A maintenance agreement or CC&Rs may be required for all privately maintained drainage devices, slopes, and other facilities.

MDE
Name David Esfandi Date 05/19/2010 Phone (626) 458-4921

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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 items:

1. If TR 61105 records before TR 53295, construct offsite street improvements on Magic Mountain Parkway from the easterly Tract boundary line to The Old Road to the satisfaction of Public Works. Interim improvements pertaining to the required width of Magic Mountain Parkway may be permitted upon further traffic analysis to the satisfaction of Public Works.

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

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, in accordance with AASHTO guidelines.

4. 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.

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

6. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed six (6) percent.

7. Provide maximum 6% grade through the knuckles.

8. At tee intersections involving local streets, the maximum permissible grade of the through street across the intersection is 10%. 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 eight (8) percent.

9. 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 three (3) percent grade on all "tee" intersections.

10. The Commerce Center Drive bridge alignment and grade shall conform with the ultimate alignment and grade of the Commerce Center Drive/Henry Mayo/SR 126 interchange.

11. The centerline alignment of Magic Mountain Parkway and Commerce Center Drive shall conform to the approved Interdepartmental Engineering Committee (IEC) P-282 (PW) to the satisfaction of Public Works.

12. Dedicate variable width right of way on Magic Mountain Parkway, varying from 46 feet from centerline to 69 feet from centerline, to the satisfaction of Public Works.

13. Dedicate variable width right of way on Commerce Center Drive, varying from 56 feet from centerline to 73 feet from centerline, to the satisfaction of Public Works.

14. Dedicate right of way 43 feet from centerline on "GG" Street to the satisfaction of Public Works.

15. Dedicate right of way 42 feet from centerline on Westridge Parkway to the satisfaction of Public Works.

16. Dedicate right of way 39 feet from centerline on "MM" Street to the satisfaction of Public Works.

17. Dedicate right of way 33 feet from centerline on "QQ" Street to the satisfaction of Public Works.

18. Dedicate right of way 32 feet from centerline on "A" Street, "B" Street, "R" Street, "HH" Street" and, "RR" Street to the satisfaction of Public Works. Additional right of way dedication may be necessary on "A" Street between Commerce Center Drive and "EE" Private Drive to accommodate adequate curb/striping transitions. The additional required right of way shall be consistent with an approved detailed signing and striping plan.

19. Dedicate right of way 30 feet from centerline on "Q1" Street, "Q2" Street, and "Q3" Street to the satisfaction of Public Works.

20. Dedicate right of way 29 feet from centerline on "H" Street and "I" Street to the satisfaction of Public Works.

21. Make an offer of variable width private and future right of way on "S" Street, varying from 45 feet from centerline at the intersection of "R" Street to 30 feet from centerline at the intersection of "T" Street to the satisfaction of Public Works.

22. Make an offer of variable width private and future right of way on "UU" Street, varying from 45 feet from centerline at the intersection of "R" Street to 32 feet from centerline at the intersection of "V" Street to the satisfaction of Public Works.

23. Make an offer of private and future right of way 45 feet from centerline on "K" Street, to the satisfaction of Public Works.

24. Make an offer of private and future right of way 30 feet from centerline on "C" Street, "D1" Street, "D2" Street, "E" Street, "L" Street (from "N" Street to "M" Street) , "N" Street (from "O" Street to "L" Street), "S" Street (from "X" Street to "T" Street), "T" Street (from "S" Street to "V" Street), "V" Street (from "T" Street to "W" Street), "X" Street (from "S" Street to "Y" Street), "Y" Street and "Z" Street (from "Y" Street to "AA" Street) to the satisfaction of Public Works.

25. Make an offer of private and future right of way 29 feet from centerline on"L" Street (south of "M" Street), "M" Street, "N" Street (west of "O" Street and east of "L" Street), "O" Street, "S" Street (west of "X" Street), "T" Street (east of "V" Street), "U" Street, "V" Street (east of "W" Street), "W" Street, "X" Street (west of "Y" Street), "Z" Street (west of "Y" Street and east of "AA" Street), and "AA" Street to the satisfaction of Public Works.

26. The design elements (alignment, curvature, slopes, easement widths) of the Private Drives "F", "G", "J", "P", "BB", "CC", "DD", "EE", "FF" "II","JJ","KK", "PP" "LL1", "LL2", "NN", "OO", "SS", "TT", "VV", "WW", "XX", "YY",and "ZZ" are not necessarily approved. Conform to the final design criteria (alignment, curvature, slopes, right-of-way widths) of the approved "Private Drives and Traffic Calming Design Guidelines Manual". All private drives shall be constructed per an approved grading plan to the satisfaction of Public Works.

27. Provide a minimum of 25 foot curb return radii at all intersections to the satisfaction of Public Works. Larger radius returns shall be provided at all highway intersections and other intersections where larger radii are warranted at the discretion of Public Works. The following intersections may require larger radii (than that shown on the tentative map or conceptual striping plan) to accommodate turning trucks: Magic Mountain Parkway at "EE" Private Drive, Commerce Center Drive at "A" Street, Commerce Center Drive at "DD" Private Drive. This list of intersections shall not serve as a comprehensive list as every

intersection shall be constructed appropriately to provide adequate design features to the satisfaction of Public Works.

28. Dedicate adequate property line return radii at all intersections to adequately construct a curb ramp to Americans with Disabilities Act (ADA) standards and to the satisfaction of Public Works. At a minimum, the property line return radii shall be consistent with the necessary curb return radii and parkway widths that are deemed appropriate by Public Works. Additional right of way corner cut offs shall be dedicated at all signalized intersections and other locations where deemed appropriate by Public Works.

29. Reserve easements for ingress/egress purposes over any sidewalks or paseos constructed outside the public right of way to the satisfaction of Public Works.

30. Construct curb, gutter, base, pavement, and sidewalk on all public, and private and future streets to the satisfaction of Public Works. In addition, construct additional sidewalk pop-outs in the vicinity of any above ground utilities to meet current Americans with Disabilities Act (ADA) requirements to the satisfaction of Public Works.

31. Construct curb, gutter, base, pavement, and sidewalk (if applicable) on all private drives to the satisfaction of Public Works. In addition, if applicable, construct additional sidewalk pop-outs in the vicinity of any above ground utilities to meet current Americans with Disabilities Act (ADA) requirements to the satisfaction of Public Works. All final design criteria (alignment, curvature, slopes, right-of-way widths) for private drives shall conform to the approved "Private Drives and Traffic Calming Design Guidelines Manual". All private drives shall be constructed per an approved grading plan to the satisfaction of Public Works.

32. 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.

33. The site layout for the elementary school located on Lot 157 is not necessarily approved.

34. Permission is granted to reduce the centerline curve radius to 250 feet on "K" Street to the satisfaction of Public Works.

35. The driveway leading to lot 380 from "B" Street shall align with "K" Street to the satisfaction of Public Works unless an alternate driveway entrance location acceptable to Public Works is provided.

36. The driveway leading to lot 513 from "II" Private Drive shall align with "CC" Private Drive to the satisfaction of Public Works unless an alternate driveway entrance location acceptable to Public Works is provided.

37. Monument signs located on medians (within private drives or driveways to individual lots) shall not impede adequate line of sight to vehicles or pedestrians.

38. Provide adequate curb/striping transitions on "A" Street between Commerce Center Drive and "EE" Private Drive to the satisfaction of Public Works. Additional right of way dedication may be necessary to accommodate the necessary transitions. The additional right of way (if necessary) shall be consistent with an approved detailed signing and striping plan.

39. Provide adequate curb transitions on "DD" Private Drive where the private drive right of way transitions from 84 feet to 60 feet (located approximately 550 feet east of "HH" Street) to the satisfaction of Public Works.

40. All gated entries proposed for any commercial lots shall substantially conform to the typical gate details provided in the "Private Drives and Traffic Calming Design Guidelines Manual" to the satisfaction of Public Works. Provide additional stacking distance if determined to be necessary to the satisfaction of Public Works.

41. All emergency vehicle access gates shall remain closed at all times except during an emergency.

42. Provide intersection sight distance to the satisfaction of Public Works for a design speed of:

    (1) 65 mph (725 feet) on Commerce Center Drive from "A" Street (both directions) and from "GG" Street (easterly direction);

    (2) 40 mph (415 feet) on "A" Street from "R" Street (easterly direction) and from "CC" Street (both directions); on "B" Street from "C" Street (southerly direction);

    (3) 30 mph (310 feet) on "C" Street from "F" Private Drive (northerly direction), on "E" Street from "D1" Street (westerly direction); on "L" Street from "M" Street (northerly direction); on "N" Street from "L" Street (both directions); on "T" Street from "U" Street (westerly direction); on Q1 street from the driveway leading to the Elementary School on Lot 157 (northerly direction);

(4) 25 mph (260 feet) on "L" Street from "M" Street (southerly direction); on "S" Street from "X" Street (westerly direction); on "GG" Street from the driveway leading to Lot 483 (southerly direction);

Line of sight requirements for corner sight distance are not necessarily restricted to the above intersections. Additional line of sight for all other intersections and driveways shall be required if deemed necessary by the Department of Public Works. Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional grading may be required.

43. Provide stopping sight distance where applicable along all public and private and future streets. Line of sight shall be within right of way or dedicated airspace easements to the satisfaction of Public Works. In areas where the intersection sight distance overlaps with the stopping sight distance, the more stringent of the two shall govern.

44. All line of sight easements shall be depicted on grading and landscaping plans to the satisfaction of Public Works.

45. Comply with the following street lighting requirements:

a. Provide street lights on concrete poles with underground wiring along the property frontage on all streets and highways to the satisfaction of Public Works. The operation and maintenance of the street lights on the private and future street shall be the responsibility of the Developer/Home Owners Association until such time as the street is accepted for maintenance by the County. 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 twelve months or more 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.

46. The roadway median layouts (pocket lengths, widths, etc) shown in the plan view of the tentative map are not necessarily approved.

47. Conform to the approved conceptual signing and striping plan (approved on August 19, 2010) and submit detailed signing and striping plans (scale 1" = 40') for all multi-lane streets, private drives, and highways in the vicinity of this project and at any other offsite location if required to mitigate any traffic impact (per the attached letter from our Traffic and Lighting Division dated September 30, 2010 which supersedes their December 7, 2006 letter) 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 letter from our Traffic and Lighting Division dated September 30, 2010 which supersedes their December 7, 2006 letter) to the satisfaction of Public Works.

49. Signing and striping plans, signal plans (where applicable), and cost estimates are required for every roadway/intersection that requires some form of mitigation (as identified in the approved traffic study) to the satisfaction of Public Works. These plans must be submitted to Public Works for review and approval prior to final map recordation.

50. Comply with the mitigation measures identified in the attached September 30, 2010 letter (which supersedes the December 7, 2006 letter) from our Traffic and Lighting Division to the satisfaction of Public Works. If a Bridge and Thoroughfare District is formed, and if signals identified in the study are included as facilities specifically identified for inclusion in that approved District, then the amount and eligibility for a credit against your District obligation may be given if approved by Public Works.

51. Plant street trees on all public and private and future streets to the satisfaction of Public Works.

52. Install postal delivery receptacles in groups to serve two or more residential units to the satisfaction of Public Works.

53. Underground all new and 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.

54. Establish a landscape maintenance district, subject to the approval of Parks and Recreation, for the purpose of maintaining landscaped medians and parkways on all streets and highways to the satisfaction of Public Works.

55. 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.

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

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

IN REPLY PLEASE
REFER TO FILE: T-4

September 30, 2010

Mr. Daryl Zerfass
Austin-Foust Associates, Inc.
2223 Wellington Avenue, Suite 300
Santa Ana, CA 92701-3161

Dear Mr. Zerfass:

MISSION VILLAGE
TENTATIVE TRACT NO. 61105
TRAFFIC IMPACT ANALYSIS (AUGUST 17, 2010)
CASTAIC JUNCTION AREA

As requested, we have reviewed the Traffic Impact Analysis for the proposed Mission Village project. The project site is generally located west of the Golden State (I-5) Freeway between State Route 126 to the north and Valencia Boulevard to the south in the unincorporated County of Los Angeles area of Castaic Junction.

We generally agree with the Traffic Impact Analysis that traffic signals shall be installed at the following intersections within the project site. The design and construction of the traffic signals shall be the sole responsibility of the project. The signals shall be in place to the satisfaction of Public Works. Detailed signing and striping plans and traffic signal plans shall be submitted to Public Works for review and approval.

- B Street at Magic Mountain Parkway
- A Street at Magic Mountain Parkway
- Commerce Center Drive at A Street
- KK Drive/HH Street at Magic Mountain Parkway
- II Drive at Magic Mountain Parkway
- Westridge Parkway at Magic Mountain Parkway
- Commerce Center Drive at Magic Mountain Parkway
- Commerce Center Drive at DD Drive
- Commerce Center Drive at GG Street
- Westridge Parkway at QQ Street (Fire Station Signal)

The following intersections may justify the installation of traffic signals due to the close proximity of the proposed elementary school. The applicant shall enter into a secured agreement/bond with Public Works to guarantee the installation of traffic signals when the traffic conditions warrant their installation. These intersections shall be monitored for the installation of the signals once the school is opened and every year thereafter for up to 5 years after the certificate of occupancy of the last residential unit of Mission Village (excluding age restricted/qualified residential units and residential units within the Saugus School District) is issued and the full planned occupancy of 900 students for the proposed school (or fewer students if official documentation from the Newhall School District shows no increase in student enrollment for five consecutive school years). The applicant or the current owner of the development shall submit an annual traffic signal warrant analysis to Public Works for review and approval. When traffic signals are warranted, the applicant or current owner of the development shall design the necessary striping and signal plans and construct the signals to the satisfaction of Public Works. Any security for the traffic signal construction submitted will be returned once the construction is completed to the satisfaction of Public Works or at the expiration of the above-mentioned monitoring program.

- A Street at B Street/CC Drive
- Q1 Street at A Street
- HH Street/R Street at A Street

In addition, the following intersection needs to be incorporated into the report with an acknowledgement that the traffic created by the project justifies the installation of a traffic signal. The project shall install a traffic signal at the following location after detailed signing and striping plans and traffic signal plans have been reviewed and approved by Public Works.

- Westridge Parkway at Old Rock Road

We generally agree with the Traffic Impact Analysis that the following off-site intersections will be significantly impacted by the proposed project. The implementation schedule for the required improvements listed below shall be consistent with the most current Public Works-approved Westside Santa Clarita Valley Roadway Phasing Analysis or, in the case of the Commerce Center Drive at State Route 126 location, with the threshold identified in Section 4.4 of the Traffic Impact Analysis if this threshold occurs before the one identified in the then-current Westside Santa Clarita Valley Roadway Phasing Analysis.

The Old Road at McBean Parkway

Stripe a third southbound through lane and a westbound right-turn lane

Commerce Center Drive at SR-126

Existing intersection shall be replaced by a grade separated interchange

We generally agree with the Traffic Impact Analysis that the cumulative traffic generated by the project and other related projects will significantly impact the off-site intersections listed in the tables referenced below. The project shall contribute its proportionate share of the cost for the mitigation measures identified in each table.

- Table 4-5: Off-Site Mitigation Measures for Project Impacts – 2021 Cumulative Conditions
- Table 4-9: Off-Site Mitigation Measures for Project Impacts – Build out 2035 Cumulative Conditions
- Table 4-11: Roadway Construction Stages
- Table 4-12: Intersection Improvements by Stage (County and Caltrans Locations)

Tables 4-5, 4-9, and 4-12 (and cross reference in some of these tables to Appendix J) state that the following intersections can be mitigated through the payment of a fair share towards the traffic impact. We recognize that Table 4-5, 4-9, and 4-12 depict the cumulative condition as distinguished from the project-specific condition. However, since the Traffic Impact Analysis indicates that the project alone plus ambient traffic will have a significant impact at the following two intersections, in addition to the cumulative impacts identified in the aforementioned tables, revisions to the tables are necessary to provide clarification.

- The Old Road at McBean Parkway
- Commerce Center Drive at State Route 126

Tables 4-12 and 4-13 also indicate several intersections (see enclosed annotated tables) that are located within the Valencia and Via Princessa Bridge and Thoroughfare Districts. The Traffic Impact Analysis indicates that no payment of Bridge and Thoroughfare District fees in those districts is required for the reasons stated in Section 4.2 of the Traffic Impact Analysis. The project applicant recently consulted with us on this matter and we concur with this approach. In addition, the project applicant is actively engaged in the formation efforts of the Westside Bridge and Thoroughfare

District that encompasses the area covered by the Westside Santa Clarita Valley Roadway Phasing Analysis. It is our requirement that this Westside Bridge and Thoroughfare District be formed prior to final recordation of the first map associated with the Mission Village project.

In addition to our technical review of the Traffic Impact Analysis, we have discussed the following conditions with the project applicant:

a) Acquisition of all necessary right of way, including reaching an agreement with the various utility companies (if any) that must carry out relocations in order to accommodate the work, for the construction by Public Works of the Commerce Center Drive at State Route 126 grade separated interchange shall be completed prior to final action by the Board of Supervisors on the Tentative Tract No. 61105 for the Mission Village project. Public Works will then be in a position to certify the right of way per Caltrans' procedures for federally funded projects.

b) The funding plan, which includes a cost sharing agreement between the County and the project applicant, for the construction of the Commerce Center Drive at State Route 126 grade separated interchange work must be in place prior to final recordation of the first map associated with the Mission Village project.

c) Our prior review of the Westside Santa Clarita Valley Roadway Phasing Analysis is dated May 15, 2007. As you know, the purpose of the Westside Santa Clarita Valley Roadway Phasing Analysis is to evaluate the timing of required improvements commensurate with the proposed phased land developments in the Westside Santa Clarita Valley area. An update to the Westside Santa Clarita Valley Roadway Phasing Analysis will allow us to make adjustments to the prior phasing assumptions based on current traffic conditions. Therefore, the update shall include actual traffic counts on newly constructed roadways and/or at intersections where traffic mitigation measures have been carried out. Consequently, our approval of an updated Westside Santa Clarita Valley Roadway Phasing Analysis is required prior to the final recordation of the first map associated with the Mission Village project. It is also our expectation that an annual report due January 30th of each year shall be submitted to Public Works for review and approval identifying the number and type of residential units and the square footage and type of nonresidential building permits issued during the prior year in Mission Village and any other development within the Westside Santa Clarita Valley area. The purpose of this annual report will be to track development progress against the development thresholds identified in the Traffic Impact Analysis and the then-current Westside Santa Clarita Valley Roadway Phasing Analysis. At a minimum, an update to the Westside Santa Clarita Valley Roadway Phasing Analysis is expected to occur at the following development thresholds:

1) 3,176 residential units and 13.17 million square feet nonresidential uses
2) 6,066 residential units and 14.87 million square feet nonresidential uses
3) 14,515 residential units and 16.00 million square feet nonresidential uses
4) 21,373 residential units and 17.65 million square feet nonresidential uses
5) 25,001 residential units and 19.78 million square feet nonresidential uses
6) 27,615 residential units and 22.08 million square feet nonresidential uses

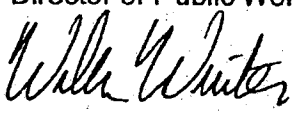
In addition, the project also needs to reach an understanding with Caltrans for the phasing of proposed improvements on State Highway facilities. Therefore, the following mitigation is required.

> The applicant shall work cooperatively with Caltrans to determine and provide transportation mitigation needed on State Highway facilities. The applicant shall construct mitigation improvements or pay an equitable share for mitigation projects to the satisfaction of Caltrans. The applicant shall enter into a traffic mitigation agreement with Caltrans before or within 6 months of certification of the Environmental Impact Report.

If you have any questions regarding the review of the document, please contact Ms. Courtney Sweeney of our Traffic Studies Section at (626) 300-4777.

Very truly yours,

GAIL FARBER
Director of Public Works



WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

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Enc.

cc: Caltrans (Elmer Alvarez, James McCarthy)
Newhall Land and Farming (Corey Harpole)
Regional Planning (Paul McCarthy)

Table 4-12: Intersection Improvements by Stage (County and Caltrans Locations)

Stage	Intersection	Improvements	Project Traffic Share %
1	7. I-5 SB Ramps & SR-126	Stripe 4th WBT	14.3%
	9. The Old Road & I-5 SB Ramps (at Rye Canyon Road)	Relocate intersection north of the existing location. Provide 1 NBL (U-Turns only), 2 NBT, 2 NBR, 2 SBL, 3 SBT, 2 WBL, and 1 WBR	1.4%
	10. I-5 SB Ramps & Magic Mountain Pkwy	Add 2nd SBR, 3rd EBT, 2nd EBR, 2nd WBL, and 4th WBT (part of the Magic Mountain Interchange Phase 2 project)	19.7%
	11. I-5 NB Ramps & Magic Mountain Pkwy	Add shared NBL/NBR, 2nd EBL, 3rd EBT and convert 4th WBT to shared WBT/WBR (part of the Magic Mountain Interchange Phase 2 project)	17.6%
	25. The Old Road & Rye Canyon Road	Add 2nd & 3rd NBT, 2nd SBL, and 3rd SBT. Restripe 1st WBR to a shared WBL/WBR. Convert the northbound and westbound free-flow right-turn lanes to conventional right-turn lanes with overlap phasing.	7.1%
	26. The Old Road & Magic Mountain Pkwy	Add 2nd NBL, 3rd NBT, 1st NBR, 2nd SBL, 3rd SBT, 1st SBR, 2nd EBL, 3rd & 4th EBT, 2nd WBL, and 4th WBT	21.1%
	28. The Old Road & McBean Pkwy	Signal modification to add a northbound right-turn overlap phase.	27.0%
	80. Wolcott Way & SR-126	Add 1st NBL, 1st & 2nd NBR, 2nd SBL, 3rd EBT, 1st EBR, 2nd WBL, and 3rd WBT	6.4%
	81. Commerce Center Drive & Henry Mayo Drive	Add 1st EBL, 1st & 2nd EBT, and 1st WBT (part of SR-126 grade separation project)	49.3%
	94 (82/83). Commerce Center Drive & SR-126	Construct grade separation for Commerce Center Drive at SR-126 to include direct on- and off-ramps for WB SR-126, a loop on-ramp for SB Commerce Center Drive to EB SR-126, a direct on-ramp for NB Commerce Center Drive to EB SR-126, and a direct off-ramp for EB SR-126 to Commerce Center Drive	44.8%
	106. Commerce Center Drive & Magic Mountain Pkwy	Construct new intersection. Provide 2 SBL, 2 SBR, 2 EBL, 3 EBT, 3 WBT, and 1 WBR with right-of-way reserved for future conversion to a free-flow right-turn lane (part of the project to extend Magic Mountain Parkway to west of Commerce Center Drive)	53.9%
	107. Westridge Pkwy & Magic Mountain Pkwy	Construct new intersection. Provide 1 NBL, 1 NBT, 1 NBR, 1 SBL, 1 Shared SBT/SBR, 1 EBL, 2 EBT, 1 Shared EBT/EBR, 2 WBL, 2 WBT, and 1 WBR	66.9%
	110. Chiquito Canyon Road/Long Canyon Road & SR-126	Add 1st NBL, 1st & 2nd NBT, 1st & 2nd NBR, 2nd SBL, convert SBR to 1st SBT, add 2nd SBT, 1st EBR, and 1st & 2nd WBL (part of the project to construct Long Canyon Road south of SR-126)	3.7%
	118. Six Flags Entrance & Magic Mountain Pkwy	Add 1st SBR, 1st & 2nd EBL, 2nd, 3rd & 4th EBT, and 2nd, 3rd & 4th WBT (part of the project to extend Magic Mountain Parkway to west of Commerce Center Drive)	32.3%
2	28. The Old Road & McBean Pkwy	Restripe southbound approach to add a 2nd SBL, signal modification to provide right-turn overlap phasing for NBR	27.0%
	81. Commerce Center Drive & Henry Mayo Drive	Add 1st NBL, 1st, 2nd & 3rd NBT, 2nd SBL, 1st, 2nd & 3rd SBT, 1st EBR, 1st WBL, (part of the project to extend Commerce Center Drive south over the Santa Clara River)	49.3%
	104. Poe Pkwy & Valencia Blvd	Construct new intersection. Provide 1 NBL, 1 NBR, 2 EBT, 1 EBR, 1 WBL, and 2 WBT (part of the project to extend Poe Parkway to Valencia Boulevard)	1.1%
3	101. Long Canyon Road & Valencia Blvd	Construct new intersection. Provide 2 SBL and 1 free-flow WBR (part of the project to construct Valencia Boulevard between Long Canyon Road & Magic Mountain Parkway)	2.1%
	102. Magic Mountain Pkwy & Valencia Blvd (Newhall Ranch)	Construct new intersection. Provide 1 free-flow SBR, and 2 EBL (part of the project to construct Valencia Boulevard between Long Canyon Road & Magic Mountain Parkway)	7.0%

(Continued)

Table 4-12: Intersection Improvements by Stage (County and Caltrans Locations) (Cont'd)

Stage	Intersection	Improvements	Project Traffic Share %
4	25. The Old Road & Rye Canyon Road	Add 2nd & 3rd WBL	7.1%
	101. Long Canyon Road & Valencia Blvd	Add 1st NBT, 1st NBR, 1st SBT, and 1st WBL	2.1%
	102. Magic Mountain Pkwy & Valencia Blvd (Newhall Ranch)	Add 1st & 2nd NBL, 1st & 2nd NBT, 1st NBR, 1st & 2nd SBL, 1st & 2nd SBT, 1st & 2nd EBT, 1st EBR, 1st WBL, 1st & 2nd WBT, 1st WBR (part of the project to extend Valencia Boulevard west to Magic Mountain Parkway)	7.0%
5	12. I-5 SB Ramps & Valencia Blvd	Restripe 2nd WBR to a shared WBT/free-flow WBR	7.5%
	28. The Old Road & McBean Pkwy	Add 1st WBR	27.0%
	96. San Martinez Grande Canyon Road & SR-126	Add 1st SBL, and 1st WBR	4.7%
	101. Long Canyon Road & Valencia Blvd	Add 1st NBL, 1st SBR, 1st & 2nd EBL, 1st, 2nd & 3rd EBT, and 1st & 2nd WBT (part of the project to extend Valencia Boulevard west of Long Canyon Road)	2.1%
	103. Pico Canyon Road & Valencia Blvd	Construct new intersection. Provide 2 NBL, 1 NBR, 2 EBT, 1 EBR, 1 WBL, and 2 WBT (part of the project to extend Pico Canyon Road to Valencia Boulevard)	0.6%
	110. Chiquito Canyon Road/Long Canyon Road & SR-126	Add 2nd NBL, 3rd SBT, 1st SBR, 2nd EBL, 3rd & 4th EBT, and 3rd WBT	3.7%
6a	14. I-5 SB Ramps & McBean Pkwy	Add 2nd SBL	12.6%
	17. I-5 NB Ramps & Lyons Ave	Add 1st free-flow WBR	7.2%
6b	10. I-5 SB Ramps & Magic Mountain Pkwy	Re-stripe the shared SBL/SBT to a SBL and the 1st SBR to a shared SBL/SBT.	19.7%
	16. I-5 SB Loop Ramp & Pico Canyon Road	Restripe eastbound approach to add a 3rd EBT.	4.7%
	18. I-5 SB Ramps & Calgrove Blvd	Add 2nd EBT and 2nd WBT Via Princessa BRT	3.4%
	19. I-5 NB Ramps & Calgrove Blvd	Add 2nd EBT and 2nd WBT Via Princessa BRT	3.2%
	26. The Old Road & Magic Mountain Pkwy	Add 5th EBT and right-turn overlap signal phasing for SBR	21.1%
	29. The Old Road & Pico Canyon Road	Convert SBR to 2nd SBT	7.8%
	80. Wolcott & SR-126	Add 4th EBT, 4th WBT, and right-turn overlap signal phasing for NBR	6.4%
	96. San Martinez Grande Canyon Road & SR-126	Add 1st NBL, 1st NBT, 2nd SBL, 1st SBR, 1st EBR, and 1st WBL	4.7%

Regional Improvement

Source: Westside Santa Clarita Valley Roadway Phasing Analysis

NB = Northbound	NBL = NB Left-turn Lane	NBT = NB Through Lane	NBR = NB Right-turn Lane
SB = Southbound	SBL = SB Left-turn Lane	SBT = SB Through Lane	SBR = SB Right-turn Lane
EB = Eastbound	EBL = EB Left-turn Lane	EBT = EB Through Lane	EBR = EB Right-turn Lane
WB = Westbound	WBL = WB Left-turn Lane	WBT = WB Through Lane	WBR = WB Right-turn Lane

See Appendix J for Fair-Share Calculations

Table 4-13: Intersection Improvements by Stage (City Locations)

Stage	Intersection	Improvements	Project Traffic Share %
1	45. McBean Pkwy & Magic Mountain	Add 4th NBT, 3rd EBT and 3rd WBT Valencia BZT	11.2%
	48. McBean Pkwy & Newhall Ranch	Add 4th EBT and 4th WBT Valencia BZT	7.3%
	54. Orchard Village & Wiley Canyon	Add 1st NBR and 2nd SBL	2.2%
	55. Orchard Village & McBean Pkwy	Add 1st EBR	2.6%
	57. Valencia Blvd & Magic Mountain	Add 1st NBR, 3rd EBT, 2nd WBL and convert WBR to 3rd WBT Valencia BZT	5.6%
	65. Bouquet Canyon Road & Soledad Canyon Road	Add 4th NBT	3.2%
	66. Bouquet Canyon Road & Newhall Ranch Road	Add 2nd SBL, 3rd & 4th EBT and 4th WBT Valencia BZT	4.0%
4	55. Orchard Village & McBean	Add 1st SBL, shared SBL/SBT (part of the Henry Mayo Hospital Master Plan Phase 2 project)	2.6%
6a	30. Ave Stanford & Rye Canyon Rd	Add de-facto SBR	11.1%
	33. Rye Canyon Rd/Copper Hill Rd & Newhall Ranch Road	Add 4th EBT Valencia BZT	6.0%
	44. McBean Pkwy & Valencia Blvd	Add 4th WBT Valencia BZT	2.6%
	51. Wiley & Lyons	Convert EBR to 3rd EBT	4.9%
	54. Orchard Village & Wiley	Convert 2nd EBL to 3rd EBT	2.2%
6b	53. Valley & Lyons	Convert WBR to 3rd WBT Via Princessa BZT	3.6%
	57. Valencia Blvd & Magic Mountain	Add 1st WBR	5.6%

Source: Westside Santa Clarita Valley Roadway Phasing Analysis

NB = Northbound	NBL = NB Left-turn Lane	NBT = NB Through Lane	NBR = NB Right-turn Lane
SB = Southbound	SBL = SB Left-turn Lane	SBT = SB Through Lane	SBR = SB Right-turn Lane
EB = Eastbound	EBL = EB Left-turn Lane	EBT = EB Through Lane	EBR = EB Right-turn Lane
WB = Westbound	WBL = WB Left-turn Lane	WBT = WB Through Lane	WBR = WB Right-turn Lane

See Appendix J for Fair-Share Calculations

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SEWER
TRACT NO. 061105 (Rev.)

TENTATIVE MAP DATED 04-19-2010
EXHIBIT MAP DATED 04-19-2010

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 for the construction of any necessary off-site regional sewer improvements either: 1) a recorded easement or other instrument satisfactory to Public Works, or 2) a written commitment from the Sanitation Districts of Los Angeles County to obtain said easement.

2. 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.

3. 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.

4. A sewer area study for the proposed subdivision (PC11831AS, dated 2-25-2010) was reviewed and approved. No additional mitigation measures are required. The sewer area 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 a revision to the current plan. A revision to the approved sewer area study may be allowed at the discretion of the Director of Public Works. 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.

Prior to recordation of a Final Map:

5. The necessary improvement plans for VTTM 61105 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.

6. 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.

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

8. 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.

9. 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.

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

    a. install and dedicate all required regional sewer infrastructure required for VTTM 61105 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

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SEWER
TRACT NO. 061105 (Rev.)

TENTATIVE MAP DATED 04-19-2010
EXHIBIT MAP DATED 04-19-2010

Ranch Specific Plan Development, dated January 9, 2002 as determined by the Sanitation Districts of Los Angeles County.

AH

Prepared by Julian Garcia Phone (626) 458-4921 Date 09-29-2010
tr61105s-rev8(rev'd 09-29-10).doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO. 61105 (Rev.)

TENTATIVE MAP DATED 04-19-2010
EXHIBIT MAP DATED 04-19-2010

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 09-29-2010
tr61105w-rev8(rev'd 09-29-10).doc

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: TR 61105 Map Date April 19, 2010

C.U.P. _____ Vicinity 3056C

☐ **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: **THE FIRE DEPARTMENT RECOMMENDS APPROVAL OF THIS PROJECT AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL. (see additional page for details)**

By Inspector: *Juan C. Padilla* Date July 22, 2010

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNICORPORATED

Subdivision No. TR 61105 Tentative Map Date April 19, 2010

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 the single family dwellings locations 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.

☒ The required fire flow for public fire hydrants at the detach condos/duplex locations is **1500** 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.

☒ The required fire flow for public fire hydrants at the multi-family/commercial locations 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 **2500** gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing **1250** 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 **229** 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: **The required fire hydrants shall be installed and tested or bonded for prior to Final Map clearance. The required fire flow of 5000 gpm may be reduced at which time the final design plans are submitted to the Fire Department for review as architectural drawings or revised Exhibit A as the CUP process.**

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 *Juan C. Padilla* Date July 22, 2010

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS
ADDITIONAL PAGE

Subdivision No: TR 61105 **Map Date:** April 19, 2010

TENTATIVE MAP – CONDITIONS OF APPROVAL

1 Flag lots shall provide a minimum paved unobstructed driveway width of 20', clear to the sky. This driveway shall provide a reciprocal access agreement if access is shared. Compliance is required prior to Final Map clearance.

2 All raised center medians shall provide a break, a rolled curb, or curb depression at intervals determined by Public Works in consultation with the Fire Department. The location and distance between the median breaks will be determined by Public Works and the Fire Department during final road/street plan design. Road improvement plans must be forwarded to the Fire Department for review and approval prior to final Public Works approval for construction.

3 The Fire Department's Planning Division has approved the fire station site for this project with the following conditions:
- Developer must enter into a Memorandum of Understanding with the Fire District that includes the operational date of the station prior to the issuance of any building permits.
- Developer to construct a minimum 13,500 square foot turnkey, fully operational fire station to the Fire District's specifications. The Developer is responsible for all on-site and off-site improvements the Fire District deems necessary for the operation of the station.
- Developer to equip the station with one pumper engine and one ladder truck to the Fire District's specifications.
- All other details to be clearly definced in the Agreement between the Developer and the District.

EXHIBIT MAP – CONDITIONS OF APPROVAL

4 Fire lanes where parking is proposed shall comply with the following:
- driveway width of 34' will allow parking on one side
- driveway width of 36' will allow parking on both side

5 Buildings being served by a 26' wide Private Driveway and Fire Lane will have a height restriction not to exceed 35'. Buildings that are 35' in height or greater shall provide a minimum paved driveway width of 28'. Such driveway shall be parallel to one side of the building, preferably the longer side.

6 Divided Fire Department access shall not be less than 20ft in width, clear to the sky. All proposed driveways and turnaround

7 Clearly depict the Fire Department turnaround dimension on the final design plan. All proposed turnarounds shall be designed to accommodate the adequate Fire Department vehicle due to the size of the building and comply with the Fire Department access standards.

8 Provide a minimum No Parking clearance of 15' on each side of the required public fire hydrant, indicate compliance on the final design plan. The required amount of parking spaces shall be reviewed and approved by the Department of Regional Planning. Adequate signage and/or stripping shall be required prior to occupancy.

9 All proposed roundabout shall be reviewed and approved during the architectural plan review or during the CUP approval process.

10 Final access approval, including all proposed gates, for the proposed developments within the Exhibit Maps shall be further reviewed for compliance at which time the final design plans are submitted to the Fire Department for review as architectural drawings or revised Exhibit A as the CUP process.

11 Fire hydrants location for the proposed development within the Exhibit Maps will be determined at which time the final design plans are submitted to the Fire Department for review as architectural drawings or revised Exhibit A as the CUP process.

By Inspector: *Juan C. Padilla* Date: July 22, 2010

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

May 27, 2010

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

Dear Mr. Dea:

VESTING TENTATIVE TRACT MAP 61105
PARK CONDITIONS OF MAP APPROVAL
Regional Planning Map dated April 19, 2010
May 27, 2010 Subdivision Committee Meeting

These are primarily park conditions; trail and Landscaping and Lighting Act District (LLAD) conditions may be submitted under separate cover. The basic Quimby park land obligation is 29.70 net acres (maximum slope 3%). As shown on the attached Quimby Obligation Report and Worksheet, the park obligation of this development will be met by providing the following approximate acreages: private parks (14.4 acres), trails (9.3 acres), river corridor (21.7 acres), and developed public park land (25.0 acres) to the County, including a 20.0 net-acre community park (Lot 469) and a 5.0 net-acre neighborhood park (Lot 653). For detailed requirements for pre-public hearing submittals referenced in the following conditions, please refer to the ***Public Park Checklist of Required Submittals*** attached to this report.

1. Lot 469, Community Park. Provide a 20.00 net-acre (maximum slope 3%) "Community Park" on Lot 469, consistent with the layout shown on page 20 of the "Site Plan – Exhibit Map" to the tentative map and with the schematic design approved by the Department's Design Review Committee on April 15, 2010. The park shall include the following: park restrooms (with a drinking fountain, storage room for baseball equipment, and a park office); informal seating area and "park plaza" seating; one (1) youth baseball field with overlay soccer field; one (1) baseball field; park entry monument; children's play area; two (2) hard courts (lighted, for either tennis or basketball); 110-space parking lot; themed rail fencing; internal pathways (sidewalks); landscaping, irrigation, and drainage; and utilities. In addition, trees and tree wells shall be placed adjacent to the office building, and between the parking area and the children's play area.

2. Subdivider shall commence construction of the Community Park prior to pulling the 3,310th residential building permit and complete park construction and convey the park to the County prior to pulling the 4,147th 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 Community Park is conveyed to the County.

Failure to provide the Department with a report or to convey the park to the County by the time the 4,147th building permit is issued 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 the Community Park is conveyed to the County.

3. Lot 653, Neighborhood Park. Provide a 5.0 net-acre (maximum slope 3%) "Neighborhood Park" on Lot 653, consistent with the layout shown on page 20 of the "Site Plan – Exhibit Map" to the tentative map and with the schematic design approved by the DRC at its March 30, 2006 meeting. The park shall include the following: an open turf play field with overlay soccer fields; five (5) (including 3 ADA) picnic tables; pre-school (ages 2-5) play area; group picnic shelter; park entry monument; parking lot (10 spaces); park restroom with drinking fountain; trash enclosure; bollard vehicular control at maintenance road; basketball court; bluff edge rail fencing; 2 view overlook areas with bench seating; landscaping, irrigation, and drainage; internal pathway (sidewalk); 16-foot DWP maintenance road (concrete surface); and utilities.

4. Subdivider shall commence construction of the Neighborhood Park prior to pulling the 1,545th residential building permit and complete park construction and convey the park to the County prior to pulling the 1,985th 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 Community Park is conveyed to the County. Failure to provide the Department with a report or to convey the park to the County by the time the 1,985th residential building permit is issued 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 the Neighborhood Park is conveyed to the County.

5. Coordinate the quit claim of all recorded easements affecting the proposed public park sites with the Chief Executive Office Real Estate Division (CEORED).

6. Provide the Community Park and Neighborhood Park (collectively "the public parks") 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, gas, sewer, and telephone).

7. Whenever these conditions require the Subdivider to enter into a Park Development Agreement (PDA) and to posts bonds (Faithful Performance; Labor and Materials) with the Department and to submit a Park Delivery Schedule:
   a. the PDA shall be substantially similar in form and content to the PDA approved by the Board of Supervisors on August 8, 2006;

b. the bonds shall be substantially similar in form and content to the bonds used by the Los Angeles County Department of Public Works (DPW) and the Department may require them to be updated prior to construction commencement if contracted construction costs change; and
c. the Park Delivery Schedule shall use the critical path method (CPM), identify the design development phase and the various stages of construction document development, include all submittals, reviews, and approvals required by said phase/stages; permits; park construction commencement and completion dates identified as milestones; tests, inspections, and sign-offs; preparation and review time for the park deed, ALTA title policy and survey; 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 County business day 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 any submittal required by this condition, the Department shall give written notice to Subdivider describing such breach. If Subdivider fails to cure said breach, the Department may do one or both of the following: (1) withhold further clearance of final maps which contain residential units and (2) request the Department of Public Works to withhold further issuance of residential building permits until the required submittal is made. Notice shall be deemed given when sent by Certified Mail, postage prepaid or by reliable over-night courier to Subdivider's address set forth in the PDA.

8. 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).

9. Prior to the Department clearing the unit map where the park(s) are located, Subdivider shall provide DPW with the following to obtain DPW Geotechnical and Materials Engineering Division's recommendation that DPW Land Development Division approve the final map:

   a. Documentation showing that the limits of environmental concerns identified in the Phase I Environmental Site Assessment Reports for the public parks have been adequately defined and properly mitigated to an extent compatible with each site's intended use as a park.

b. Construction-Site Plan approval from the State of California Division of Oil, Gas and Geothermal Resources for the abandonment and/or re-abandonment of the oil wells located within the proposed public park sites.

c. Regulatory approval from the County of Los Angeles Fire Department, Health Hazardous Materials Division, Site Mitigation Unit for the sites as proposed public parks.

10. 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 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.

11. Subdivider may elect to receive Quimby credit for the public 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 respective public park.

12. A carry forward of Quimby credit from Tract 61105 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.

13. Submit park plans and specifications to the Department for review and approval during the design development stage, fifty percent (50%), 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 public parks 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 public parks 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.

15. Provide the Department with written Notice of Construction Commencement for each public park site. Construction Commencement is defined as when the Subdivider starts precise grading and/or installing utilities for the Neighborhood Park or the Community 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.

16. Designate and identify a project manager who will oversee design and construction of the public parks. 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 public park sites 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.

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 each respective public park. These documents shall also be submitted on a CD-ROM with the drawings in AutoCAD 2006 format.

18. Convey the public parks by recordable grant deeds 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 each respective park deeds simultaneously to County's acceptance of the park improvements, as evidenced by the County's issuance of a Certificate of Acceptance for each respective park, and shall deliver the recorded deeds to the Chief Executive Office Real Estate Division, Property Management Section, 222 South Hill Street, Third Floor, Los Angeles, CA 90012.

19. Any major change proposed by the Subdivider to either public park's size (not more than 2 acres variance), shape, location, or terrain as shown on the approved tentative tract or parcel map, or to the schematic designs approved at the March 30, 2006 meeting of the Department's Design Review Committee, shall be deemed a revision of the tentative tract or parcel map and shall require the filing of a revised map, as described in Los Angeles County Code Section 21.62.030.

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

Sincerely,

James Barber, Section Head
Land Acquisition and Development Section

JB:CL 61105 DRPmd 04.19.10 scm 05.27.10

Attachments
Park Obligation Report and Worksheet
Public Park Checklist of Required Submittals

c: K. Ritner, N.E. Garcia, L. Hensley, J. McCarthy (Parks and Recreation)
Roger Hernandez (CEO-RED)

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # **61105**	DRP Map Date: **04/19/2010**	SCM Date: **05/27/2010**	Report Date: **05/27/2010**
Park Planning Area # **35A**	**NEWHALL / VALENCIA**		Map Type: **REV. (REV RECD)**

Total Units **4,412** = Proposed Units **4,412** + 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:	**29.70**
IN-LIEU FEES:	**$8,665,480**

Conditions of the map approval:

The park obligation for this development will be met by:

The dedication of 25.00 acres for public park purposes.
Provide 45.40 acres for private park purposes.
Conditions of approval attached to report.

Trails:

See also attached Trail Report.

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 15:54:40
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LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map # **61105**	DRP Map Date: **04/19/2010**	SMC Date: **05/27/2010**	Report Date: **05/27/2010**
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 **4,412** = Proposed Units **4,412** + Exempt Units **0**

	People*	Ratio 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	**3.23**	**0.0030**	**382**	**3.70**
M.F. < 5 Units	**2.29**	**0.0030**	**904**	**6.21**
M.F. >= 5 Units	**2.11**	**0.0030**	**3,126**	**19.79**
Mobile Units	1.74	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	**29.70**

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

Ratio	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	29.70	$291,767	**$8,665,480**

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
650,651,657,658	River Corridor	217.00	10.00%	21.70	Private
	Trails	9.30	100.00%	9.30	Private
424	Private Rec. Center	4.60	100.00%	4.60	Private
469	Public Park	20.00	100.00%	20.00	Public
526	Private Rec. Center	6.90	100.00%	6.90	Private
527	Private Park	2.90	100.00%	2.90	Private
653	Public Park	5.00	100.00%	5.00	Public
			Total Provided Acre Credit:	**70.40**	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	**In-Lieu Fee Due**
29.70	25.00	45.40	-40.70	$291,767	**,***,***

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May 17, 2010 15:55:38
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Los Angeles County Department of Parks and Recreation

SUBDIVISION MAP REVIEW
TENTATIVE MAP STAGE – PRE-PUBLIC HEARING
PUBLIC PARK CHECKLIST OF REQUIRED SUBMITTALS

When proposing a public park, please submit the following items to the Department of Parks and Recreation (Department) for the Department's clearance for the public hearing stage. Include an electronic file (PDF) for each submittal:

☐ **PARK SITE GRADING PLAN** – Provide a small scale (1" = 40') drawing that shows park lot boundary lines and the proposed limits of grading to achieve the level (net acreage: maximum slope 3%) pad upon which the park will be developed. Note the net acreage, the park's lot number, and identify land use adjacent to the park lot. Include a vicinity map insert showing the park in context to the subdivision and the subdivision's surrounding area. This submittal will be used by the Department when developing the Facility Program that will be given to the Subdivider to base the park's schematic design on.

☐ **PARK SCHEMATIC DESIGN** – Schematic design at scale 1" = 40' for proposed park(s) showing proposed improvements, their relationships, and space requirements. Submit this plan on sheets 24" x 36" in size or larger and include the following information:

- Gross Acreage Notation;
- Net Acreage (maximum slope 3%) Notation and limits of grading line for net acreage;
- Park Site(s) Lot Number(s)
- Park Lot Boundary Lines;
- Layout of Park Improvements;
- Owner and Consultant/Designer Information and Drawing Date;
- Pertinent topographical features;
- Hazard Zone Information (flood plains, seismic set back zones etc.);
- Easements(s) or Rights-of-Way Lines (including conservation easements) – existing and proposed;
- Trails and Staging Area(s);
- Names of Adjacent Streets;
- Graphic Scale (1" = 40');
- North Arrow; and
- Legend of Improvements and Symbols;
- Parking Space Calculation Table showing: 1) total number of parking spaces required by Section 22.52.1175 of the Los Angeles County Code; 2) total number of parking spaces provided; and 3) number of handicapped accessible spaces.

The Park Schematic Design must be reviewed and approved by the Department's Design Review Committee (DRC).

☐ **PARK EXHIBIT MAP (include as sheet to the Tentative Map/C.U.P Exhibit A): This is the DRC-approved Schematic Design converted into a line—preferably CAD—drawing.**

☐ **PHASING MAP, EXHIBIT & TABLE (include as a sheet to the Tentative Map)** – Map must show each phase and related unit map numbers. Include a table which shows for each unit map, the number of residential units in column form for each of the following categories:

- Single-family detached;
- Multi-family dwelling units, less than 5 units per building;
- Multi-family dwelling units, 5 or more units per building;
- Total number of residential units in each column category; and
- Cumulative total for all units combined (phase-to-phase running total amount of units), and projected recordation dates of each unit map.

Los Angeles County Department of Parks and Recreation

SUBDIVISION MAP REVIEW
TENTATIVE MAP STAGE – PRE-PUBLIC HEARING
PUBLIC PARK CHECKLIST OF REQUIRED SUBMITTALS

☐ **SCHEMATIC DESIGN LEVEL COST ESTIMATE** – Provide schematic design level cost estimate to design and build the proposed park(s).

☐ **PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA)** – Submit one (1) hardcopy of the ESA and a CD-ROM containing the report. The ESA must:

- Be prepared for each proposed public park site by a State of California Registered Professional Geologist or Registered Civil Engineer;
- Meet all current Environmental Protection Agency (EPA) requirements;
- Meet ASTM E1527-05 or current standards; and
- Be less than one year old.

Submit copies of all existing Phase I, Phase II ESAs, and Phase III Site Remediation Reports for each park site and/or for the proposed land subdivision.

☐ **GEOTECHNICAL REPORT** – The Department will request Public Works' Geotechnical and Engineering Division to review the geotechnical report that the applicant submits to Public Works to determine the geotechnical stability of each proposed park site.

☐ **PRELIMINARY TITLE REPORT** – Submit a preliminary title report on the park site(s) and copies of all existing easements affecting the park site.

☐ **COPIES OF ALL EASEMENT DOCUMENTS AFFECTING PARK SITE(S)** – Submit copies of all recorded easements or other encumbrances affecting the proposed park site(s) with a notation on the Park Exhibit Map stating Subdivider's intent to coordinate the quit claim of particular easements with the Chief Executive Office's Real Estate Division.

☐ **LETTER FROM SCHOOL DISTRICT** (if applicable) – Submit a letter from the school district serving the proposed subdivision that certifies that the school sited adjacent to the proposed public park can meet its recreational requirement without using land dedicated for park purposes.

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

September 22, 2010

TO: Ms. Carolina Blengini, Planner
Land Divisions Section
Regional Planning

FROM: Mr. Frank Moreno, Section Head, Planning and Trails Research
Parks and Recreation

SUBJECT: **NOTICE OF TRAIL CONDITIONS FOR VESTING TENTATIVE TRACT MAP #61105 MAP STAMPED BY REGIONAL PLANNING ON APRIL 19, 2010**

The Department of Parks and Recreation (Department) has completed the review of VTTM #61105. The proposed #71 Santa Clara River Trail alignment as shown on map is approved. The Department requires applicant to provide a sixteen (16) foot wide trail easement at recordation of final map.

Because of the necessity to show the trail alignment as it pertains to topographical lines, all information pertaining to trail requirements must be shown on the tentative map, prior to final map.

The map is approved with the following conditions, prior to final map recordation.

Trail 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 a sixteen (16) foot wide easement for multipurpose (equestrian, bicycling, and hiking) purposes, designated as the Santa Clara River Trail, estimated length of 600 linear feet

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

2. Prior to Final Map, a covenant shall be recorded for a trail easement reservation on offsite property owned by Newhall Land and Farming Company (APN 2826-003-031 & 2826-004-040). This covenant will include language agreeable to the Department's Planning and Trail Research Section representatives describing the

reservation of a sixteen (16) foot wide trail easement to be jointly used by the Los Angeles County Department of Public Works, County of Los Angeles Sanitation District, Los Angeles County Department of Parks and Recreation, and yet to be named utility companies. The covenant will also describe that any future trail easement will be subordinate to any future utility easements.

3. Commerce Center Drive Bridge will provide a minimum trail height clearance of twelve (12) feet.

If you have any questions or comments, please contact Frank Moreno, Planning and Trails section Manager at (213) 351-5136.

c: Corey Harpole, & Fred Macmurdo (Newhall Land)
James Barber, Robert Ettleman, (Parks and Recreation)

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, California 91706
TEL (626) 430-5280 • FAX (626) 960-2740

BOARD OF SUPERVISORS

Gloria Molina
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Mark Ridley-Thomas
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Fourth District

Michael D. Antonovich
Fifth District

May 26, 2010

Tract Map No. 061105

Vicinity: Newhall

Tentative Tract Map Date: April 19, 2010 (Memo 8th Revision)

☒ Environmental Health recommends approval of this map.

☐ Environmental Health does **NOT** recommend approval of this map.

The County of Los Angeles Department of Public Health has no objection to **Vesting Tentative Tract Map 061105**. The following conditions still apply and are in force.

1. Potable water will be supplied by the **Valencia Water Company,** a public water system.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Los Angeles County Sanitation District No. 32 and Newhall Ranch WRP** as proposed.

3. Prior to installation of any reclaimed water infrastructure, the developer shall contact the Cross Connections and Water Pollution Control Program at (626) 430-5290.

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

Beebyl Valt. for

Ken Habaradas, MS, REHS
Bureau of Environmental Protection

DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NUMBER 04-181-(5)
CONDITIONAL USE PERMIT NO. 200500080
(DEVELOPMENT WITHIN SEA)

GENERAL CONDITIONS

1. This grant authorizes development of improvements associated with the Mission Village project within the boundaries of Significant Ecological Area SMA/SEA 23 including the Commerce Center Drive Bridge, Commerce Center Drive, neighborhood park, river trail, drainage facility access roads, grading, trails, water quality basins and associated features, bank stabilization, water and sewer utility crossings, utility corridor, storm drain outlets and potential riparian mitigation sites, subject to the following conditions of approval:

2. 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.

3. 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. 23, and until all required monies have been paid pursuant to Condition Nos. 24, 26, and 28 below.

4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.

5. In the event that any claim, action, or proceeding 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.

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

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7. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 61105. In the event that Vesting Tentative Tract Map No. 61105 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.

8. 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.

9. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 61105 and the conceptual site design depicted on the Exhibit "A" (Exhibit Map), subject to the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

10. 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").

11. The mitigation measures set forth in the Mission Village Final Environmental Impact Report (EIR) (SCH No.2005051143) 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.

12. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 61105, Conditional Use Permits Nos. 200500080, 200500081, and 94-087, Oak Tree Permit Nos. 200500032 and 200500043; Parking Permit No. 200500011.

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

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

15. 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.

16. 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.

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

18. All graded materials shall be sufficiently watered to prevent excessive amounts of dust during the grading and construction phase consistent with the mitigation measures.

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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.

19. Grading shall be limited to that which is necessary to construct the on-site and off-site improvements depicted on the Vesting Tentative Tract Map No. 61105; Commerce Center Drive Bridge, Commerce Center Drive, neighborhood park, river trail, drainage facility access roads, grading, trails, water quality basins and associated features, bank stabilization, water and sewer utility crossings, utility corridor, storm drain outlets and potential riparian mitigation sites. No additional grading or development shall be permitted beyond that depicted unless approved by the Director subject to the provisions of Section 5.2.2 of the Newhall Ranch Specific Plan.

20. Phased grading has been requested and approved to allow transporting of soil within the boundaries of the Vesting Tentative Tract Map No. 61105 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.

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

22. 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.

PRIOR TO USE OF THE GRANT

23. 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.

24. 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 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

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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).

25. 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.

26. 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.

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

28. Upon completion of the appeal period, the permittee shall deposit the sum of $6,000.00 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 Regional Planning as frequently as may be required by the department.

29. 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

30. 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 of Planning (Director) for approval prior to the issuance of any grading permits.

31. Prior to the issuance of any fine/precise grading permit site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 61105 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:

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(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 and with Significant Ecological Area resources.

32. 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.

33. 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

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

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

36. The permittee shall comply with the provisions of the park development agreement with the Department of Parks and Recreation. Provide evidence of compliance to the Director.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

37. Prior to the issuance of any building permit for the principal use of the property, site plans 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 October, 2010;

(b) has completed the Newhall Land Architectural Review Committee (ARC) Process identified in the Mission Village 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

(c) has received final approval from Regional Planning.

38. 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.

39. 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

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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.

The landscaping plan(s) must show that landscaped areas must contain 50 percent of locally indigenous species, including trees, shrubs, and ground covering. However, if the permittee demonstrates to the satisfaction of the Director that compliance with the requirement is not possible due to County fire safety requirements, 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 planing required shall be at least 30 percent. The landscaping shall include trees, shrubs, and ground covering at a mixture and density determined by the Director, the Forester and Fire Warden. Fire retardant plants should be given first consideration.

For open space lots 354, 358, 360, 393, 415, 417, 422, 428, 429, 431, 449, 451, 471-475, 487, 490, 491, 648, 652 and 660 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. 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.

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

41. 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.

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DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NUMBER 04-181-(5)
CONDITIONAL USE PERMIT NO. 200500081
(DEVELOPMENT OF 73 SECOND UNITS, A CONTINUED CARE COMMUNITY, THREE WATER TANKS AND ON-SITE AND OFF-SITE GRADING)

GENERAL CONDITIONS

1. This grant authorizes development of 73 second dwelling units on lots 279-351, a continued care retirement community on lot 528 with 351 dwelling units within the boundaries of Vesting Tentative Tract Map No. 61105. This grant also authorizes the development of three water tanks and on-site and off-site project grading as noted on Vesting Tentative Tract Map No. 61105. On-site project grading includes project infrastructure and utilities. Off-site grading is associated with the extensions of Westridge Parkway and Commerce Center Drive and the construction of off-site improvements including the extension of Magic Mountain Parkway, a utility corridor, a water quality basin, debris basins, an electrical substation, water tanks and miscellaneous drainage improvements outside the boundaries of Vesting Tentative Tract Map No. 61105. This grant is subject to all of the following conditions of approval.

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

3. 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. 39, and until all required monies have been paid pursuant to Condition Nos. 40, 42, and 44 below.

4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.

5. In the event that any claim, action, or proceeding 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.

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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.

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

7. This grant shall expire unless used within two years after recordation of a final map or Vesting Tentative Tract Map No. 61105. In the event that Vesting Tentative Tract Map No. 61105 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.

8. 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.

9. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 61105 and the conceptual site design depicted on the Exhibit "A" (Exhibit Map), subject to the provisions found in Section 5.2.2 of the approved Newhall Ranch Specific Plan.

10. 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").

11. Vesting Tentative Tract Map No. 61105 is within the boundaries of the approved Newhall Ranch Specific Plan and the permittee is required to comply with its provisions and standards.

12. The mitigation measures set forth in the Mission Village Final Environmental Impact Report (EIR) (SCH No.2005051143) 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. 61105, Conditional Use Permit Nos. 200500080, 200500081 and 94-087, Oak Tree Permit Nos. 200500032 and 200500043, and Parking Permit No. 200500011.

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

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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 Vesting Tentative Tract Map No. 61105 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 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.

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29. The subject property shall be developed, operated, and maintained in compliance with all applicable requirements of the Los Angeles County Department of Public Health ("Public Health"). 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. Improvements on Lots 358 and 359 (Lion Canyon) shall comply with the Newhall Ranch Tributary Channel Design Guidelines, as approved by Public Works. Final determination of appropriate drainage devises, geomorphic channel design and associated grading will be to the satisfaction of Public Works in consultation with Regional Planning if necessary.

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

34. 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.

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. 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.

38. For lots 385, 386, 387, 400, 401, 402, 405, 406, 407, 411 and 434, the front yard, as established along the Private Drive frontage identified on sheet 1 of the Exhibit Map, may be reduced to not less than 10 feet consistent with the allowable front yard for side entry garages permitted by the Newhall Ranch Specific Plan.

    Though shown differently on the Exhibit Map, for lots 397, 398 and 399 the street frontage shall be "LL1" Private Drive and for lots 439 and 432 the street frontage shall be "LL2" Private Drive. Building setbacks, consistent with the Newhall Ranch Specific Plan, will be established from "LL1" and "LL2" Private Drive, respectively. "XX", "WW", "VV" "NN" and

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"SS" Private Drives shall function as private driveway and fire lane shall be subject to the criteria below.

Where access is provided from a private drive and fire lane driveway, the length of the driveway apron to individual units shall be either a minimum of 18 feet or a maximum of 3 feet in length.

PRIOR TO USE OF THE GRANT

39. 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.

40. 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 **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 $200.00 per inspection).

41. 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.

42. 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.

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

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44. Upon completion of the appeal period, the permittee shall deposit the sum of $6,000.00 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 Regional Planning as frequently as may be required by the department.

45. 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

46. 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.

47. Prior to the issuance of any fine/precise grading permit site plans 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 and with Significant Ecological Area resources.

48. 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.

49. Prior to the issuance of a rough or fine/precise 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

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

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

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52. 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.

53. 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 to the satisfaction of the Director.

54. Lot 528 is depicted as a continuing care retirement community on Vesting Tentative Tract Map No. 61105 for the development with 351 independent and assisted living units. The permittee shall submit a revised Exhibit Map for approval by the Subdivision Committee pursuant to Section 21.60.015 of the County Code indicating the number of for sale (condominium) and/or for lease units. Use the standard lease project or condominium note on the final map.

    Or if the permittee chooses not to develop Lot 528 as a continuing care retirement community, it may be developed as for sale or for lease multi-family residences with up to 351 units, provided that the site can be developed per the standards of the Newhall Ranch Specific Plan. In this case, the permittee shall submit a revised Exhibit Map for approval by the Subdivision Committee pursuant to Section 21.60.015 of the County Code indicating the number of for sale and/or for lease units.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

55. Prior to the issuance of any building permit for the principal use of the property, site plans 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 October, 2010;

    (b) has completed the Newhall Land Architectural Review Committee (ARC) Process identified in the Mission Village 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

    (c) has received final approval from Regional Planning.

56. 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.

57. Prior to the issuance of building permits to authorize the construction of the second dwelling units on lots 279 to 351 of Vesting Tentative Tract map No. 61105, site plans depicting these units and demonstrating compliance with the provisions of Section 3.9 of the Specific Plan shall be submitted to the Director for review and approval.

58. 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.

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59. 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.

    The landscaping plan(s) will include a plant palette composed of native and non-native, non-invasive species, including trees, shrubs, and ground covering. The landscape plans will be incompliance with the native species coverage guideline as shown on the landscape zone map in the Mission Village Planning Book. The landscaping shall include trees, shrubs, and ground covering at a mixture and density determined by the Director, the Forester and Fire Warden. Fire retardant plants should be given first consideration. All graded slopes (cut and fill) shall be revegetated.

60. 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. Prior to the approval of building permits, the permittee shall submit monitoring reports to demonstrate conformance to the satisfaction of the Director.

61. 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.

62. Prior to issuance of the first building permit, subdivider must enter into a Memorandum of Understanding (MOU) with the Fire Department that includes a mutually agreeable operational date for the station located on lot 448. Upon completion and acceptance of the fire station improvements, lot 448 shall be conveyed by recordable deed to the Fire Department.

63. Prior to the issuance of the 3,310th residential building permit, construction of the community park on lot 469 shall commence, and prior to issuance of the 4,147th residential building permit, all improvements on lot 469 shall be completed and accepted by the Department of Parks and Recreation, after which lot 469 shall be conveyed to the County. Subdivider shall convey the lot by recordable grant deed free of 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.

64. Prior to the issuance of the 1,545th residential building permit, construction of the neighborhood park on lot 653 shall commence, and prior to issuance of the 1,985th residential building permit, all improvements on lot 653 shall be completed and accepted

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by the Department of Parks and Recreation, after which lot 653 shall be conveyed to the County. Subdivider shall convey the lot by recordable grant deed free of 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.

65. The design, location and quantity of monuments and community entries and sign walls shown on the Exhibit Map are conceptual and are subject to change. If necessary to ensure safety, consistency with tentative map approval or compliance with the provisions of the Newhall Ranch Specific Plan or Title 22, the final design, location and quantity of the monuments and community entries, may be modified through the Exhibit Map procedures in Section 21.016.105 or to the satisfaction of the Director.

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DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NUMBER 04-181-(5)
PARKING PERMIT NO. 200500011

1. This grant authorizes off-site reciprocal parking and shared parking within the Village Center portion of Vesting Tentative Tract Map 61105 for lots 508, 509, 510, 511, 516, 526 and 529 and adjoining private drives DD, EE, FF and II as depicted on the Parking Allocation Table. This grant also as well authorizes the right to provide less than required parking through the Joint-Use or Shared Parking Plan provisions of Section 3.7 of the Newhall Ranch Specific Plan. Off-site parking may be provided on an adjacent or nearby lot (which may include a parking structure), on private drives and private driveways. Shared parking approval is subject to the submittal and approval of a Shared Parking Plan per the provisions of the Newhall Ranch Specific Plan.

2. The Mission 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.

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. 9 and until all required monies have been paid pursuant to Condition No. 12 and the conditions of Vesting Tentative Tract Map 61105.

5. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.

6. 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.

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7. This grant shall expire unless used within two years after recordation of a final unit map for Vesting Tentative Tract Map No. 61105. In the event that Vesting Tentative Tract Map 61105 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.

8. 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.

9. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.

10. The subject property shall be developed, and maintained in substantial compliance with the approved Vesting Tentative Tract Map No. 61105 and the conceptual site design depicted on the Exhibit Map or revised Exhibit Map, 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 Map or revised Exhibit Map approved by the Director.

12. 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 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 $200.00 per inspection).

13. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission 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.

14. The development of the subject property shall conform to all requirements and conditions approved for Vesting Tentative Tract Map No. 61105, Oak Tree Permit No. 200500032

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and 200500043, Conditional Use Permit 200500082 and 200500081 and Conditional Use Permit No. 94-087 as applicable.

15. 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.

16. The proposed development shall provide parking in the number required per the provisions of the Newhall Ranch Specific Plan unless modified by this grant.

17. Parking facilities shall be developed to the specifications of Section 4.3 of the Newhall Ranch Specific Plan and Part 10 of Title 22, as applicable.

18. Include in the project CC&Rs or appropriate maintenance agreement provisions for any necessary easements to ensure that the parking and access rights described in this permits are protected.

19. 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.

20. Prior to the issuance of a building permit, site plans shall be submitted to the Director indicating that the proposed construction complies with the conditions of this grant and the provisions of the approved Newhall Ranch Specific Plan. The site plan shall depict building locations, setbacks, walls, landscaping, driveways, and the number of required parking spaces and their location, either on the lot with the use they are intended to serve, or at an off-site location.

21. If the site plan depict less than required parking for a proposed use, the permittee shall submit a Parking Plan requesting approval of a Parking Program through the Substantial Conformance Review procedures of Section 5.2 of the Newhall Ranch Specific Plan.

22. The Parking Plan shall be prepared as required by Section 3.7 of the Specific Plan and shall provide all necessary information so that the Director may make the necessary findings for approval of the Parking Program.

23. The permittee or its designee shall provide information on the implementation of any approved Shared Parking Program through submittal of an annual report or other tracking document which will be a condition of the approval of any such Shared Parking Program.

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DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NUMBER 04-181-(5)
OAK TREE PERMIT NO. 200500032

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 ("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 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 61105.

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 Tentative Tract Map 61105. Unless this grant is used within the time specified, including any authorized extensions, the grant will expire. In the event that Tentative Tract Map 61105 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.

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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 Forester $100 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 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 and the County 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 August 2010.

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 of Planning and County 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 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, county 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 County 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 authorizes the removal of a total of eleven (11) trees of the Oak genus identified as trees numbered **3***, 4, 5, 6, **29***, **84***, 85, 152, 153, 154 on the applicant's site plan and Oak Tree Report. Three (3) Oak tree removals have been identified as **Heritage*** (in bold with an asterisk*) having a diameter greater than 36 inches.

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13. This grant allows encroachment within the protected zone of two (2) trees of the Oak genus (Quercus lobata) identified as trees numbered 42 and 43 on the applicant's site plan map and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

14. If any tree grows into ordinance size given the duration of this permit, removals encroachments or any additional impacts shall be inclusive within this permit to ensure proper mitigation.

    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.

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 County of Los Angeles 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 16, 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 46 mitigation trees. The permittee shall provide mitigation trees of the Oak genus at the same rate for any tree specified above that dies as a result of the approved encroachments.

18. Mitigation trees shall be at a rate consistent with the species removed. There shall be forty (40) Quercus lobata, two (2) Quercus berberidifolia, and four (4) Quercus lobata berberidifolia hybrid. 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. 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 County Forester. Alternatively, a contribution to the County of Los Angeles Oak Tree 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".

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21. 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 (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.

22. 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

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

24. 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 Arborculture's "Guide for Plant Appraisal".

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

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

27. 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.

28. 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.

29. 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.

Attachment:
September 16, 2010 County Forester Letter

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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

September 16, 2010

Carolina Blengini, Principal Regional Planner
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Blengini:

OAK TREE PERMIT #2005-00032, EASTERLY TERMINUS OF MAGIC MOUNTAIN PARKWAY, SANTA CLARITA

We have reviewed the "Request for Oak Tree Permit #2005-00032." The project is located at easterly terminus of Magic Mountain Parkway in an unincorporated area of Santa Clarita. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Impact Sciences, the consulting arborist, dated August 2010.

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 $2000. Such fees shall be used to compensate the County Forester $100 per inspection 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) preconstruction meeting required to determine fencing placement in order to secure the protected zone of all remaining Oak trees and inspection of temporary fencing before the commencement of any construction. This grant requires 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 also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.

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

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

6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of eleven (11) trees of the Oak genus identified as trees numbered; 3H, 4, 5, 6, 29H, 84H, 85, 86, 152, 152, 154 on the applicant's site plan and Oak Tree Report. Three (3) *Quercus lobata* removals are indentified as being Heritage (with an H after the tree number) having a diameter greater than 36 inches.

   This grant allows encroachment within the protected zone of 2 (two) trees of the Oak genus *Quercus lobata* identified as trees numbered 42 and 43 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools.

Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

8. Should additional oak trees grow into ordinance size within the duration of this permit, removal, encroachment or other impacts shall be included into the conditions of this permit to ensure proper mitigation. 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 two to one (2:1) and a rate of ten to one (10:1) for Heritage tree removal for a total of fourty-six (46) mitigation trees. The permittee shall provide mitigation trees of the Oak genus at the same rate for any tree specified above that dies as a result of the approved encroachments.

11. Each mitigation tree shall be of the same species of Oak as was removed and 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 consist of indigenous varieties at a rate of forty (40) *Quercus lobata*, two (2) *Quercus berberidifolia*, and four (4) *Quercus lobata berberidifolia hybrid* grown from a local seed source.

13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted 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 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, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

MYT:jl

Enclosure

bc: Romo/ERU
Oak Notebook
#104

DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NUMBER 04-181-(5)
OAK TREE PERMIT NO. 200500043

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 ("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 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 61105.

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 Tentative Tract Map 61105. Unless this grant is used within the time specified, including any authorized extensions, the grant will expire. In the event that Tentative Tract Map 61105 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.

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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 Forester $100 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 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 and the County 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 December 2006 and addendum dated November 26, 2007 with an update report submitted March 2010.

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 of Planning and County 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 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, county 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 County 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 authorizes the removal of a total of one hundred and forty seven (147) trees of the Oak Genus. One hundred twenty-six (126) are Coast Live Oak (Quercus agrifolia) and identified as trees numbered 169, 170, 171, 172, 173, 175, 176, 179, 180, 181, 182, 183, 184, **185***, 186, 189, 190, 191, 192, 197, 214, 218, 219, 220, 241, 242, **255***, 396,

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397, 398, 400, 401, 434, 511, 512, 513, 514, 515, 516, 523, 524, 525, 592, 604, 605, 606, 607, 608, 609, 610, **611***, 626, 627, 796, 797, 798, 799, 800, 801, 802, 803, 805, 806, 813, 814, 822, 824, 825, 826, 828, 829, 851, 853, 854, **856***, 863, **865***, 867, 868, 869, 871, 926, 927, 928, 929, 930, 931, 958, 2246, 2424, 4118, 4122, 4123, 4124, 4161, 4172, 4174, 4175, 4176, 4177, 4178, 4179, 4180, 4181, 4182, 4183, 4214, 4215, 4216, 4217, 4218, 4219, 4296, 4297, 4298, 4299, 4327, **4328***, 4329, 4330, **4331***, 4334, 4363, 4376, and 4377. There are fifteen (15) Valley Oak (Quercus lobata) numbered: 713, **714***, 716, 717, 718, 719, 4333, 4341, 4342, 4343, 4344, 4351, 4352, 4353, 4361 and four (4) Scrub Oak (Quercus berberidifolia) numbered 762, 2461, 4366, 4368 and one (1) (Quercus macdonaldii) a hybrid of valley oak and scrub oak, numbered 761 to be removed. Eight (8) oak removals have been 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 forty-nine (49) trees of the Oak genus. There are forty-six (46) (Quercus agrifolia) encroahments indentified as Tree Numbers: 139, 161, 164, 165, 166, 167, 168, 225, 243, 254, 612, 807, 816, 817, 818, 819, 823, 845, 855, 862, 893, 894, 895, 896, 932, 957, 961, 962, 2320, 2325, 2354, 4111, 4184, 4200, 4273, 4300, 4307, 4308, 4309, 4310, 4311, 4312, 4321, 4322, 4325, 4326. There is one (1) (Quercus lobata) 4345 and two (2) (Quercus berberidifolia) 659, 2458 on the applicant's site plan map and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

14. If any tree grows into ordinance size given the duration of this permit, removals encroachments or any additional impacts shall be inclusive within this permit to ensure proper mitigation.

    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.

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 County of Los Angeles 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 2, 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 358 mitigation trees. The permittee shall provide mitigation trees of the Oak genus at the same rate for any tree specified above that dies as a result of the approved encroachments.

18. Mitigation trees shall be at a rate consistent with the species removed. There shall be three hundred eight (308) Quercus argifolia, two (2) Quercus macdonaldii, ten (10)

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Quercus berberidifolia, thirty eight (38) Quercus lobata required as mitigation for the removal of a sum total of one hundred forty seven (147) Oak 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. 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 County Forester. Alternatively, a contribution to the County of Los Angeles Oak Tree 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".

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 of 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.

    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 County 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.

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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.

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 County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

Attachment:
September 2, 2010 County Forester Letter

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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

SEP - 7 2010

September 2, 2010

Carolina Blengini, Regional Planning Assistant
Department of Regional Planning
Land Divisions Section
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Blengini:

CORRECTED OAK TREE PERMIT #2005-00043, MISSION VILLAGE PROJECT, VTTM#061105, SANTA CLARITA VALLEY

We have reviewed the "Request for Oak Tree Permit #2005-00043." The project is located South of State Route 126 and the Santa Clara River and West of I-5 and Six Flags Magic Mountain in an unincorporated area of the Santa Clarita Valley. The Oak Tree Report after revision 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 Sciences, Inc., the consulting arborist dated December 2006 and addendum dated November 26, 2007 with an updated report submitted March 2010.

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 $7000. Such fees shall be used to compensate the County Forester $100 per inspection 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.

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 at the pre-construction meeting with the retained arborist, county 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 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 for the removal of a total of one hundred and forty-seven (147) trees of the Oak genus. One hundred twenty-six (126) are Coast Live Oak (*Quercus agrifolia*) and identified as trees numbered: 169,170, 171, 172, 173, 175, 176, 179, 180, 181, 182, 183, 184, **185***,186, 189, 190, 191, 192, 197, 214, 218, 219, 220, 241, 242, **255***, 396, 397, 398, 400, 401, 434, 511, 512, 513, 514, 515, 516, 523, 524, 525, 592, 604, 605, 606, 607, 608, 609, 610, **611***, 626, 627, 796, 797, 798, 799, 800, 801, 802, 803, 805, 806, 813, 814, 822, 824, 825, 826, 828, 829, 851, 853, 854, **856***, 863, **865***, 867, 868, 869, 870, 871, 926, 927, 928, 929, 930, 931, 958, 2246, 2424, 4118, 4122, 4123, 4124, 4161, 4172, 4174, 4175, 4176, 4177, 4178, 4179, 4180, 4181, 4182, 4183, 4214, 4215, 4216, 4217, 4218, 4219, 4296, 4297, 4298, 4299, 4327, **4328***,4329, 4330, **4331*,** 4334, 4363, 4376 and 4377. There are sixteen (16) Valley Oak (*Quercus lobata*) numbered: 7, 713, **714***, 716, 717, 718, 719, 4333, 4341, 4342, 4343, 4344, 4351, 4352, 4353, 4361, four (4) Scrub Oak (*Quercus berberidifolia)* numbered: 762, 2461, 4366, 4368 and one (1) (*Quercus Macdonaldii)* a hybrid of valley oak and scrub oak, numbered 761 to be removed. Eight (8) oak removals have been identified as **Heritage*** (in bold with an asterisk *) having a diameter greater than 36 inches.

   This grant allows encroachment within the protected zone of forty-nine (49) trees of the Oak genus. There are forty-six (46) (*Quercus agrifolia*) encroachments identified as Tree Numbers: 139, 161, 164, 165, 166, 167, 168, 225, 243, 254, 612, 807, 816, 817, 818, 819, 823, 845, 855, 862, 893, 894, 895, 896, 932, 957, 961, 962, 2320, 2325, 2354, 4111, 4184, 4200, 4273, 4300, 4307, 4308, 4309, 4310, 4311, 4312, 4321, 4322, 4325, 4326. There is one (1) (*Quercus lobata*) 4345 and two (2) (*Quercus berberidifolia)* 659, 2458 on the applicant's site plan map and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

8. If any oak grows into ordinance size given the duration of this permit, removals, encroachments or any additional impacts shall be inclusive within this permit to ensure proper mitigation.
   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 two to one (2:1) trees for each tree removed and a rate of ten to one (10:1) for each Heritage tree removed for a total of 358 mitigation trees.

11. Mitigation trees shall be at a rate consistent with the species of oak removed. There shall be three hundred eight (308) *Quercus agrifolia*, two (2) *Quercus macdonaldii*, eight (8) *Quercus berberidifolia*, forty (40) *Quercus lobata* required as mitigation for the removal of a sum total of one hundred forty seven (147) Oak trees. Mitigation trees shall consist of indigenous varieties grown from a local seed source.

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

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.

    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.

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 five (5) year 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

MICHAEL Y. TAKESHTA, 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. 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

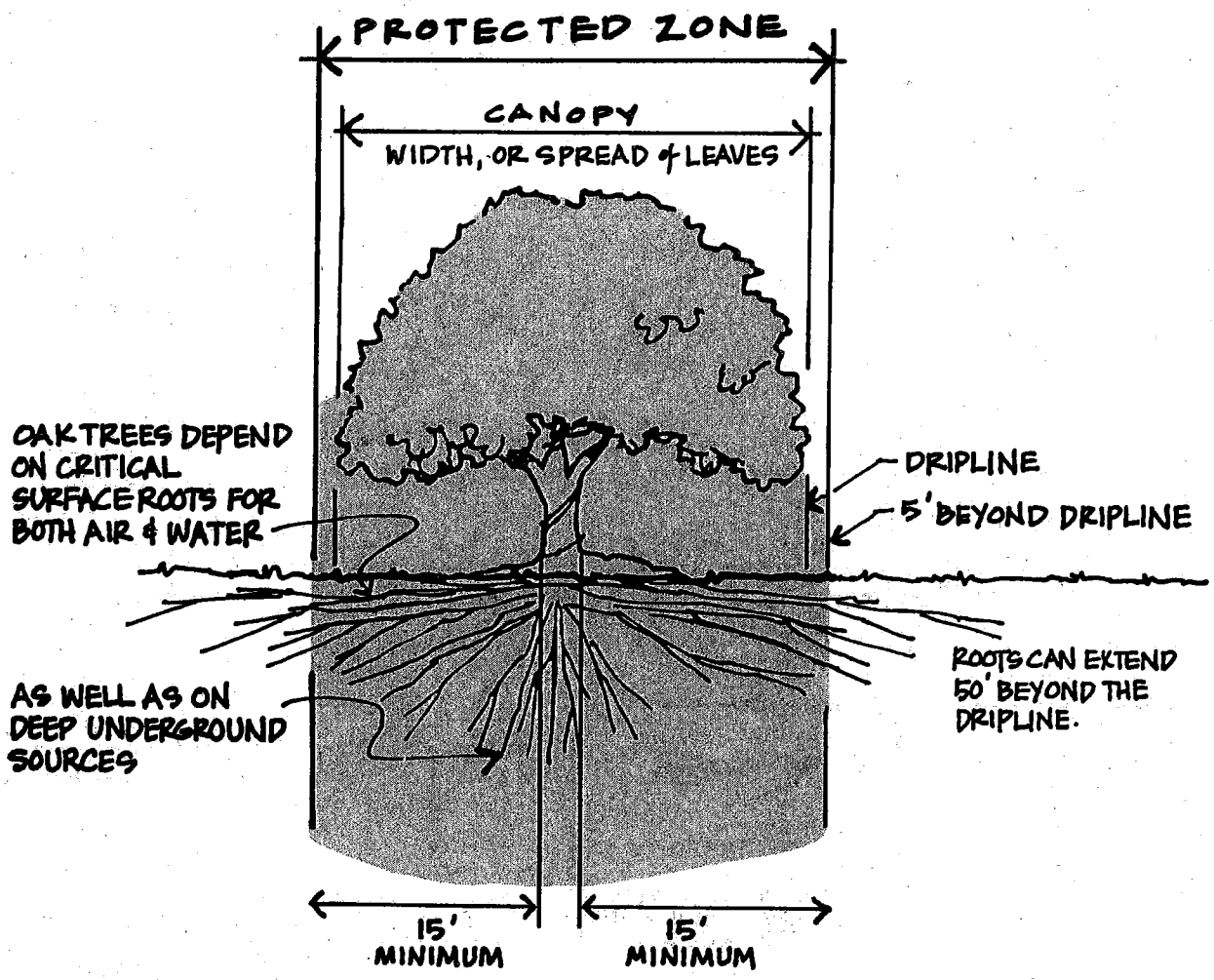
THE PROTECTED ZONE

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.

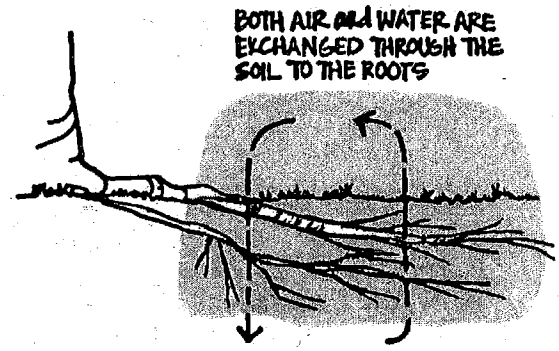
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

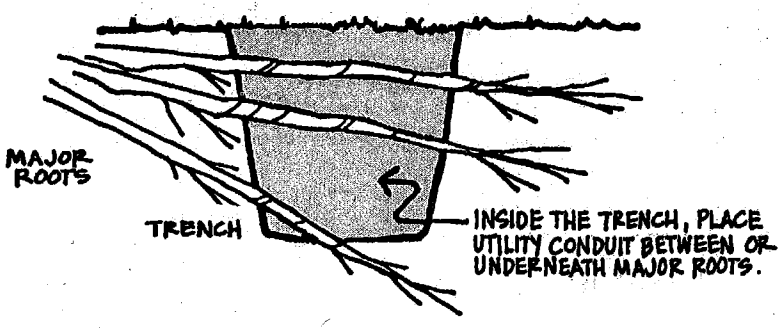
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

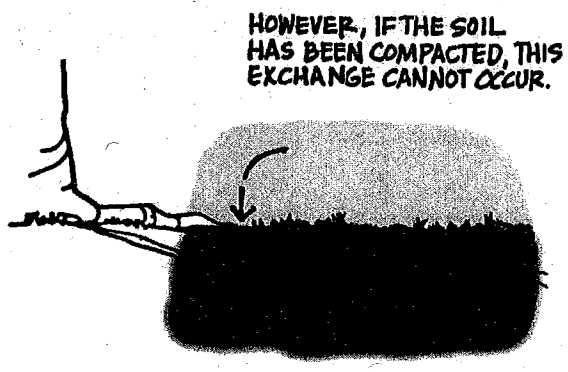
If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

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.

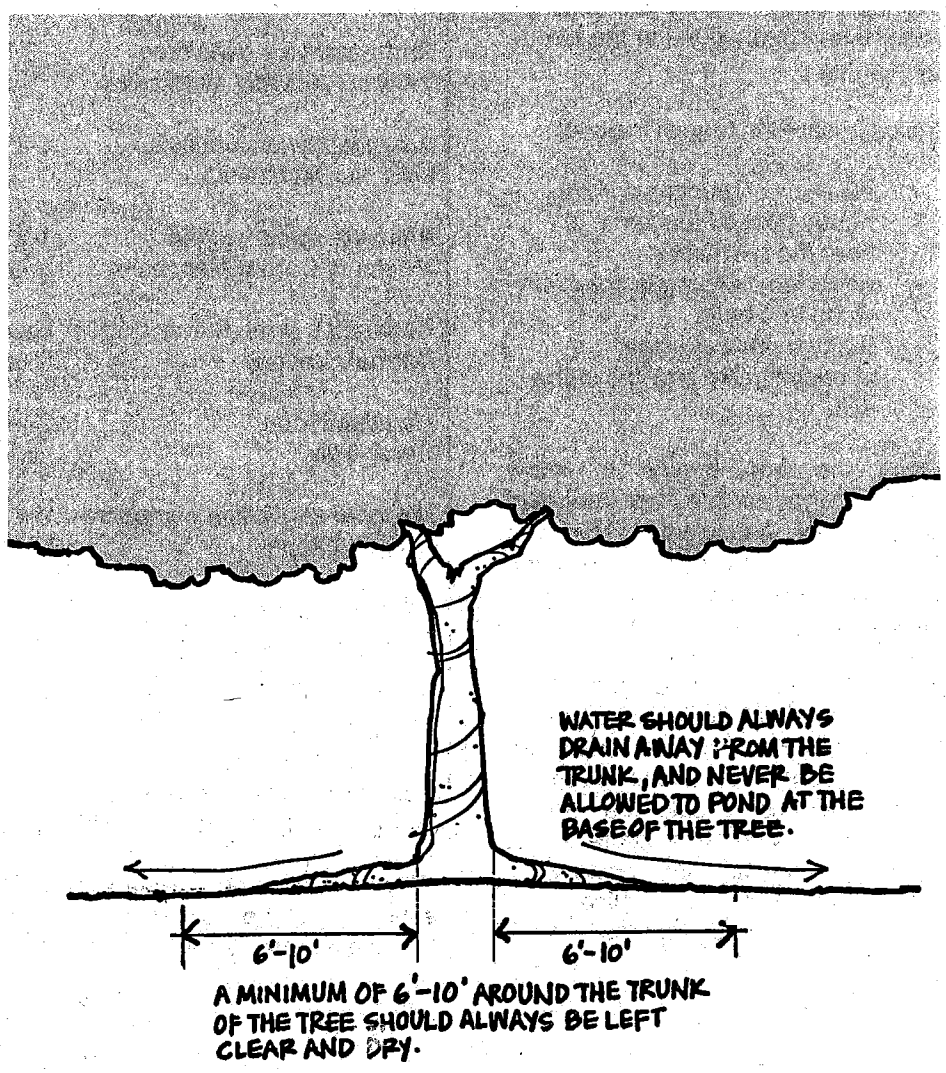
Pruning

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

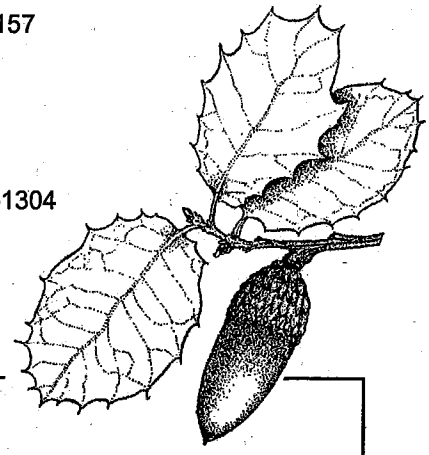
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

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

FLAG LOT SUPPLEMENTAL INFORMATION
For the
Mission Village Project
Vesting Tentative Tract Map 61105

Mission Village is a 1,262 acre site proposed as a mixed-use development with a variety of residential uses including single-family and multi-family residences, a mixed-use Village Center, commercial development, an elementary school, parks and recreation areas and significant open space including a spineflower preserve, portions of the Santa Clara River and a trail system. As depicted on Vesting Tentative Tract Map 61105, there are a total of 661 lots proposed of which 382 are single-family lots. Of the 382 single family lots, there are 4 which have been designed as flag lots.

Is the proposed flag lot designed justified by topographic conditions?

The Mission Village project contains hilly topography and grading is necessary to create pads for the development depicted on Vesting Tentative Tract Map 61105. VTTM 61105 proposes a total of 4 flag lots, lots 48, 49, 297, and 298 out of the total 382 single family lots proposed within the project. Due to grading pattern, these 4 lots, at the end of cul-de-sacs, can only be designed as flag lots as it is not possible to create the necessary lot width at the street. However, the lot can easily accommodate a standard residence and comply with required development standards.

Is the proposed flag lot design justified by the size and shape of the division of land?

The Mission Village project depicted on VTTM 61105 contains a total of 4,412 residential units. 382 of those units will be located on single family lots. The 4 proposed flag lots are a very small percentage of the single family lots, approximately 1%. The flag lots will not change the overall neighborhood pattern and due to the very small number proposed, are likely to be unnoticeable.

Is the proposed flag lot design in conflict with the pattern of neighborhood development?

There is no established pattern of development in the general area surrounding the Mission Village project. The project site of 1,262 acres is part of the approved Newhall Ranch Specific Plan but no development within the boundaries of the Specific Plan has yet to be constructed. The nearest proposed project outside the Specific Plan boundaries is the Entrada project, VTTM 53295. There are no flag lots proposed within Entrada. To the south of Mission Village is the existing community of Westridge where a small number of flag lots are scattered throughout the neighborhood.

The proposed flag lots are incorporated into the proposed neighborhood design. There are a total of 382 single-family lots proposed within Mission Village and only 4 of those will be a flag lot design. The proposed flag lots are located at the end of cul-de-sac streets and will not create a disruptive pattern or cause conflicts with other lots.

How many flag lots are in a 500' radius and when were these flag lots created?

The project site is currently undeveloped and is surrounded mostly by vacant property. Magic Mountain Theme Park is located to the east of the projects eastern boundary. The nearest existing residential development, Westridge, is located southerly of Mission Village and was recently constructed. A review of aerial photos of the development pattern of the Westridge community finds a small number of flag lots within the boundaries of the community but outside a 500' radius, generally located at the end of cul-de-sac streets. The flag lots within Westridge are not an overall pattern and appear to be similar in character to the few lots proposed within Mission Village.

MEMORANDUM

TO: Newhall Ranch Specific Plan Project File

FROM: Richard J. Bruckner, Director of Planning

SUBJECT: Substantial Conformance Interpretation Pertaining to Hillside Management within the Mission Village project, Vesting Tentative Tract Map (VTTM) No. 61105

DATE: September 7, 2010

Background

Mission Village is a proposed master planned community that would contain 4,412 dwelling units in various densities, commercial uses, a mixed-use pedestrian oriented village center, a fire station, a library, an elementary school, and significant areas of open space, including parks and recreation areas, a spineflower preserve, and a trail system on 1261 +/- acres, as depicted within the boundaries of VTTM 61105. The project will also include off-site improvements to serve the project as proposed.

Proposed Grading

The Mission Village site contains steep topography and to develop the site as permitted by the Newhall Ranch Specific Plan, significant grading will be necessary. To implement the development of Mission Village, the project proposes a maximum of approximately 29.9 million cubic yards (cys) of onsite (within tract map) and offsite grading, which will be balanced within the overall Mission Village project area. Approximately 28 million cys of grading (28 million cys of cut and 28.4 million cys of fill) is proposed for the tract map site, which includes infrastructure grading for a sanitary sewer system and pump stations, potable and reclaimed water systems, and drainage improvements. An additional approximate 1.9 million cys of grading is proposed in connection with development of the proposed off-site infrastructure improvements, including the Magic Mountain Parkway extension, utility corridor, and the larger of the two SCE substation alternative sites. Grading for off-site improvements will be authorized by Conditional Use Permit 200500081.

The approximate 28 million cys of grading associated with the tract map site includes the grading quantities for the following off-site grading activities due to the contiguous nature of the grading to the tract map site: grading for the extensions of Westridge Parkway and Commerce Center Drive, water tanks, water quality basin, two debris basins, Lion Canyon drainage improvements, and miscellaneous grading to tie to existing grades.

The approximate 1.9 million cys of grading associated with the proposed off-site infrastructure improvements is described in further detail below:

Magic Mountain Parkway Extension: The proposed off-site grading for the Magic Mountain Parkway extension will require approximately 900,000 cys of cut and 500,000 cys of fill. Therefore, 400,000 cys would be transported from the off-site location for use within the Mission Village tract map site.

Utility Corridor: The development of Mission Village will require utility extensions. Facilities for the transmission of these utilities would be located partially in an off-site utility corridor. The utility corridor alignment generally runs east/west along SR-126 beginning at the proposed Newhall Ranch WRP near the Los Angeles/Ventura County line and easterly to the I-5. Grading for the proposed utility corridor would be a balanced operation and totals 618,000 cys of cut and 618,000 cys of fill.

Electrical Substation: An electrical substation may be necessary to serve the area and two possible locations are proposed. The first alternative site is located almost entirely within the Portrero Valley portion of the Specific Plan, with a portion encroaching outside the boundaries of the Specific Plan into the Legacy Village project (VTTM 061996). A total of 158,000 cys of cut and 45,000 cys of fill would be necessary if this location is chosen. The excess dirt would be placed in a nearby existing agricultural field in Portero Valley.

The second alternative site is located easterly of the first and is partially within the Portrero Valley portion of the Specific Plan and partially within the Legacy Village project site, outside the boundaries of the Newhall Ranch Specific Plan. Proposed grading for this alternative would be 372,000 cys of cut and 107,000 cys of fill. The excess dirt would be placed in a nearby existing agricultural field in Portero Valley.

Newhall Ranch Specific Plan

Section 2.7, Hillside Preservation and Grading Plan, of the Newhall Ranch Specific Plan was prepared in accordance with Los Angeles County Performance Review Criteria for Hillside Management and is consistent with the County of Los Angeles General Plan and the Santa Clarita Valley Area General Plan goals and objectives relevant to grading.

Section 4.8 of the Newhall Ranch Specific Plan establishes guidelines for grading and hillside management within the Specific Plan area, including Mission Village. These guidelines also were prepared in accordance with the County of Los Angeles General Plan, the Santa Clarita Valley Area General Plan, and the Hillside Design Guidelines, established by the Los Angeles County Department of Regional Planning (December 1987). These guidelines were designed to achieve the goals of the Specific Plan and assure development that is safe, aesthetic, and cost effective.

For subdivisions having an average slope of 25% or greater in those areas to be graded, a determination as to conformance with the Grading and Hillside Management Guidelines

in Specific Plan Section 4.8 is necessary. Mission Village has an average slope greater than 25%.

Procedure

Under the Implementation Procedures of the Newhall Ranch Specific Plan (Section 5.2 g), the following information is requested for the Substantial Conformance process:

- *Name and address of all persons owning all or any part of the property:*

  Newhall Land Farming Company
  -25124 Springfield Court, Suite 300
  Valencia, CA 91355-1088

- *Location of subject property:*

  Generally south of the Santa Clara River and west of the Interstate-5; directly west of Six Flags Magic Mountain theme park.

- *Legal Description:*

  PARCELS 11, 12, 13, 22 AND A PORTION OF PARCEL 14 OF PARCEL MAP 24500-01, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, AS SHOWN ON MAP FILED IN BOOK 293 PAGES 34 TO 67 INCLUSIVE, OF PARCEL MAPS, RECORDS OF LOS ANGELES COUNTY.

  Assessor Parcel Numbers: 2826-002-022, 2826-003-021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 2826-007-019, 2826-008-030, 2826-009-081. Off-site improvements: 2826-008-030, 2827-007-016, 2826-008-020, 2826-007-019, 2826-003-031, 2826-004-040, 2826-002-021, 2826-002-023, 2826-123-002, 2826-009-104.

- *Specific Plan land use designation(s) on the property:*

  Low-density, low-medium density, medium density, and high density residential development, mixed use, commercial, visitor serving, open area, and river corridor.

Findings

A. Specific Plan Section 4.8

Section 4.8 (1) Grading and Hillside Management

a. Los Angeles County hillside development guidelines should be followed in hillside areas in order to minimize grading impacts.

Mission Village has been designed and will be developed in conformance with the County's current hillside development guidelines, which can minimize grading impacts, as well as all applicable County Codes including, but not limited to, the Subdivision

Code, Grading Code, Building Code, and Fire Code. An Environmental Impact Report (EIR) has been prepared to County standards, and the project will comply with all required mitigation measures adopted by the Board of Supervisors. Furthermore, the development will incorporate all conditions and comments from the Department of Public Works (DPW) in connection with the review of grading and geotechnical reports. Therefore, any potentially significant impacts associated with project grading would be reduced to a level below significant.

b. *Significant ridges, knolls, and rock outcroppings should be respected in the site design and incorporated as features where feasible.*

While the proposed project grading would alter the hillside profile, where feasible, the project site design respects significant ridges, knolls, and rock outcroppings.

The Newhall Ranch Specific Plan identified distinctive elevated features within the Specific Plan development areas that include Sawtooth Ridge near Long/Adobe Canyon, Ayers Rock in Potrero Canyon, and numerous distinctive ridges within the Santa Susana Mountains, which are located in the southerly portion of Newhall Ranch in the High Country. These described features are not located within the Mission Village project site and, therefore, would not be adversely affected by development of the proposed project

Other significant landforms in the Project vicinity identified in the Specific Plan include the bluffs on the south side of the Santa Clara River. Consistent with the grading and hillside management guidelines, Mission Village was designed specifically to preserve the bluff area along the south side of the river, in conformance with the approved Specific Plan.

c. *Contour grading should be employed where feasible to lessen the visual impact of large slopes and long major uniform slopes should be avoided.*

Where feasible, contour grading will be employed in the development of the proposed project to lessen the visual impact of slope modification.

The proposed Mission Village project is designed to minimize large and long uniform slopes. The bluffs along the Santa Clara River would be preserved to lessen the grading and visual impacts from SR 126. Larger manufactured slopes have been designed with curvilinear, scalloping contours with transitional gradients such as the slopes between planning areas A7 and A8. The larger slope near the southerly Commerce Center Drive bridge abutment would be contoured although the contour would be at a gradient that is less than the surrounding natural slopes due to engineering constraints. The slopes along Magic Mountain Parkway are relatively low in height (40-50') when compared to other slopes on the site, although they would be long due to the need to follow the road. These slopes are contoured as they follow the road.

d. Avoid the removal of oak trees to the maximum extent feasible and minimize grading to the edge of tree driplines.

The proposed project will avoid impacts to oak tress to the maximum extent feasible and will minimize grading to the edge of the tree dripline. Two Oak Tree Permits, Permit Nos. 200500032 (Easterly extension of Magic Mountain Parkway) and 2005000043 are requested in connection with the project. Of the 501 oak trees located within the boundaries of Tentative Tract Map 61105 and within the 200 feet of the proposed grading line, the majority of the trees will be unaffected by the project as 147 trees will be removed and 49 will be encroached upon. Grading associated with the easterly extension of Magic Mountain Parkway, as well as grading for on-site development and necessary infrastructure, has been designed to allow for preservation of the majority of oak trees; 13 of the 63 trees in the vicinity of the proposed easterly extension of Magic Mountain Parkway will be impacted. For each tree that is removed, a minimum of two (for non-heritage trees) or ten (for heritage trees) 15-gallon replacement trees will be planted, resulting in a greater number of oak trees on site.

e. Grading should emphasize and accentuate scenic vistas and natural landforms.

The proposed grading plan will follow the natural contour lines and preserve natural scenic vistas and landforms where feasible. Consistent with the grading and hillside management guidelines of the Specific Plan, Mission Village was designed specifically to preserve the bluff area along the south side of the river. In addition, Mission Village recreates a small canyon with grading associated with the Arroyo Park (lots 151-155). The residential and commercial developments are designed to be situated so as to accentuate scenic vistas and natural landforms such as the river bluffs along the southisde of the river.

f. Slopes requiring special erosion control or fuel modification prevention should be designed for ease of maintenance.

Development areas subject to erosion control measures and fuel modification requirements have been designed to ensure ease of maintenance. Access to open space lots where maintenance is required is depicted on the tentative tract map so that future homeowner's associations, landscape maintenance or other groups responsible for maintenance of common areas can easily accept maintenance responsibilities.

g. Special attention should be given to arrangement of landscape materials as means of creating a natural, hillside appearance.

Special attention will be given to the arrangement of landscape materials to help maintain and create a natural, hillside appearance. The project applicant will prepare landscape plans that are compliant with the County's Drought Tolerant Ordinance. In addition, numerous natural landscape features will be left intact such as the spineflower preserve, Santa Clara River, and the adjacent river bluffs.

h. Graded slopes should be planted and stabilized in compliance with County-approved landscape, irrigation, and maintenance requirements.

Grading operations will include adequate erosion control, including landscaping and stabilization, to ensure that the site is developed in compliance with applicable County landscape, irrigation, and maintenance requirements. The project applicant will work with the Fire Department, Department of Public Works, Regional Planning, and Parks and Recreation to establish appropriate landscaping materials to comply with regulations covering erosion control planting, reduction of the threat of fire in high hazard areas, compliance with drought tolerant landscaping provisions, and maintenance responsibilities.

B. Specific Plan Section 5.2

Section 5.2 (2)(d) General Findings Applicable to all Requests for determination of Substantial Conformance:

(1) *The Planning Director, acting upon any a request for determination of Substantial Conformance as provided in this section, shall either approve, approve with conditions, or deny the request based on findings that the request:*

(a) Substantially conforms with all applicable provisions of the Specific Plan and Los Angeles County ordinances which do not conflict with the Specific Plan;

The proposed Mission Village project has been reviewed by staff to ensure its design is in compliance with the Newhall Ranch Specific Plan, specifically the Grading and Hillside Management Design Guideline in Section 4.8, and applicable Los Angeles County ordinances.

(b) Will not adversely affect public health, and safety;

Project grading will be conducted in compliance with all applicable County requirements to ensure geotechnical stability and conformance with erosion control regulations, and ensure that the proposed Mission Village project will not adversely affect the health and safety of persons residing or working in the surrounding area. Project grading will allow for the development of necessary infrastructure to benefit the health and safety of residents of Mission Village and future surrounding neighborhoods.

(c) Will not adversely affect adjacent property.

The development of Mission Village, including the grading necessary to construct the project, implements a portion of the Newhall Ranch Specific Plan, as approved by the Board of Supervisors, and will not be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the project site. Views from off-site into the hillside areas that will be graded will either be hidden from view or will be too

distant to constitute a significant visual impact. Upon the completion of Mission Village, the development will be compatible with surrounding residential neighborhoods, and enhance the economic value of these properties as a result of the project improvements.

MEMORANDUM

TO: Newhall Ranch Specific Plan Project File

FROM: Richard J. Bruckner, Acting Director of Planning

SUBJECT: Substantial Conformance Interpretation Pertaining to Modification of Setbacks

DATE: September 9, 2010

Background

Mission Village is 1261± acre site with 4,412 homes that is designed around a pedestrian oriented Village Center that will contain residential uses (condominiums and apartments) that are integrated both horizontally and vertically with commercial uses. The Village Center is envisioned to be the town core for not only Mission Village but for Newhall Ranch as well. The commercial uses in the Village Center are envisioned along a "main street" that will include both retail and office uses. Also included in this Village Center will be the library, village green (private park), community recreation center and a proposed continuing care retirement community. All of these uses will be linked together through a series of sidewalks, trails and paseos that connects the Village Center to the rest of Mission Village. The surrounding uses include: a 20 acre community park, a 5 acre neighborhood park, elementary school, fire station, office uses and complementary residential uses that will include single-family, multi-family units and age qualified units.

Village Center

The Village Center will contain the following Specific Plan land uses: Mixed Use (MU), High Residential (H), Medium Residential (M) and Commercial (C). The Newhall Ranch Development Standards for these land uses are found in Specific Plan Table 3.4-1. While the Specific Plan provides for variation and flexibility in these land uses, the urban setting envisioned for the residential products and commercial uses within the Village Center would be difficult to implement given the current standards. Though a zero side yard lot configuration is permitted within certain land use designations, only the Mixed-Use (MU) permits zero front yards, with restrictions, limiting the potential to create a truly urban environment.

Age Qualified Neighborhood

The age qualified neighborhood located south of Magic Mountain Parkway consists of large condominium lots, each with several detached residential or duplex units that take access from a private drive. The development standard for this area would fall under the Low Medium Residential (LM) land use designation. The residential product currently

shown on the Exhibit maps will require further interpretation of the standards as the design of the units differs from that originally contemplated by the Newhall Ranch Specific Plan.

Request

Pursuant to the Newhall Ranch Specific Plan, Section 5.2 (2)(13), modifications of development standards contained on Table 3.4-1 (Site Development Standards) are allowed provided the Director can make findings for a determination that the modification is in Substantial Conformance with the provisions of the Specific Plan.

This is a request for modified setbacks to allow specific Mixed-Use, Commercial, High Residential, Medium Residential designated lots within Mission Village's Village Center to be designed with a minimum 0-foot (0') front yard setback.

It is also to allow detached residential condominiums within the Low-Medium land use designation to comply with the front yard and side entry garage setback requirement based on building orientation, rather than distance from a lot line.

Details relevant to the Village Center and Age-Qualified Neighborhood and the basis for this request follow below.

Village Center

The Village Center will be the urban town core for the Mission Village community and Newhall Ranch. It is designed as a higher density, mixed-use area. The Village Center, especially, provides efficient land utilization by bringing uses closer to the street to encourage a pedestrian orientation. In this area, angled street parking is also provided, further defining an urban environment. As depicted on the Exhibit Maps for VTTM 61105, the structures on lots 508-515, 517-526 and 528-530 have a 0' minimum front setback adjacent to private drives, lots and streets. Due to the orientation of the structures with frontage on more than one street and the conceptual nature of the exhibit maps, designating the front yard and side yard setback can be problematical and should be designated at building permit. Allowing a more flexible interpretation of setback provisions will ensure a design more in keeping with the goals of development of a pedestrian oriented community.

Detached Residential Units

The age-qualified neighborhood, Planning Areas C1-C5, as shown on the tentative and exhibit maps, is located south of Magic Mountain Parkway. This area consists of large condominium lots, each with several detached residential units which take access from a private drive and/or driveways. These units are designed similar to a single family residence.

Normally, setback requirements are established from the lot orientation (i.e. street frontage). The Exhibit Maps for VTTM 61105 have established a front yard setback from the assumed front yard. The Specific Plan sets forth front yard setbacks for detached units of 18 feet for front entry garages and 10 feet for side entry garages, and the units are shown complying with this standard. As depicted on the Exhibit Maps, the required front yard setback is based on the orientation of the garage. In some instances, a residential unit may have 10-foot side entry garage orientation to the private drive while sharing a common private driveway and fire lane with other residential units. Also as depicted on the Exhibit Map, some units may all be side entry oriented around common frontage.

However, future adjustments to building orientation may result in design changes where the setback depicted on the tentative map may not be consistent with the setback requirement as the determination of street frontage may change. By determining that the required setback can be determined based on garage orientation of a unit instead of frontage of the lot, flexibility in design is encouraged. Such an interpretation would be consistent with design guidelines found in Section 4.3 of the Specific Plan, which encourages varying house configurations on corner lots and staggering of buildings to create interest in both architectural facades and in adjoining streetscape as it will allow an option when designing the units.

Under the Implementation Procedures of the Newhall Ranch Specific Plan (Section 5.2 g), the following information is requested for the Substantial Conformance process:

- *Name and address of all persons owning all or any part of the property:*

  Newhall Land and Farming Company
  25124 Springfield Court, Suite 300,
  Valencia, CA 91355

- *Location of subject property:*

  Generally south of the Santa Clara River and west of the Interstate-5; directly west of Six Flags Magic Mountain theme park.

- *Legal Description:*

  PARCELS 11, 12, 13, 22 AND A PORTION OF PARCEL 14 OF PARCEL MAP 24500-01, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, AS SHOWN ON MAP FILED IN BOOK 293 PAGES 34 TO 67 INCLUSIVE, OF PARCEL MAPS, RECORDS OF LOS ANGELES COUNTY.

  Assessor Parcel Numbers: 2826-002-022, 2826-003-021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 2826-007-019, 2826-009-081.

- *Specific Plan land use designation(s) on the property;*

Low Residential, Low-Medium Residential, Medium Residential, and High Residential, Mixed Use, Commercial, Open Area, and River Corridor.

This substantial conformance interpretation is applicable within the Low Medium, Medium Residential, Commercial and MU (mixed-use) land use designations.

Findings

Section 5.2 (2) (d) General Findings Applicable to all Requests:

(1) *The Planning Director, acting upon any a request for determination of Substantial Conformance as provided in this section, shall either approve, approve with conditions, or deny the request based on findings that the request:*

(a) Substantially conforms with all applicable provisions of the Specific Plan and Los Angeles County ordinances which do not conflict with the Specific Plan;

The request for the modification for setbacks is in compliance with the Newhall Ranch Specific Plan and Los Angeles County ordinances. Setbacks approved per this request will not be significantly different than those in Specific Plan Table 3.4-1. The requested interpretation is a refinement and further clarification of those standards. This request is also consistent with a similar interpretation approved with the Landmark Village project.

(b) Will not adversely affect public health, and safety; and

The proposed modified setbacks will not adversely affect public health, and safety. The modified setbacks within the Village Center will encourage greater flexibility in design of this higher density and commercial area to allow for a more vibrant and pedestrian oriented urban environment. There will be no adverse effect on public health or safety.

The proposed yards or distance between structure and private drives on lots within Planning Areas C1-C5 will allow the design of these lots with multiple condominium units to be perceived as detached single family homes. There will be no safety concerns as the design is consistent with the provisions in the County Code for side entry garages, which prevent visual impediments to drivers and ensures pedestrian security.

(c) Will not adversely affect adjacent property.

The proposed modified setbacks within the Mission Village project will not adversely affect adjacent properties. The project site is currently undeveloped. The buildings with the proposed 0' setbacks are located within the Village Center, which is designed as a more urban, higher density neighborhood. Nearby uses will be complimentary and include multi-family housing developments, a library, a proposed continuing care retirement community and a transit center.

The proposed yards for the residential condominium lots will not adversely affect adjacent property as all of the lots that will exercise the similar design will be located within Planning Areas C1-C5, which are bounded by Magic Mountain Parkway and the southern edge of the tract boundary.

Section 5.2 (h) Modification of Development Standards

The Planning Director may approve, with or without conditions, a request for a modification of the development standards (such as setbacks) contained in Table 3.4-1 (Site Development Standards) in the Specific Plan where:

(1) The General Findings listed in Section 5.2 paragraph 2d above can be made;

See Findings for Section 5.2 (2) (d) above, *and,*

(2) Such modification meets all applicable building, fire, and subdivision codes; and

The requested modification meets all applicable building, fire, and subdivision codes, as the proposed Mission Village project will be developed in conformance with all applicable County Codes including, but not limited to, the Subdivision Code, Grading Code, Building Code, and Fire Code. Additionally, the proposed Mission Village project will be thoroughly reviewed by the Los Angeles County staff and will be reviewed and considered by the Regional Planning Commission. An Environmental Impact Report (EIR) will be prepared to County standards, and will include measures to mitigate project impacts.

(3) Such modification would be architecturally compatible with existing building in the surrounding neighborhood; and

The modification of setbacks for buildings within the Village Center will allow for architecturally compatible design. Proposed buildings will be similar in character to others nearby. The detached condominiums will also be architecturally compatible as they will have similar or compatible design within the surrounding area.

(4) In the case of existing building, any of the following findings can be made:
- *(a) The proposed alteration of addition to an existing building will be a continuation of its existing architectural style, or*
- *(b) That such modification is needed for safety reasons to comply with other applicable codes, laws, ordinances, rules, and regulations, or*
- *(c) That the site of the proposed building is sufficiently remote or screened so as to preclude the proposed modification from having a detrimental effect upon the surrounding properties.*

This finding is not applicable because there are no existing buildings. The proposed Mission Village project is currently undeveloped land.

MEMORANDUM

TO: Newhall Ranch Specific Plan Project File

FROM: Richard J. Bruckner, Director of Planning

SUBJECT: Substantial Conformance Interpretation Pertaining to the Modification of Trails within Mission Village, VTTM No. 61105

DATE: July 30, 2010

Background

The proposed Mission Village project is a master planned community containing 4,412 dwelling units in various densities, approximately 1.55 million square feet of commercial uses, a mixed-use pedestrian-oriented Village Center, fire station, library, elementary school, and significant areas of open spaces, including parks and recreation areas, a spineflower preserve, and a trail system. Specific to the trail system, throughout Mission Village, several trails and pathways are planned that will link the project site internally and to the greater Newhall Ranch Specific Plan community trail network. When built out, Mission Village would include Regional River Trails, Community Trails, Local Trails and Pathways as part of a network of unified bicycle and pedestrian routes in landscaped parkways that provide access to the different neighborhoods and Villages that make up the proposed project and the larger Specific Plan area. (See Specific Plan Master Trails Plan, Exhibit 2.4-5.)

The illustrated Trail Sections contained in the Newhall Ranch Specific Plan for the Community Trails, Local Trails and Pathways depict a twelve-foot wide bicycle/pedestrian trail within a twenty-four foot wide recreation lot. (See Trail Section B2 of Exhibit 2.4-7 and Trail Sections C & D of Exhibit 2.4-8 of the Specific Plan).

Request

Pursuant to the Newhall Ranch Specific Plan, Section 5.2 (2)(9), adjustments to the Master Trails Plan and Trail Sections are allowed provided the Director can make findings for a determination that the modification is in Substantial Conformance with the provisions of the Specific Plan. This request for a Substantial Conformance determination would approve an adjustment of the twelve-foot wide trail section to eight-foot wide trails, which will be sufficient in size to accommodate pedestrians and the recreational use of bicycles. The twenty-four foot wide recreation lot will not be reduced in size. The reduction of 4 feet in trail width would allow for four additional feet of landscaping and pervious materials.

Thus, by this proposal, the Community Trails, Local Trails, and Pathways would be narrowed from twelve feet in width to eight-foot wide trails. The proposed reduced width

is appropriate for the function of the three types of trails, which is to allow for comfortable and safe recreational bicycle and pedestrian use of the routes. The modified trails and pathways will also exceed Caltrans' minimum requirement for five-foot wide Class II bicycle facilities, Los Angeles County's minimum of four-foot wide sidewalks, and the American Disability Association's minimum requirement of five-foot wide sidewalks. Furthermore, County identified highways (major and secondary) will include dedicated bicycle lanes so as to not be impeded by pedestrian and recreational bicycle traffic along the trails and pathways. In addition to the trail system, there will be a dedicated Class I bicycle lane provided on portions of the Magic Mountain Parkway and Commerce Center Drive extensions.

The adjusted trails of eight feet will achieve the goal of contributing to an extensive network of trails and pathways that will connect residents within Mission Village and beyond its boundaries. The adjusted trails and pathways will also provide safe and attractive transportation alternatives for pedestrians and bicyclists.

Procedure

Under the Implementation Procedures of the Newhall Ranch Specific Plan (Section 5.2 g), the following information is requested for the Substantial Conformance process:

- *Name and address of all persons owning all or any part of the property:*

  Newhall Land Farming Company c/o Corey Harpole
  25124 Springfield Court, Ste 300,
  Valencia, California 91355-2194,

- *Location of subject property:*

  Generally south of the Santa Clara River and west of Interstate-5; directly west of Six Flags Magic Mountain theme park.

- *Legal Description:*

  PARCELS 11, 12, 13, 22 AND A PORTION OF PARCEL 14 OF PARCEL MAP 24500-01, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, AS SHOWN ON MAP FILED IN BOOK 293 PAGES 34 TO 67 INCLUSIVE, OF PARCEL MAPS, RECORDS OF LOS ANGELES COUNTY.

  Assessor Parcel Numbers: 2826-002-022, 2826-003-021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 2826-007-019, 2826-009-081.

- *Specific Plan land use designation(s) on the property:*

  Low-density, low-medium density, medium density, and high density residential development, mixed use, commercial, open area, and river corridor.

Findings

Section 5.2 (2) (d) General Findings Applicable to all Requests:

(1) *The Planning Director, acting upon any request for determination of Substantial Conformance as provided in this section, shall either approve, approve with conditions, or deny the request based on findings that the request:*

(a) Substantially conforms with all applicable provisions of the Specific Plan and Los Angeles County ordinances which do not conflict with the Specific Plan;

The request for the adjustments to the trail sections of the Community Trails, Local Trails and Pathways is in compliance with the Newhall Ranch Specific Plan (Section 5.2 (2)(9)) and Los Angeles County ordinances.

(b) Will not adversely affect public health, and safety; and

The proposed adjustments to the trails sections within the Mission Village project site will not adversely affect public health, and safety. The adjustment to the trails sections within Mission Village will still allow for bicyclists and pedestrians to comfortably and safely share the routes. Reducing the width of the trails and pathways will also increase the adjacent landscaping, which will provide a more vibrant and attractive network of trails and also reduce impacts to water quality.

(c) Will not adversely affect adjacent property.

The proposed adjustments to the trails and pathways will not adversely affect adjacent property. The recreation lots will maintain the 24' width established by the Specific Plan and will therefore provide adequate buffer area.

CONDITIONAL USE PERMIT
BURDEN OF PROOF
FOR DEVELOPMENT WITHIN
A SIGNIFICANT ECOLOGICAL AREA
VTTM 61105
MISSION VILLAGE PROJECT

Background

Specific Plan and Conditional Use Permit 94-087-(5) Summary

The applicant is proposing to develop Mission Village, a master planned community, located within "The Mesas" village of the Newhall Ranch Specific Plan. The Specific Plan was approved by the Los Angeles County Board of Supervisors on May 27, 2003.

Newhall Ranch Program-Level SEA CUP No. 94-087-(5)

The 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 approval of the Newhall Ranch Specific Plan.

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 Specific Plan established a designation of "Special Management Area" (SMA) over the adjusted SEA 23 boundaries and it is referred to as the "River Corridor SMA" in the Specific Plan, though the underlying SEA 23 designation remains in effect.

In approving CUP No. 94-087-(5), the Board found that the development proposed by the Specific Plan was consistent with the adopted Santa Clarita Valley Area Plan. 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

In addition, the Board found that the proposed development within SEA 23 conformed to the General Plan SEA "design compatibility criteria" summarized as follows:

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;

Because:

(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 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.

That the requested development is designed to maintain waterbodies, watercourses and their tributaries in a natural state;

The Board found that the Specific Plan has been designed to maintain waterbodies, watercourses, and their tributaries in a natural state. 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.

That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;

The Board found that 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 proposed bridges over the river would be sufficiently high 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 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 compatibility with animal movement in the region. Finally, the Board 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.

Also, 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 and 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 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.

That the requested development retains sufficient natural vegetative cover and/or open areas to buffer critical resource areas from said requested development

The Board found that 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. 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 and that the Specific Plan incorporated an extensive buffer area to protect critical resources within SEA 23.

That where necessary, fences or walls are provided to buffer important habitat areas from development;

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 will 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. Also, the tentative maps will be conditioned to ensure compliance with fencing standards.

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 Board of Supervisors found that the Specific Plan proposed the construction of three bridges and several utility lines across the Santa Clara River, within SEA 23. Utilities serving the proposed Specific Plan, where feasible, would be incorporated with the river bridges. 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.

The Board also 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. The Board considered and rejected a series of bridge alignment and bridge span alternatives in approving the three crossings. 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.

In addition to finding the Specific Plan complied with the SEA design compatibility criteria, the Board concluded 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.

And also 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 and 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.

Based on the findings summarized above, the Board approved CUP No. 94-087-(5) subject to various adopted conditions.

Mission Village Project

Mission Village is designed to include a broad spectrum of residential housing, commercial development, institutional services, parks and other open space areas, consistent with the approved Newhall Ranch Specific Plan. The proposed project will implement a portion of the approved Specific Plan through development of 4,412 dwelling units and 1,555,100-square feet of commercial/mixed uses. The proposed Mission Village project site, as depicted on VTTM 61105, is approximately 1,261+/- acres in size. Of the 1,261+/- acres, approximately 237.5 acres lie within SEA 23, and approximately 21.5 of those acres will be impacted by project development. The project also includes areas outside the boundaries of the tentative map where off-site improvements to serve the project are proposed. Approximately 18.4 acres within these off-site areas and within SEA 23 will be impacted by project design. .

Newhall Land is requesting a project-level SEA CUP for proposed development within SEA 23(River Corridor SMA) in order to ensure consistency with both the adopted Specific Plan and Conditional Use Permit 94-087-(5).

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).

Description of SEA 23/River Corridor SMA

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 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. 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. Some development is allowed within the boundaries of SEA 23 as approved by CUP 94-087-(5), 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. CUP No. 94-087-(5), authorized the construction of the Commerce Center Drive Bridge, bank stabilization along portions of SEA 23, and development on mostly agricultural land within SEA 23.

Request

Consistent with the approved Specific Plan and program-level CUP No. 94-087-(5), Newhall Land proposes project-level improvements for the Mission Village project within SEA 23. The proposed improvements, both on-site and off-site, as depicted on Tentative Tract Map 61105, are as follows:

(a) Commerce Center Drive Bridge;

(b) Commerce Center Drive;

(c) River trail;

(d) Access roads and public utility easements;

(e) Utilities: storm drain outlets, utilities within the proposed utility corridor including but not limited to those within Commerce Center Drive Bridge;

(f) Bank Stabilization;

(g) Water Quality basins and associated features;

(h) Neighborhood park; and

(j) Grading

The following is a description of the improvements proposed to be developed within SEA 23 as part of the Mission Village project.

Commerce Center Drive Bridge

The applicant is proposing to construct the Commerce Center Drive Bridge component of the approved Specific Plan, as part of the Mission Village project. Commerce Center Drive Bridge will span the width of the Santa Clara River, equating to a roadway segment of approximately 1,300 feet in length and 120-129 feet in width. Commerce Center Drive, including the bridge crossing, is designated as a major highway, pursuant to the approved Specific Plan and the County Highway Plan.

Commerce Center Drive 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, bike lanes, and a median. Support for the bridge will involve construction of concrete piers and abutments constructed approximately 100 feet on center within the SEA.

Though designed to avoid significant river impacts, the introduction of bridge abutments into the Santa Clara River will disturb the river during construction and will result in some restriction of flows during a capital flood in the immediate vicinity of the abutments, as well as increased velocity of water under the bridge.

Commerce Center Drive

Due to the design of the Commerce Center Drive Bridge over the Santa Clara River, the bridge will end within SEA 23, which will require a portion of Commerce Center Drive to be located within the SEA. The portion of the road that will be located within the SEA is approximately 400 linear feet with a right-of-way of 114 feet.

Trails

The Newhall Ranch Master Trails Plan, Exhibit 2.4-5, 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.

Mission Village proposes several trails, consistent with the approved Specific Plan. A portion of the Santa Clara River Trail, which follows along the north side of the river within the SEA boundary is located within Mission Village. The Santa Clara River Trail will be for riding and hiking purposes, and it will be twelve-sixteen feet in width. Along with the river trail, there will be maintenance access roads on top of the proposed bank lining that will encroach within the SEA boundary. In addition, a local trail that will be a joint Public Works access road, will connect the neighborhood park to an existing dirt road that will be converted into an unimproved trail.

Access roads and public utility easements

It will be necessary for several facilities to be located near the Santa Clara River including water quality basins, buried bank stabilization, storm drain outlets, and the bank liner. There will also need to be access roads and/or public utility easements in order to maintain the facilities. The access roads will connect from the roadways within Mission Village to the corresponding facilities. There are instances where the access road will also be used as trails to join with an existing trail, which will improve trail access and connectivity.

Utilities

The development of Mission Village will require utility extensions. Utilities planned to serve Mission Village may include, but not be limited to, water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics, reclaimed water lines, storm drain pipes, and outlet structures. These utilities will be located within a utility corridor which will run generally along SEA 23. The corridor will stretch from Los Angeles County Sanitation District No. 32, located southwest of the SR 126/I-5 Interchange, to the proposed Newhall Ranch Water Reclamation Plant (WRP) to be located approximately 3 miles west of Mission Village.

Utility lines including potable water, reclaimed water, communications systems ducts, electrical power, natural gas and sanitary sewer lines may also be hung from the Commerce Center Drive Bridge, which crosses the SEA.

Bank Stabilization

The Specific Plan contemplated installation of bank stabilization along the Santa Clara River. The Mission Village development includes limited bank stabilization to protect development from erosion during capital storm events.

In order to reduce scour potential of the bridge, bank stabilization is proposed along the perimeter of the abutments.

Additional bank stabilization along the south side of the Santa Clara River is proposed to protect water quality basins and along the north side of the Santa Clara River for portions of the utility corridor that will be located within SEA 23. Bank stabilization

improvements 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. In addition to the proposed permanent impacts, there may also be temporary impacts into SEA 23 within these areas due to the construction of the bank stabilization.

Water Quality Basins

Four water quality basins are proposed to be constructed within the boundaries of VTTM 61105 along the south side of the Santa Clara River to provide the necessary water quality treatment to the project's stormwater. Three of these water quality basins are located outside of the SEA, however, facilities associated with these water quality basins, including but not limited to, outlet structures/features and access roads, may encroach into the SEA.

One of the water quality basins that proposed is within the boundaries of VTTM 61105 is in the vicinity of the neighborhood park. It is located entirely within SEA 23 and 6.1 acres of SEA 23 will be impacted by its development.

A water quality basin covering approximately 9 acres in size is proposed outside the boundaries of VTTM 61105 that will be constructed as part of Mission Village and is depicted as on off-site improvement on the tentative map. This off-site basin is located outside SEA 23. However, facilities associated with this basin such as outlet structures/features and access roads, may result in minor encroachment (.1 acre) into the SEA, resulting in minimal impact.

Neighborhood Park

The Newhall Ranch Specific Plan was approved with a neighborhood park depicted partially within SEA 23. Per the Specific Plan, a neighborhood park would include any of the following typical uses: irrigated turf, parking, restrooms, tot lot, water fountain, basketball or tennis court, trash bin, office, lights and landscaping. The specific amenities to be developed in the park will be consistent with those described in the Specific Plan.

As depicted on the tentative map, approximately two acres of the northerly portion of the five acre park will be located in the SEA. The park site's existing topography will be altered in order to provide sufficient usable area. A portion of this area will be filled to elevate it by approximately 100 feet in height to match adjacent elevations.

Grading

Grading of the project site to accommodate the aforementioned improvements will be necessary and grading operations will encroach into SEA 23. The Specific Plan and CUP 94-087-(5) indicated that grading and construction operations related to the

improvements would be necessary, but details on the grading was not described as it was not known at the time of approval.

VTTM 61105 depicts the grading which has been determined to be needed to develop project improvements. Total grading within the SEA for the necessary on-site and off-site project improvements are summarized in the below table:

Improvement	Scope of Grading Within the SEA (approximate acreage)
Commerce Center Drive Bridge	6.2
Commerce Center Drive	2.8
Neighborhood Park	2.2
Water Quality Basins (WQB)	6.1
Sloped Area between Park and WQB	4.0
Basin Outlet	0.3
Utility Corridor	18.3
TOTAL	**39.9**

Grading operations will result in both temporary and permanent impacts.

CONDITIONAL USE PERMIT

BURDEN OF PROOF

Conditional Use Permit 94-087-(5), approved on May 27, 2003, by the Los Angeles County Board of Supervisors found that development proposed by the Newhall Ranch Specific Plan within Significant Ecological Area (SEA) 23 met the County's requirements for issuance of a conditional use permit. Therefore, substantiation of the below facts will describe how the Mission Village development is consistent with the approved Newhall Ranch Specific Plan and CUP No. 94-087-(5).

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 development of Mission Village within portions of SEA 23 will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The improvements to be constructed within the SEA will allow for development of a fully functional community, which will benefit the future residents of Mission Village, as well as residents of and visitors to the surrounding area. Additionally, development within SEA 23 will be consistent with the approved Specific Plan and the previously approved CUP 94-087-(5).

As part of the Mission Village development, the Commerce Center Drive Bridge component of the approved Specific Plan will be constructed. By allowing construction of the Commerce Center Drive 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. The Commerce Center Drive Bridge will provide the necessary connection to SR-126 and direct access to the business park uses north of SR-126 providing 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 Specific Plan land uses have been designed using a village concept, with higher intensity uses clustered into village centers. Mission Village follows this same pattern with the Village Center consisting of a variety of residential, commercial and resident serving uses within a compact, pedestrian-friendly area. This type of land use arrangement promotes the reduction of vehicle miles traveled by permitting more people to live near shopping, services and recreation. The Commerce Center Drive bridge crossing would significantly reduce the travel distances between Mission Village and the other commercial uses (e.g., Valencia Commerce Center) north of the river.

A portion of Mission 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 this 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 Mission Village in less sensitive areas (e.g., avoiding spineflower habitat), the proposed development also will avoid or minimize impacts on sensitive habitat associated with the river than would occur under a lower density development alternative. It also prevents the fragmentation of wildlife habitat, reduces stormwater runoff, and conserves open space areas.

The Mission 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 Specific Plan Mitigation Measure SP 4.6-17 in that it has been designed to avoid impacts to existing native riparian habitat, including SEA 23, especially habitat areas known to support sensitive species; avoids conflicts with vehicles; and is consistent with existing trail alignments in the Santa Clarita Valley. Additionally, access to the River Corridor SMA/SEA 23 designated trail system will be limited to day time use, and signs indicating no pets of any kind (with the exception of equestrian use on certain trails) will be posted.

The Mission Village development will include installation of water quality basins, storm drain outlets and utilities (collectively, public improvements). These proposed public 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 Mission Village development by providing flood protection, improved water quality, and necessary utilities.

2. *Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or*

The development of Mission Village within portions of SEA 23 will not be materially detrimental to the use, enjoyment or valuation of property or persons located in the vicinity of the project site. The proposed development and associated improvements would be located on the property of the project proponent, Newhall Land and Farming Company. There are no residential uses located in proximity to the proposed development with the exception of the residents located to the south in the Westridge development.

Additionally, development within SEA 23 will be consistent with the approved Specific Plan and the previously approved CUP 94-087-(5). As the Board of Supervisors found in approving the Specific Plan and CUP 94-087-(5), only a small percentage of the SEA would be impacted by the development of the Specific Plan, including Mission Village. The preservation of the SEA and its significant resources will potentially allow for increased valuation of surrounding property. The multi-purpose trails, a portion of which will be located within the SEA will allow residents to enjoy Newhall Ranch's topographic variety, mountain ranges, open vistas, and valleys. Future residents will have the opportunity to use the proposed community park which will provide recreational opportunities.

3 *Jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and*

The development of Mission Village within portions of SEA 23 will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.

Development within SEA 23 will be consistent with the approved Specific Plan and the previously approved CUP 94-087-(5). Grading and construction activities within the SEA, and over the entire project site, will be in conformance with County design standards, safety regulations, environmental monitoring requirements and the provisions of the Newhall Ranch Specific Plan. Such standards will ensure that development protects public health, safety and general welfare.

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 development of Mission Village within portions of SEA 23 will not affect the fact that the proposed site is adequate in size and shape to accommodate the applicable

development features. Additionally, development within SEA 23 will be consistent with the approved Specific Plan and the previously approved CUP 94-087-(5).

Section 3.4 of the Specific Plan provides Development Regulation and Sections 4.1 through 4.6 contain Design Guidelines. The development depicted on the tentative tract map and Exhibit A, as well as any future revisions, will comply with these provisions. Each lot will be reviewed to ensure it is adequate to accommodate any required yards, walls, fences, parking, landscaping and other development features. Development in the vicinity of SEA 23 will be reviewed to ensure conformance with applicable development standards and with any mitigation measures imposed through the environmental review process.

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 development of Mission Village within portions of SEA 23 will further facilitate a circulation system with the capacity to carry the type traffic the project would generate.

The Commerce Center Drive Bridge and a portion of Commerce Center Drive will be located within SEA 23. This roadway is an integral component of an overall circulation system. It will be designed to meet Department of Public Works standards and include curbs, gutters, sidewalks, bike lanes, and a median.

Consistent with the Specific Plan, Mission Village 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 Mission 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 and providing opportunities for using alternative modes of transportation while providing an aesthetically pleasing environment.

2. *By other public or private service facilities as are required.*

The development of Mission Village within portions of SEA 23 will not adversely affect the adequacy of available public or private service facilities.

In approving the Newhall Ranch Specific Plan and CUP 94-087-(5), the County's Board of Supervisors 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. At the project level, as part of the Mission Village development, the applicant has verified that capacity is available for all appropriate public and/or private service facilities to meet the needs of the proposed project. Any deficiencies identified will be mitigated as part of project approval. Therefore, Mission Village will be adequately

served by all required public and/or private service facilities through implementation of the conditions of approval.

ADDITIONAL BURDEN OF PROOF FOR SEA FINDINGS SECTION 22.56.215 F.2

In approving the Newhall Ranch Specific Plan and Conditional Use Permit 94-087-(5) on May 27, 2003, the Los Angeles County Board of Supervisors found that development proposed by the Newhall Ranch Specific Plan within Significant Ecological Area (SEA) 23 conformed with the County's "design compatibility criteria" for such development. Therefore, substantiation of the below facts will describe how the Mission Village development is consistent with the approved Newhall Ranch Specific Plan and CUP No. 94-087-(5).

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.**

   The development of Mission Village within portions of SEA 23 will result in the vast majority of SEA 23 left in a natural state designed to be highly compatible with biological resources and consistent with the provisions of the Specific Plan and CUP 94-087-(5).

   Development proposed for Mission Village is consistent with the provisions of the Newhall Ranch Specific Plan. The Specific Plan's Land Use Plan depicted five villages, and the Mission Village project is a portion of the Mesas Village, as shown on the Specific Plan Land Use Plan. Conditional Use Permit 94-087-(5) described the future Specific Plan components authorized for development within the SEA, which included the following components within Mission Village:

   (a) Commerce Center Drive Bridge;

   (b) Commerce Center Drive;

   (c) River trail;

   (d) Access roads and public utility easements

   (e) Utilities: storm drain outlets, utilities within the proposed utility corridor and including but not limited to utilities within Commerce Center Drive Bridge;

   (f) Bank stabilization;

   (g) Water Quality basins and associated features;

(h) Neighborhood park; and

(i) Grading

Within the boundaries of VTTM 61105 there is a total of 1,261.8 acres. 237.5 of those acres within the tentative tract map boundaries are within SEA 23. Approximately 21.5 acres of the 237.5 acres will be impacted. Additional areas outside the boundaries of the tentative map are included within the project where associated off-site improvements are proposed. Approximately 18.4 acres within these off-site areas and within SEA 23 will be impacted by the development of the project. Thus, the vast majority of SEA 23 will be left in a natural state designed to be highly compatible with biological resources and consistent with the provisions of the Specific Plan and CUP 94-087-(5).

2. **That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state.**

The development of Mission Village within portions of SEA 23 would maintain water bodies consistent with the approved Specific Plan and CUP 94-087-(5). As contemplated by the approved Specific Plan, Commerce Center Drive Bridge will require the placement of abutments and piers in the river area; however, the effect of each bridge crossing, including Commerce Center Drive Bridge, was thoroughly assessed in the Newhall Ranch Final Additional Analysis, Section 2.3, Floodplain Modifications. The Draft EIR prepared for Mission Village has included additional environmental analysis of the bridge abutments and piers to assess impacts, if any, to the river corridor.

As contemplated by the approved Specific Plan, the Mission Village development will include bank stabilization, but only where necessary to protect development from erosion. Bank stabilization is proposed to be buried bank stabilization 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. Limited impact to the Santa Clara River will occur as a result of these improvements.

3. **That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state.**

Consistent with the approved Specific Plan, animal migratory paths within the SEA 23 will be left mostly undisturbed. The exception will be at the Commerce Center Drive 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 Mission Village development with mitigation measures imposed as appropriate.

Other proposed development within SEA 23 – (river trail, storm drain outlets, utility lines, Commerce Center Drive Bridge, bank stabilization and water quality basins) – 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.**

Consistent with the approved Specific Plan, the requested development within Mission Village will retain sufficient natural vegetative cover and/or open space areas to complement SEA 23. The Specific Plan requires a minimum 100-foot buffer adjacent to the Santa Clara River between the top of the bank stabilization and development within the Residential Low Medium, Residential Medium, Mixed Use, and Business Park uses, unless otherwise approved by the Planning Director. Uses within the buffer area are limited to public infrastructure, abutments, trails and parks.

With respect to infrastructure development, as proposed, the Mission Village tract map includes the installation of bank protection at the Commerce Center Drive Bridge, along the water quality basin at San Jose Flats (an existing agricultural field), and at the mouth of Lion Canyon to protect proposed drainage facilities. The bank protection at the water quality basin location is to protect the water quality basin and would be located down slope from the neighborhood park, outside SEA 23. The closest residential use is approximately 400 feet away with approximately 120 feet of vertical separation. The proposed bank protection at Lion Canyon is to protect the water quality and drainage improvements at the mouth of Lion Canyon and also would be located outside SEA 23. The closest residential use is approximately 250 feet away with a 120 foot vertical separation.

The remaining development areas of the tract map are set back from the riparian sensitive habitat horizontally approximately 100 feet and, in some cases, up to 800 feet. In addition, due to the topographic nature of the site, vertical separations up to 160 feet will occur, further protecting sensitive habitat along SEA 23.

The offsite development proposed as part of the Mission Village project located near or within the SEA 23 is for public infrastructure use and no residential or commercial development associated with Mission Village is proposed near these infrastructure improvements.

Furthermore, where appropriate, the vegetation within portions of the setback or buffer zone may 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.**

   Consistent with the approved Specific Plan, the Mission Village development will implement several buffer measures to protect significant habitat within the SEA 23. Implementation of the measures described in the Specific Plan will be implemented by conditions of approval imposed through the subdivision approval process, including the EIR Mitigation Monitoring Program. In order to preclude access into the SEA from the residential areas, the rear yards of all the residential lots within the vicinity of the SEA will be required to be fenced. In addition, the trails near the SEA will include post and cable fencing with signs prohibiting access to the area. Furthermore, 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 assessed during the environmental review process for the Mission 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.**

   Consistent with the approved Specific Plan, Mission Village's roads and utilities have been designed and located so as not to conflict with critical resources, habitat areas or migratory paths. The vast majority of roadways and utilities serving Mission Village are removed far to the south of SEA 23 and will have 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 Mission Village development, the Commerce Center Drive Bridge crossing will be implemented. All other roads within the Mission Village development are either internal to the project or extend to the west and east far from SEA 23.

CONDITIONAL USE PERMIT

BURDEN OF PROOF FOR SECOND UNITS

Associated with VTTM No. 61105 (Mission Village)

Background

The proposed project, Mission Village, is a master planned community consisting of single-family and multi-family residences, totaling 4,412 units with up to an additional 73 second units, along with commercial mixed-use areas, including a pedestrian friendly village center, an elementary school, library, fire station, parks and recreation areas, significant areas of open space, a spineflower preserve, and a trail system.

Second Units

Second units are being proposed on 73 lots in the Low Density Residential ("L") land use designation, shown as lots 279-351 on Tentative Tract Map 61105. These lots average 1 acre in size. Pursuant to Section 3.9 of the Newhall Ranch Specific Plan, second units can be authorized by approval of a Conditional Use Permit.

Approval of a Conditional Use Permit requires substantiation of the following facts:

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 73 second units will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The 73 proposed second units will provide a more affordable housing alternative for caretakers, extended family, senior residents, and other renting households. The second units could not be sold separately, nor may the underlying residential lot be subdivided. The second units would be required to comply with the same development requirements as the primary residence and, therefore, will integrate with the primary residence on the property and will be designed to adhere to the maximum size authorized by the Specific Plan. Additionally, the second units will be limited to a maximum living area of 800 square feet and shall be regulated to meet main building setbacks, standard height limits, lot coverage, floor area ration, and other applicable requirements. The 73 proposed second units are consistent with the maximum of 122

second units authorized by the Newhall Ranch Specific Plan within the "L" land use designation of The Mesas, as shown in Table 5.4-1 of the Specific Plan.

Because the second units would be required to comply with the same development requirements as the primary residence and must integrate with the primary residence, and because the units could not be sold separately from the primary residence, the second units would not be materially detrimental to the use, enjoyment, or valuation of the property of other persons located in the vicinity, nor would they constitute a menace to the public health, safety or general welfare.

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.

Vesting Tentative Tract Map 61105 depicts required yards, walls, fences, parking, landscaping and other development features to demonstrate compliance with the requirements of the Newhall Ranch Specific Plan and, where applicable, Title 22. The building pad for each lot where a second unit is proposed is adequate in size and shape and the specific location of future buildings will be reviewed prior to issuance of building permits. Second units will comply with all required development standards. Pursuant to Section 3.9(2) (b) of the Newhall Ranch Specific Plan, second units will be limited to a maximum living area of 800 square feet and shall be regulated to meet main building setbacks, standard height limits, lot coverage, floor area ratio, and other applicable requirements.

VTTM 61105 has been reviewed by the Los Angeles County Subdivision Committee and conditions of approval will be established for the subdivision which will be reviewed and considered by the Regional Planning Commission prior to approval. The proposed project will be developed in conformance with all applicable County Codes including, but not limited to, the Subdivision Code, Grading Code, and Building Code. The Environmental Impact Report (EIR) for the project will include mitigation measures which may apply to development standards and the project will be conditioned to comply with those 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 Mobility Plan (Section 2.4) of the Newhall Ranch Specific Plan provides for a hierarchy of highways and streets that will provide a safe and efficient circulation system for Mission Village as well as its neighboring communities. The residential communities will be directly served by a roadway system consisting of public streets and private streets and drives. The 73 second units, proposed on lots 279-351, will be served by a series of private streets and drives of 40' to 60' in width, more than adequate to carry the traffic generated.

The highway and street widths and standards have been reviewed by County staff to ensure compatibility with applicable access criteria, and the project will be conditioned to comply with the approved traffic study, which was completed using the methodology and standards specified by County staff and utilizing the County approved Santa Clarita Valley Consolidated Traffic Model. The traffic study for the project will be incorporated into the EIR and the project would be required to conform to all conditions of approval for VTTM 61105, as well as all mitigation measures adopted by the County. Any other public facilities which are necessary to serve the proposed second units will be incorporated as required.

CONDITIONAL USE PERMIT

BURDEN OF PROOF FOR CONTINUED CARE RETIREMENT COMMUNITY

Associated with Vesting Tentative Tract Map (VTTM) No. 61105

(Mission Village)

Background

The proposed project, Mission Village, is a master planned community consisting of single-family and multi-family residences, totaling 4,412 residential units, along with commercial mixed-use areas, including a pedestrian friendly Village Center, an elementary school, library, fire station, parks and recreation areas, significant areas of open space, a spineflower preserve, and a trail system.

Continued Care Retirement Community

A total of 351 of the overall 4,412 residential units within Mission Village are proposed to be provided within a Continued Care Retirement Community (CCRC), which is depicted on lot 528 of Vesting Tentative Tract Map (VTTM) 61105. The CCRC would be located within the mixed use Village Center portion of the project. The Exhibit Map for VTTM 61105, which provides a conceptual design for the CCRC, notes that lot 528 will contain 351 units within 3 & 4 story buildings with a mix of units designated for independent living and for assisted living. The CCRC units may be made available on a for sale or rental basis. A total of 244 parking spaces are provided to serve the CCRC.

In the event future changes in the design of the CCRC from the conceptual plans depicted on VTTM 61105 are necessary, such requests will be reviewed and approved by staff through either the Revised Exhibit A or Exhibit Map procedure. The determination as to the number of for sale units will also be established through the Exhibit Map procedure. Additionally, if the project applicant is unable to reach agreement with a builder/operator for the facility, the CCRC tract map site could be modified to a multi-family development with a maximum of 351 dwelling units. Such a proposal would require that the applicant show that the site can accommodate the applicable development standards, including parking requirements, for residential units.

The Permitted Uses Matrix in Section 3.4 of the Newhall Ranch Specific Plan lists Residential Care Facilities such as the CCRC as requiring a conditional use permit within all land use designations. Approval of a Conditional Use Permit requires substantiation of the following facts:

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 CCRC will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The CCRC is a proposed residential senior community designed to provide its residents with the opportunity for "aging in place" within a familiar community. The CCRC is anticipated to contain a mixture of independent units, assisted living units, and other supportive living opportunities, thereby providing a variety of living options to its residents. The CCRC will be developed in conformance with all applicable County and Specific Plan development guidelines and standards. The CCRC will not be materially detrimental to the property of others in the vicinity as it has been designed and integrated as part of the mixed use Village Center neighborhood. The CCRC will not jeopardize public health, safety or general welfare but will instead provide residential options for aging residents in a well designed facility with necessary amenities and services.

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.

VTTM 61105 Lot 528 is adequate in size and shape to accommodate the proposed CCRC facility as depicted on the tentative map, and it has been designed to integrate into the Village Center area of the Mission Village community. Specific to parking, the Exhibit Map for VTTM 61105 depicts a conceptual CCRC, including driveways throughout the development to accommodate the required amount of parking, which has been established based on the parking standards found in Section 3.7 of the Newhall Ranch Specific Plan. As depicted on the Exhibit Map, parking is provided at 1 space for each one bedroom independent unit and .3 spaces per unit for the assisted living units.

The tentative map and its exhibit map have been reviewed by the Los Angeles County Subdivision Committee and conditions of approval will be established for the subdivision which will be reviewed and considered by the Regional Planning Commission prior to approval. Any future changes in the design of the CCRC relative to VTTM 61105, if necessary, will be reviewed and approved by staff through either the Revised Exhibit A or Exhibit Map procedure. If the project applicant is not able to reach agreement with a builder/operator for the facility, the CCRC tract map site could be modified to a multi-family development, with a maximum of 351 dwelling units. Such a proposal would require that the applicant

show that the site can accommodate the applicable development standards, including parking requirements, for residential units.

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 Mission Village circulation plan has been designed to provide roadways of sufficient width to carry the quantity of traffic that would be generated by the proposed project, including CCRC traffic. Mission Village will include a hierarchy of streets to serve its proposed neighborhoods. The CCRC is located adjacent to Commerce Center Drive and will be served by driveways from proposed streets and private drives with right-of-way widths of 64 feet to 84 feet.

The street widths and standards have been reviewed by County staff to ensure compatibility with applicable access criteria, and the project will be conditioned to comply with the approved traffic study. All other public facilities necessary to serve the proposed CCRC will be provided as required by the project's conditions of approval, including compliance with the mitigation monitoring program (MMP) adopted as part of the project approvals.

CONDITIONAL USE PERMIT

BURDEN OF PROOF
FOR
WATER TANKS
AND
ON-SITE PROJECT INFRASTRUCTURE
Associated with Vesting Tentative Tract Map (VTTM) 61105
(Mission Village)

The proposed project, Mission Village, is a master planned community consisting of single-family and multi-family residences, totaling 4,412 units, along with commercial mixed-use areas, including a pedestrian friendly Village Center, a fire station, a library, an elementary school, and significant areas of open space, including parks and recreation areas, a spineflower preserve, and a trail system on 1261+/- acres. The project is depicted on Vesting Tentative Tract Map (VTTM) 61105.

VTTM 61105 depicts the proposed infrastructure necessary to develop Mission Village. This infrastructure includes roadways; a sanitary sewer system, including pump stations; a water system, including water tanks and booster pump stations; and other utilities typical to a mixed-use development. The proposed infrastructure is described in detail in the Mission Village Draft Environmental Impact Report (EIR).

Specific to the water tanks, two new water tanks, one 4 million gallons in size for potable water and the other a 3 million gallon tank for reclaimed water, are depicted on VTTM 61105, located partially within the boundaries of the tentative map and the Newhall Ranch Specific Plan, and partially off-site within VTTM 61996. A third new water tank, 4 million gallons in size for potable water, will be located on an existing pad within the Westridge community.

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

The proposed project infrastructure, including the water tanks, will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

The on-site project infrastructure would be typical of infrastructure serving mixed-use developments of this nature in the region. The proposed utilities will connect to existing facilities to provide for an integrated infrastructure system serving existing and future residents. Accessory features associated with the utility systems, such as

sewer pump stations, will allow for proper functioning of the system. A fully operational utility system will affect the residents in the surrounding area in a positive manner. Additionally, certain infrastructure components would provide benefits to persons residing or working in the surrounding area, such as the roadway infrastructure, which would facilitate travel in the project vicinity.

Specific to the water tanks, the potable water tanks proposed to be developed with the Mission Village project will service residents with safe quality drinking water. The reclaimed water tanks will significantly contribute to water conservation by offering treated water for irrigation and other approved uses.

2) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site

Project associated infrastructure will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

As previously discussed, the development of necessary utilities on the project site will provide a benefit to both future residents of Mission Village, as well as other persons located in the vicinity of the project site.

As to the water tanks, the water tank sites depicted on VTTM 61105 have been strategically selected to consider a natural elevation that would provide adequate water service in an efficient manner as well to as minimize any possible negative aesthetic impact on the community.

The proposed potable water tank to be located within Westridge will be placed on a graded pad with previously established plumbing infrastructure, adjacent to existing water tanks. The existing tank location has been operating with no detrimental effect on surrounding properties.

3) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The project infrastructure will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

As previously discussed, the proposed project infrastructure, including the water tanks, would provide the future residents of Mission Village with necessary utilities and would benefit not only the project but the surrounding vicinity as well.

VTTM 61105 has been thoroughly reviewed by the Los Angeles County Subdivision Committee, and conditions of approval will be established for the subdivision, which will be reviewed and considered by the Regional Planning Commission prior to project approval. The County's Department of Public Works, Department of Health Services, and Fire Department will ensure the infrastructure improvements are

designed so that there will be no danger to public health, safety or general welfare. Additionally, the proposed project will be developed in conformance with all applicable County Codes including, but not limited to, the Subdivision Code, Grading Code, and Building Code. The EIR for the project will include mitigation measures relating to development standards and the project will be conditioned to comply with those mitigation measures.

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 proposed site is adequate in size and shape to accommodate the proposed infrastructure in order to integrate the uses into the surrounding area.

The project infrastructure has been designed in compliance with the development standards of the Specific Plan, applicable provisions of Title 22, and with other applicable County Codes and Regulations. The specific lots designated for the proposed water tanks are adequate in size and shape to accommodate the required development features. The lots for the tanks that would be partially located within the boundaries of the tentative map and the Newhall Ranch Specific Plan, and partially off-site within VTTM 61996, will require grading activities, as indicated on the tentative map. The tanks will require no parking or loading spaces, although there will be vehicular access to the tanks in the event any future maintenance might be required. The above described water tank site is designed to be shielded from view by a landscaped berm to provide for visual integration with the surrounding area. As previously noted, the proposed tank to be located within Westridge would be adjacent to existing water tanks and, therefore, would be visually integrated into the surrounding area.

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 proposed project site would be adequately served by streets and highways, and other necessary service facilities.

As depicted on VTTM 61105, Mission Village will be a fully functioning community providing all necessary infrastructure including roadways, utilities and other required public and private facilities.

A hierarchy of public and private streets and drives is proposed providing internal circulation as well as connection to the surrounding community. Highway and street widths and standards have been reviewed by the County's Subdivision Committee and

conditions requiring construction to applicable standards will be part of the project approval.

Public utilities include a sanitary sewer system, a water system for provision of both potable and reclaimed water, electricity, gas, telephone and cable television. These utilities have been designed to adequately serve the proposed project and to allow for integration with future neighborhoods. Conditions to ensure proper development of the required utility services will be incorporated into the project approval.

CONDITIONAL USE PERMIT 200500081

BURDEN OF PROOF
FOR OFF-SITE GRADING AND IMPROVEMENTS FOR THE MAGIC MOUNTAIN PARKWAY, COMMERCE CENTER DRIVE AND WESTRIDGE PARKWAY EXTENSIONS, UTILITY CORRIDOR, WATER TANKS, WATER QUALITY BASIN, DEBRIS BASIN, ELECTRICAL SUBSTATION AND LION CANYON DRAINAGE
Associated with VTTM NO. 61105 (Mission Village)

Background

Mission Village, located in the eastern portions of The Mesas Village of the Newhall Ranch Specific Plan, is a proposed pedestrian oriented master planned community containing 4,412 dwelling units in various densities, 1,555,100 square feet of mixed commercial uses, library, elementary school, fire station and significant areas of open space including parks and recreation areas, a spineflower preserve.

To implement the development of Mission Village, it will be necessary to provide public infrastructure including roadway improvements, a utility corridor, three water tanks, a water tank conversion, a regional water quality basin, two debris basins, an electrical substation work associated with the Lion Canyon drainage and miscellaneous grading to tie proposed grades into natural grades, As these project improvements will require grading outside the boundaries of Vesting Tentative Tract Map 61105 and outside the boundaries of the Newhall Ranch Specific Plan this Conditional Use Permit is requested.

Roadway Improvements

As shown on VTTM 61105, Commerce Center Drive will extend through the Mission Village community and connect to Magic Mountain Parkway. Westridge Parkway will extend northerly to Magic Mountain Parkway and Magic Mountain Parkway will be extended from its existing terminus westward to and through the project site. The proposed extensions will be consistent with the Mission Village Circulation Plan, the Newhall Ranch Specific Plan, and the goals and objectives of the Los Angeles County Master Plan of Highways.

Portions of the extension of Magic Mountain Parkway would extend beyond the boundaries of VTTM 61105. Approximately 4,700 lineal feet of the proposed extension of Magic Mountain Parkway would be outside the tract boundary. The proposed off-site grading for the Magic Mountain Parkway extension will require approximately 900,000 cubic yards (cys) of cut and 500,000 cys of fill. Therefore, 400,000 cubic yards would be transported from the off-site location for use within the Mission Village site.

The northerly extension of Westridge Parkway and the southerly extension of Commerce Center Drive also will require some offsite grading.

Water Tanks

The proposed grading operations associated with the construction of a graded pad for placement of two water tanks (potable and reclaimed) located along the southern boundary of VTTM 61105 partially within the tract boundaries and partially off-site within the boundaries of Vesting Tentative Tract Map 61996, and outside the boundaries of the Newhall Ranch Specific Plan. The potable water tank would be a 4 million gallon tank and the reclaimed water tank a 2.5 million gallon tank. In addition to these proposed water tanks, another potable tank is proposed at the existing Westridge tank site located along the existing Westridge Parkway and an existing off-site 3.3 million gallon potable water tank, the Round Mountain tank, will be converted to reclaimed water..

Water Quality Basin

The proposed off-site water quality basin would serve to improve the water quality of urban run-off. The proposed water quality basin is to be located directly north of the Mission Village tract map site, just south of the Santa Clara River and west of the Six Flags Magic Mountain parking lot, on an approximately 2.5 acre lot under Newhall Land ownership.

Debris Basin

Two off-site debris basins are proposed to be constructed along the southerly tract boundary within the boundaries of Tentative Tract Map 61996.

Electrical Substation

An electrical substation may be necessary to serve the area and two possible locations are proposed. The first alternative site is located almost entirely within the Portrero Valley portion of the Specific Plan, with a portion encroaching into the Legacy Village project (VTTM 061996). A total of 158,000 cys of cut and 45,000 cys of fill would be necessary if this location is chosen. The excess dirt would be placed in the existing agricultural fields in Portero Valley.

The second alternative site is located easterly of the first and is partially within the Portrero Valley portion of the Specific Plan and partially within the Legacy Village project site, outside the boundaries of the Newhall Ranch Specific Plan. Proposed grading for this alternative would be 372,000 cys of cut and 107,000 cys of fill. The excess dirt would be placed in the existing agricultural fields in Portero Valley.

Utility Corridor

The development of Mission Village will require utility extensions. Utilities planned to serve the Mission Village project may include, but not be limited to, water, sanitary sewer, gravity sewer, force main, irrigation, cable, gas, fiber optics, reclaimed water lines, storm drain pipes, and outlet structures. Facilities for the transmission of these utilities would be located partially in an off-site utility corridor.

The off-site utility corridor will include utility infrastructure to serve the Mission Village project and, ultimately, future Newhall Ranch development. The corridor will include both new utility facilities, as well as relocated existing facilities. The corridor utilities will include a gravity sewer and pressure sewer force main, and pipelines for potable water, recycled water, agricultural water, electrical power, telephone, cable television, and natural gas.

The utility corridor alignment generally runs east/west approximately 2.5 miles along SR-126 to the I-5, where the alignment turns to the south. The corridor alignment begins from the west at the proposed Newhall Ranch Water Reclamation Plant (NRWRP) near the Los Angeles/Ventura County line. The corridor generally would be located on the south side of SR-126 and would extend easterly, crossing under Martinez Grande Creek and Chiquito Canyon Creek, through the Newhall Ranch Landmark Village (VTTM 53108) tract map site. From the Landmark Village site, the gravity sewer and force main would extend east by crossing under Castaic Creek south of SR-126. The potable and recycled water lines and the agricultural water lines would cross SR-126 to the north before crossing under Castaic Creek north of SR-126.

After crossing under Castaic Creek, the utility corridor would continue easterly, along either Hancock Parkway on the north side of SR-126 or along the south side of SR-126 adjacent to Travel Village, until the intersection of Commerce Center Drive and Henry Mayo Drive at the east end of Travel Village. At that point, the utility corridor would extend easterly along Henry Mayo Drive to The Old Road, and then continue south in The Old Road towards Magic Mountain Parkway, veering off to the southeast north of Feed Mill Road. The wastewater lines would terminate at the existing Valencia Water Reclamation Plant #32 near the intersection of The Old Road and Rye Canyon Road. At this point, the recycled water main would continue south and east along the north bank of the Santa Clara River until it turns uphill (north) and connects to the existing Round Mountain potable water tank, which would be converted to a recycled water tank as part of this project.

Existing utilities located near the post office in Franklin Parkway would be extended for utility service to the NRWRP. Electric power, telephone, cable television, and water would be extended in Franklin Parkway and Wolcott Way and would be brought across SR-126 to the utility corridor from the existing terminus of these utilities near the post office site located approximately 3,500 feet east of Wolcott Way.

Various utilities, including potable water, recycled water, well and pipeline, gravity sewer, gas, electrical power, telephone, storm drain and debris basins and cable television, also would extend from the utility corridor north across SR-126 at Chiquito Canyon Road and

at San Martinez Grande Canyon Road to serve Newhall Ranch development on the north side of SR-126.

Grading for the proposed utility corridor would be a balanced operation and totals 618,000 cys of cut and 618,000 cys of fill over approximately 156 acres.

Lion Canyon Drainage and Miscellaneous Grading

Development of Mission Village will involve the stabilization of the Lion Canyon drainage which will involve the construction of drainage treatment improvements, including grade stabilization measures to maintain sediment equilibrium and protect the channel bed and banks from hydromodification impacts. Some of these drainage treatment improvements may involve grading and construction of improvements outside the tract boundary.

In addition, a limited amount of off-site grading will also be conducted along the tract boundary edges in order to tie into natural grades.

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.

The off-site grading that will be necessary for the construction of utility and roadway improvements will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. These improvements will allow for development of a fully functional community, which will benefit the future residents of Mission Village as well as residents and visitors to the surrounding area.

The extensions of Magic Mountain Parkway, Commerce Center Drive, and Westridge Parkway will provide improved circulation and access. Potable and reclaimed water tanks will serve the Mission Village project and Newhall Ranch property in the vicinity. The water quality basin will address the urban run-off into the Santa Clara River and will allow for maintenance of a natural ecosystem along the river corridor. The utility corridor and electrical substation will serve the Mission Village project and Newhall Ranch as well as providing regional benefits. Operationally, any potential adverse effects that could arise from the proposed off-site grading will be addressed by the project's conditions of approval including any environmental impact report (EIR) mitigation measures.

2. Be materially detrimental to the use, enjoyment or valuation of property of others persons located in the vicinity of the site.

The proposed grading and associated improvements would be located primarily on the property of the project proponent, Newhall Land and Farming Company, with the

exception of those improvements located on the proposed Legacy Village site. There are no residential uses located in close proximity to the proposed grading with the exception of the residents located to the south in the Westridge development. However, the grading operations will be temporary in nature and are not expected to be materially detrimental to the use, enjoyment or valuation of property in the vicinity. Potential noise and traffic impacts will be addressed in the Mission Village EIR and measures will be proposed to mitigate these impacts.

3. **Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The proposed grading operations for off-site improvements necessary to development of Mission Village will not jeopardize, endanger or constitute a menace to the community. The proposed grading operations will be reviewed as part of VTTM No. 61105 and approval of the tentative map will be conditioned to ensure grading will be done in conformance with all applicable County Codes and the recommendations and design requirements of the projects geotechnical report. Appropriate mitigation measures to address potential impacts relating to aesthetics, noise, air quality (fugitive dust), re-compaction and stabilization will be imposed 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 proposed off-site grading will allow for construction of the proposed improvements on lots of adequate size and shape to accommodate any development features which are required. Any conditions of approval or mitigation measures which include standards for fencing, landscaping or other features will be complied with as required.

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.**

Grading operations associated with the off-site improvements would not negatively impact existing highways or streets. The proposed grading sites are located either partly within the proposed Mission Village project or directly adjacent to the project site so roadways will not be impacted by any export. Where possible, grading operations are proposed to balance individually. For the electrical substation, both alternatives will require export to a nearby disposal site that would be reached without traveling on existing streets or highways. Grading associated with the extension of Magic Mountain Parkway will require that 400,000 cys of material be exported from the grading site to the Mission Village site with no need to travel on existing streets or highways.

2. By other public or private service facilities as are required.

During grading, all necessary services will be made available to ensure operations run smoothly and any applicable mitigation measures can be complied with. If County regulations or mitigation measures require the provision of temporary services, they will be provided, as needed. 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.

CONDITIONAL USE PERMIT

BURDEN OF PROOF
FOR
ON-SITE GRADING
Associated with Vesting Tentative Tract Map (VTTM) 61105
(Mission Village)

The proposed project, Mission Village, is a master planned community consisting of single-family and multi-family residences, totaling 4,412 units, along with commercial mixed-use areas, including a pedestrian friendly Village Center, a fire station, a library, an elementary school, and significant areas of open space, including parks and recreation areas, a spineflower preserve, and a trail system on 1261+/- acres. The project is depicted on Vesting Tentative Tract Map (VTTM) 61105.

VTTM 61105 notes that a total of approximately 28 million cubic yards of cut and approximately 28.4 million cubic yards of fill will be necessary to develop Mission Village tract map site. Grading has been designed in accordance with the Newhall Ranch Conceptual Grading Plan, and a request for Substantial Conformance Interpretation, in compliance with the provisions of Section 5.2 of the Specific Plan to demonstrate compliance with the Grading and Hillside Management provisions of Specific Plan Section 4.8, has been submitted. The proposed grading will allow for the development described above and depicted on VTTM 61105.

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

The proposed grading operations will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

Because of the location of the project site, there are few nearby occupied properties that would be directly affected by project grading. In any event, any potential adverse effects of the grading operations would be minimized through compliance with restrictions imposed through the mitigation measures outlined in the Mission Village Draft Environmental Impact Report (EIR), and the Los Angeles County Grading Code and Building Code, as each relates to traffic control, noise impacts and dust management.

2) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site

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 proposed site would be adequately served by streets and highways, and other necessary service facilities.

The Mission Village project site is served by existing public roadways which provide access to the property. Grading equipment will be able to access the property from existing public streets; there will be no need for off-site transport of graded materials through the use of public streets. In addition, project grading will allow for the construction of roadways and public and private facilities to serve the proposed project site.

PARKING PERMIT 200500011

FOR THE MISSION VILLAGE PROJECT
BURDEN OF PROOF

Background

Mission Village is 1261± acre site within the Newhall Ranch Specific Plan that includes 4,412 homes that are designed around a pedestrian oriented Village Center that will contain residential uses (condominiums and apartments) that are integrated both horizontally and vertically with commercial uses. The Village Center is envisioned to be the town core for not only Mission Village but for Newhall Ranch as well. The commercial uses in the Village Center are envisioned along a "main street", with angled parking, that will include both retail and office uses. Also included in this Village Center will be the library, village green, community recreation center and a proposed continued care retirement community. All of these uses will be linked together through a series of sidewalks, trails and paseos that connect the Village Center to the rest of Mission Village.

The surrounding uses include: a 20 acre community park, a 5 acre neighborhood park, elementary school, fire station, open space including a spineflower preserve, office uses, and complementary residential uses that will include single-family, multi-family and age qualified units.

Mission Village Vesting Tentative Tract Map 61105 and the accompanying Exhibit Map depict the proposed development and provide detailed information, including conceptual building footprints, setbacks and parking.

Request

As further explained below, this parking permit is requested to allow for off-site and reciprocal parking for lots within the Village Center, and to reserve the right to provide less than the required parking through submittal at a future date of a Joint-Use or Shared Parking Plan.

Although the proposed project will provide adequate parking consistent with the requirements of the Newhall Ranch Specific Plan to serve all proposed uses, not all required parking within the Village Center portion of the project will be located on the same lot as the use it is intended to serve. Instead, the parking may be located off-site, on an adjacent or nearby lot, or on a private drive.

In addition, it is possible that in the future a use may be proposed in a location where the nature of the use makes it appropriate to authorize approval of a joint-use or shared parking plan where a reduction in the aggregate total of required parking spaces for uses

can be permitted. However, at this time, it is impossible to determine precisely how such a shared parking arrangement would work as the specific uses have not been established. Therefore, at such time as specific uses are determined, a Joint-Use or Shared Parking Plan, per the provisions of the Newhall Ranch Specific Plan, would be prepared and submitted.

Therefore, this parking permit is requested to allow for off-site and reciprocal parking for lots 508, 509, 510, 511, 526, 527, 516 and 529 within the Village Center, and to reserve the right to provide less than the required parking through the Joint-Use or Shared Parking Plan provisions of Section 3.7 of the Newhall Ranch Specific Plan.

Substantiation of the following facts is necessary

That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:

The project has been designed to provide parking that will meet the number of spaces required by the Newhall Ranch Specific Plan based on the conceptual uses proposed. The Exhibit Map for VTTM 61105 provides detailed information as to the number and location of parking spaces for these uses. Within the Village Center specifically, parking is provided on-site, on the lots where a particular use is proposed, or off-site on adjacent private drives or convenient adjacent or nearby lots. This area contains residential and commercial uses. The required residential parking is onsite. The required commercial parking is provided either onsite or offsite on adjacent lots or private drives where angled parking is provided so that the available street parking has been increased. The attached Parking Allocation Exhibit shows these locations.

Though as presently designed adequate parking is provided, in the future, uses may be proposed which could result in the requirement for greater parking than can be provided under the present design. If such a use were proposed, the developer at that time could request a reduction in the aggregate total of required parking spaces per the development regulations for joint-use or shared parking in Section 3.7 of the Newhall Ranch Specific Plan. The Specific Plan allows for approval by the Director of Planning, through the Substantial Conformance procedure, of a Parking Plan prepared by a traffic engineer to authorize such parking. A parking demand analysis and a program describing the parking arrangement for the sharing of parking spaces would be prepared and could include requirements for employer based ride-share programs, use of tandem parking spaces, restrictions on time of day operations, construction of a new or enlargement of an existing parking structure, or other parking management ideas which can only be determined at such time as the specific uses and operational characteristics are known.

That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:

At this time, there is no specific request for shared facilities, tandem spaces, compact spaces, or a reduction in parking. If such parking is proposed in the future, the Director

would need to make findings that such an arrangement would not create a negative impact on parking for the surrounding areas or streets, per the provisions of Section 3.7 of the Newhall Ranch Specific Plan.

The off-site reciprocal parking on adjacent streets or on nearby or adjacent lots shown on the VTTM Exhibit Map and detailed on the Parking Allocation Exhibit is not expected to result in conflicts. Although located on adjacent or nearby lots or private drives, the parking facilities will be located convenient to the use they are intended to serve and will be designed in compliance with the requirements of the Specific Plan and Zoning Ordinance, as applicable.

That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking lots will provide the required parking for uses because:

The off-site parking depicted on the Exhibit Map on nearby private drives and on nearby or adjacent lots will provide sufficient parking in convenient locations. The number of spaces, as depicted and described on the Parking Allocation Exhibit, meets the requirements for parking as required by the Newhall Ranch Specific Plan.

That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

The proposed off-site parking arrangements in the Village Center will not result in traffic congestion or unauthorized use of parking intended to serve surrounding property. The Village Center is a pedestrian oriented, mixed-use area that is linked to the rest of Mission Village via sidewalks, paseos and trails, where it is likely that residents will be able to limit use of their vehicles. Angled parking is provided in the portion of Village Center not only to increase the available onsite parking but to enhance the urban feel of the area. This area will also include community serving uses—the recreation center, private park and library. A resident or visitor can park once and access services and uses located within walking distance. For the proposed uses depicted on the tentative tract map and exhibit map, adequate parking is provided either on a nearby lot or private drive. The Parking Allocation Exhibit shows that proposed off-site spaces are conveniently located within the Village Center. The following table presents a summary of the information on parking space location depicted on the Parking Allocation Exhibit.

Lot	Use	Parking Required	Location of Off-Site Parking
508	Mixed-Use Commercial	899 spaces	19 on-street parallel spaces on "FF" Drive
510	Mixed-Use Commercial	418 spaces	4 on-street spaces on "DD" Drive, 24 spaces on "EE" Drive and 11 spaces on "FF" Drive. 272 spaces located in parking structure (PS-2) on lot 509

511	3 & 4 Story Condominium and commercial	721 spaces	56 on-street spaces on "DD" Drive, 24 spaces on "EE" Drive, 23 spaces on "II" Drive
526	Recreation Center	100 spaces	24 spaces on "DD" Drive, 18 spaces on "EE" Drive, 26 spaces on "II" Drive
529	Mixed-Use Commercial	374 spaces	5 on-street spaces on "DD" drive, 75 on-street spaces on "EE" Drive, 210 spaces in parking structure (PS-2) on lot 509

As off-site parking will be located in a convenient location, it is also unlikely that visitor or employees would park in unauthorized areas surrounding the property as there will be sufficient parking to accommodate them in closer proximity.

That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this ordinance.

As depicted on the Exhibit Map for VTTM 61105, each lot has been designed to be adequate in size to meet the development standards required by the Newhall Ranch Specific Plan. Required yards, walls, fences, loading facilities, landscaping and other development features can be accommodated. Parking lots and structures have been designed to comply with parking space sizing requirements and parking lot design standards.

The project applicant has requested the ability to propose modification to the ultimate building type and design through future approval of an amended Exhibit Map. Any future changes to project design will be reviewed by County staff to guarantee conformance with development feature requirements prescribed by the Newhall Ranch Specific Plan, as well as with all conditions of approval.

Oak Tree Permit
Project Description and Burden of Proof
VTTM No. 61105
Easterly Extension of Magic Mountain Parkway

Background

Mission Village is a proposed mixed-use project that would be located on 1,261.8 acres west of Interstate 5 and south of SR-126, within the boundaries of the Newhall Ranch Specific Plan. Mission Village would include a total of 4,412 residential units, including single-and multi-family residences, age-qualified residences, commercial and mixed-use areas, an elementary school, library, fire station, parks and recreation areas, and significant areas of open space, including a spineflower preserve.

In addition to the above uses, the project includes the construction of certain roadways, as depicted on Mission Village VTTM 61105. Specific to this permit, the project proposes to construct the easterly extension of Magic Mountain Parkway, portions of which are located both within the boundaries of VTTM 61105 as well as outside the map boundaries. The proposed off-site portion of Magic Mountain Parkway would extend from the tract map boundaries easterly to connect with the existing terminus of Magic Mountain Parkway near The Old Road. This easterly extension is needed for the development of Mission Village.

Request

This Oak Tree Permit is requested to authorize oak tree impacts associated with construction of the easterly extension of Magic Mountain Parkway. The Oak Tree Report, dated November 2006 by Impact Sciences, Inc., surveyed a total of 63 oak trees. These trees are located in the area of Magic Mountain Parkway and within 200 feet of the proposed grading limit line.

Of the 63 surveyed trees, a total of 13 would be impacted as a result of development of the easterly extension of Magic Mountain Parkway. The remaining 50 trees will be fully protected and no grading will occur within the protected zone of those remaining trees.

The following matrix summarizes the proposed impacts:

Easterly Extension of Magic Mountain Parkway			
	Encroached	Removed	Total
Heritage Oaks	0	3	3
Non-heritage oaks	2	8	60
Total	2	11	63

In support of permit issuance, Section 22.56.2100 of the Los Angeles County Code requires substantiation of the following facts:

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.

The proposed construction of the easterly extension of Magic Mountain Parkway will result in impacts to 13 of the 63 surveyed trees. Of these 13 trees, 11 will be removed (3 heritage trees) and 2 will be encroached upon. The remaining 50 trees will not be impacted; that is, they will not be removed and no encroachment into their protected driplines is necessary. Additionally, protective fencing not less than four feet in height shall be placed at the limits of any individual oak tree or dense stand of oak trees within 200 feet of the protective zone of the remaining trees and shall be inspected by the forester and/or fire warden. To ensure full protection of the health of the 50 remaining trees, no encroachment will occur within their protected zones per §22.56.2060 of Los Angeles County Code.

As noted above, the applicant proposes to encroach within the protected zones of 2 of the 63 surveyed oak trees. The applicant proposes to erect protective fencing along the driplines of these trees to ensure their preservation. Any grading or other construction-related activities to occur within the protected zone of these trees will be done with hand tools only or small hand held power tools and under the close supervision of the project arborist to ensure the well-being of the root systems and other parts of the trees.

Project conditions and mitigation measures include detailed guidelines to limit endangerment to the trees proposed to remain, including those for which encroachment has been authorized.

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 11 oak trees and encroachment within the dripline of 2 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 drainage and water quality plans which are designed to protect development, manage drainage and control pollutant run-off. The features of these plans 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. Additionally, surface water flows associated with construction of the easterly extension of Magic Mountain Parkway will be controlled through drainage controls approved by the Department of Public Works.

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.**

      The easterly extension of Magic Mountain Parkway to connect with the existing terminus of Magic Mountain Parkway near The Old Road is necessary to allow for the development of Mission Village as authorized by the Newhall Ranch Specific Plan. The alignment of Magic Mountain Parkway has been previously established and realignment of the road is not feasible.

   b. **Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized.**

      The 13 oak trees that would be impacted by the easterly extension of Magic Mountain Parkway are located in areas of the property where their continued existence would preclude the extension of this roadway, a designated major highway, which is necessary to establish an adequate circulation system to serve existing and future development, including the Newhall Ranch Specific Plan.

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).**

   The 11 trees proposed for removal are located within the route of the proposed extension of Magic Mountain Parkway, a county designated master plan highway. Necessary design criteria and existing improvements limit the flexibility of the proposed alignment. However, the proposed alignment is the most practical alignment of the proposed extension of Magic Mountain Parkway that meets both the highway design criteria, connections to existing improvements, and limits the impacts to oak trees. There is no reasonable alternative route for the extension of Magic Mountain Parkway, which was approved as part of the Newhall Ranch Specific Plan.

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.**

None of the trees proposed for removal are diseased or in danger of failing. The Easterly Extension of Magic Mountain Parkway Oak Tree Permit and the addendum to the report details the health of the 63 surveyed trees. The report notes that the majority of trees are in average to above average health and none are in immediate danger of falling due to serious disease.

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 oak trees is not contrary to, nor in substantial conflict with, the intent and purpose of the Oak Tree Permit procedure. Efforts have been made to preserve as many trees as possible given the approved alignment of the extension of Magic Mountain Parkway, and mitigation measures will be implemented to offset the removals. However, because of the location of the trees, there is no reasonable alternative to the removal and the resulting impacts.

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, and it is committed to maintaining the healthy condition of the trees to be retained. For each tree removed, a minimum of two (2) for non-heritage and ten (10) for heritage, 15-gallon replacement trees will be planted, resulting in a greater number of oak trees. These replacement trees shall be located at areas as directed by the County Forester. The project proposes to provide several areas designated for tree replacement. The applicant will comply with all conditions of the Oak Tree Permit.

Oak Tree Permit
Project Description and Burden of Proof
VTTM No. 61105
Mission Village

Background

Mission Village is a proposed mixed-use project that would be located on 1,261.8 acres west of Interstate 5 and south of SR-126, within the boundaries of the Newhall Ranch Specific Plan. Mission Village would include a total of 4,412 residential units, including single- and multi-family residences, age-qualified residences, commercial and mixed-use areas, an elementary school, library, fire station, parks and recreation areas, and significant areas of open space, including a spineflower preserve.

Request

This Oak Tree Permit is requested to authorize oak tree impacts associated with development of the Mission Village project. There are a total of 501 oak trees subject to the Los Angeles County Oak Tree Ordinance located within the Mission Village project site, including those located within 200 feet of the grading limit line (please note: impacts to oak trees for the offsite extension of Magic Mountain Parkway are included in Oak Tree Permit T200500043).

Of the 501 trees subject to the ordinance, 147 trees are proposed for removal, 8 of which are heritage trees. In addition, 49 trees are proposed for encroachment. Therefore, an oak tree permit is required for 196 oak trees that will be impacted by project development (147 + 49 = 196). It is noted that six of the 147 oak trees proposed for removal are also included in the Oak Tree Permit (OTP00-196) for Landmark Village.

The following matrix summarizes the number, location and proposed action for each tree:

Oak Tree Survey Matrix

Mission Village				
	Encroached	Removed	No Impacts	Total
Heritage Oaks	2	8	19	29
Non-heritage Oaks	47	139	286	469
Total	49	147	305	501

In support of permit issuance, Section 22.56.2100 of the Los Angeles County Code requires substantiation of the following facts:

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.**

Development of the proposed Mission Village project will result in impacts to 196 of the 501 oak trees located on the project site. The remaining trees will not be impacted; that is, they will not be removed and no encroachment into their protected driplines is necessary. Additionally, protective fencing not less than four feet in height shall be placed at the limits of the protective zone of any individual oak tree or dense stand of oak trees within 200 feet of the grading limits and shall be inspected by the forester and/or fire warden. To ensure full protection of the health of the 305 remaining trees, no encroachment will occur within their protected zones per §22.56.2060 of Los Angeles County Code.

As noted above, the applicant proposes to encroach within the protected zones of 49 of the total 501 surveyed oak trees. The applicant proposes to erect protective fencing along the driplines of these trees to ensure their preservation. Any grading or other construction-related activities to occur within the protected zone of these trees will be done with hand tools only or small hand held power tools and under the close supervision of the project arborist to ensure the well-being of the root systems and other parts of the trees.

Project conditions and mitigation measures include detailed guidelines to limit endangerment to the trees proposed to remain, including those for which encroachment has been authorized.

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 147 oak trees and encroachment within the protected dripline of 49 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 drainage and water quality plans which are designed to protect development, manage drainage and control pollutant run-off. The features of these plans 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.

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.**

The oak trees proposed for removal are located in areas of the property where their continued existence would preclude the development of the property in an efficient manner. Natural resources, including oak trees, were evaluated in the preparation of a development plan which limited the impacts to such resources while allowing for development authorized by the Newhall Ranch Specific Plan. The proposed project clusters development to avoid impacts to on-site resources such as spineflower, the Santa Clara River and other areas with oak trees. However, the project site contains steep topography and requires extensive grading to create a viable community. Grading is required for geotechnical stability, access and site balance and results in the removal of 147 oak trees, and encroachment into the protected zone of an additional 49 oak trees.

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).**

The oak tree report prepared for the project notes the specific reason necessitating the removal or encroachment on the surveyed trees. As described in the oak tree report, a total of 44 trees will be impacted by development of proposed roads, 27 will be impacted by development of water quality or debris basins and a total of 6 trees are located within the proposed utility corridor these trees are also included in the Oak Tree Permit for Landmark Village. The proposed roadways and utility line extensions are necessary to serve both the future residents of the proposed Mission Village neighborhoods, as well as current and future residents of surrounding neighborhoods.

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.**

None of the trees proposed for removal are diseased or in danger of falling. The oak tree report notes that a total of 16 additional oak trees which are dead were also surveyed but none of these dead trees are included in the oak tree permit request.

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 147 trees and encroachment into the protected zone of an additional 49 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 applicant has taken great care in designing the tract 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 project results in the preservation of 19 of the 29 heritage oak trees on the site and preservation of 286 of the 469 non-heritage trees. Overall, more than 60% percent of the oak trees on the site will not be impacted by project development.

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) for non-heritage and ten (10) for heritage, 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 as directed by the County Forester. The project proposes to provide several areas designated for tree replacement.

MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA TECHNICAL ADVISORY COMMITTEE (SEATAC) MEETING OF JANUARY 29, 2007

(Approved as written, February 5, 2007)

PERSONS IN ATTENDANCE

SEATAC MEMBERS

Jonathan Baskin, PhD
Ty Garrison
Mickey Long
Thomas Scott, PhD
Ian Swift
Scott Harris submitted comments via email

REGIONAL PLANNING STAFF

Joe Decruyenaere

Project VTTM 61105, SEA-CUP 200500080, CUP 200500081, OTP 200500032, OTP 200500043, Parking Permit RPK200500011 Representatives

Glenn Adamick	(661) 255-4003
Keith Babcock	(530) 447-6745
Corey Harpole	(661) 255-4075
Josh Phillips	(510) 527-1008

MINUTES

January 29, 2007

AGENDA ITEMS

1. Long moved and Swift seconded to approve the December 4, 2006 SEATAC meeting minutes as written.

   Thomas Scott was welcomed as the newest SEATAC member.

NEW BUSINESS

2. **Project VTTM 61105, SEA-CUP 200500080, CUP 200500081, OTP 200500032, OTP 200500043, Parking Permit RPK200500011 –** See Attachment Item 2.

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NOTE: SEATAC MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED VOLUNTEERS IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. SESSIONS ARE ALSO TAPE RECORDED BUT THE TAPES ARE PRIMARILY FOR BACK-UP USE BY STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE SESSION. ISSUES NOT DISCUSSED BY SEATAC DO NOT IMPLY TACIT APPROVAL. NEW OR CLARIFIED INFORMATION PRESENTED IN SUBSEQUENT SUBMITTALS MAY RAISE NEW ISSUES AND MAY REQUIRE FURTHER

ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE NEXT SEATAC MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

SEATAC REPORT AND COMMENTS

PROJECT VTTM 61105, SEA-CUP 200500080, CUP 200500081, OTP 200500032, OTP 200500043, Parking Permit RPK200500011

SEATAC MEETING DATE JANUARY 29, 2007, ITEM 2

Biota Report Prepared by Impact Sciences, Incorporated, dated December, 2006

First SEATAC Review for Biota Report

PROPOSED PROJECT: VTTM 61105, SEA-CUP 200500080, CUP 200500081, OTP 200500032, OTP 200500043, Parking Permit RPK200500011 – An application to develop the 1252 acre Mission Village tract map site, along with 454 acres of land within and adjacent to the Newhall Ranch Specific Plan area and SEA 23 (Santa Clara River). Approval of the proposed project would allow for the construction of 5,331 residences (291 single family and 5,040 multi-family units) and 73 secondary units; 1,299,000 sq. ft. of commercial/mixed uses; a 9 acre elementary school site; a 2.9 acre library site; 47 acres of parks, public and recreational facilities; and trail and road improvements, including the construction of an underground utility corridor along SR 126, the Commerce Center Drive Bridge and southerly abutment, and extensions of Magic Mountain and Westridge Parkways.

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 VTTM 61105, SEA-CUP 200500080, CUP 200500081, OTP 200500032, OTP 200500043, Parking Permit RPK200500011:

1) The Castaic Spring complex on the edge of the river floodplain is a remarkable and irreplaceable unique habitat, supporting one undescribed species of sunflower with a population of perhaps ten individuals and one undescribed species of spring snail, the abundance and range of which is unknown. Crucial information on how the proposed project will impact the spring complex has not been evaluated. This information must include a characterization of the spring system, an understanding of its hydrology, and the potential direct and indirect effects of bridge construction.
2) Development in the area of the spring complex must be redesigned. Downstream areas near the bridge support the spring complex, unarmored three-spine stickleback, arroyo toad and western spadefoot toad. Upland habitats above the spring, near the bridge support San Fernando Valley spineflower and slender mariposa lily populations. All of these sensitive resources should be protected collectively. As proposed, permanent and temporary impacts from the project on the spring complex and nearby resources include bridge revetments, nuisance flow basins, storm drains, channelization of Middle Canyon Creek, a major public trail ten feet from the spring, night lighting, continuous traffic on the bridge and associated increased light pollution, nitrogen deposition and precipitates from exhaust, wells, pumping, and dewatering for bridge installation. Permanent impacts from bridge buttresses would extend toward the spring complex, and perhaps beyond it. Temporary impacts would extend beyond the permanent buttresses and remove habitat where the spring complex joins the floodplain, meaning all vegetation in this area would be removed, substantially degrading the adjacent surroundings.
3) The results of human intrusion into the Santa Clara River SMA area cannot be overstated as a direct and cumulative significant adverse impact. These impacts include collection of special status and common reptile and amphibian species, introduction of pollutants and exotic species, the presence of homeless encampments, fishing, building of rock dams, cutting of vegetation, etc. Bridge abutments and supports are notorious for attracting homeless people, graffiti activity and associated trash. This could have monumental impacts on sensitive resources. Over time these activities, in conjunction with all of the other project related impacts have a high probability of resulting in the extirpation of species of very limited distribution. These impacts and associated mitigation measures are lacking or not fully described in the biology section.
4) The public use trail proposed along the existing dirt road above Castaic Spring is too close to sensitive biological resources there. Constant human and pet activity within a few feet of sensitive spring-dependent species is a significant impact.
5) The proposed nuisance basin near the spring and river will encourage water quality problems in sensitive habitat and will provide a location for invasive weeds and amphibians to establish and escape into the spring complex and river.
6) The proposed road alignment leading south from Commerce Center Drive Bridge bisects the Airport Mesa Spineflower Overlay Zone. The road will bisect spineflower habitat areas and will be about 65 feet away from the proposed preserved populations, causing a variety of adverse direct and indirect effects, even if no other construction occurs in the vicinity. The county prohibits roadways from being located inside spineflower preserves or buffers, unless there is a compelling biological benefit from allowing it.

7) The pollination biology of spineflower is not currently understood, and Argentine ant intrusions into spineflower habitat may have serious long-term consequences to the sustainability of spineflower preserves. Buffer areas and surrounding development must be designed with the goal of avoiding negative impacts by Argentine ants on spineflower populations.
8) Impacts associated with the proposed project will occur in least Bell's vireo and California gnatcatcher Designated and Proposed Critical Habitat; this is not discussed in the Biota Report. Impacts to upland habits on southwestern pond turtle and two stripe garter snake are not discussed.
9) Construction vehicles should not be allowed to cross the Santa Clara River during construction activities. Vehicle accidents while crossing the river may result in spillage of loads or vehicle fluids into the river and can cause great harm to the resources.
10) Creek outlets into the Santa Clara River provide less turbulent refugia for special status aquatic species escaping high energy flood waters. These areas should remain intact and accessible. Provide an evaluation of water velocities during flood events within areas lacking upland refugia due to project buildout; discuss impacts and provide necessary mitigation.
11) Proposed bank protection in the river must be considered a significant permanent impact to aquatic and semi aquatic species including special status species. Placement of bank protection implies expected erosion during high storm events and eventual exposure of the buried bank protection. Future remedial work to repair damage to buried structures must be discussed, and additional disruption to the stream bed and associated special status species must be evaluated.
12) Diversion of flows from existing stream channels to newly constructed channels, as proposed in 4.5-57, poses a significant loss of habitat. Newly constructed channels lack the algae necessary for Unarmored Threespine Stickleback (UTS) nest construction, emergent vegetation that provides cover, macroinvertebrates that serve as food for UTS and arroyo chub, epilithic diatoms that provide food for Santa Ana sucker, etc. If streams are diverted back into their original channels, those channels will have been degraded in the interim. It is very difficult not to have down stream habitat degradation due to sedimentation or hydrologic changes caused by steam diversion. This loss must be considered significant.
13) The potential loss of UTS is proposed on page 112. UTS is a fully protected species, and CDFG cannot authorize take. Avoidance of UTS is the only available option, and mitigation measures must be formulated with that in mind.
14) Remove grazing as management tool in riparian areas.
15) Discuss future hydrological impacts. Provide an estimate of the volume of nuisance flows that are expected to be generated by implementation of the project and which streams are expected to be perennialized. Connectivity between historically seasonally isolated stretches of the Santa Clara River must be avoided. Provide references for any substantiating materials.
16) Provide mitigation measures to ensure that surface hydrologic connectivity of historically isolated stretches of the Santa Clara River does not result from the implementation of the proposed project and that infiltrated nuisance water does not resurface elsewhere.

17) At the time of Specific Plan approval in May 2003, all known spineflower populations were placed inside Special Study Overlay zones within which full preservation was anticipated. More populations have subsequently been found that are not adequately protected by current proposals. The project site represents some of the best known spineflower habitat and supports numerous populations scattered throughout. The current conservation easement, and the proposed preserve containing the easement and some additional area appears inadequate. Proposals to protect spineflower are not consistent with previously imposed county conditions. Proposed mitigation such as transplantation of impacted spineflowers and 4:1 replacement for unavoidable impacts is unlikely to be technically feasible, as it would necessitate the creation of 24 acres of occupied spineflower habitat, supporting around 5.8 M individual plants. No one has ever successfully created a self perpetuating population of this size, over this many acres, for any endangered upland annual plant species.
18) A regional spineflower conservation approach is recommended, incorporating expanded, landscape-based preserves more closely corresponding to the County's Special Overlay Zones with effective buffers, connectivity and management. The Castaic Spring complex should be included as a part of the Airport Mesa preserve. Avoidance of direct impacts to spineflower populations and an emphasis on spineflower research is more consistent with the long-term goal of spineflower preservation than are the currently proposed mitigation measures.
19) CDFG is evaluating a larger preserve in this area under one of the Master 404 EIR/EIS alternatives. This larger preserve is similar in extent to the Special Overlay Zone for spineflower, pursuant to county approvals (shown in SP Figure 2.6-8). Included in the concept is no construction of the Commerce Center Bridge in order to eliminate direct and indirect impacts to the Santa Clara south bank/Castaic Spring/Middle Canyon Creek confluence. This alternative is much more supportable than the currently proposed project.
20) Impact analysis for slender mariposa lily, riparian vegetation, and big basin sagebrush is concluded not significant based upon undeveloped mitigation measures. Without specific mitigation requirements, a conclusion of significance cannot be made. Revegetation plans should be prepared and submitted with NRSP project level EIR phases. Mitigation for impacts to mariposa lily should consist of conservation of lily habitat rather than translocation; there are no assurances that translocation will work.
21) Provide an inventory of how the High Country SMA will meet the various habitat mitigation functions required of the NRSP subsequent to approval of the proposed project. The inventory must include an analysis of functional similarity between the various habitats affected by the proposed project and those that are available as compensation in the High Country.
22) There are no assurances that mitigation for resources in the high country SMA will effectively mitigate for impacts to similar resources in lower elevations of the project site. Off site mitigation for coastal sage scrub impacts is necessary if adequate mitigation area is unavailable on site; otherwise impacts should be avoided.
23) The floral list contains the first recorded occurrence in Los Angeles County of many species or else their first observation in many decades. Losses of these taxa may constitute a significant impact which must be discussed. Provide an analysis of impacts

to these species and appropriate mitigation for losses that may occur as a result of project implementation.

24) Secure long term management conservation easements within the Special Management Area prior to project construction activities.
25) South coast garter snake (*Thamnophis sirtalis* ssp.) is not mentioned. This species is only known from the Santa Clara River (See Jennings and Hayes, Amphibian and Reptile Species of Special Concern in California, 1994) and must be discussed.
26) Include assurances in the mitigation measures that appropriate upland refugia will remain for special status reptile species such as horned lizard, two-striped garter snake, south coast garter snake, coastal western whiptail, southwestern pond turtle and other wildlife species during project implementation and that the refugia are avoided and/or restored following project implementation.
27) Include a mitigation measure ensuring appropriate breeding and aestivating habitat is available and accessible for special status reptile species during and following project construction.
28) Include specific measures to reduce predation on native reptiles by subsidized mesopredators and household pets. Raccoon predation on southwestern pond turtle eggs can significantly impacts reproduction success and should be considered a significant impact. Control measures should include prohibiting artificial food availability to wildlife and excluding pets from entering wildlife habitat areas.
29) Provide buffer areas for species utilizing uplands as part of their life cycle or as refugia from floodwaters, such as arroyo toad, southwestern pond turtle, spadefoot toad, two-striped garter snake and south coast garter snake should be extended into the uplands and be of sufficient width and habitat quality to accommodate the necessary life stages of these species.
30) Include a discussion of on site availability of southwestern pond turtle breeding and aestivation habitat and whether necessary south facing upland habitat will remain after project buildout. Also, if any recreational trails or other intrusive activities such as fuel modification, repair of flood-damaged bank protection, etc. are proposed or likely to occur in buffer areas, explain how this will not adversely impact use of the areas by wildlife.
31) Project clearing, grubbing and grading activities should be conducted so that animals have the ability to escape to natural areas. Ground disturbance activities should take place in a manner that allows mobile species, including but limited to San Diego black-tailed jackrabbit and American badger, to escape the disturbance areas into adjacent undisturbed habitat. Creating fragmented islands of habitat within the project area that will eventually be cleared should be avoided to assist in reducing mortality and injury to wildlife.
32) Swainson's hawk is not discussed. It is a regular breeder (at least 4 pair) in the Antelope Valley north of Lancaster and uses agricultural fields for foraging. Ag fields are in the NRSP areas.
33) The project will contribute to regional cumulative impacts to wintering birds, including raptors. Include an evaluation of this impact.
34) There are few if any recent records of northern harrier nesting in the County. Any identified nesting habitat should be avoided and preserved. Loss of nesting habitat is significant under CEQA. Identify areas of potential northern harrier nesting habitat

within the specific plan area or at an off site location. In the event of unavoidable project impacts to active or recently known active nesting habitat, these areas should be preserved.

35) Include a discussion of the loss of horned lark nesting habitat due to proposed project activities. Loss of nesting habitat is significant under CEQA and should be avoided. Mitigate unavoidable losses to nesting habitat by preservation of identified existing appropriate habitat on site or preservation and protection of suitable nesting habitat off site.
36) Discuss impacts to white-tailed kite foraging habitat and access to such habitat surrounding occupied nest sites. Removal of foraging habitat during the nesting season may result in take of a fully protected species, which CDFG cannot authorize.
37) Include the implementation of a cowbird trapping program as mitigation to offset direct and interim losses to nesting habitat for passerines.
38) Incorporate buffers of at least 500 feet around all potential nesting habitat for least Bell's vireo nests. Discuss any potential incidental take of least Bell's vireo, and include in the MMP specific and adequate mitigation measures that will be included in any foreseeable incidental take permit issued by CDFG for this species.
39) Discuss the loss of agricultural fields on the project site. These habitats can supply important foraging habitat for tricolored blackbird, and their loss would be a significant direct and cumulative impact under CEQA if tricolored blackbirds are found utilizing these fields during the nesting season. Incorporate foraging habitat for tricolored blackbird in open space areas of the proposed project. Provide a discussion of how foraging habitat will be avoided or compensated for within the Newhall Ranch Specific Plan Area or off site if on site preservation is not possible.
40) Discuss the importance of the proposed project site to migrating willow flycatcher.
41) The proposed mitigation measure LV 4.4-8 is ineffective at protecting wintering burrowing owls, which may be harmed if ground disturbances occur outside the nesting season without preconstruction surveys. Modify the survey methodology to be consistent with the CDFG 1995 Staff Report on Burrowing Owl Mitigation and the 1993 Burrowing Owl Consortium's Burrowing Owl Survey Protocol and Mitigation Guidelines.
42) Regardless of the lack of evidence of breeding by coastal California gnatcatcher on the project site and associated habitat within the NRSP, coastal sage scrub habitat provides important refugia and facilitates movement between areas of occupied habitat for gnatcatcher. This is not discussed in the report. Preservation of sage scrub habitat within the steeper, higher elevations of the high country SMA may not mitigate for the loss of coastal sage scrub from the proposed project site at an elevation more suitable for gnatcatcher. Provide areas of avoidance and restoration of sage scrub within lower, gentler slopes within the Newhall Specific Plan Area or at offsite locations.
43) Discuss impacts and provide mitigation measures related to the increased abundance of garbage and hazardous materials that may be available to California condor adults to feed young.
44) Loss of natural habitats is likely to result in the increased use by deer of landscaped areas and lead to increased mortality from automobiles, dog attacks and the destruction of habituated problem deer. Discuss alteration of mule deer habitat and behavior as a

significant impact. Provide mitigation which avoids the use of fences with sharp protrusions at the top due to potential impingement threat to mule deer.

45) The loss of mountain lion, a fully protected species, is a potentially significant impact. Increased human/lion encounters stemming from the increased availability of deer, pets and other mountain lion prey near the development is likely to lead to the destruction of problem lions.
46) Discuss impacts to black bear. Black bears occur near the project area and are likely to be attracted to residential sources of food, placing them possible conflict with humans and pets.
47) Native animals are not to be prosecuted for the taking of pets, their food or intrusions on landscaped areas.
48) Include salvage and relocation of stick nests in the salvage and relocation measures for San Diego desert woodrat. Nests should be placed into the chosen relocation sites at the time of release of captured woodrats.
49) Secondary poisoning by rodenticides of predators and scavengers would be a significant impact were it to occur. Provide mitigation measures to prohibit or strictly regulate their use.
50) Design any bridge crossings to accommodate various bat species within or on the structure. The bridge should be designed with an opening between opposing lanes to allow light through the center of the bridge. Furthermore, the bridge design should be reevaluated to determine if a reduction in piers or columns can be accommodated.
51) Most of the mitigation measures for special status species have no monitoring components to confirm efficacy of the mitigation measure and establish conclusions on the level of significance after mitigation. The feasibility of performing required mitigation specified in the NRSP mitigation measures is not demonstrated.
52) Demonstrate clearly that mitigation for impacts from this Tract Map tract will meet all of the approved conditions and mitigation requirements of the Specific Plan. The summary of consistency between impacts found to be significant in the Specific Plan and current Tract Map documents is not sufficient to demonstrate that these requirements have been met, since the present mitigation program is not adequately developed. Provide analyses of identified Specific Plan impacts and how the analogous Tract Map impacts may or may not have been previously fully addressed.
53) Fig 17 is unclear. Union the multiple year occurrence data into single-species polygons using colors easily recognizable against the base map.
54) Present a figure incorporating information from Figure 15 and the cumulative impacts list of projects to indicate the foreseeable long-term prospect for the region with regard to open space and habitat linkages.
55) Figure 16 is uninformative. The use of arrows to indicate a few canyons and drainage courses detracts from the overall open nature of the project site and its function as both habitat and linkage for the entire suite of organisms existing throughout.
56) Reference the South Coast Wildlands studies in discussions of habitat linkages.
57) The base map in Figure 4 lacks sufficient detail to provide context to the reader.

ACTION TAKEN: Further SEATAC review is required. Incorporate the above comments and recommendations in revisions to the Biota Report and project design.

MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA TECHNICAL ADVISORY COMMITTEE (SEATAC) MEETING OF SEPTEMBER 10, 2007

(Approved by SEATAC on January 14, 2008)

PERSONS IN ATTENDANCE

SEATAC MEMBERS

Ty Garrison
Scott Harris
Dr. Jonathan Baskin
Cheryl Swift, PhD
Ian Swift
Mickey Long
Dr. Thomas Scott

REGIONAL PLANNING STAFF

Tricia Tegart (County Counsel)
Rudy Silvas
Daniel Fierros

Mission Village Project representatives and interested parties:

Josh Phillips	(510) 527-1008
Sherri Miller	(619) 840-3151
Tom Reu	(818) 398-2241
Greg Ainsworth	(805) 437-1900
Glen Adamick	(661) 255-4003
Corey Harpole	(661) 255-4075

SEATAC MINUTES

September 10, 2007

AGENDA ITEMS

1. Scott Harris makes initial motion to approve SEATAC minutes of May 7, 2007 and June 4, 2007. SEATAC approves the meeting minutes as amended.

OLD BUSINESS

2. **Continuation of the Mission Village project with review of Supplemental Biota Report –** See Attachment Item 2.

NEW BUSINESS

3. **Fairmount Butte Motorsports Park introduction**
   - See Attachment Item 3.

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NOTE: SEATAC MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED VOLUNTEERS IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. SESSIONS ARE ALSO TAPE RECORDED BUT THE TAPES ARE PRIMARILY FOR BACK-UP USE BY STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE SESSION. ISSUES NOT DISCUSSED BY SEATAC DO NOT IMPLY TACIT APPROVAL. NEW OR CLARIFIED INFORMATION PRESENTED IN SUBSEQUENT SUBMITTALS MAY RAISE NEW ISSUES AND MAY REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE NEXT SEATAC MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

SEATAC REPORT AND COMMENTS

PROJECT: Mission Village

SEATAC MEETING DATE SEPTEMBER 10, 2007, ITEM 2

Supplemental Biota Report prepared by Impact Sciences, Inc., revision dated July 2007

Second SEATAC review: Previous review on January 29, 2007

Project Description: VTTM 61105, SEA-CUP 200500080, CUP 200500081, OTP 200500032, OTP 200500043, Parking Permit RPK200500011 – A revised biota report for an application to develop the 1,252.2 acre Mission Village tract map site, along with 454.2 acres of land for project-related components within and adjacent to the Newhall Ranch Specific Plan area and SEA 23 (Santa Clara River). Approval of the proposed project would allow for the construction of 5,331 residences (291 single family and 5,040 multi-family units) and 73 secondary units; 1,299,000 sq. ft. of commercial/mixed uses; a 9 acre elementary school site; a 2.9 acre library site; 47 acres of parks, public and recreational facilities; and trail and road improvements, including the construction of an underground utility corridor along SR 126, the Commerce Center Drive Bridge and southerly abutment, and extensions of Magic Mountain and Westridge Parkways.

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 MEETING MINUTES, COMMENTS AND RECOMMENDATIONS FOR THE MISSION VILLAGE PROJECT FROM THE MEETING OF SEPTEMBER 10, 2007: SEATAC reviews the revised supplemental biota report for the project and comments what additions and clarifications the report needs.

1) Applicant passes out supplemental information to revised biota report. Surveys for the endangered Southwest Arroyo Toad were initiated after the biota report was submitted to the County for review. Findings to be incorporated into the final version of the report. Applicant states that the reach of the Santa Clara River is through the Mission Village site and other portions of the Newhall Specific Plan (SP) area. Surveys for Arroyo Toad produced no findings of life stages for the species. Riparian bird surveys were conducted along the length of the riparian corridor and included surveys for the Least Bell's Vireo and the Willow Flycatcher. The Least Bell's Vireo was not observed nesting on the site, but in areas near or adjacent to the site. No nesting observed for the Willow Flycatcher. California Gnatcatcher surveys conducted adjacent to and on the Mission Village Site, currently being completed on the Mission Village Site. No Gnatcatchers observed at the time of this presentation. Applicant stated that surveys were conducted by Bloom Biological Services, located in Orange County.
2) SEATAC questions the methodology of the surveys. The questions of when does one choose to conduct a survey and what do such surveys require are examined by SEATAC. SEATAC further states that such information needs to be presented as part of hearing, as well as the methodology and results of the surveys especially if results indicate negative findings. The applicant responds that the methodology is described in the Appendix. SEATAC recommends that the applicant be prepared to answer the question that will arise as to what information is present, to substantiate that the survey was not flawed, when indicating that when it was conducted there were no problems encountered.
3) SEATAC states that it has previously requested additional information in the report to show what an impact is and how it is to be mitigated based on previously approved mitigation plans in certain areas of the Newhall SP, and to indicate what the mitigation is so that at the conclusion in can be assured with confidence that the issue has been mitigated without having to review numerous County Archive documents. SEATAC questions whether this has been provided or not, to which the applicant responds that it has been provided in Table 10 of the report. The applicant further states that Table 10 summarizes all the plants that are present in the preserve areas (e.g. hybrid trees, salt creek area, river corridor), and documents how much area will be preserved. Applicant indicates that Dudek put together propagation feasibility study which identified mitigation opportunities. SEATAC responds that the key is to pinpoint what will be affected with each project's approval of the Newhall SP subsets.
4) SEATAC questions applicant as to what the feasibility study was based on (e.g. Newhall SP, Mission Village)? Applicant responds that it was based on mitigation opportunities on the open space, and that mitigation plan is applied and prioritized. SEATAC responds by stating that it appears that mitigation plan is based on restoration and not just preservation. SEATAC further states that it is important that the applicant clearly show what is being preserved, what the native habitat is (e.g. coastal sage scrub in the high country area), and what the impact of the project will have.
5) SEATAC questions Bloom's survey regarding foraging on site and recommends making changes to comment number 32 in the report regarding swainson's hawk. SEATAC indicates that comment number 37 regarding the cowbird trapping program could be misinterpreted. Some limited cowbird trapping would help limit the loss of it if it is provided in the interim, allowing an acceptable breeding habitat. On comment number 36 regarding the loss of habitat for nesting white-tailed kites, SEATAC comments on the speculation that a taking could occur and indicates that it does address concerns of where birds are foraging when you're putting in landscaping or vegetation during nesting season.
6) SEATAC states that the issue of controlling vermin must be addressed. A HOA could be used to control pests through covenants, conditions and restrictions (CC&Rs). Applicant

advised by SEATAC to check with the Santa Monica Mountain National Park Recreation Area to see if they may have some information for controlling pests with new developments.

7) SEATAC questions comment item number 51 regarding long term monitoring of special status species. Applicant responds that mitigations fall into two categories, with one being for clearance of surveys, with no monitoring report necessary. SEATAC questions why there is no long term monitoring for the Southwestern Pond Turtle, and recommends that it would be a good idea to indicate that certain buffer areas will be adequate to maintain certain species on the site and would be in line to your reference of adaptive management. This should be addressed.
8) SEATAC questions comment item number 45 regarding the status of the mountain lion and the indication that it is fully protected. SEATAC clarifies that it is not fully protected, but is specially protected under the Mountain Lion Protection Act and is sometimes misunderstood. The mountain lion is not allowed to be hunted and killed unless you have a permit to do so, which is considered a take. Mountain lions can be killed without a permit only if there is a clear and present danger to human life. SEATAC also did not see the need to portray mountain lions in item number 45 as the type that will scavenge for food, alluding to item number 46 that comments on black bears to likely be attracted to residential sources of food. Applicant refers SEATAC to review MB 48.
9) SEATAC addresses item number 44 regarding fencing standards and comments on their concern for fencing that may be topped with sharp points, which could lead to animals (e.g. deer) to impale themselves. SEATAC recommends protective mitigation measures be implemented to prohibit any sharp points on the fence.
10) SEATAC questions item number 29 regarding reptiles and amphibians and the adequacy of the 100 foot buffer areas to protect them. The applicant responds to SEATAC by stating that what they are looking for can be found on pages 109 and 110. SEATAC responds by stating that the spadefoot toad habitat is located in the uplands. Applicant responds by stating that although they do not have knowledge of all the habitat areas of the toad, mitigation measures will be provided to protect it. SEATAC recommends that a ¼ to a ½ mile buffer is more adequate to protect the toad and should be implemented, and also inquires if any preliminary study or research for the spade foot toad was conducted. SEATAC also recommends that the applicant include in their report the rare finding of the spadefoot toad approximately a ½ mile from one of the ponds mentioned, as stated by the applicant during the meeting. SEATAC recommends that any mitigations for the breeding ponds should include the size of the new riparian buffers to be established. In the upland areas, mitigated ponds need an adequate buffer. SEATAC also recommends clarifying all water/riparian habitats. Mitigation feasibility studies with specific habitat mapped and analyzed for temporary ponds and the spadefoot toad should be provided. The issue with the spadefoot toad will be revisited at the next meeting.
11) SEATAC questions the issue of the bridge and what species of wildlife and plants could be lost. SEATAC questions who is to be responsible for addressing the bridge issue, the impacts and mitigation related to it. The applicant responds that the bridge is covered in the document's MRMP. Applicant states that bridge is not part of Mission Village project, but is that of Cal Trans and is covered in the environmental document. The interchange of Highway 126 and Valencia Commerce Center Drive is not. SEATAC questions the impact of the bridge on the unarmored three spine stickleback. The applicant, in order to protect the species, indicates that protective measure 4.6.57 of the adopted Newhall Specific Plan would allow the applicant to collect them but that it could not be implemented if the take of the species could not be voided by the California Department of Fish and Game (CDFG). SEATAC also questions how the diversion of water for the bridge project would work, to

which the applicant responds by referring SEATAC to MV 25 on page 208 of the report which provides the explanation on diversion. SEATAC states that the only method to protect the unarmored threespine stickleback for the bridge construction is to relocate the species as described in MV 24. The applicant responds that CDFG cannot authorize this, and the United States Fish and Wildlife Service (USFWS) must approve the movement. SEATAC comments that protection around the abutments of the bridge must be ensured.

12) SEATAC questions how occupied habitat was determined for previously incorporated measure 4.6-54 on page 207 of the report. The applicant asks SEATAC to refer to page 208 to find the answer. SEATAC also states that on Table 6 on page 79, species of special concern identified as CSC under the State status column should be CSSC.
13) SEATAC comments on bank stabilization and the material effects of increased erosion that could occur downstream. The applicant responds that water velocity impacts are covered in the document, along with a detailed hydrology study that was conducted. Applicant explains that in a capital flooding event here there will not be any increases of flooding related damage upon the property. SEATAC states that it is concerned about where the river will be pinched or reduced, and with the proposed smooth concrete walls on both sides of the river proposed; this in turn will increase the water velocity which will be very bad for the stickleback species. There is also a concern for erosion on the side of the river where the homes are located. Other soil sediments proposed in document are not as good as concrete and can be very erosive. SEATAC recommends using widely separated and varied bank stabilization techniques, taking into consideration the issues discussed.
14) SEATAC directs the applicant to Table 1 for Predicted Dry Weather Water Balance on page R15-2 to discuss the dry weather issue. SEATAC discusses the dry weather flow column figures presented in the table and estimates that the dry weather flow for the river channel should be 10,000 acre feet. SEATAC comments that there is a threat to the stickleback if there is too little water which will cause the species to perish. On the other hand, too much surface water will cause the stickleback to be swamped downstream and therefore creating connectivity between the stickleback and other subspecies both downstream and upstream. The species could then be genetically swamped out.
15) SEATAC also comments that too much water flow could also affect the habitat for the arroyo toad. There are also concerns for water runoff and whether the basin indicated on Table 1 is able to accommodate the flows. The force of the water could change the river significantly, beginning with the affect upon the fish species. SEATAC makes a reference to a project in Haskell Canyon, and indicated that in summertime all will be infiltrated here (geomythology). SEATAC requests a disk for all projects to discuss cumulative impacts, amount/quantity of water discharge into Santa Clara River, storm water and dry weather flow along with all other related issues and tables presented.
16) SEATAC raises questions regarding sewer capacity and water supply and the cumulative effect of water use. SEATAC questions whether water will be imported. The applicant responds that nickel water is already being used and is imported from the Central Valley, and plans call for converting existing agricultural water for recycled use. Applicant also states that ground water will continue to be used from an alluvium aquifer. SEATAC also refers back to Table 1 and questions why is there only a 0.0 indicated in the column under Outflow? Should there not be a minus instead?
17) SEATAC states that the project will have very large bio impacts. The Peter Bloom surveys discovered large numbers of sensitive bird species which are not discussed or documented in the report. The applicant responds by stating that when the report was first written, birds were placed in a special status. It was classified as a special status for birds report. Peter Bloom's report will be incorporated into the next revised biota report.

18) SEATAC states that no long term impacts are discussed, nor any impacts related to construction when discussing fish.
19) SEATAC discusses Appendix "K" on page 94, regarding the fuel modification zone outside the preserves. It is important to look at distances of defensible structures from the spine flower preserves. If there is no required Los Angeles County fuel buffer, then a 300 to 500 foot buffer should be established for insurance that development does not enter the spineflower preserve. This issue should be addressed in the report. SEATAC would like to see more distance on this buffer than what the Fire Department would normally require. The applicant responds that the spineflower preserve will be an issue for DFG to deal with. SEATAC recommends a fuel management plan be implemented rather than have CC&Rs regulate the buffers.
20) SEATAC recommends that steps be taken to avoid issues with feral cats becoming a nuisance.

ACTION TAKEN: SEATAC recommends that the biota report be revised and returned to SEATAC for review. Incorporate the above comments and recommendations in revisions to the Biota Report and project design.

SEATAC REPORT AND COMMENTS

PROJECT: Fairmont Butte Motorsports Park

SEATAC MEETING DATE SEPTEMBER 10, 2007, ITEM 3

Biota Report prepared by Impact Sciences, Inc., dated August 2007

Initial SEATAC review:

Project Description: Parcel Map No. 26805, SEA-CUP, PA, ZC No. 02-176, Project No. 02-176 – The undeveloped Fairmont Butte Motorsports Park project site is situated in an unincorporated portion of Los Angeles County, approximately 14 miles northwest of the City of Lancaster, near the community of Fairmont. The 319.9 acre site is rectangular in shape and is bounded by Highway 138 (Avenue D) to the north, 155th Street West to the west, 150th Street West to the east and open space to the south. The project site is located within the Fairmont Butte USGS 7.5-minute quadrangle. The southern portion of the project site (totaling 109.6 acres) is within the current boundaries of the County of Los Angeles Significant Ecological Area (SEA) 57 – Fairmont-Antelope Buttes, while the northern portion of the site (totaling 210.3 acres) is outside the SEA boundaries. The proposed project would primarily be implemented in the northern portion of the site outside the boundaries of SEA 57. However, some development is proposed within the outer northern margin of SEA 57. The project involves the construction and operation of an automotive racetrack. The racetrack would be a road course configuration approximately 3.6 miles in length. The primary uses of the facility would be for private racing clubs and automotive testing. The racetrack would only operate during daylight hours, while people may stay overnight in their mobile trailers and perform car maintenance during the night. The applicant also proposes to construct 12 types of supporting structures/features. Including the racetrack, a total of 50 individual structures/features are proposed which would consist of such structures as a registration and administration building, paddock shelters, tower structures for safety personnel and track announcers, service unit structures for lease to racetrack related businesses, caretaker houses, and a restaurant/clubhouse facility. A zone change, SEA conditional use permit, plan amendment and parcel map are proposed for this project application.

SEA DESCRIPTION: In general, desert buttes possess increased biotic diversity over surrounding areas. This is due to a high number of niches being created by mixing sandy and rocky habitats. These areas are also vital habitat to many wide-ranging species that forage in outlying habitat, but use the buttes for nesting, roosting, denning, and refuge. In addition, they often possess biological resources that are declining in Los Angeles County due to accelerated agricultural and urban development. However, there are additional features that make the Fairmont and Antelope Buttes valuable.

These buttes are the most westerly habitat of this type in the Mojave Desert. Due to the non-uniform distribution of species and the proximity of these buttes to the San Gabriel Mountains, the species composition on them is likely to be different than that found on other butte habitats in the desert. The unique ecological relationships created by these features are of scientific interest.

The buttes also serve as concentrated wintering grounds for birds of prey. They provide excellent roosting sites surrounded by cultivated fields that support a plentiful food supply of rodents, rabbits, and hares. Concentrated raptor habitat of this type is uncommon in Los Angeles County.

SEATAC MEETING MINUTES, COMMENTS AND RECOMMENDATIONS FOR THE FAIRMONT BUTTE MOTORSPORTS PARK PROJECT FROM THE MEETING OF SEPTEMBER 10, 2007: SEATAC reviews the initial biota report for the project and comments what additions and clarifications the report needs.

1. Project introduced by SEATAC coordinator as a new review. Applicant indicates that there was a previous meeting on the project on May 2, 2005 in which a BCA was submitted. Comments made in current biota report in response to this meeting. Record will be corrected. Applicant also indicates that there is a slight error in the delineation of the SEA boundary. Applicant refers SEATAC to review figure 4 on page 6 of report. Applicant provides handouts showing new SEA area boundaries based on corrections. SEATAC comments that it appears that the rock outcroppings will be affected.
2. SEATAC comments that if the purpose of the SEA is to protect the buttes, what can be done to keep people of the buttes? SEATAC also expresses concern for access to the site, and further comments that the best alternative for the project is to move it entirely out of the SEA. SEATAC expresses concern for amphibian resources, wild flower fields, and the horned lizard. SEATAC indicates that previous report indicated no amphibians on site. The horned lizard has been observed on site, and photos do indicate an abundance of flowers.
3. The noise factor is a secondary concern. SEATAC comments that noise, regular and continuous, will have an impact to raptors but that they do adapt and become acclimated to it; however, periodic noise impacts from auto racing will not allow raptors to become acclimated to it.

ACTION TAKEN: SEATAC recommends that the biota report be revised and returned to SEATAC for a continued review. Incorporate the above comments and recommendations in revisions to the Biota Report and project design.

MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA TECHNICAL ADVISORY COMMITTEE (SEATAC) MEETING OF APRIL 7, 2008

(Approved by SEATAC via Electronic Mail on March 3, 2009)

PERSONS IN ATTENDANCE

SEATAC MEMBERS

Ty Garrison (not in attendance)
Scott Harris
Dr. Jonathan Baskin (not in attendance)
Cheryl Swift, PhD
Ian Swift
Mickey Long
Dr. Thomas Scott (not in attendance)

REGIONAL PLANNING STAFF

Michele Bush
Rudy Silvas
Steven Mar
Anthony Curzi

Mission Village Project representatives and interested parties:

Josh Phillips	(510) 527-1008
Galen Hagen	(661) 476-4675
Greg Ainsworth	(805) 437-1900
Glen Adamick	(661) 255-4003
Corey Harpole	(661) 255-4075

SEATAC MINUTES

April 7, 2008

AGENDA ITEMS

1. SEATAC approves minutes of November 5, 2007 and January 14, 2008.

OLD BUSINESS

2. **Continuation of San Gabriel River Discovery Center review cancelled for this session.**

3. **Continuation of the Mission Village project with review of revisions to Biota Report –** See Attachment Item 3.

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NOTE: SEATAC MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED VOLUNTEERS IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. SESSIONS ARE ALSO TAPE RECORDED BUT THE TAPES ARE PRIMARILY FOR BACK-UP USE BY STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE SESSION. ISSUES NOT DISCUSSED BY SEATAC DO NOT IMPLY TACIT APPROVAL. NEW OR CLARIFIED INFORMATION PRESENTED IN SUBSEQUENT SUBMITTALS MAY RAISE NEW ISSUES AND MAY REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE NEXT SEATAC MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

SEATAC REPORT AND COMMENTS

PROJECT: Mission Village

SEATAC MEETING DATE APRIL 7, 2008, ITEM 3

Supplemental Biota Report prepared by Impact Sciences, Inc., revision dated July 2007

Third SEATAC review: Last review on September 10, 2007

Project Description: VTTM 61105, SEA-CUP 200500080, CUP 200500081, OTP 200500032, OTP 200500043, Parking Permit RPK200500011 – A revised biota report for an application to develop the 1,252.2 acre Mission Village tract map site, along with 454.2 acres of land for project-related components within and adjacent to the Newhall Ranch Specific Plan area and SEA 23 (Santa Clara River). Approval of the proposed project would allow for the construction of 5,331 residences (291 single family and 5,040 multi-family units) and 73 secondary units; 1,299,000 sq. ft. of commercial/mixed uses; a 9 acre elementary school site; a 2.9 acre library site; 47 acres of parks, public and recreational facilities; and trail and road improvements, including the construction of an underground utility corridor along SR 126, the Commerce Center Drive Bridge and southerly abutment, and extensions of Magic Mountain and Westridge Parkways.

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 MEETING MINUTES, COMMENTS AND RECOMMENDATIONS FOR THE MISSION VILLAGE PROJECT FROM THE MEETING OF APRIL 7, 2008: SEATAC reviews the revised biota report for the project and comments what additions and clarifications the report needs.

1) SEATAC begins by stating that it remains concerned about the efficacy or ability of the stated mitigation measures, for all of them to work one hundred percent technically, in that some are specific or that some of them remain generalized for decisions put off to the future when these mitigations are needed; there is a lack of confidence that these mitigation measures are going to work. For the document to work, to apply to the field, all these mitigation measures are required to be successful. SEATAC states that they feel that they would be in a failing position by stating that they are finished with this report and satisfied, and that the project will not affect the SEA. SEATAC compliments the consultants on the degree of biological work, the improvement in the field work, the discovery of species on site and the providing of information on them, especially along the riverway located inside the SEA. There is plenty of biological information provided along with good mapping, but this also reveals many sensitive species on the site; with so many different species involved, each mitigation has to be specific,
2) SEATAC also comments on the overall picture, methodology, certain mitigation measures and reliance on mitigation measures or agreements that have not happened yet; at the moment we cannot say whether an impact is unmitigated or not, but we can say this has not met the litmus test of SEATAC. SEATAC states that it is up to the applicant if they wish to return to SEATAC.
3) SEATAC also states that a project of this size, with all supporting documents, would come back here in an ideal world; a big project with a lot of complexities such as future streambed alteration agreements is very time consuming to review, and a project of this size does not have enough time to be reviewed adequately in three meetings. SEATAC states that its job is to adequately document all the impacts, mitigate as best as possible, and provide transparency for the public to answer their questions when they see wildlife near highways for example. SEATAC states that it is their responsibility to ensure that this report has been prepared using the best scientific methodology, has followed all the rules of CEQA as best as possible, and that the technical aspects of biology have been looked at and documented so that the public can view it.
4) SEATAC comments that they have an idea of where the specific mitigation measures are going to take place, but exactly where they will be, what is there now, and what impacts are going to be incurred from restoration or creation in those existing areas, like in the high country, are not clear. What are the specific measures (restoration and creation) that will be done, what are the restoration plans (e.g. some indications from data for slender mariposa lilies used to illustrate the potentiality of translocation), this is what SEATAC and the public in general will question on their ability to work; will it instill a sense of confidence that a two year monitoring plan will cut back the significance in impact to a species for example? SEATAC states that perhaps there is no answer, but they must be able to see the technical aspect of how it is to be done; it is difficult to have a sense of confidence even when we all know where we want to go but it is off in the future, requiring further review, and SEATAC cannot look at this project with any confidence at this point.
5) SEATAC comments that although there are two very detailed mitigation plans for the spineflower and slender mariposa lily, everything must be just right for these types of plants, there is not a lot of contingency, although there had been some with the supplemental watering that went on with the slender mariposa lily, but given the fact that we are in a climate where the variation is at a magnitude that is greater than the mean, after reading plans we are left with doubt as to how things will play out given the variability that you have in the two to three years of monitoring in the plans, these are symptoms of a larger problem with the document, not a lot of looking outside when other species of wildflowers have at least preserves set aside; what are the long term impacts, how big does it have to be or how small

is too small, are there some things in the published literature as to how well it can be anticipated these plans working; also, when words like suitable are used how do you determine it?

6) Applicant responds by asking if there is any specific mitigation that is being discussed. Applicant also states that language on spineflower and slender mariposa lily are fairly specific and does incorporate the available scientific literature to a mitigation plan that appears to be referred to; in general this is the only kind of mitigation plan at this point that has not been fully flushed out.
7) SEATAC responds that they believe the mitigation measures are vague for several reasons because for one, they rely on future permitting, the other is that there is vague language used throughout the document about selecting suitable sites, about choosing cuttings, about how this will work which will be taking care of in future permitting; SEATAC wants to ensure that you are doing the right thing in being accountable to the public; in approving mitigation measures, we do not feel comfortable.
8) Applicant states that they are trying to get an idea as to a level of comfort, a perspective, knowing that the biota report happens before the CEQA document which happens before the permitting; given where we are in the process it seems that we agree that the information provided is what can be provided at this stage, unless SEATAC has a request for more specific information or a specific request.
9) SEATAC responds by stating that one SEATAC member, with regard to the slender mariposa lily, had asked for avoidance of the plant rather than to take a chance with translocation, and the applicant's response had been that they were going to proceed with translocation anyway. SEATAC states that you do not need to conduct mitigation for the plant if you can avoid it, and this plant presents problems because it is located throughout the project site; so, this was a requirement we made in reworking our addressing of the project and our request was not addressed; also, the May 27, 2003 approval of the Specific Plan is constantly used, and the public was informed that at the time each village was developed the specifics would come out; subsequently, with this biota report to come out and refer readers back to the Specific Plan that was approved and claim that this is where mitigation is, instead of general mitigation we now have specifics.
10) Applicant responds by stating that the document does refer to the approved Specific Plan EIR; our findings at a project specific level do concur with the program level; what we were obligated to do was look at it a project level of detail, and we provided very specific information, but in going through the process of providing specific information it does not mean that we come out to a different conclusion than what the Specific Plan will hold.
11) SEATAC states that they would still need to see additional information for a recommendation to be made to Regional Planning, still need final information; we cannot put the cart before the horse, and you cannot do everything at once; you can suggest mitigation measures that would be similarly found in a 1603 type of permit, rather than just referencing to a document, and you are correct that those documents do not exist; it is SEATAC's hope that as the project progresses through approvals that agreements are formed and implemented in a transparent manner that will address the issues; we would rather see things open to the public, front and center, and we are doing our best to address any questions that may arise by getting into specifics and methodologies.
12) SEATAC also states that surveys in the appendices that were required by federal guidelines were in the report, but not other surveys; if you had to even minutely tabulate all consultants and biologists that have worked on this project in the last couple of years it would be a massive task, but even some semblance of how many hours from one day to the next spent on surveys, many of which were conducted for federally listed species (e.g. gnatcatcher), but

there are many other CEQA sensitive type species (e.g. spadefoot toad) too that were found outside the project site, correct if mistaken? Applicant responds that there was one specific non-breeding location located on the project site. SEATAC states there is a question of what is going on here, if the species are coming from somewhere else, if you can present some very brief table summary organization with the methodology so that SEATAC and the public can be satisfied, something that every biologist would be looking for along with the correct time of year. Applicant responds that this has already been done in Table Four (4) along with the methodology spelling out all the surveys that were done out in the area; the table format spells out if they are protocol surveys or not, if protocol surveys are required, what was done if not protocol surveys, including the CEQA species in response to SEATAC, not just a yes/no type of table. SEATAC questions how was it decided where the spadefoot toad is? Applicant responds that they had Compliance Biology look for all the suitable breeding habitats when the area was wet and survey it, reference to page 49 for yolo loam. SEATAC states that if the public were looking at it and wanted to know about the spadefoot toad, it would be found in the table under Herpetofauna, Compliance Biology, on page 50, from March 10 to 23rd, 2004; the public would read that all areas of the entire project site suitable for a breeding habitat were searched? Applicant responds that the portion of the project site that will have a suitable breeding habitat will not be that widespread, they will be in areas where you can get more ponding. SEATAC states that if all these surveys were done and the species were found once but not a second time, what makes the applicant think that they have all been found? Applicant states that they do not make that assumption, in the document it is stated where they were found, with a species like spadefoot they can breed if there is a seasonal pool that has formed inside a tire, so we account for that variability and we say that is mitigation very specifically, and in preparing method and survey all you do is apply habitat again in a very detailed mitigation plan for spadefoot that has been implemented before and has worked very well.

13) SEATAC states that it is not convinced that the mitigation plan would work well, not a long enough monitoring period, the climate and rainfall fluctuations over the past few years make it difficult to assess, that is not to say that it is not trying to do what it is supposed to do, but it is too early to call it a success with this particular species; what we know about small populations and moving populations over long terms, seems like if someone off the street would say if you didn't find it but now you did find it, how do you really know what you are doing would be a question. SEATAC states that what has been done thus far is laudable because of the continued effort that has gone into this, but this table does create a problem for the public review because it suggests that things were not found that were supposed to be found in the first place, the table is good but not convinced the mitigation measures are going to work; also look at the gnatcatcher survey, a protocol required survey, it has very rarely obtained track information of field movement of the gnatcatcher which is in the document; applicant got close enough to the patches of coastal sage scrub to see and hear where the gnatcatcher was and recorded track movement with a nice yellow line in document, but there is no good track data on the spadefoot, a lesser species in designation that will disappear and be gone from Los Angeles County soon, less than 10 populations, maybe 6, but they are popping up on private property here and there; SEATAC did not know they were among Newhall Ranch, so where did they look so for spatial designation, no attempt to map spadefoot habitat. Applicant responds that occupied habitat was mapped. SEATAC states that this is the problem; we know where they are but not where they might be for certain, an absence of evidence.

14) SEATAC states that this table that shows the total conservation area impacts was created in response to a SEATAC comment, but at the bottom of the table it reads that "the acreages do

not include conversion, restoration or enhancement acreage," so one of the problems is that if you are preserving this many acres of coastal grassland in the high country but you are going to take a number of those acres and convert them to something else for mitigation then that's not really the acreage that you are saving; that is something we were trying to make a point of is what will really be left over after all mitigation is done; the applicant alluded to doing mitigation in the high country areas and this is something that cannot be answered until there is a much clearer and definite mitigation presented; the chart was provided which SEATAC asked for, but a bottom line big picture is what SEATAC is looking for to really know the losses and changes; set asides are not always totally preserved but they are needed since all mitigation is being done on site.

15) SEATAC makes further reference to the slender mariposa lily with backup contingencies, on page 7, a question of will it be implemented, can list a couple of contingencies, but supplemental watering with the assumption of that being a major reason why we fail; the slender mariposa lily receptor sites, report says the bulbs of seeds will be located in a suitable habitat for mariposa lily within the high country in areas yet determined for receptor sites; further down next sentence it says "specific planting locations will be determined in the field by the project biologist," it just leaves the question open as to where exactly these are going to be placed, are they going to be adequate, what's there now, are they going to mark the existing plants so they are not to be impacted by further seed or plant; it is real tricky for areas where they are supposed to work, in areas where they are to be translocated, why aren't they there now is a question; are some of these areas going to be supplemented with additional plants and how will this be done without further impacting the existing plants like the slender mariposa lily and other native plant species when you have to keep dealing with water and walking through these areas and monitoring them; these are unknown variables, real easy to come back in 20 years and see that it didn't work, and the bottom line is that it doesn't work and the project is over and everyone has forgotten about it; it is tricky translocating this species, not a lot has been done, in another 10 to 20 years there will be data and maybe procedures that can be followed that will ensure success, but this is still experimental, still at the same stage here as we were with coastal sage scrub restoration where we are getting more data that's been around a couple of decades, you have gnatcatcher in the manufactured slope areas that were restored, you have some confidence that restoration will be successful, but a lot of these species, like spineflower, these are species that have not been on the radar that long, kind of in the infancy of the restoration process here, but will it mitigate for the loss?
16) SEATAC questions location of spring areas sections. Applicant responds by saying that it is in two locations of the document, under riparian resources on page 59, and is also included under impact analysis.
17) SEATAC states that in the impact section, it mentions that the hydrology will be monitored but does not explain how which is vague mitigation, does not explain what the bench marks are, the measuring of water potential for plants, ground water tables, how will we know when the water tables are too low, we understand that it is difficult to show how these will be done.
18) SEATAC addresses the issue of cowbird trapping responses, did not understand it; also, Comment 5 about a threshold where trapping was going to be entertained, if so many cowbirds were observed on site? Applicant responds that it had been recommended last time that they have a mitigation included for a cowbird trapping program and mitigation was completed this time; there was survey with a threshold on the number of cowbirds to be found before a trapping program would be implemented. SEATAC states that they were curious as to where this came from, 10 males and 4 females, this would be enough cow birds, question whether this would be an effective and valid response, to substantiate that it would

be upstream of the I-5 bridge where cowbirds have been trapped up there for a number of years, and there are vireo downstream from the bridge, do not know if any data has been collected that would show cowbird trapping affect on vireo downstream; something to show if it has had a beneficial effect, that would be a real nexus to justify trapping. Applicant responds that the vireo is doing really well in that area. SEATAC states that trapping has been done for several years, the culvert trapping, and it is not too far upstream from the project site. Applicant responds that with regard to the threshold numbers, this has been discussed with Fish and Game as part of the EIR and EIS process, can imagine this has been resolved.

19) SEATAC questions whether all agricultural fields are going to be part of the project development? Applicant responds with yes answer. SEATAC states that Pete Bloom put out a lot of material on winter raptor use of those hills, question on some other variation? Applicant responds that Pete also found that there are a lot of ferruginous hawks at Wolcott fields which are not within the Mission Village project site, they are on the Landmark site. SEATAC states that many of the raptors are spending the winters on the hills, at least outside of the nesting season, located in the agricultural fields; wasn't this also considered an unavoidable significant impact, general losses to wildlife habitat? Applicant responds yes, winter bird foraging habitat impacts.
20) SEATAC states that there was also a discussion on Comment 16 about water, how long existing agricultural water could be used on site, provision for water, one question with the delta water situation, not having enough water available, will this come into play? Applicant states that no state water project supplies will be used, and it is also stated in the document's water section.
21) SEATAC has a question on feral cats, in R20-1, a quote that states cats are still likely to be impacted within 100 – 200 feet of urban edge, not really sure what this means. Applicant responds that what this is alluding to is that there is a healthy coyote population which will have some control on feral cats, but based on the study we are quoting that within 100 to 200 feet feral cats can still have an adverse affect on native species. SEATAC states that the quote reads that "cats are still likely to be impacted". Applicant clarifies that they will be impacted by coyotes. SEATAC states that the report also talks about HOA's limits, using whatever vehicles there are to control cats, it would be useful with what ordinances there are, like trapping for instance to control feral cats, it might be included as a mitigation measure but may not conform to local ordinances which could be an issue with people feeding feral cats and then trying to trap them, to substantiate if that is even possible based on the local ordinances which may limit the ability to do that; in the City of Los Angeles, based on a recent newspaper article about the Old Veterans Administration site, there was a procedure for trapping, neutering, and then releasing again; in your case it would be better to trap and then release, and if that is the only thing that can be done at this particular location then that is what must be done.
22) SEATAC states that they are not very confident with homeowners associations and CC&Rs (covenant, conditions and restrictions), especially with a yet to be determined president and members, that's way down the line and it has to be in perpetuity or it will be weak and not work; it is also a better measure for the entity that will be managing the river corridor if that's something that they could implement as a predator control if there are other aquatic, exotic species control.
23) SEATAC comments that Figure 4 needs to be switched, color in the names, you gave us a better map of the trails plan and the trails are easy to see but the names have been switched. SEATAC also highlights the fact that there a cluster of ferruginous hawks here, usually they

are seen in the Antelope Valley, an unusual bird to see in numbers here, difficult to see the unavoidable loss of these animals.

24) Applicant states that they appreciate the feedback through the process, and that their best efforts were made to respond to all comments and provide the best data possible

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ACTION TAKEN: SEATAC, after conducting a full analysis of the proposed project, does not have confidence in the proposed project mitigation measures and has concerns for habitat loss and avoidance. Applicant may return to SEATAC with the EIR for review, recommended that the biota section of EIR reflect and incorporate above comments and recommendations.

Response to SEATAC Comments from

Meeting Date January 29, 2007

Prepared by Impact Sciences, Inc.

INSERT FOLLOWING P. 59

1. **The Castaic Spring complex on the edge of the river floodplain is a remarkable and irreplaceable unique habitat, supporting one undescribed species of sunflower with a population of perhaps ten individuals and one undescribed species of spring snail, the abundance and range unknown. Crucial information must include a characterization of the spring system, an understanding of its hydrology, and the potential direct and indirect effects of bridge construction.**

   A characterization of the spring system has been added to Section 6.1(2)(i) of the Biota Report.

   Mitigation Measure MV-50 has been added to the Biota Report, requiring preparation and implementation of a Habitat Management Plan (HMP). The purpose of this HMP will be to provide early detection of a decline or conversion in habitat and associated species of concern at Middle Canyon Spring, to proactively detect a change in conditions that could result in such declines or conversions, and to trigger adaptive management measures to remediate such changes in support of the continued health and function of the spring complex. This HMP will provide a characterization of the spring system, including its hydrology, documentation of baseline biotic conditions at the Middle Canyon Spring, an ongoing monitoring program, and a framework for management decisions. Implementation of the plan will mitigate potential impacts of the Mission Village project on the Middle Canyon Spring complex to a level below significance under the California Environmental Quality Act (CEQA). This HMP will be implemented prior to the proposed development and will continue concurrent with construction and following development to mitigate potential impacts to the spring and the special-status sunflower and snail species.

   The alignment of Commerce Center Drive bridge has been revised in order to eliminate grading encroachments into the spring. The southerly abutment and alignment has been shifted east approximately 75 feet. The realignment removes all grading encroachments (both permanent and temporary) from the spring limits. A minimum distance of 60 feet separates the temporary impact footprint from the spring limits. Commerce Center Drive realignment also eliminated a commercial parcel located on the southeast corner of Commerce center Drive and GG Street.

INSERT FOLLOWING COMMENT 1

2. **Development in the area of the spring complex must be redesigned. Downstream areas near the bridge support the spring complex, unarmored three-spine stickleback, arroyo toad and western spadefoot. Upland habitats above the spring, near the bridge support San Fernando Valley spineflower and slender mariposa lily populations. All of these sensitive resources should be protected collectively. As proposed, permanent and temporary impacts from the project on the spring complex and nearby resources include bridge revetments, nuisance flow basins, storm drains, channelization of Middle Canyon Creek, a major public trail ten feet from the spring, night lighting, continuous traffic on the bridges and associated increase light pollution, nitrogen deposition and precipitates from exhaust, wells, pumping, and dewatering from bridge installation. Permanent impacts from the bridge buttresses would extend towards the spring complex, and perhaps beyond it. Temporary impacts would extend beyond the permanent buttresses and remove habitat where the spring complex joins the floodplain, meaning all vegetation in this area would be removed, substantially degrading the adjacent surroundings.**

   Please see the response to comment 1, above, for a discussion specific to the Castaic Spring complex and the changes to the alignment of Commerce Center Drive bridge. Mitigation for the unarmored threespine stickleback, arroyo toad, western spadefoot, San Fernando Valley spineflower and slender mariposa lily is provided in the following ways:

   As indicated in 11.2.8(1)(a), the unarmored threespine stickleback is a Fully Protected species, and the CDFG cannot authorize "take" of the species. Additionally, given the rarity of the species, the loss of unarmored threespine stickleback would be a significant impact. Implementation of Newhall Ranch Program EIR Mitigation Measures 4.6-54, 4.6-57, 4.6-58, as well as the proposed Mitigation Measures MV-23 through MV-30, would prevent the "take" of the species from occurring and would reduce direct impacts to the unarmored threespine stickleback to a level below significance. The finding that impacts to the unarmored threespine stickleback can be reduced to a level below significance with mitigation is consistent with the findings of the Newhall Ranch Program EIR.

   As indicated in 11.2.8(1)(a), given the presence of suitable habitat for Arroyo Toad, that this species has been recorded in low numbers upstream of the project site, and that tadpoles have been documented in the river on and adjacent to the project site, the species could currently occupy habitats on the site. Should arroyo toad occur, construction-related activities could result in the loss of individual toads, which would be a significant impact. Implementation of proposed Mitigation Measures MV-29 through MV-33 would reduce impacts to the arroyo toad to a level below significance. The finding that impacts to the arroyo toad can be reduced to a level below significance with mitigation is consistent with the findings of the Newhall Ranch Program EIR.

   As indicated in 11.2.8(1)(a), western spadefoot has been documented in one seasonal rain pool on the project site during focused surveys (Compliance Biology 2006). Other seasonal rain pools, and potentially seasonal backwater areas associated with the drainages on the site, provide breeding habitat. The proposed project would result in the fill of the seasonal rain pool where the species has been documented, as well as the fill of other features providing suitable breeding habitat for the species. Depending on the number and extent of western spadefoot on the site that would be disturbed or removed, the loss of this species would be a potentially significant impact. Implementation of proposed Mitigation Measures MV-29, MV-30 and MV-34 would reduce impacts to western spadefoot to a less than significant level. The finding that impacts to the western

spadefoot can be reduced to a level below significance with mitigation is consistent with the findings of the Newhall Ranch Program EIR.

As stated in the Draft Biota Report, Section 11.2.6(2), San Fernando Valley spineflower is a federal candidate plant species, is state-listed as Endangered, and is a CNPS List 1B species. Given the rarity of San Fernando Valley spineflower, without mitigation, the project-related loss of the species would be a significant impact. A Spineflower Conservation Plan (SCP) has been prepared to ensure the long-term survival of spineflower populations on the project site and greater NRSP. Given the preservation and protection measures outlined in the SCP (see proposed Mitigation Measures MV-3 through MV-19), and implementation of Specific Plan RMP Measures 4.6-65 through 4.6-79, impacts to San Fernando Valley spineflower would be reduced to a level below significance. Additionally, the project would be required to comply with all requirements of the associated Incidental Take Permit under CESA Section 2081. The finding that impacts to San Fernando Valley spineflower can be reduced to a level below significance with mitigation is consistent with the findings of the Newhall Ranch Program EIR and Additional Analysis.

As stated in the Draft Biota Report, Section 11.2.6(2), slender mariposa lily has no state or federal status, but is a CNPS List 1B plant. Los Angeles County considers it a "species of special concern," as this species appears to be endemic to Los Angeles County and is threatened by urban development. The proposed project would result in the loss of an estimated 5,388 individual above-ground plants (see Figure 17). Given the sensitivity of this species, and that Los Angeles County considers it a "species of special concern," impacts to this species would be significant. The *Newhall Ranch Mitigation Feasibility Study, Figure 4,* (Dudek 2007) identifies six different locations (total of 559 acres) as suitable areas for slender mariposa lily mitigation. This document is attached in Appendix E of the Biota Report. In addition, the Mission Village Slender Mariposa Lily Mitigation and Monitoring Plan (Dudek 2007) is attached in Appendix E of the Biota Report. This plan provides a description of the overall transplantation program, the donor and receptor sites, an implementation plan, a maintenance program, a long-term monitoring program and a description of the success criteria. Given the availability of suitable mitigation sites, implementation of proposed Mitigation Measure MV-20 would reduce impacts to this species to a level below significance. The finding that impacts to this species can be reduced to a level below significance with mitigation is consistent with the findings of the Newhall Ranch Program EIR and Additional Analysis.

INSERT FOLLOWING P. 144

3. **The results of human intrusion into the Santa Clara River SMA area cannot be overstated as a direct and cumulative significant adverse impact. These include the collection of special-status and common reptile and amphibian species, introduction of pollutants and exotic species, the presence of homeless encampments, fishing, building rock dams, cutting of vegetation, etc. Bridge abutments and supports are notorious for attracting homeless people, graffiti activity and associated trash. This could have monumental impacts on sensitive resources. Over time these activities in conjunction with all of the other project-related impacts have a high probability of resulting in the extirpation of species of very limited distribution. These impacts and associated mitigation measures are lacking or not fully described in the biology section.**

   As discussed in the Draft Biota Report (Section 11.3.4), impacts caused by increased human presence are identified as unavoidably significant. Specifically, the project-related increase in human population would create the potential for increased human disturbances to adjacent riparian habitats associated with the Santa Clara River. Increased recreation and other human activity along proposed trails, and unauthorized entry into the riparian area could result in increased noise disturbances to wildlife (especially during the breeding season of birds), which could result in nest abandonment; the harassment and/or capture of slower moving species, including certain reptiles and amphibians; the displacement of other wildlife species; an increase in the amount of refuse and pollutants in the area; compaction of soils; and trampling of ground-dwelling flora and fauna. The Biota Report's discussion of impacts related to increased human presence has been expanded to more directly address adverse effects on special-status plant and wildlife species. Additional mitigation measures also have been incorporated (see MV-47 through MV-49) to reduce associated impacts. While the implementation of previously approved mitigation measures (4.6-17 and 4.6-19, p. 201-202) and mitigation measures MV-47 through MV-49 would reduce the severity of associated impacts, the Draft Biota Report concludes that impacts associated with increased human presence would remain significant and unavoidable.

INSERT FOLLOWING P. 145

4. **The public use trail proposed along the existing dirt road above Castaic Spring is too close to sensitive biological resources there. Constant human and pet activity within a few feet of sensitive spring-dependent species is a significant impact.**

   A discussion addressing potential indirect impacts associated with use of a trail near Castaic Spring has been included in the Revised Biota Report (Section 11.3.6). Mitigation has been included (MV-50) requiring monitoring of the condition of the spring and the implementation of measures to prevent unauthorized entry.

INSERT FOLLOWING COMMENT 2

5. **The proposed nuisance basin near the spring and river will encourage water quality problems in sensitive habitat and will provide a location for invasive weeds and amphibians to establish and escape into the spring complex and river.**

Please see the response to Comment 1, above, for a discussion specific to the Castaic Spring complex.

The incorporation of water quality basins on the Mission Village project site will not impact nearby sensitive habitat areas due to the use of treatment control measures and comprehensive source control that will manage the project's runoff.

The Mission Village project proposes the use of dry extended detention basins for treatment of runoff from the project's developed areas. Dry extended detention basins are designed with outlets that detain the runoff for a specified time (in this case up to 48 hours) to allow particulates and associated pollutants (phosphorous, trace metals, some pesticides, and other pollutants) to settle out. These basins are designed in a manner to ensure that there will not be standing water for periods in excess of 48 hours. The dry extended detention basins will also incorporate wetland vegetation in the basin forebay for the treatment and infiltration of dry weather flows and smaller storm events. Wetland vegetation provides one of the most effective methods for pollutant removal. As runoff flows through the wetland vegetation, pollutant removal is achieved through settling and biological uptake of nutrients and dissolved pollutants within the vegetation. Pollutant concentrations in stormwater runoff after treatment in the dry extended detention basins are predicted to be below all benchmark water quality objectives and criteria and TMDL wasteload allocations for the Santa Clara River.

Bioretention areas and vegetated swales will collect and treat runoff from a portion of the commercial and multi-family land use areas of the Mission Village project. As these areas will subsequently drain to the water quality basins described above, runoff from these areas will be effectively treated using a treatment train approach. Bioretention areas are vegetated (i.e., landscaped) shallow depressions that provide storage, infiltration, and evapotranspiration, and also provide for pollutant removal (e.g., filtration, adsorption, nutrient uptake) by filtering stormwater through the vegetation and soils. In bioretention areas, pore spaces and organic material in the soils help to retain water in the form of soil moisture and to promote the adsorption of pollutants (e.g., dissolved metals and petroleum hydrocarbons) into the soil matrix. Plants utilize soil moisture and promote the drying of the soil through transpiration. Vegetated swales are engineered, vegetation-lined channels that provide water quality treatment in addition to conveying stormwater runoff. Swales provide pollutant removal through settling and filtration in the vegetation (often grasses) lining the channels and also provide the opportunity for volume reduction through infiltration and evapotranspiration.

Routine maintenance of the extended detention basins will prevent invasive weeds from establishing and escaping into the subject spring area and river. The lack of standing water for more than 48 hours will eliminate long-term use (including breeding) of the basins by non-native amphibians. The Los Angeles County Department of Public Works will be responsible for maintenance of the basins. A specific maintenance plan will be formulated for each facility outlining the schedule and scope of maintenance operations. General maintenance requirements will include:

1. The basins will be inspected annually and after major storm events. Trash and debris will be removed as needed, but at least annually prior to the beginning of the wet season.

2. Invasive vegetation, if present, will be removed and replaced with non-invasive species.

3. No herbicides or other chemicals will be used to control vegetation.

4. Sediment buildup exceeding 50% of the forebay capacity will be removed. Sediment from the remainder of the basin will be removed when 6 inches or more of sediment accumulates.

5. Following sediment removal activities, replanting and/or reseeding of vegetation will be required for reestablishment.

INSERT FOLLOWING P. 15

6. **The proposed road alignment leading south from the Commerce Center Drive Bridge bisects the Airport Mesa Spineflower Overlay Zone. The road will bisect spineflower habitat areas and will be about 65 feet away from the proposed preserved populations, causing a variety of adverse direct and indirect effects, even if no other construction occurs in the vicinity. The County prohibits roadways from being located inside spineflower preserves or buffers, unless there is a compelling biological benefit from allowing it.**

   The proposed location of Commerce Center Drive is consistent with the general location of the road in the County-approved Specific Plan and associated environmental documentation (see Specific Plan Figure 2.6-8, Spineflower Special Study Mitigation Overlay). While the proposed location of Commerce Center Drive is within the Spineflower Overlay Zone, it does not bisect the proposed Airport Mesa San Fernando Valley spineflower (SFVS) preserve area. The road does cross between the SFVS preserve and the Open Area to the north. However, the road has been designed with an arched crossing to allow connectivity between the SFVS preserve and the Open Area. The Draft Biota Report includes measures to address direct and indirect impacts associated with construction and operation of the proposed road (see 4.6-65 through 4.6-79 and MV-3 through MV-19, including, for example, 4.6-70 [Road Construction Measures specific to spineflower], and MV-7 through MV-12 [Prevention of Construction Related Impacts specific to spineflower]).

INSERT FOLLOWING P. 115

7. **The pollination biology of spineflower is not currently understood, and Argentine ant intrusion into spineflower habitat may have serious long-term consequences to the sustainability of spineflower preserves. Buffer areas and surrounding development must be designed with the goal of avoiding negative impacts by Argentine ants on spineflower populations.**

   The Draft Biota Report includes mitigation measures MV-14 and MV-45 to avoid impacts associated with introducing Argentine ants. These measures require that all container plants to be installed within 200 feet of the preserves shall be inspected by the preserve manager for the presence of pests, including argentine ants. Prior to use and placement on the Mission Village site, all landscaping materials (including organic mulches) shall be inspected and certified "free" of Argentine ants. Plants with pests, weeds, or diseases shall be rejected.

INSERT FOLLOWING P.86

8. **Impacts associated with the proposed project will occur in least Bell's vireo and California gnatcatcher Designated and Proposed Critical Habitat; this is not discussed in the Biota Report. Impacts to upland habitats on southwestern pond turtle and two-striped garter snake are not discussed.**

   Additional text has been added to Table 6 for least Bell's vireo and Table 7 for California gnatcatcher regarding the presence of designated critical habitat and proposed critical habitat, respectively, for these two species. Text also has been added to the impacts discussion 11.2.2., Bio-2, Wildlife Habitat Loss of the Biota Report, regarding the potential loss of designated critical habitat for the least Bell's vireo. Because the proposed critical habitat for California gnatcatcher has not been finalized by the U.S. Fish and Wildlife Service, a discussion of and any conclusions made regarding impacts on areas proposed as critical habitat would be speculative and, therefore, is not included in the Biota Report. Please see the responses to Comment 26 and Comment 29, below, for a discussion of the loss of upland habitat for two-striped garter snake and southwestern pond turtle.

INSERT FOLLOWING P. 145

9. **Construction vehicles should not be allowed to cross the Santa Clara River during construction activities. Vehicle accidents while crossing the river may result in the spillage of loads or vehicle fluids into the river and cause great harm to resources.**

   The crossing of the Santa Clara River by construction vehicles would be limited to the crossings required to construct the Commerce Center Drive Bridge. The vehicle crossing would be located within the disturbance footprint associated with the bridge (see Figure 10, Conceptual Grading Plan). To address the potential spillage of loads or vehicle fluids into the river, Best Management Practices (BMPs) have been specified for all construction activities occurring within or adjacent to the Santa Clara River (see MV-30).

INSERT FOLLOWING P. 134

10. **Creek outlets into the Santa Clara River provide less turbulent refugia for special-status aquatic species escaping high energy flood waters. These areas should remain intact and accessible. Provide an evaluation of water velocities during flood events within areas lacking upland refugia due to project buildout; discuss impacts and provide necessary mitigation.**

    The *Mission Village Flood Technical Report* prepared by PACE (November 2006) was previously submitted to SEATAC as part of Volume II of the Mission Village Biota Report.

    Structural improvements proposed in the reach of the Santa Clara River on the Mission Village project site include buried bank stabilization on the south bank at San Jose Flats, Lion Canyon outlet area and Commerce Center Drive Bridge and rip-rap bank stabilization at Middle Canyon (see Figure 6). The Commerce Center Drive bridge will cross the Santa Clara River from its current alignment to the eastern slope below Airport Mesa, above the Middle Canyon confluence.

    The location of the proposed stabilization features are set back beyond the river and adjacent riparian areas and permanent features would not interface with the active stream channel. The hydrologic influence of the bank stabilization on fish and other animals will be substantially muted when viewed in conjunction with episodic flood flow conditions. Similarly, bridge-related features such as piers and abutments would result in localized velocity increases but not substantially reduce riparian refugia areas along the Newhall Ranch mainstem reach.

    Additionally, the Flood Technical Report (PACE 2006) found that there would be no significant impacts in water flows, velocities, depth, sedimentation, or floodplain and channel conditions on or downstream of the project site as a result of the proposed project improvements. These hydraulic effects were also found to be insufficient to alter the amount, location and nature of aquatic and riparian habitats within the project site and downstream into Ventura County. The technical analysis further determined that the river would still retain sufficient width to allow natural fluvial processes to continue; and, as a result, the mosaic of habitats in the river that support various sensitive species would be maintained, and the population of the species within and immediately adjacent to the river corridor would not be significantly affected.

INSERT FOLLOWING COMMENT 10

11. **Proposed bank protection in the river must be considered a significant permanent impact to aquatic and semi aquatic species including special-status species. Placement of bank protection implies expected erosion during high storm events and eventual exposure of buried bank protection. Future remedial work to repair damage to buried structures must be discussed, and additional disruption of the stream bed and associated special-status species must be evaluated.**

    Please see the response to Comment 10, above.

INSERT FOLLOWING P. 119

12. **Diversions of flows from existing stream channels to newly constructed channels, as proposed in 4.6-57, poses a significant loss of habitat. Newly constructed channels lack the algae necessary for unarmored three-spine stickleback (UTS) nest construction, emergent vegetation that provides cover, macroinvertebrates that serve as food for UTS and arroyo chub, epilithic diatoms that provide food for Santa Ana sucker, etc. If streams are diverted back to their original channels, those channels would have been degraded in the interim. It is very difficult not to have down stream habitat degradation due to sedimentation or hydrologic changes caused by stream diversion. This loss must be considered a significant impact.**

    The measure referenced in the comment (4.6-57) was reviewed and adopted by the County in association with the Newhall Ranch Specific Plan and WRP (May 27, 2003). This measure states, "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." As described in the measure, all fish captured during the operation would be temporarily stored in tubs, and therefore, would not utilize or otherwise be dependent on the temporary diversion channels as habitat.

    As described in Mitigation Measure MV-25, stream diversion could also occur when stream flows traverse a construction site or temporary access road. This measure includes the preparation of a "temporary stream diversion plan" that would be subject to the approval of the CDFG. Given the required CDFG approval, the plan would need to adequately address potential sedimentation or hydrologic changes caused by the proposed stream diversion. Additionally, as described in MV-25, the stream diversion would have to allow fish passage and be connected to a natural channel downstream of the construction site.

INSERT FOLLOWING COMMENT 12

13. **The potential loss of unarmored three-spine stickleback is proposed on page 112. UTS is a fully protected species and the CDFG cannot authorize take. Avoidance is the only available option and mitigation measures must be formulated with that in mind.**

    The document (Section 11.2.8) has been revised to indicate that the unarmored threespine stickleback is a Fully Protected species and that the CDFG cannot authorize "take" of such species. The mitigation measures included in the Mission Village Biota Report to prevent "take" of the species are incorporated from the approved NRMP. These measures have been reviewed and approved by the ACOE, CDFG, and USFWS (as part of the NRMP) and are considered sufficient to prevent any "take" of unarmored threespine stickleback from occurring. These measures would be implemented during the construction of the Commerce Center Drive Bridge (which is a project covered by the NRMP).

INSERT FOLLOWING P. 181

14. Remove grazing as a management tool in riparian areas.

The measure referenced in the comment (4.6-12) was reviewed and adopted by the County in association with the Newhall Ranch Specific Plan and WRP (May 27, 2003). This measure states, "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 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." An additional mitigation measure (MV-2) has been incorporated to exclude the potential of grazing from occurring within riparian portions of the Mission Village project site.

INSERT FOLLOWING COMMENT 13

15. Discuss future hydrological impacts. Provide an estimate of the volume of nuisance flows that are expected to be generated by implementation of the project and which streams are expected to be perennialized. Connectivity of historically seasonally isolated stretches of the Santa Clara River must be avoided. Provide references for any substantiating materials.

During storm events, the Mission Village project will discharge from its storm drain and water quality control facilities directly to the Santa Clara River. Existing surface flows in the Santa Clara River at the project location are primarily related to discharges of treated effluent from two wastewater treatment plants and runoff from agricultural fields and existing urban areas. Discharges from agricultural land use will decrease as these areas convert to urban use. There are two regional wastewater reclamation plants in the area operated by the County Sanitation Districts of Los Angeles County that discharge tertiary-treated wastewater to the Santa Clara River.

All Mission Village nuisance flows will be infiltrated or removed by evapotranspiration in the dry extended detention basins. This has been documented through the preparation of a dry weather water balance that was performed as part of the *Mission Village Water Quality Technical Report* (Geosyntec, November 2006); this technical report was previously provided to SEATAC as part of Volume II of the Mission Village Biota Report. The dry weather water balance utilizes information obtained from the Irvine Ranch Water District that suggests an average dry weather flow from urban areas of 2.9×10^{-4} cubic feet per second (cfs) per urbanized acre (IRWD, 2003). Dry weather flow estimates in Santa Monica, used to design a dry weather flow recycling facility, indicate a range of dry weather flows between 8.3×10^{-5} to 1.8×10^{-4} cfs per urbanized acre (Antich et al., 2003). For purposes of conservatively estimating the impacts of dry weather flows, a dry weather discharge of 3.0×10^{-4} cfs per urbanized acre was assumed in the Mission Village Water Quality Technical Report.

A monthly dry weather flow balance was performed on the water quality improvements for Mission Village. Table 1, Predicted Dry Weather Water Balance, below, presents the results of this analysis. Water quality basins were conservatively assumed to infiltrate at only 0.15 in/hr representing half of the long-term infiltration rate estimated in water quality basins for wet-weather hydrologic modeling. Evapotranspiration rates were assumed to be 60% of reference rates from California Irrigation Management Information System (CIMIS) Zone 14, in which the project is located. It was assumed that natural open space in the project area would result in no dry weather runoff. The only areas of the site that are not served by detention basins are certain roadway areas which will be served by catch basin media filtration units; however, these areas either will not produce dry weather discharges, or will include design elements, such as porous vault bottoms, to allow full infiltration of dry weather flows.

Table 1
Predicted Dry Weather Water Balance

Month	Dry Weather Flow (af)[1]	ETo (af)[2]	Infiltration (af)[3]	Outflow (af)
January	16.0	0.6	15.4	0.0
February	14.5	0.9	13.6	0.0

Month	Dry Weather Flow (af)[1]	ETo (af)[2]	Infiltration (af)[3]	Outflow (af)
March	16.0	1.5	14.5	0.0
April	15.5	2.1	13.4	0.0
May	16.0	2.8	13.2	0.0
June	15.5	3.2	12.3	0.0
July	16.0	3.6	12.4	0.0
August	16.0	3.2	12.8	0.0
September	15.5	2.4	13.2	0.0
October	16.0	1.7	14.4	0.0
November	15.5	0.9	14.7	0.0
December	16.0	0.6	15.4	0.0

[1] *Based on dry weather flow of 0.0003 cfs/acre from a range of researched values.*
[2] *60% of Reference ETo from CIMIS Zone 14.*
[3] *Equal to dry weather runoff up to maximum of 0.15 in/hr for water quality basins.*

As is shown by the above water balance analysis, no nuisance flows will be generated by Mission Village. Consequently, the proposed project would not be expected to result in connectivity between historically seasonally isolated stretches of the Santa Clara River.

INSERT FOLLOWING COMMENT 15

16. **Provide mitigation measures to ensure that surface hydrologic connectivity of historically isolated stretches of the Santa Clara River does not result from the implementation of the proposed project and that infiltrated nuisance water does not resurface elsewhere.**

    See the response to Comment 15, above.

INSERT FOLLOWING P. 115

17. **At the time of the Specific Plan approval in May 2003, all known spineflower populations were placed inside Special Study Overlay Zones within which full preservation was anticipated. More populations have subsequently been found that are not adequately protected by current proposals. The project site represents some of the best known spineflower habitat and supports numerous populations scattered throughout. The current conservation easement and proposed preserve containing the easement and some additional area appears inadequate. Proposals to protect spineflower are not consistent with previously imposed county conditions. Proposed mitigation such as transplantation of impacted spineflower and 4:1 replacement for unavoidable impacts is unlikely to be technically feasible, as it would necessitate the creation of 24 acres of occupied spineflower habitat, supporting around 5.8 M individual plants. No one has ever successfully created a self perpetuating population of this size, over this many acres, for any endangered upland annual plant species.**

    The proposed project is consistent with the previously proposed conditions. Specifically, consistent with SP Measure 4.6-66, impacts to spineflower have been minimized through the (proposed) establishment of preserves that are configured to contain sufficient numbers of known spineflower populations to ensure the continued existence of the species in perpetuity. Further, SP Measure 4.6-78 states that "To the extent project-related direct and indirect significant impacts on spineflower cannot be avoided or substantially lessened through establishment of the Newhall Ranch spineflower preserve(s), and other avoidance, minimization, or other compensatory mitigation measures, a translocation and reintroduction program may be implemented in consultation with CDFG to further mitigate such impacts." Should it be determined by CDFG that the proposed avoidance and minimization efforts and the establishment of the preserves is not adequate to substantially lessen the significance of direct and indirect impacts to spineflower, the reintroduction program (as described in SP 4.6-78) may be implemented. The Draft Spineflower Conservation Plan (SCP) provides for possibility of the translocation/introduction of SFVS (see Section 12.0 of the SCP, attached in Appendix E). Translocation/transplantation is not proposed at this time as the proposed project includes the conservation of five preserves that capture approximately 80% of the spineflower individuals (preservation at a ratio of 4:1) and 65% of the spineflower occupied area. The proposed project includes buffers ranging from 80 to 300 feet for the five spineflower preserves, in accordance with the County NRSP EIR FAA. Any translocation/transplantation program would be implemented in conjunction with, and the approval of, CDFG, thereby affording the program the greatest likelihood of success, and would be in addition to the 4:1 preservation of individual spineflower.

INSERT FOLLOWING COMMENT 17

18. **A regional spineflower conservation approach is recommended, incorporating expanded, landscape-based preserves more closely corresponding to the County's Special Overlay Zones with effective buffers, connectivity, and management. The Castaic Spring complex should be included as part of the Airport Mesa Preserve. Avoidance of direct impacts to spineflower populations and an emphasis on spineflower research is more consistent with the long-term goal of spineflower preservation than are the currently proposed mitigation measures.**

    Please see Response 1 for a discussion specific to the Castaic Spring complex.

    The draft SCP is under review by the CDFG, ACOE and USFWS. The SCP is a conservation and management framework to permanently protect and manage a system of preserves designed to maximize the long-term persistence of the San Fernando Valley spineflower. The CDFG, ACOE and USFWS are reviewing the SCP in the context of a draft EIS/EIR and CCA. The draft EIS/EIR is evaluating seven alternatives, including the proposed project, which is addressed in the SCP. The proposed project includes the conservation of five preserves that capture approximately 80% of the spineflower individuals and 65% of the spineflower occupied area. The proposed project includes buffers ranging from 80 to 300 feet for the five spineflower preserves, in accordance with the County NRSP EIR FAA. The SCP addresses buffers, connectivity, monitoring, maintenance and management activities related to the spineflower preserves.

INSERT FOLLOWING COMMENT 18

19. **CDFG is evaluating a larger preserve in this area under one of the Master 404 EIR/EIS alternatives. This larger preserve is similar in extent to the Special Overlay Zone for spineflower, pursuant to county approvals (shown in SP Figure 2.6-8). Included in the concept is no construction of the Commerce Center Drive Bridge in order to eliminate direct and indirect impacts to the Santa Clara south bank/Castaic Spring/Middle Canyon Creek confluence. This alternative is much more supportable than the currently proposed project.**

    The proposed location of the Commerce Center Drive Bridge is consistent with the County-approved Specific Plan. However, the construction of the Commerce Center Drive Bridge is dependent on the approval of CDFG and the issuance of the required agreements and permits.

INSERT FOLLOWING P. 116

20. **Impact analysis for slender mariposa lily, riparian vegetation, and big basin sagebrush is concluded not significant based upon undeveloped mitigation measures. Without specific mitigation requirements, a conclusion of no significance cannot be made. Revegetation plans should be prepared and submitted with NRSP project level EIR phases. Mitigation for impacts to mariposa lily should consist of conservation of lily habitat rather than translocation; there are no assurances that translocation will work.**

The Mission Village Slender Mariposa Lily Mitigation and Monitoring Plan (Dudek 2007) is attached in Appendix E in the Draft Biota Report. This plan provides a description of the overall transplantation program, the donor and receptor sites, an implementation plan, a maintenance program, a long-term monitoring program and a description of the success criteria.

Mitigation measure MV-20 has been updated to include this report.

MV-20 *The Draft Mission Village Slender Mariposa Lily Mitigation and Monitoring Plan* (see **Appendix E**) shall be implemented by the applicant. The plan incorporates the findings of the *Draft Newhall Ranch Mitigation Feasibility Study* (Dudek & Associates 2007; see **Appendix E**). The plan demonstrates 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 plan specifies, 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 (County of Los Angeles 2007).

As described in Mitigation Measures 4.6-63, a Mission Village Conceptual Wetlands Mitigation Plan is required. This plan will provide a description of the overall wetlands mitigation program, the proposed permanent and temporary impacts, an implementation plan, a maintenance program, a long-term monitoring program and a description of the success criteria. The plan shall be implemented by the applicant (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 provide for the 1:1 replacement of any Southern California black walnut to be removed from the riparian corridor. The plan shall provide for the mitigation of big sagebrush scrub along the riparian corridor. The plan shall be subject to the approval of CDFG, ACOE, and the County, and approved prior to issuance of the grading permit.

INSERT FOLLOWING P. 174

21. Provide an inventory of how the High Country SMA will meet the various habitat mitigation functions required of the NRSP subsequent to approval of the proposed project. The inventory must include an analysis of functional similarities between the various habitats affected by the proposed project and those that are available for compensation in the High Country.

An inventory of the plant communities to be preserved/protected in the High Country SMA, as well as the River Corridor SMA, Salt Creek Area, and Open Areas has been provided in the revised Draft Biota Report (see Table 10). Additionally, the Draft Newhall Ranch Mitigation Feasibility Study prepared by Dudek & Associates (January 2007) has been provided. The report discusses in detail potential mitigation opportunities for slender mariposa lily, California sagebrush scrub, oaks, and wetlands in the 4,205-acre High Country SMA and 1,518-acre Salt Creek Area. As discussed in the report, the biological resources to be protected in the High Country SMA and Salt Creek Area are functionally similar to those to be impacted by the proposed Mission Village project.

It should be noted that the preservation of plant communities within the High Country SMA and other areas are not intended to serve as acre-to-acre mitigation to offset impacts to biological resources associated with buildout of the Mission Village project or other components of the Newhall Ranch Specific Plan. As shown in Table 10, approximately 7,703 acres would be preserved within the High Country SMA, River Corridor SMA, Salt Creek Corridor, and Open Areas. The preservation of this large area of habitat would lessen the magnitude of impacts to biological resources, however, it does not fully compensate for the net loss of habitat proposed for development within the entire Specific Plan area (including the Mission Village project). Accordingly, the Mission Village Biota Report identifies the project-related loss of 648-acres of California sagebrush scrub and the overall loss of 1,276-acres of wildlife habitat as being unavoidable significant impacts. These findings are consistent with the conclusions of the Newhall Ranch Program EIR and Final Additional Analysis, which also identified these as being significant unavoidable impacts.

INSERT FOLLOWING P. 102

22. There are no assurances that mitigation for resources in the High Country SMA will effectively mitigate for impacts to similar resources in lower elevations of the project site. Off site mitigation for coastal sage scrub impacts is necessary if adequate mitigation area is unavailable on site; otherwise impacts should be avoided.

As discussed in the Draft Biota Report (p. 97), given the acreage of California sagebrush scrub (648-acres) that would be developed and because of the habitat value this plant community provides for common and special-status plant and wildlife species, the loss of California sagebrush scrub would be a significant impact. Impacts to this plant community would be reduced by implementation of RMP Mitigation Measures 4.6-37 through 4.6-42 (which would protect 1,311 acres of California sagebrush scrub in the High Country SMA) and the protection of the Salt Creek Area (which contains 629 acres of this habitat type). Also, please see the response to Comment 21, above, regarding preservation of the High Country SMA as mitigation for impacts to resources on the Mission Village site.

INSERT FOLLOWING P. 69

23. **The floral list contains the first recorded occurrence in Los Angeles County of many species or else their first observation in decades. Losses of these taxa may constitute a significant impact which must be discussed. Provide an analysis of impacts to these species and appropriate mitigation for losses that may occur as a result of project implementation.**

As stated in the Draft Biota Report, Section 9.1, "Special-status plants include those species that are state- or federally-listed as Rare, Threatened or Endangered; federal candidates for listing; proposed for state- or federal-listing; or included on Lists 1, 2, 3 or 4 of the CNPS Inventory of Rare and Endangered Plants of California (CNPS Inventory)…Based on a review of the CNDDB and CNPS databases and the survey reports prepared for the Newhall Ranch Specific Plan area and the project site, 41 special-status plant species were identified as occurring in the region." All of these species were addressed in the Draft Biota Report. It is unclear which species are being referenced in this comment; consequently, it is not possible to further address the comment.

INSERT FOLLOWING P. 171

24. Secure long term management conservation easements with the Special Management Area prior to project construction activities.

The Mission Village project would be subject to the mitigation measures/conditions of approval contained in the Resource Management Plan (RMP) of the Newhall Ranch Specific Plan and the Newhall Ranch EIR. These measures were approved by the County in association with the Newhall Ranch Specific Plan and WRP on May 27, 2003. The timing of placing the conservation easements over the Special Management areas would occur as described in the County approved RMP.

INSERT FOLLOWING P. 90

25. South coast garter snake (*Thamnophis sirtalis* ssp.) is not mentioned. This species is only known from the Santa Clara River and must be discussed.

The document has been revised to address SEATAC's comment (see pp. 88, 130, and 210).

INSERT FOLLOWING P. 132

26. **Include insurances in the mitigation measures that appropriate upland refugia will remain for special-status reptile species such as horned lizard, two-striped garter snake, south coast garter snake, coastal western whiptail, southwestern pond turtle and other wildlife species during project implementation and that the refugia are avoided and/or restored following project implementation.**

    As discussed in the Draft Biota Report (p.114-115), impacts to coast horned lizard, coastal western whiptail, silvery legless lizard, San Bernardino ringneck snake, and rosy boa are identified as significant. Mitigation measures MV-33 and MV-35 (which include clearance surveys and the presence of a biological monitoring during construction activities) would reduce the magnitude of the impact. However, given the amount of suitable habitat for these upland-associated reptile species to be developed or disturbed, and the inherent difficulties in capturing and relocating these species, it is expected that individual animals would still be lost during construction activities. Therefore, consistent with the findings of the Newhall Ranch Program EIR, the Draft Biota Report concludes that the substantial loss of habitat and the direct loss of individuals of these species would be a significant unavoidable impact. To further minimize the potential loss of these and other wildlife species during construction activities and to encourage animal movement towards refugia, an additional mitigation measure (see MV-36) has been incorporated. This measure requires project-associated clearing, grubbing, and grading activities to be conducted in a manner that allows wildlife the opportunity to escape the disturbance area into adjacent undisturbed habitats. This measure would be most successful for more mobile animals such as mammals and potentially snakes, and less effective for smaller reptiles such as silvery legless lizard and coast horned lizard.

    Two-striped garter snake, south coast garter snake, and southwestern pond turtle are generally associated with water sources, riparian habitats, and adjacent upland habitats. Mitigation measures have been provided (see MV-31 through MV-33) to avoid the direct loss of individuals of these species. Given the relatively small area of suitable habitat for these species to be developed/disturbed (see Table 9), it is expected that the measures would be effective at removing animals from the construction zone. Please see Comment 29, below, for a further discussion of the adequacy of the proposed buffers for southwestern pond turtle, two-striped garter snake, and south coast garter snake.

INSERT FOLLOWING COMMENT 29

27. Include a mitigation measure ensuring appropriate breeding and aestivation habitat is available and accessible for special-status reptile species during and following project construction.

Please see the responses to Comment 26, above, and Comment 29, below.

INSERT FOLLOWING P. 144

28. **Include specific measures to reduce predation on native reptiles by subsidized mesopredators and household pets. Raccoon predation on southwestern pond turtle eggs can significantly impact reproduction success and should be considered a significant impact. Control measures should include prohibiting artificial food availability to wildlife and excluding pets from entering wildlife habitat areas.**

    As discussed in the Draft Biota Report (p. 134), the project-associated increase in urban adapted wildlife species, including mesopredators (e.g., skunk, raccoon, opossum), is identified as a significant impact. Mitigation measures are required (see MV-43 and MV-44), which discourage foraging by wildlife species through the use of appropriate waste and recycling receptacles and not providing food to wildlife (including not leaving pet food outside). Additional mitigation measures have been included to discourage allowing cats outdoors or other pets outdoors while unattended and to require dogs to be leashed while in areas containing wildlife habitat (see MV-48 and MV-49).

INSERT FOLLOWING P. 111

29. Provide buffer areas for species utilizing uplands as part of their life cycle or as refugia from floodwaters, such as arroyo toad, southwestern pond turtle, spadefoot toad, two striped garter snake and south coast garter snake. The buffer areas should be extended into the uplands and be of sufficient width and habitat quality to accommodate the necessary life stages of these species.

As discussed in the Draft Biota Report (p. 104), the proposed project maintains a minimum of a 100-foot setback between top of bank and proposed residential, mixed-use, and commercial development (a setback of 200 feet or more exists throughout most of the project site), and a minimum of a 60-foot buffer between top of bank and toe of slope (e.g., riparian resources). Furthermore, the vegetation within portions of the setback or buffer area will be restored and/or enhanced to increase habitat values when compared to existing conditions.

The Draft Biota Report (p.104) provides a discussion of the adequacy of the proposed buffer area for arroyo toad and western spadefoot. Arroyo toad generally burrow within sand or loam substrates with no associated canopy cover, within mule fat scrub, willow patches, or under woody debris left by fallen, dead willows or woodrat nests (Ramirez 2003). Accordingly, should arroyo toad breed or otherwise utilize habitats on the project site, most would be expected to burrow within the riparian habitats to be preserved. In regards to western spadefoot, movements by the species to and from breeding ponds are rarely extensive (CWHRS). Accordingly, should western spadefoot breed in seasonal pools located within the riparian zone, the proposed riparian setbacks would be expected to preserve associated upland burrowing habitat. The Biota Report has been revised to include a discussion of the adequacy of the proposed riparian buffers with respect to two-striped garter snake, south coast garter snake, and southwestern pond turtle (see p. 110).

INSERT FOLLOWING COMMENT 29

30. **Include a discussion of on site availability of southwestern pond turtle breeding and aestivation habitat and whether necessary south facing upland habitat will remain after project buildout. Also, if any recreational trails are or other intrusive activities such as fuel modification, repair of flood damaged bank protection, etc. are proposed or likely to occur in the buffer area, explain how this will not adversely impact use of the areas by wildlife.**

    Please see the response to Comment #29, above, for a discussion of the availability of pond turtle breeding and aestivation habitat. Specific to the availability of south facing upland habitat after project buildout, as noted in the revised Biota Report Section 11.2.3, the north bank of the Santa Clara River, which would be preserved, predominantly contains southward facing slopes.

    Uses allowed by the approved Newhall Ranch Specific Plan within designated buffer areas include trails, abutments, utility corridors (sewer and water), flood control access and water quality treatment facilities. As described in Draft Biota Report (pp. 9-18), the proposed Mission Village project includes trails, abutments, and water quality basins within the buffer area. As these features are considered to be part of the proposed project, they are included in the analysis of project-related impacts to biological resources. Biota Report Section 11.3.4 addresses the potential impacts to special status species, including the southwestern pond turtle, associated with increased human presence within the SMA/SEA 23, and concludes that while mitigation would reduce the magnitude of such impacts, the impacts caused by increased human and domestic animal presence would be significant and unavoidable.

INSERT FOLLOWING P. 134

31. **Project clearing, grubbing, and grading activities should be conducted so that animals have the ability to escape to natural areas. Ground disturbance activities should take place that allows mobile species, including by not limited to San Diego black-tailed jackrabbit and American badger, to escape the disturbance areas into adjacent undisturbed habitat. Creating fragmented islands of habitat within the project area that will eventually be cleared should be avoided to assist in reducing mortality and injury of wildlife.**

    Additional mitigation has been incorporated into the Biota Report requiring phased grading (see MV-36). MV-36 requires project-associated clearing, grubbing, and grading activities to be conducted in a manner that allows wildlife the opportunity to escape the disturbed area into adjacent undisturbed habitat.

INSERT FOLLOWING P. 93

32. Swainson's hawk is not discussed. It is a regular breeder (at least 4 pair) in the Antelope Valley north of Lancaster and uses agricultural fields for foraging. Ag fields are in the NRSP areas.

While Swainson's hawk regularly breed in the Antelope Valley near Lancaster, based on a review of the CNDDB and other data, there are no known records of this raptor breeding in the Santa Clara River watershed. Extensive avian and other wildlife surveys since 1993 within and adjacent to the NRSP, inclusive of the Mission Village site, have never located a Swainson's hawk, either nesting or foraging. In addition, suitable nesting habitat for this species (large trees adjacent to open grasslands and agricultural fields in relatively flat, open terrain) is marginal, at best, on the Mission Village site. The grasslands on the site are small and fragmented and the agricultural fields are regularly disked when not actively used for crops. The majority of the Mission Village site, and the NRSP area in general, is characterized as hilly and mountainous terrain, dominated by chaparral, scrub, and woodlands; this habitat not considered suitable for Swainson's hawk. Additionally, what agricultural fields occur in the flatter areas along the river are bordered by hilly/mountainous terrain to the north and south. Swainson's hawk has been added to Table 8, Special-Status Wildlife Species Not Expected on the Project Site, of the Biota Report. As these species are not expected to breed, nest, or otherwise reside on the project site, the Swainson's hawk is not discussed further in the Biota Report.

INSERT FOLLOWING P. 109

33. **The project will contribute to regional cumulative impacts to wintering birds, including raptors. Include an evaluation in the report.**

As discussed on page 108 of the Revised Biota Report, the permanent net loss of approximately 1,276 acres of wildlife habitat, including California sagebrush scrub, annual grassland, chaparral, and woodland vegetation, is considered a significant, unmitigated impact of the project. This net loss includes nesting, foraging, and wintering habitat for common and special-status bird species. The discussion of this impact will be revised to clarify the value of this habitat for wintering bird species.

INSERT FOLLOWING COMMENT 33

34. **There are few if any recent records of northern harrier nesting in the County. Any identified nesting habitat should be identified and preserved. Loss of foraging habitat is significant under CEQA. Identify areas of potential northern harrier nesting habitat within the specific plan area or at an off site location. In the event of unavoidable project impacts to active or recently known nesting habitat, these areas should be preserved.**

As stated on page 10 of the Revised Biota Report, the net loss of 1,276 acres of wildlife habitat was considered a significant, unavoidable impact under CEQA. Northern harrier was included in the list of special-status wildlife species potentially adversely affected by this habitat loss. As discussed beginning on page 160 of the Biota Report, the Mission Village project would be subject to the mitigation measures contained in the RMP of the Newhall Ranch Specific Plan and the Newhall Ranch Program EIR. This includes the preservation, restoration, and enhancement of the High Country SMA, the River Corridor SMA, and the Salt Creek Area, all of which include suitable nesting and foraging habitat for northern harrier.

Potential *direct* impacts on northern harrier, including direct loss of eggs, young, or adults associated with active nests, are discussed on page 117 of the Biota Report. As indicated, the potential loss of active nests as a result of habitat conversion during construction-related activities is considered a significant impact. As further discussed, implementation of Mitigation Measure MV-37 would ensure no impacts to active bird nests, thereby reducing the potential for any direct loss or harm to these species. Pursuant to CEQA and SEATAC guidelines, the Biota Report adequately discloses the potential significant impacts to this biological resource and any available measures to reduce these impacts.

INSERT FOLLOWING COMMENT 34

35. **Include a discussion of the loss of horned lark nesting habitat due to proposed project activities. Loss of nesting habitat is significant under CEQA and should be avoided. Mitigate unavoidable losses to nesting habitat by preservation of identified existing appropriate habitat on site or preservation and protection of suitable nesting habitat offsite.**

Please see the response to Comment 34 above. As with the northern harrier, the loss of 1,276 acres of wildlife habitat—a significant, unavoidable impact under CEQA— discussed on page 117 of the Biota Report includes nesting and foraging habitat for horned lark; and the preservation, restoration, and enhancement of the High Country SMA, the River Corridor SMA, and the Salt Creek Area, all include suitable nesting and foraging habitat for this species.

INSERT FOLLOWING COMMENT 35

36. **Discuss impacts to white-tailed kite foraging habitat and access to such habitat surrounding occupied nest sites. Removal of foraging habitat during the nesting season may result in take of a fully protected species, which CDFG cannot authorize.**

See response to comment #34 above. As with the northern harrier, the loss of 1,276 acres of wildlife habitat—a significant, unavoidable impact under CEQA—discussed on page 117 of the Biota Report includes nesting and foraging habitat for white-tailed kite; and the preservation, restoration, and enhancement of the High Country SMA, the River Corridor SMA, and the Salt Creek Area, all include suitable nesting and foraging habitat for this species. As discussed on page 108 of the Biota Report, implementation of Mitigation Measure MV-34 would ensure no adverse impacts would occur to active nests of white-tailed kite, thereby avoiding any potential direct loss or harm to this species. The impact discussion on white-tailed kite on page 117 will be revised to clarify the need to avoid any loss of this species due to its state status as a fully protected species.

Whether or not the loss of foraging habitat adjacent to an active nest would result in the loss of eggs or young in that nest (via nest abandonment or lack of sufficient prey to feed the young) would depend on a variety of factors such as extent and distance from the nest site of available foraging habitat that would be lost, extent and distance from the nest site of foraging habitat remaining in the nest vicinity, amount/percentage of foraging habitat to be converted with respect to what will be preserved, nest site location, and other factors. Any conclusion as to the effect of the loss of some amount of foraging habitat on nest success would, therefore, be speculative.

INSERT FOLLOWING P. 108

37. Include the implementation of a cowbird trapping program as mitigation to offset direct and interim losses to nesting habitat for passerines.

As described in Section 11.2 of the Biota Report, riparian habitat along the Santa Clara River–habitat in which most of the Rare, Threatened or Endangered bird species likely to be subject to parasitism by cowbirds exist–will be permanently converted due to the proposed project. This loss will be mitigated through the revegetation, restoration, and enhancement of similar in-kind habitat in areas along the river devoid of riparian habitat or in need of enhancement such that there will be no net loss of riparian habitat. Consequently, any increase in cowbird populations due to the loss of riparian habitat is expected to be minimal.

Cowbirds already occur within the Santa Clara River valley to a large degree and it is acknowledged that the increase in human population in the valley as a result of the Mission Village project will likely attract more cowbirds. However, because the initial loss of habitat for host riparian bird species is expected to be minimal and eventually fully compensated, the increase in cowbird populations, while adverse, is not expected to rise to the level of significance as the increase in cowbirds will only exacerbate an already existing problem.

INSERT FOLLOWING P. 126

38. **Incorporate buffers of at least 500 feet around all potential nesting habitat for least Bell's vireo nests. Discuss any potential incidental take of least Bell's vireo, and include in the MMP specific and adequate mitigation measures that will be included in any foreseeable incidental take permit issued by CDFG for this species.**

As discussed in mitigation measure MV-37 of the Revised Biota Report, preconstruction surveys for nesting birds, including the least Bell's vireo, will be conducted to identify any active nests within or adjacent to the disturbance zone. If active nests are found, disturbance activities within 300 feet (500 feet for raptors) of the nest shall be postponed or halted until all young have fledged. Mitigation measure MV-37 will be revised to increase this buffer zone to 500 feet for any active least Bell's vireo nests.

INSERT FOLLOWING P. 106

39. **Discuss the loss of agricultural fields on the project site. These habitats can supply important foraging habitat for tricolored blackbird, and their loss would be a significant direct and cumulative impact under CEQA if tricolored blackbirds are found utilizing these fields during the nesting season. Incorporate foraging habitat for tricolored blackbird in open space areas of the proposed project. Provide a discussion of how foraging habitat will be avoided or compensated for within the Newhall Ranch Specific Plan Area or off site if on site preservation is not possible.**

As discussed on page 106 of the Revised Biota Report, the site contains 214.7 acres of agricultural land, of which 191.5 acres would be permanently developed and 18.5 acres would be temporarily disturbed by bank stabilization but revegetated to native vegetation following completion of construction. Given that this habitat is either regularly disked or in active cropland, is not considered a sensitive vegetation community by resource agencies, and does not support populations of special-status plant or animal species, the loss of agricultural land was determined to be a less than significant impact under CEQA. However, as discussed on page 108 of the Revised Biota Report, the net loss of 1,276 acres of wildlife habitat, which includes the 214 acres of agricultural land potentially utilized by tricolored blackbirds, was considered a significant, unavoidable impact under CEQA. As discussed beginning on page 171 of the Revised Biota Report, the Mission Village project would be subject to the mitigation measures contained in the RMP of the Newhall Ranch Specific Plan and the Newhall Ranch Program EIR. This includes the preservation, restoration, and enhancement of the High Country SMA, the River Corridor SMA, and the Salt Creek Area, all of which include suitable nesting and foraging habitat for tricolored blackbird. As discussed on page 80, Table 6, although individual tricolored blackbirds have been observed, no nesting colonies have ever been observed on the project site during over 15 years of avian surveys conducted within Newhall Ranch, inclusive of Mission Village.

INSERT FOLLOWING P. 86

40. Discuss the importance of the proposed project site to migrating willow flycatcher.

As discussed in Table 6 in the Biota Report, individual southwestern willow flycatchers have been observed along the Santa Clara River; but no evidence of nesting has ever been observed. The fact that no nesting flycatchers have ever been observed in over 15 years of avian surveys along the river lead to the conclusion that individuals that are occasionally observed along the river are either migrants or unmated birds. The discussion of this species in Table 6 in the Biota Report has been expanded to include a brief discussion regarding migrants.

INSERT FOLLOWING P. 128

41. **The proposed mitigation measure LV 4.4-8 is ineffective at protecting wintering burrowing owls, which may be harmed if ground disturbances occur outside the nesting season without preconstruction surveys. Modify the survey methodology to be consistent with the CDFG 1995 Staff Report on Burrowing Owl Mitigation and the 1993 Burrowing Owl Consortium's Burrowing Owl Survey Protocol and Mitigation Guidelines.**

    The comment appears to be confusing the Biota Report for the Mission Village project site with the draft EIR for the Landmark Village project site, because "LV 4.4-8" refers to a mitigation measure in the draft EIR. Nevertheless, the commenter is referred to mitigation measure MV-38 in the Revised Biota Report for Mission Village which requires pre-construction surveys be conducted specifically for burrowing owl at any time of year when construction is planned. Under MV-38, if the survey determines nesting is not occurring, construction work can proceed after any owls have been evacuated from the site using CDFG-approved burrow closure procedures, and after alternative nest sites have been provided in accordance the CDFG Staff Report on Burrowing Owl Mitigation (10-17-95). If nesting is occurring, construction work within 500 feet shall be delayed until the fledglings have left the nest.

INSERT FOLLOWING P. 134

42. **Regardless of the lack of evidence of breeding by coastal California gnatcatcher on the project site and associated habitat within the NRSP, coastal sage scrub habitat provides important refugia and facilitates movement between areas of occupied habitat for gnatcatcher. This is not discussed in the report. Preservation of sage scrub habitat within the steeper, higher elevations of the High Country SMA may not mitigate for the loss of coastal sage scrub from the proposed project site at an elevation more suitable for gnatcatcher. Provide areas of avoidance and restoration of sage scrub within lower, gentler slopes within the Newhall Specific Plan Area or at offsite locations.**

While unoccupied California sage scrub habitat *may* provide refugia and facilitate movement between areas of occupied habitat for California gnatcatcher in certain regions within the range of this species, this is unlikely with the sage scrub habitat on the Mission Village site. The nearest populations of this species are approximately 3 miles to the southwest, and 8 miles to the east. These disjunct populations would not likely use the sage scrub habitat within Mission Village, or elsewhere on Newhall Ranch, due to the fragmented and unconnected nature of sage scrub habitat between these populations. Specifically, the sage scrub habitat on Newhall Ranch, including Mission Village, does not connect to the occupied sage scrub to the southwest, nor to the populations to the east.

Newhall has conducted USFWS protocol surveys for California gnatcatcher in spring/summer 2007 in the adjacent Landmark Village project site. These surveys were negative. Newhall is currently conducting USFWS protocol surveys for California gnatcatcher within the Mission Village project site. To date, the surveys are negative.

Because of the low likelihood of the California gnatcatcher to occur on the Mission Village site, or within the greater NRSP area, the preservation of sage scrub habitat within the High Country SMA is not intended to mitigate for the loss of gnatcatcher habitat. Nevertheless, as discussed on page 97 of the Biota Report, mitigation measures contained in the RMP for the NRSP EIR, to which the Mission Village project would be subjected, provide for the preservation of 631 acres of sage scrub habitat in the Salt Creek area; the sage scrub within this area is at a similar elevation and topography as the sage scrub within Mission Village. Even so, as discussed on page 97 of the Biota Report, the net loss of California sagebrush scrub is considered a significant unavoidable impact.

INSERT FOLLOWING P. 93

43. Discuss impacts and provide mitigation measures related to the increased abundance of garbage and hazardous materials that may be available to California condor adults to feed young.

While California condors are known to occasionally fly over portions of Newhall Ranch, no condors have ever been observed foraging or roosting on Newhall Ranch, inclusive of the Mission Village site, despite over 15 years of avian surveys on the Ranch. Specifically, the Mission Village site lacks the large open grassland, rangeland, and/or savannah habitats along ridgelines or upper slopes of hilly/mountainous terrain that condors prefer in order to more easily regain flight after landing. The grassland patches within the Mission Village site are relatively small, often linear in shape, and are generally located in flat, low elevation areas; locations not conducive for condor foraging. Therefore, this species was not addressed in the Biota Report. However, because of the overflight data that was recently made available by the USFWS, this species will be added to Table 8, which includes species "not expected" to actively utilize or otherwise occur on the Mission Village site.

After buildout of the Mission Village project, it is unlikely that condors would be attracted to the area, largely for the same habitat suitability reasons that this species has not been known to actively forage and/or roost on the site in its natural condition. Nonetheless, mitigation measure MV-43 (which requires waste receptacles that discourage foraging by wildlife) would serve to further reduce the potential to attract a passing condor. Additionally, MV-46 regulates the use of rodenticides (which could pose a hazard to condors in the unlikely event that one occurs on the project site).

INSERT FOLLOWING P. 109

44. Loss of natural habitat is likely to result in the increased use by deer of landscaped areas and lead to increased mortality from automobiles, dog attacks and the destruction of habituated problem deer. Discuss alteration of mule deer habitat and behavior as a significant impact. Provide mitigation which avoids the use of fences with sharp protrusions at the top due to potential impingement threat to mule deer.

Because mule deer are very common in the Newhall Ranch region, including within the Mission Village project boundary, this species is not considered of special-status by CDFG or any other regulatory agency, public agency, or conservation agency. As such, impacts on this species would not meet any of the threshold criteria described on page 93-94 of the Biota Report and, therefore, is not addressed. As stated on page 103 of the Biota Report, the net loss of 1,276 acres of wildlife habitat, which includes mule deer habitat, was considered a significant, unavoidable impact under CEQA. As discussed beginning on page 160 of the Biota Report, the Mission Village project would be subject to the mitigation measures contained in the RMP of the Newhall Ranch Specific Plan and the Newhall Ranch Program EIR. This includes the preservation, restoration, and enhancement of the High Country SMA, the River Corridor SMA, and the Salt Creek Area, all of which include suitable habitat for mule deer.

INSERT FOLLOWING P. 78

45. The loss of mountain lion, a fully protected species, is a potentially significant impact. Increased human/lion encounters stemming from the increased availability of deer, pets and other mountain lion prey near the development is likely to lead to the destruction of problem lions.

Based on the latest version of the Special Animals list published by the CDFG, mountain lion is not considered of special status in California. In particular, this species is not listed, or ever has been listed, as state "fully protected". The potential for increased human/lion encounters would seem to be beyond the scope of a SEATAC Biota Report, the focus of which is intended to be on the impacts of the proposed project on biological resources associated with the SEA within which the proposed project, or portions of the project, is located. Consequently, potential impacts on this species were not addressed in the Biota Report. Nevertheless, mitigation measures MV-43 and MV-44, which require use of waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments, and require that the Mission Village HOA supply educational information to future residents regarding the importance of ensuring that trash is not accessible to wildlife, will assist in minimizing human/lion encounters. Additionally, information regarding steps to minimize such encounters could be included in the CC&R's of future development areas as conditions of approval of the project.

INSERT FOLLOWING COMMENT 45

46. Discuss impacts to black bear. Black bears occur near the project area and are likely to be attracted to residential sources of food, placing them in possible conflict with humans and pets.

Based on the latest version of the Special Animals list published by the CDFG, black bear is not considered of special status in California. Consequently, potential impacts on this species were not addressed in the Biota Report. The potential for increased human/bear encounters would seem to be beyond the scope of a SEATAC Biota Report, the focus of which is intended to be on the impacts of the proposed project on biological resources associated with the SEA within which the proposed project, or portions of the project, is located. Consequently, potential impacts on this species were not addressed in the Biota Report. Nevertheless, mitigation measures MV-43 and MV-44, which require use of waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments, and require that the Mission Village HOA supply educational information to future residents regarding the importance of ensuring that trash is not accessible to wildlife, will assist in minimizing human/bear encounters. Additionally, information regarding steps to minimize such encounters could be included in the CC&R's of future development areas as conditions of approval of the project.

INSERT FOLLOWING P. 144

47. Native animals are not to be prosecuted for the taking of pets, their food or intrusions on landscaped areas.

The Draft Biota Report has been revised to include mitigation requiring the Home Owners Association to supply educational information to future residents regarding not allowing cats outdoors or other pets outdoors while unattended. The material would be required to discuss the presence of native animals (e.g., coyote, bobcat, mountain lion) that could prey on pets and indicate that no actions would be taken against native animals should they prey on pets allowed outdoors. See Mitigation Measure MV-48.

INSERT FOLLOWING P. 128

48. **Include salvage and relocation of stick nests in the salvage and relocation measures for San Diego desert woodrat. Nests should be placed into the chosen relocation sites at the time of release of captured woodrats.**

    Mitigation measure MV-39 of the Revised Biota Report has been revised to include this recommendation.

INSERT FOLLOWING COMMENT 47

49. Secondary poisoning by rodenticides of predators and scavengers would be a significant impact were it to occur. Provide mitigation measures to prohibit or strictly regulate their use.

The document has been revised to address SEATAC's comment (see MV-46).

INSERT FOLLOWING P. 126

50. Design any bridge crossings to accommodate various bat species within or on the structure. The bridge should be designed with an opening between the center land to allow light through the center of the bridge. Furthermore, the bridge design should be reevaluated to determine if a reduction in piers or columns can be accommodated.

The document has been revised to require that the Commerce Center Drive Bridge be designed to provide roosting habitat for bat species (see MV-41). The existing bridge design is consistent with the Specific Plan and as concluded in the approved Newhall Ranch Program EIR and Additional Analysis, would not substantially restrict wildlife movement along the Santa Clara River.

INSERT FOLLOWING P. 174

51. **Most of the mitigation measures for special-status species have no monitoring components to confirm efficacy of the mitigation measure and to establish conclusions on the level of significance after mitigation. The feasibility of performing required mitigation specified in the NRSP mitigation measures is not demonstrated.**

The Draft Biota report identifies significant impacts to two special-status plant species, including slender mariposa lily and San Fernando Valley spineflower. The mitigation measures to address impacts to these plant species require monitoring to ensure the measure's success (see 4.6-74, 4.6-77, MV-12, MV-19).

The mitigation measures to address impacts to special-status wildlife species primarily include implementing measures to avoid or minimize the loss of individual animals and the submittal of a report documenting that the measure was implemented correctly. As such, the long-term monitoring of wildlife populations is not required. However, for animal species where replacement habitat would be created (i.e., western spadefoot), long-term monitoring is required (see MV-34).

INSERT FOLLOWING COMMENT 51

52. **Demonstrate clearly that mitigation for impacts for this Tract Map will meet all of the approved conditions and mitigation requirements of the Specific Plan. The summary of consistency between impacts found to be significant in the Specific Plan and current Tract Map documents is not sufficient to demonstrate that these requirements have been met, since the present mitigation program is not adequately developed. Provide analysis of identified Specific Plan impacts and how the analogous Tract Map impacts may or may not have been previously addressed.**

As discussed in the Draft Biota Report (p. 160), the Mission Village project would be subject to the mitigation measures/conditions of approval contained in the RMP of the Newhall Ranch Specific Plan and the Newhall Ranch Program EIR. These mitigation measures have been reviewed and approved by the County in association with the Newhall Ranch Specific Plan and WRP (May 27, 2003). These measures are all contained in the Newhall Ranch Specific Plan Mitigation Monitoring Plan, which was previously provided as Appendix C.

The previously approved conditions of approval/mitigation measures are also identified in the Draft Biota Report as they relate to addressing project-specific impacts to biological resources. As shown in Section 13.1, for each identified project-specific impact, the previously incorporated measures are first identified. Then, as needed, additional mitigation measures are recommended and incorporated into the Biota Report to further reduce potential impacts to biological resources. These additional measures are consistent with, and supplement, the measures included in the Newhall Ranch Specific Plan Program EIR and RMP. The incorporation of these additional mitigation measures does not lessen or alter the project applicant's responsibility to implement the measures included in the Newhall Ranch Specific Plan Program EIR and RMP. The additional measures are provided for the purpose of further addressing project-specific impacts not fully addressed by the program-level measures included in the Newhall Ranch Specific Plan Program EIR and RMP. Please see the responses to Comment 6 and Comment 17, above, for further discussion of the project's consistency with the previously incorporated measures to protect and preserve San Fernando Valley spineflower.

INSERT FOLLOWING P. 71

53. **Fig 17 is unclear. Union the multiple year occurrence data into single-species polygons using colors easily recognizable against the base map.**

Figure 17 has been revised to address SEATAC's comment.

INSERT FOLLOWING P. 173

54. Present a figure incorporating information from Figure 15 and the cumulative impacts list of projects to indicate the foreseeable long-term prospect for the region with regard to open space and habitat linkages.

The requested figure has been included in the Biota Report (see Figure 22).

INSERT FOLLOWING P. 68

55. Figure 16 is uninformative. The use of arrows to indicate a few canyons and drainage courses detracts from the overall open nature of the project site and its function as both habitat and linkage for the entire suite of organisms existing throughout.

Figure 16 has been revised to address SEATAC's comment.

INSERT FOLLOWING COMMENT 55

56. Reference the South Coast Wildlands studies in the discussions of habitat linkages.

South Coast Wildlands is working to maintain and restore connections between wildlands in the South Coast Ecoregion through an effort called the South Coast Missing Linkages Project. To accomplish this goal, the organization has produced a series of reports that identify potential wildlife movement linkages between existing protected areas. The Mission Village project site is not identified in these reports as being part of a linkage design. The following reports prepared by South Coast Wildlands address areas outside of the Mission Village project site but in the project region: A Linkage Design for the Sierra Madre-Castaic Connection (March 2005) and A Linkage Design for the San Gabriel Mountains-Castaic Connection (March 2004). Although the Mission Village project site has not been included in a linkage design by South Coast Wildlands, the Draft Biota Report (p. 64), identifies the Mission Village project site, indeed the Newhall Ranch Specific Plan area, as part of a larger regional wildlife movement interface that exists between the Los Padres/Angeles National Forest, the Santa Clara River, and the Santa Susana Mountains.

INSERT FOLLOWING P. 14

57. The base map in Figure 4 lacks sufficient detail to provide context to the reader.

Figure 4 has been revised to address SEATAC's comment.

Response to SEATAC Comments from Meeting Date September 10, 2007

Prepared by Impact Sciences, Inc.

1. **Applicant passes out supplemental information to revised biota report. Surveys for the endangered Southwest Arroyo Toad were initiated after the biota report was submitted to the County for review. Findings to be incorporated into the final version of the report. Applicant states that the reach of the Santa Clara River is through the Mission Village site and other portions of the Newhall Specific Plan (SP) area. Surveys for Arroyo Toad produced no findings of life stages for the species. Riparian bird surveys were conducted along the length of the riparian corridor and included surveys for the Least Bell's Vireo and the Willow Flycatcher. The Least Bell's Vireo was not observed nesting on the site, but in areas near or adjacent to the site. No nesting observed for the Willow Flycatcher. California Gnatcatcher surveys conducted adjacent to and on the Mission Village Site, currently being completed on the Mission Village Site. No Gnatcatchers observed at the time of this presentation. Applicant stated that surveys were conducted by Bloom Biological Services, located in Orange County.**

   Impact Sciences provided a supplemental memo at the SEATAC hearing for the Mission Village project on September 10, 2007. The memo, titled *Additional Biological Analysis Not Incorporated into the Biota Report*, summarized the findings of focused surveys that were underway or that had recently been completed, and thus were not included in the Biota Report (revised July 2007). All of these surveys have since been completed and their findings have been incorporated into this revised Biota Report.

   The *Summary of Southwestern Arroyo Toad Surveys on Portions of Newhall Land and Farming Company Property* (Bloom Biological, 2007b) summarizes the methodology and findings of the 2007 arroyo toad surveys within an approximately 25-mile stretch of the Santa Clara River and its major tributaries, while the *Report on Arroyo Toad Surveys on Landmark Village* (Bloom Biological, 2007c) provides a more detailed discussion of the methodology and findings within the survey reach on and adjacent to the Mission Village project site; these reports are included in Appendix O of this Biota Report. The surveys were conducted according to the accepted USFWS protocol and no life stages of arroyo toad were observed on the Mission Village project site or other portion of the Newhall Ranch Specific Plan (NRSP) area.

   The *Report on Interim Late Winter and Spring Survey for Raptors and Special-Status Bird Species* (Bloom 2007a) describes the methodology and findings of the surveys conducted from February 2007 to June 2007. As part of these surveys, Bloom Biological, Inc. conducted focused surveys for least Bell's vireo (*Vireo bellii pusillus*) and southwestern willow flycatcher (*Empidonax traillii extimus*). The accompanying survey report was previously provided to SEATAC as Appendix N of the Biota Report (revised July 2007). Avian surveys have continued as part of an ongoing effort to identify wintering bird species on Newhall Land's property west of Interstate 5 (including the Mission Village project site). The latest round of surveys began in November 2007 and continued through February 28, 2008. The initial findings of the 2007–2008 winter bird surveys are discussed in the *Interim Report on Winter Surveys of Special-Status Bird Species on Portions of Newhall Land and Farming Company Property* (Bloom 2008), which has been included in Appendix N of this Biota Report. Throughout the course of the 2007–2008 avian surveys, 21 special-status bird species were observed, 10 of which currently nest in the survey area. Most of the 21 species observed were species with informal and relatively low-level sensitivity status (*i.e.*, "Watch List" species). However, the least Bell's vireo is a state- and federally-listed Endangered species that breeds in the survey area. No least Bell's vireo territories were observed along the stretch of the Santa Clara River immediately adjacent to the proposed tract map boundary. However, five territories, based on singing males, were noted along the stretch between the northeastern boundary of the tract map

and Interstate 5. A number of additional territories were noted further downstream from the tract map all the way to the county line. No willow flycatchers were observed within or adjacent to the proposed tract map boundary, but several were observed further downstream near the county line; none of these birds were confirmed breeders and thus cannot be positively identified as belonging to the southwestern form of willow flycatcher (which is a federally-listed Endangered species). The Swainson's hawk (*Buteo swainsoni*), a California Threatened species, was observed foraging near the project site (during migration) on two occasions in 2007. Other special-status bird species observed along the river within and immediately adjacent to the tract map boundary include Cooper's hawk, southern California rufous-crowned sparrow, oak titmouse, Lawrence's goldfinch, northern harrier, yellow warbler, white-tailed kite, California horned lark, merlin, yellow-breasted chat, loggerhead shrike, Nuttall's woodpecker, and California thrasher.

The report *Focused California Gnatcatcher Survey, Mission Village Project, Los Angeles County, California* (Dudek, 2008) describes the findings and methodology of the surveys; this report is included in Appendix P of this Biota Report. The surveys were conducted according to the accepted USFWS protocol. No California gnatcatchers were detected on the Mission Village project site during these surveys.

2. SEATAC questions the methodology of the surveys. The questions of when does one chooses to conduct a survey and what do such surveys require are examined by SEATAC. SEATAC further states that such information needs to be presented as part of hearing, as well as the methodology and results of the surveys especially if results indicate negative findings. The applicant responds that the methodology is described in the Appendix. SEATAC recommends that the applicant be prepared to answer the question that will arise as to what information is present, to substantiate that the survey was not flawed, when indicating that when it was conducted there were no problems encountered.

The methodology of the recently completed surveys, as well as all other surveys conducted on the project site, are summarized in the revised Biota Report (see Table 4, pages 49 to 53). The recently completed surveys for arroyo toad, least Bell's vireo, southwestern willow flycatcher, and California gnatcatcher were all conducted according to the survey protocols required by the USFWS. These survey results have been submitted and accepted by the USFWS. As there is not a required survey protocol for other special-status bird species potentially occurring in the project area, these surveys were conducted in a manner to maximize the detection of these species wintering or nesting on the project site (see Table 4 and Appendix N, O, and P).

3. **SEATAC states that it has previously requested additional information in the report to show what an impact is and how it is to be mitigated based on previously approved mitigation plans in certain areas of the Newhall SP, and to indicate what the mitigation is so that at the conclusion in can be assured with confidence that the issue has been mitigated without having to review numerous County Archive documents. SEATAC questions whether this has been provided or not, to which the applicant responds that it has been provided in Table 10 of the report. The applicant further states that Table 10 summarizes all the plants that are present in the preserve areas (e.g. hybrid trees, salt creek area, river corridor), and documents how much area will be preserved. Applicant indicates that Dudek put together propagation feasibility study which identified mitigation opportunities. SEATAC responds that the key is to pinpoint what will be affected with each project's approval of the Newhall SP subsets.**

The comment is interpreted to be referring to the table requested by SEATAC member Ty Garrison. As requested by Mr. Garrison at the hearing, the below table presents the acreage of each plant community to be protected under the NRSP, the acreage of each plant community to be developed as part of projects currently undergoing project-level environmental review (*i.e.,* Mission Village and Landmark Village), and the remaining balance. In total, 6700.7 acres would be protected in perpetuity within the River Corridor SMA, High Country SMA, and Salt Creek area, and 5,493.2 acres would be developed under complete buildout of the NRSP. Of the total NRSP development acreage, 1129.5 acres are proposed for development as part of the Mission Village project and 947.73 acres are proposed for development as part of the Landmark Village project.

It should be noted that the preservation of plant communities within the River Corridor SMA, High Country SMA, and Salt Creek corridor are not intended to serve as acre-to-acre mitigation to offset impacts to individual plant communities associated with buildout of the Mission Village project or other components of the NRSP. The Mission Village Biota Report (p. 176 to 181) also requires the mitigation of all riparian and sensitive plant communities to be significantly impacted by the proposed project. These plant communities include river wash, freshwater marsh, mulefat scrub, elderberry scrub, southern willow scrub, southern cottonwood willow riparian forest, and big sagebrush scrub.

Total Conservation Area and Impact Summary

Vegetation Community/Land Cover	River Corridor SMA (Acres)	High Country SMA (Acres)	Salt Creek (Acres)	Total Conservation Area[1] (Acres)	Mission Village Vegetation Loss	Landmark Village Vegetation Loss	Balance[2]
Agriculture	101.8	59.8	99.1	**260.7**	210.0	367.19	**-316.49**
Alluvial Scrub	0.0	0.55	0.4	**1.0**	0.5	0.47	**0.03**
Arrow weed scrub	11.9	0.0	0.7	**12.6**	6.8	5.49	**0.31**
Big sagebrush scrub (and subassocations)	0.0	8.5	0.0	**8.5**	20.2	9.67	**-21.37**
Big sagebrush scrub – Riparian	3.0	0.0	0.0	**3.0**	0.0	0.0	**3.0**
Bulrush/Cattail wetland	0.0	1.4	0.0	**1.4**	0.4	0.0	**1**
California annual grassland	9.4	464.9	187.9	**662.2**	53.0	48.17	**561.03**
California sagebrush scrub (and subassociations and burned areas)	57.3	1311.2	629.5	**1998.0**	648.0	205.78	**1144.22**
California walnut woodland	0.0	6.8	20.4	**27.2**	0.0	0.0	**27.2**
Cismontane alkali marsh	0.0	3.3	0.0	**3.3**	0.0	0.0	**3.3**
Chamise chaparral	0.0	0.0	0.0	**0.0**	0.0	0.0	**0.0**
Coast live oak woodland	16.1	446.7	148.0	**610.8**	8.3	1.76	**600.74**
Coyote brush scrub	0.0	2.2	0.0	**2.2**	0.0	0.0	**2.2**
Developed	8.75	0.0	0.0	**8.8**	4.5	9.52	**-5.22**
Disturbed land	28.4	52.7	43.9	**125.0**	84.5	228.01	**-187.51**
Elderberry scrub	0.0	3.2	1.4	**4.6**	5.8	0.0	**-1.2**
Giant Reed	5.6	0.0	0.0	**5.6**	0.0	0.0	**5.6**
Herbaceous wetland	182.2	0.0	0.0	**182.2**	0.5	0.38	**181.32**
Mesic Meadow	0.0	0.0	0.0	**0.0**	0.0	0.0	**0**
Mixed oak woodland	0.0	74.2	94.6	**168.8**	0.0	0.0	**168.8**
Mixed oak/grass	0.0	0.0	3.4	**3.4**	0.0	7.12	**-3.72**
Mulefat scrub	15.0	14.1	20.1	**49.2**	2.2	0.0	**47**
Purple needlegrass	0.0	0.56	0.0	**0.6**	0.0	0.0	**0.6**
River wash	201.1	33.3	7.4	**241.8**	20.9	6.26	**214.64**
Ruderal	0.0	0.0	0.0	**0.0**	0.0	0.0	**0**
Scalebroom scrub	0.0	0.0	0.0	**0.0**	0.0	0.0	**0**
Scrub oak chaparral	0.0	0.2	0.0	**0.2**	0.0	0.0	**0.2**
Southern cottonwood willow riparian forests	318.5	0.9	0.0	**319.4**	22.1	8.05	**289.25**
Southern willow scrub	13.9	4.3	2.5	**20.7**	7.5	0.04	**13.16**
Southern Coast live oak riparian forest	0.7	0.0	0.0	**0.7**	0.0	0.35	**0.35**
Tamarisk scrub	2.3	0.0	0.2	**2.5**	0.0	0.0	**2.5**
Undifferentiated chaparral scrub (and subassociations and burned areas)	1.5	1368.2	124.7	**1494.4**	31.5	49.47	**1413.43**
Valley oak woodland	0.0	47.8	23.9	**71.7**	0.0	0.0	**71.7**
Valley oak/grass	0.0	300.3	110.0	**410.3**	2.8	0.0	**407.5**
Total	**977.5**	**4,205.1**	**1,518.1**	**6700.7**	**1129.5**	**947.73**	**4623.57**

[1] *The Conservation Area includes areas to be protected in perpetuity by a conservation easement, inclusive of the River Corridor SMA, High Country SMA, and Salt Creek Area.*

[2] *The "Balance" refers to the Total Conservation Area minus the acreages of each vegetation community developed as part of the proposed Mission Village and Landmark Village projects*

Note: **the above acreages do not include conversion, restoration, or enhancement acreage**

4. SEATAC questions applicant as to what the feasibility study was based on (e.g. Newhall SP, Mission Village)? Applicant responds that it was based on mitigation opportunities on the open space, and that mitigation plan is applied and prioritized. SEATAC responds by stating that it appears that mitigation plan is based on restoration and not just preservation. SEATAC further states that it is important that the applicant clearly show what is being preserved, what the native habitat is (e.g. coastal sage scrub in the high country area), and what the impact of the project will have.

The Newhall Ranch Mitigation Feasibility Study (Dudek 2007) evaluates mitigation opportunities for slender mariposa lily, California sagebrush scrub, oak trees, and wetlands within the High Country SMA and Salt Creek area. The intent of the study was to identify mitigation opportunities for habitat creation and enhancement and to rank and prioritize these mitigation opportunities. These mitigation opportunities could then be utilized to offset impacts associated with development of the NRSP (including the Mission Village project). As discussed in the March 2008 response to comment 3, mitigation would also include the preservation in perpetuity of 6,700.7 acres of plant communities/habitat and the mitigation of riparian and certain sensitive plant communities to be impacted by the proposed project. In addition to the High Country SMA and Salt Creek area, habitat creation and restoration opportunities also occur and would be implemented in the River Corridor SMA. Please see the March 2008 response to comment 3 for a discussion of the acreage of each plant community to be impacted and to be preserved.

5. SEATAC questions Bloom's survey regarding foraging on site and recommends making changes to comment number 32 in the report regarding Swainson's hawk. SEATAC indicates that comment number 37 regarding the cowbird trapping program could be misinterpreted. Some limited cowbird trapping would help limit the loss of it if it is provided in the interim, allowing an acceptable breeding habitat. On comment number 36 regarding the loss of habitat for nesting white-tailed kites, SEATAC comments on the speculation that a taking could occur and indicates that it does address concerns of where birds are foraging when you're putting in landscaping or vegetation during nesting season.

Swainson's hawk

Based on recent information provided by Bloom Biological (2007a), the Biota Report has been revised to reflect that migrant Swainson's hawks have been observed on two occasions on the NRSP near the Mission Village project site (see page 78); one individual was observed perched in the agricultural fields on the Landmark Village project site and another was observed flying over the Landmark Village site during the winter of 2007. However, use of the Mission Village project site and other portions of the NRSP by the species would be limited to the occasional foraging/stopover during migration, as the species does not nest or winter in the project area. No Swainson's hawks were observed on the NRSP (including the Mission Village project site) during the 2008 winter bird surveys (Bloom 2008).

Cowbird trapping program

At the request of SEATAC, the Biota Report (see page 220a) has been revised to include the following measure to control cowbirds:

MV-54 In order to establish whether a brown-headed cowbird trapping program is necessary, focused surveys will be conducted along the River Corridor SMA. A qualified biologist will survey during February, April, and May of each year following initiation of construction within 200 feet of the River. During the survey, no single biologist may cover more than 300 acres of riparian habitat. If ten or more males or five or more females or juveniles are observed on any single survey day, then a brown-headed cowbird management plan will be written and submitted to the CDFG and USFWS for approval. Survey and any cowbird trapping shall occur for 10 years.

White-tailed kite foraging habitat

No white-tailed kite nesting pairs were observed on the Mission Village project site during recent nesting raptor surveys (Bloom Biological 2007a). However, the Bloom 2007 Report documented that at least 10 pairs were seen nearby early in the season, most of which occurred within the Santa Clara River adjacent to the Landmark Village project area. At least three pairs nested on or near the NRSP, two of which were in close proximity to the nearby Landmark Village site (downstream of Mission Village) and one upstream of the Mission Village site near the Valencia Water Reclamation Plant. The Bloom 2007 Report indicated that it is possible that these pairs could forage over portions of the Mission Village project site.

White-tailed kites occurred much less frequently during the 2008 winter bird surveys (Bloom 2008). From November 2007 to February 28, 2008, only three different individuals were observed in the

survey area, and no roosts were observed. Two of these individuals were seen irregularly at the same two locations along the Santa Clara River; one at the Las Brisas Bridge (Ventura County) and one just west of the Ventura County line. The third individual was only seen on one occasion. It is unknown whether the species' numbers will increase or whether any kites will breed on the NRSP in the upcoming months (Bloom 2008).

Based on recent and past raptor surveys, all known nests of white-tailed kite on the NRSP have been observed within or immediately adjacent to the Santa Clara River corridor. Hawbecker (1942) noted that during the breeding season, kites seldom forage farther than a 0.5-mile radius from the nest site, and Faanes and Howard (1987) also noted that within the 0.5-mile radius there must be at least 50 acres of suitable foraging habitat to support a breeding pair of kites. Approximately 50 acres of foraging habitat for raptor species, including the white-tailed kite (consisting of the spineflower preserve and adjacent open space) would be provided within the Mission Village project and would be located within a 0.5-mile radius of the Santa Clara River corridor. Per a personal communication with Pete Bloom, white tailed kite are presently utilizing the Ahmanson Ranch Spineflower areas for foraging purposes. Given the above, and the fact that the species was not documented nesting on the Mission Village project site, it is highly speculative that the loss of some foraging habitat associated with buildout of the Mission Village project could result in the loss of individual white-tailed kites.

6. SEATAC states that the issue of controlling vermin must be addressed. A HOA could be used to control pests through covenants, conditions and restrictions (CC&Rs). Applicant advised by SEATAC to check with the Santa Monica Mountain National Park Recreation Area to see if they may have some information for controlling pests with new developments.

The Biota Report (page 218) includes the following measure to prevent secondary poisoning from rodenticides:

MV-46 The Mission Village Home Owners Association shall supply educational information to residents of the Mission Village site regarding the potential adverse affects on wildlife due to secondary poisoning from rodenticides. The use of rodenticides by future residents of the site shall be prohibited without authorization of the Home Owners Association.

To further control potential secondary poisoning from rodenticides, the below measure was developed through consultation with the CDFG and has been included in the revised Biota Report (see Additional Mitigation Measures Incorporated as Part of March 2008 Revision, page 220a).

MV-51 An Integrated Pest Management (IPM) Plan that controls the use of rodenticides on site will be prepared prior to grading. Preparation of the CC&Rs for each tract map (including Mission Village) shall include language that prohibits the use of anticoagulants on an individual basis as well as part of maintenance of common areas.

7. SEATAC questions comment item number 51 regarding long term monitoring of special status species. Applicant responds that mitigations fall into two categories, with one being for clearance of surveys, with no monitoring report necessary. SEATAC questions why there is no long term monitoring for the Southwestern Pond Turtle, and recommends that it would be a good idea to indicate that certain buffer areas will be adequate to maintain certain species on the site and would be in line to your reference of adaptive management. This should be addressed.

The NRSP was designed to maintain habitat for wildlife species, including aquatic-associated species such as the southwestern pond turtle. The mitigation approach used in the Newhall Ranch Program EIR (and incorporated into the Mission Village Biota Report) to compensate for the permanent removal of potential southwestern pond turtle wetland/riparian and terrestrial habitat is to preserve and restore habitat in a large, permanent open space system such that the species will persist in the project region. Large areas of suitable habitat for this species will be protected in the 977-acre River Corridor SMA, which ranges in width from about 1,000 feet to more than 2,000 feet in the project area. Approximately 733.6 acres in the River Corridor SMA are suitable wetland/riparian habitats for the southwestern pond turtle, including 319.1 acres of riparian forest woodland, 201.1 acres of river wash, and 182.2 acres of herbaceous wetlands. Where these habitats occur outside the main wetted channel and remain relatively dry throughout the year, they provide suitable nesting, aestivation, and overwintering habitats for the southwestern pond turtle (Goodman 1997A). The River Corridor SMA also supports approximately 57.2 acres of coastal scrub, 9.4 acres of California annual grassland, 101.8 acres of agriculture, and 37.2 acres of disturbed land. These terrestrial habitats also provide potential nesting, aestivation, and overwintering habitats within the River Corridor SMA (Goodman 1997A). Given the relatively moderate average movements from watercourses of 23.9 feet at Aliso Creek and 107.3 feet at the San Gabriel River for overwintering reported by Goodman (1997A), and even the maximum movement of 1,640 feet to an overwintering site reported by Holland (1994), the 1,000 to more than 2,000-foot-wide River Corridor SMA would provide adequate nesting, aestivation, and overwintering sites. This range is also consistent with the estimate of necessary terrestrial habitat of 417 to 950 feet for reptiles, including western pond turtle, by Semlitsch and Bodie (2003). Furthermore, the Flood Technical Report (PACE 2006) found that there would be no significant impacts to water flows, velocities, depth, sedimentation, or floodplain and channel conditions downstream of the project area over the long term as a result of the proposed Project improvements. These hydraulic effects were also found to be insufficient to alter the amount, location, and nature of aquatic and riparian habitats within the project area and downstream into Ventura County. The technical analysis further determined that the River would still retain sufficient width to allow natural fluvial processes to continue, and as a result, the mosaic of habitats in the River that support various special-status species would be maintained, and the populations of the species within and immediately adjacent to the River corridor would not be substantially affected.

Given the above, and other measures to be implemented to protect southwestern pond turtle (*e.g.*, preconstruction clearance surveys, access restrictions to the River Corridor SMA), project-related impacts to southwestern pond turtle would be less than significant. Therefore, additional measures, such as long-term monitoring, are not warranted.

Also, please see **Section 11.2.3, Bio-3, Setbacks from Riparian Resources Within SEA 23** (pages 108 to 110) for a further discussion of the adequacy of the proposed setbacks for special-status amphibians and aquatic-associated reptile species.

8. **SEATAC questions comment item number 45 regarding the status of the mountain lion and the indication that it is fully protected. SEATAC clarifies that it is not fully protected, but is specially protected under the Mountain Lion Protection Act and is sometimes misunderstood. The mountain lion is not allowed to be hunted and killed unless you have a permit to do so, which is considered a take. Mountain lions can be killed without a permit only if there is a clear and present danger to human life. SEATAC also did not see the need to portray mountain lions in item number 45 as the type that will scavenge for food, alluding to item number 46 that comments on black bears to likely be attracted to residential sources of food. Applicant refers SEATAC to review MB 48.**

The July 2007 response to comment 45 in the Biota Report (revised July 2007) has been revised to reflect that mountain lions are not expected to scavenge for food. It is agreed with the commenter that mountain lions are not fully protected. Protection under the Mountain Lion Protection Act does not qualify the species as being of special-status under CEQA; however, the below measure has been included to protect active mountain lion natal dens (see Additional Mitigation Measures Incorporated as Part of March 2008 Revision, page 220a):

MV-52 Thirty days prior to construction activities, a qualified biologist shall conduct a preconstruction survey for mountain lion natal dens. The survey area shall include the construction footprint and all areas within 2,000 feet of the construction site. Should an active natal den be located within this area, a qualified biologist will determine the appropriate setback from the natal den to any construction activity so as to not adversely affect the successful rearing of the cubs.

9. SEATAC addresses item number 44 regarding fencing standards and comments on their concern for fencing that may be topped with sharp points, which could lead to animals (e.g. deer) to impale themselves. SEATAC recommends protective mitigation measures be implemented to prohibit any sharp points on the fence.

The following measure has been incorporated to address concerns that fencing with sharp points could lead to animals such as deer impaling themselves (see Additional Mitigation Measures Incorporated as Part of March 2008 Revision, page 220a).

MV-53 Prior to the commencement of construction activities, fence standards shall be adopted that are intended to prevent deer from impaling themselves while leaping over fences. At a minimum, the standards shall include prohibiting fencing topped with sharp points or barbs.

10. **SEATAC questions item number 29 regarding reptiles and amphibians and the adequacy of the 100 foot buffer areas to protect them. The applicant responds to SEATAC by stating that what they are looking for can be found on pages 109 and 110. SEATAC responds by stating that the spadefoot toad habitat is located in the uplands. Applicant responds by stating that although they do not have knowledge of all the habitat areas of the toad, mitigation measures will be provided to protect it. SEATAC recommends that a ¼ to a ½ mile buffer is more adequate to protect the toad and should be implemented, and also inquires if any preliminary study or research for the spadefoot toad was conducted. SEATAC also recommends that the applicant include in their report the rare finding of the spadefoot toad approximately a ½ mile from one of the ponds mentioned, as stated by the applicant during the meeting. SEATAC recommends that any mitigations for the breeding ponds should include the size of the new riparian buffers to be established. In the upland areas, mitigated ponds need an adequate buffer. SEATAC also recommends clarifying all water/riparian habitats. Mitigation feasibility studies with specific habitat mapped and analyzed for temporary ponds and the spadefoot toad should be provided. The issue with the spadefoot toad will be revisited at the next meeting.**

    The Biota Report (pages 108 to 110) includes a discussion of the adequacy of the proposed riparian setbacks for amphibians and aquatic-associated reptiles. In regards to western spadefoot, a further discussion of appropriate mitigation and adequate upland habitat for the species is provided below.

    Though little is known of the socio-spatial behavior of western spadefoot toads, they likely do not move far from their breeding pool during the year (Zeiner *et al.* 1990), and it is likely that their entire post-metamorphic home range is situated around a few pools. Detailed information on movements of the western spadefoot toad is not available, but opportunistic field observations indicate that they readily move up to at least several hundred meters from breeding sites (NatureServe 2007). Therefore, the successful creation of spadefoot toad habitat includes the creation of suitable aquatic breeding habitat as well as a minimum of several hundred meters of surrounding upland habitat.

    Based on the quantity and characteristics of areas within the NRSP that are to remain as permanent open space, multiple locations for habitat creation/enhancement for spadefoot relocation are available and could serve as suitable mitigation for impacts to this species resulting from project implementation. These areas include the High Country SMA and the Salt Creek area, which collectively contain approximately 5,723 acres of habitat.

    As required by Biota Report (MV-34), should western spadefoot occur on the project site, the creation/enhancement of habitat for the species and the relocation of the species from within the project's disturbance boundary would be required. The actual relocation site design and location must be approved by the CDFG and consist of a shallow excavated pond(s) utilizing an artificial rubber pond liner as a base. The location is required to be as far away as possible from any of the development areas. The relocation pond(s) would 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. Terrestrial habitat surrounding the proposed relocation site is required to be as similar in type, aspect, and density to the location of the existing ponds as possible.

Given that CDFG approval of the site design and location is required, the requirement that terrestrial habitat surrounding the proposed relocation site be as similar in type, aspect, and density to the location of the existing ponds as possible, and multiple locations for habitat creation/enhancement areas for spadefoot relocation within the High Country SMA and Salt Creek area, any required habitat/enhancement for western spadefoot would include adequate upland habitat.

The measures contained in MV-34 have been successfully implemented on the River Park project site, which is in the City of Santa Clarita. The River Park plan was implemented two years ago and two subsequent years of monitoring have been completed. Prior to site disturbance, spadefoot toad eggs and tadpoles were collected from the occupied areas within the project site. The eggs and tadpoles were maintained by Compliance Biology off site until all metamorphosed into young toads. Two artificial breeding pools were created within suitable habitat in undeveloped portions of the River Park site shortly after collection. Upon completion of pond construction, all juvenile toads were released within the habitat enhancement area. The following year, during the rainy season (breeding season for this species) the habitat enhancement areas were monitored and numerous egg masses were observed. Subsequent monitoring occurred over the next several weeks that revealed successful hatching of the egg masses and metamorphosis of spadefoot tadpoles to juvenile toads. The 2005–2006 rainy season monitoring concluded successful spadefoot breeding at all habitat creation/enhancement areas, thus providing evidence that the measures described in MV-34 are effective.

The 2006–2007 rainy season was the driest on record. As a result, both natural breeding pools in the region and the manufactured pools associated with the habitat enhancement plan areas did not receive enough water to support breeding this year. However, the initial monitoring conducted in the 2007–2008 rainy season has again documented egg masses and tadpoles within the created breeding pools.

11. SEATAC questions the issue of the bridge and what species of wildlife and plants could be lost. SEATAC questions who is to be responsible for addressing the bridge issue, the impacts and mitigation related to it. The applicant responds that the bridge is covered in the document's MRMP. Applicant states that bridge is not part of Mission Village project, but is that of Cal Trans and is covered in the environmental document. The interchange of Highway 126 and Valencia Commerce Center Drive is not. SEATAC questions the impact of the bridge on the unarmored three spine stickleback. The applicant, in order to protect the species, indicates that protective measure 4.6.57 of the adopted Newhall Specific Plan would allow the applicant to collect them but that it could not be implemented if the take of the species could not be voided by the California Department of Fish and Game (CDFG). SEATAC also questions how the diversion of water for the bridge project would work, to which the applicant responds by referring SEATAC to MV 25 on page 208 of the report which provides the explanation on diversion. SEATAC states that the only method to protect the unarmored threespine stickleback for the bridge construction is to relocate the species as described in MV 24. The applicant responds that CDFG cannot authorize this, and the United States Fish and Wildlife Service (USFWS) must approve the movement. SEATAC comments that protection around the abutments of the bridge must be ensured.

As discussed in the Biota Report (page 15), the Natural River Management Plan (NRMP) Final Environmental Impact Study (EIS)/EIR, Section 404 Permit, and Section 1603 Streambed Alteration Agreement for portions of the Santa Clara River and its tributaries (1998) was prepared by the Army Corps of Engineers (ACOE) and CDFG. The NRMP analyzed impacts associated with the implementation of various public improvements (bank stabilization, trails, bridges, utility crossings, etc.) along and within portions of the Santa Clara River adjacent to upstream Newhall Land properties, including the Commerce Center Drive Bridge.

Additionally, Caltrans recently (2006) issued a Notice of Findings of No Significant Impact/Negative Declaration for improvements on State Route (SR)-126 for the Commerce Center Drive Interchange Project. This action permits the construction of a grade-separated interchange at the SR-126 and Commerce Center Drive intersection, with a new overpass structure for Commerce Center Drive over SR-126. The new interchange will provide full movements for traffic between Commerce Center Drive and SR-126. Improvements associated with this interchange include the construction of the necessary bank stabilization for the Commerce Center Bridge (the northerly abutment will be located behind this bank stabilization). These improvements were approved as a part of the Caltrans FONSI/Negative Declaration.

The project applicant is proposing to construct the Commerce Center Drive Bridge (excluding the northerly bank stabilization) component of the Specific Plan in conjunction with the Mission Village project. However, the Mission Village Biota Report, like the approved NRMP, includes analysis of all potential impacts to biological resources associated with construction and operation of the proposed Commerce Center Drive Bridge. Related impacts are discussed in detail in **Section 11.0 Impact Assessment** of the Biota Report.

In regards to potential impacts to unarmored threespine stickleback, the Biota Report has adopted and would implement the measures contained in the NRMP to protect the species (see MV-23 through MV-27). As discussed above, these measures have been approved by the ACOE and CDFG as part of the NRMP (which covers activities associated with construction of the Commerce Center Drive Bridge).

12. SEATAC questions how occupied habitat was determined for previously incorporated measure 4.6-54 on page 207 of the report. The applicant asks SEATAC to refer to page 208 to find the answer. SEATAC also states that on Table 6 on page 79, species of special concern identified as CSC under the State status column should be CSSC.

As discussed in the Biota Report (MV-23, page 207), 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 at the appropriate season, as determined in consultation with CDFG, by a qualified biologist for the presence of the unarmored threespine stickleback, arroyo chub, and Santa Ana sucker. As unarmored threespine stickleback, arroyo chub, and Santa Ana sucker are known to occur in the stretch of the Santa Clara River on and bordering the project site, measures would also be implemented to prevent these species from entering the construction zone (see MV-25 and MV-26).

Table 6, as well as Tables 7 and 8, include a legend indicating that "CSC" refers to a California Species of Special Concern. As the use of the abbreviation is described in the Biota Report, no revisions are required.

13. SEATAC comments on bank stabilization and the material effects of increased erosion that could occur downstream. The applicant responds that water velocity impacts are covered in the document, along with a detailed hydrology study that was conducted. Applicant explains that in a capital flooding event here there will not be any increases of flooding related damage upon the property. SEATAC states that it is concerned about where the river will be pinched or reduced, and with the proposed smooth concrete walls on both sides of the river proposed; this in turn will increase the water velocity which will be very bad for the stickleback species. There is also a concern for erosion on the side of the river where the homes are located. Other soil sediments proposed in document are not as good as concrete and can be very erosive. SEATAC recommends using widely separated and varied bank stabilization techniques, taking into consideration the issues discussed.

SEATAC's comment regarding bank stabilization is noted. On May 27, 2003, the Los Angeles County Board of Supervisors certified the Newhall Ranch Program EIR and Final Additional Analysis for the Newhall Ranch Specific Plan and WRP. At that time, the Board also issued several project approvals, including the Newhall Ranch Specific Plan and construction of the Newhall Ranch WRP. These approvals from the Board included the use of buried bank stabilization as described in the Mission Village Biota Report.

As discussed in the Biota Report (pages 134–135), the *Flood Technical Report for the Mission Village Project* (PACE 2006) found that there would be no significant changes in water flows, velocities, depth, sedimentation or floodplain and channel conditions downstream of the project site as a result of the proposed project. These hydraulic effects were also found to be insufficient to alter the amount, location, and nature of aquatic and riparian habitats in the project area and downstream into Ventura County. The technical analysis further determined that the river would still retain sufficient width to allow natural fluvial processes to continue; consequently, the mosaic of habitats in the river that support various sensitive species would be maintained, and the population of the species within and immediately adjacent to the river corridor would not be significantly affected. Based on that technical assessment, and the analysis of these species and their habitat described in the PACE 2006 report (these conclusions were reached by Entrix based upon the PACE report), no significant impacts to downstream populations of special-status wildlife species are expected to occur.

14. SEATAC directs the applicant to Table 1 for Predicted Dry Weather Water Balance on page R15-2 to discuss the dry weather issue. SEATAC discusses the dry weather flow column figures presented in the table and estimates that the dry weather flow for the river channel should be 10,000 acre feet. SEATAC comments that there is a threat to the stickleback if there is too little water which will cause the species to perish. On the other hand, too much surface water will cause the stickleback to be swamped downstream and therefore creating connectivity between the stickleback and other subspecies both downstream and upstream. The species could then be genetically swamped out.

See the March 2008 response to comment 16 for a discussion of how the predicted dry weather water balance was calculated. As correctly shown in Table 1, below, no nuisance flows will be generated by the Mission Village project.

See the March 2008 response to comment 13 for a discussion of changes in water flows, velocities, depth, sedimentation, or floodplain and channel conditions downstream of the project site as a result of the proposed project.

Additionally, GSI Water Solutions has prepared a Technical Memorandum (contained in Appendix Q) that addresses the future reclaimed water discharges from Santa Clarita Valley Water Reclamation Plants (including the approved Newhall Ranch Water Reclamation Plant) and the potential for impacts to the "dry gap" in the Santa Clara River west of the NRSP. This Technical Memorandum concludes that future discharges of reclaimed water to the Santa Clara River from the Santa Clarita Valley Water Reclamation Plants (including the Newhall Ranch Water Reclamation Plant) are not expected to have a significant influence on the dry gap because:

- Historical increases in the river baseflow upstream of the dry gap have not appreciably changed conditions in the dry gap, where there is little vegetation and little, if any, water (except during storm runoff periods).

- The "dry gap" has never closed permanently in the past (i.e. become perennial) even with the onset of, and increase in, Water Reclamation Plant flows into the river (to present day volumes of 23,000 AF/yr). This historical increase in river flows is about 70 times greater than the incremental contribution that will be added to the river from the approved Newhall Ranch Water Reclamation Plant.

- Discharges from the Newhall Ranch Water Reclamation Plant will be small compared with other flows entering the Piru groundwater basin from the Santa Clarita Valley (storm flows, groundwater base flow, and discharges from the two existing Water Reclamation Plants that lie upstream of the future Newhall Ranch Plant).

Consequently, the proposed project would not be expected to result in connectivity between historically seasonally isolated stretches of the Santa Clara River, like the "dry gap."

15. SEATAC also comments that too much water flow could also affect the habitat for the arroyo toad. There are also concerns for water runoff and whether the basin indicated on Table 1 is able to accommodate the flows. The force of the water could change the river significantly, beginning with the affect upon the fish species. SEATAC makes a reference to a project in Haskell Canyon, and indicated that in summertime all will be infiltrated here (geomythology). SEATAC requests a disk for all projects to discuss cumulative impacts, amount/quantity of water discharge into Santa Clara River, storm water and dry weather flow along with all other related issues and tables presented.

See the March 2008 response to comment 13. Also, we believe that SEATAC was referring to Hasley Canyon Creek rather than Haskell Canyon Creek.

As discussed in the March 2008 response to comment 14, GSI Water Solutions has prepared a Technical Memorandum (contained in Appendix Q) that addresses the future reclaimed water discharges from Santa Clarita Valley Water Reclamation Plants (including the approved Newhall Ranch Water Reclamation Plant). For the reasons discussed above, this Technical Memorandum concludes that future discharges of reclaimed water to the Santa Clara River from the Santa Clarita Valley Water Reclamation Plants (including the Newhall Ranch Water Reclamation Plant) are not expected to have a significant influence on the dry gap.

The report also summarizes the findings of the Newhall Ranch Specific Plan Sub-Regional Stormwater Mitigation Plan (Geosyntec, 2008). As indicated in the Technical Memorandum, the Stormwater Mitigation Plan includes the use of low impact/site design, source control, and vegetated BMP's that will minimize and fully mitigate dry weather or nuisance flows from developed areas. In summary there will be no nuisance flows that enter the Santa Clara River from Newhall Ranch.

16. SEATAC raises questions regarding sewer capacity and water supply and the cumulative effect of water use. SEATAC questions whether water will be imported. The applicant responds that nickel water is already being used and is imported from the Central Valley, and plans call for converting existing agricultural water for recycled use. Applicant also states that ground water will continue to be used from an alluvium aquifer. SEATAC also refers back to Table 1 and questions why is there only a 0.0 indicated in the column under Outflow? Should there not be a minus instead?

Sewer and water supply

The Newhall Ranch Specific Plan includes the Newhall Ranch Water Reclamation Plant. This Plant was approved in conjunction with the Board's approval of the Newhall Ranch Specific Plan. This Plant will be constructed in conjunction with the implementation of the Newhall Ranch Specific Plan and will provide sewage service.

Water sources expected to serve the Newhall Ranch Specific Plan project are the applicant's agricultural water from the Alluvial aquifer, which will be treated and used to meet the project's potable demand, recycled water from the Newhall Ranch WRP (or the existing Valencia WRP through CLWA), which will be used to meet the project's non-potable demand, and the Nickel Water. The Nickel Water consists of 1,607 acre-feet and is needed at the buildout of the Newhall Ranch Specific Plan. The Nickel Water is 100 percent reliable on a year to year basis and is presently being banked for future use in the Specific Plan.

As to the potable demand, as stated above, this demand would be met by the Valencia Water Company through the use of the project applicant's rights to 7,038 afy of groundwater from the alluvial aquifer, which is presently used by the applicant for agricultural irrigation and the Nickel Water. Because this groundwater is already used to support the applicant's existing agricultural uses, and because the Santa Clarita Valley has developed the CLWA Groundwater Management Plan (2003), the *2005 UWMP*, and the *2005 Basin Yield Report*, all of which contain important groundwater management objectives and elements to ensure that groundwater is managed so as not to adversely impact groundwater supplies identified in the CLWA purveyor groundwater operating plan encompassed in those two plans, there is not expected to be any significant environmental effects resulting from the use of such water to meet the potable demand of the Specific Plan. In addition to the above protections, due to project conditions, the amount of groundwater that will be used to meet the potable demands of the Newhall Ranch Specific Plan, including Mission Village, cannot exceed the amount of water historically and presently used by the applicant for agricultural uses; and, therefore, no net increase in groundwater use will occur with implementation of the Mission Village project.

As to the non-potable demand, as stated above, this demand would be met through the use of recycled water from either the initial phase of the Newhall Ranch WRP or the existing upstream Valencia WRP. The source of the recycled water from the Newhall Ranch WRP would be the converted agricultural groundwater from buildout of the Specific Plan, including the Mission Village project, which would be consumptively used, discharged to the Newhall Ranch WRP, and made available for reuse under contract with the Los Angeles County Sanitation Districts (the operator of the Newhall Ranch WRP).

Table 1, Predicted Dry Weather Water Balance

SEATAC requested an explanation of why the outflow column of Table 1 always summed to zero. In response, Table 1 has been revised for clarity. The revised Table 1 below presents the monthly dry weather water balance for the water quality improvements for the Mission Village project.

Table 1: Predicted Dry Weather Water Balance

Month	Dry Weather Flow (af)[1]	Evapotranspiration (af)[2]	Infiltration (af)[3]	Excess Capacity (af)[4]
January	16.0	0.6	77.2	61.8
February	14.5	0.9	69.7	56.1
March	16.0	1.5	77.2	62.7
April	15.5	2.1	74.7	61.3
May	16.0	2.8	77.2	64.0
June	15.5	3.2	74.7	62.4
July	16.0	3.6	77.2	64.8
August	16.0	3.2	77.2	64.4
September	15.5	2.4	74.7	61.5
October	16.0	1.7	77.2	62.8
November	15.5	0.9	74.7	60.0
December	16.0	0.6	77.2	61.8

[1] Based on dry weather flow of 0.0003 cfs/acre from a range of researched values.

[2] 60 percent of Reference ETo from CIMIS Zone 14.

[3] Equal to dry weather runoff up to maximum of 0.15 in/hr for water quality basins.

[4] Equal to (Evapotranspiration + Infiltration) – Dry Weather Flow.

A more detailed explanation of how the monthly dry weather water balance was conducted is provided below:

1. For purposes of conservatively estimating the impacts of dry weather flows, a constant dry weather flow rate into the basin of 3.0×10^{-4} cubic feet per second (cfs) per urbanized acre was assumed. This value was selected from a range of values found in the literature (8.3×10^{-5} to 2.9×10^{-4} cfs per urbanized acre) and represents the average value to be expected during the summer months, so it is a conservative assumption for the winter months when irrigation rates and therefore dry weather flows should be lower.

2. Evapotranspiration rates were assumed to be 60 percent of reference rates from the California Irrigation Management Information System (CIMIS) Zone 14, in which the project is located. Evapotranspiration volume was calculated as the basin surface area times the evapotranspiration rate.

3. The water quality basins were assumed to infiltrate through the bottom of the basin at a rate of 0.15 inch/hour, which is representative of Hydrologic Group Type B soils (e.g., shallow loess and sandy loams) compacted so that they behave as Hydrologic Group Type C soils (e.g., clay loams, shallow sandy loams, soils low in organic matter, and soils usually high in clay). Infiltration volume was calculated as the basin surface area times the infiltration rate.

4. Excess capacity was then calculated as:

5. Excess capacity = evapotranspiration + infiltration – inflow

The results of the monthly dry weather flow water balance for the Mission Village project show that the evapotranspiration plus infiltration capacity of the water quality basins greatly out weigh the predicted dry weather inflow to the basins. While dry weather inflow to the basins ranged from 14.5 acre-feet per month (ac-ft/mo) to 16 ac-ft/mo, evapotranspiration plus infiltration capacity of the basins ranged from 71 to 81 ac-ft/mo, thus excess capacity for removal of dry weather flows within the water quality basins ranged from approximately 56 ac-ft/mo to 65 ac-ft/mo, or about four times more than the predicted dry weather inflow volume.

17. SEATAC states that the project will have very large bio impacts. The Peter Bloom surveys discovered large numbers of sensitive bird species which are not discussed or documented in the report. The applicant responds by stating that when the report was first written, birds were placed in a special status. It was classified as a special status for birds report. Peter Bloom's report will be incorporated into the next revised biota report.

As discussed in the Biota Report (page 78), special-status wildlife species were defined to include those that are state- or federally-listed as Threatened or Endangered, proposed for listing as Threatened or Endangered, designated as state or federal candidates for listing, considered state Species of Special Concern, considered a state Fully Protected Animal, or that are considered a federal Bird of Conservation Concern. The *Report on Interim Late Winter and Spring Survey of Raptors and Special-Status Bird Species* (Bloom Biological 2007a) addressed bird species meeting this definition of special-status, as well as bird species included on various "watch lists" and that are considered to be of relatively low sensitivity status. The Biota Report has been revised to address all bird species identified to be of special-status by Bloom Biological (2007a) and the Bloom 2008 Report.

18. SEATAC states that no long-term impacts are discussed, nor any impacts related to construction when discussing fish.

The Biota Report includes a detailed discussion of indirect impacts (see Section 11.3 Indirect Impacts, pages 138–145). These include long-term impacts that would occur after the completion of construction activities. Specifically, the Biota Report provides an analysis of long-term/indirect impacts associated with the following types of activities: (1) increase light and glare; (2) landscaping irrigation and stormwater runoff; (3) increased populations of non-native plant and wildlife species; (4) increased human and domestic animal presence; and (5) altered hydrology and unauthorized entry in Middle Canyon Spring.

The Biota Report includes an analysis of construction-related impacts to special-status fish species (see pages 117–118).

19. SEATAC discusses Appendix "K" on page 94, regarding the fuel modification zone outside the preserves. It is important to look at distances of defensible structures from the spine flower preserves. If there is no required Los Angeles County fuel buffer, then a 300 to 500 foot buffer should be established for insurance that development does not enter the spineflower preserve. This issue should be addressed in the report. SEATAC would like to see more distance on this buffer than what the Fire Department would normally require. The applicant responds that the spineflower preserve will be an issue for DFG to deal with. SEATAC recommends a fuel management plan be implemented rather than have CC&Rs regulate the buffers.

The comment refers to the Draft Spineflower Conservation Plan (Dudek 2007c), which is included as Appendix K of the Biota Report. The spineflower preserves would include a surrounding buffer; with the exception of selected thinning by hand, no fuel modification activities would be allowed within the buffer area. The Los Angeles County Fire Department has provided verbal approval a preliminary fuel modification plan that illustrates no fuel modification within the spineflower preserves or buffers.

The maintenance of the spineflower preserves and buffers, including the selected thinning of vegetation for fire prevention, will be responsibility of the spineflower preserve manager. The Home Owners Association would only be responsible for fuel modification that occurs in designated fuel modification zones outside of the preserves and buffers.

20. SEATAC recommends that steps be taken to avoid issues with feral cats becoming a nuisance.

As discussed in the Biota Report (page 143), feral cats and house cats can cause substantial damage to species composition in natural areas. The Conservation Biology Institute (2000) suggested that the movement range of domestic cats is dependent on the health of the coyote population in the surrounding area and that, where coyotes are present, cats are still likely to be impacted within 100 to 200 feet of the urban–wildland edge. Cats that range farther than 100 to 200 feet from the urban edge are more likely to be killed by coyotes than those that stay close to residential yards. Thus, even in the presence of coyotes, it is still possible, within highly fragmented landscapes or complex urban–wildland edges, for domestic cats to seriously affect small mammal populations within a few hundred feet of urbanization.

To address potential impacts associated with feral cats and dogs, the Biota Report included mitigation measure MV-48. In response to SEATAC's comment, this measures has been revised and strengthened as shown below.

MV-48 The Home Owners Association shall supply educational information to future residents regarding not allowing cats outdoors or other pets outdoors while unattended. The material shall discuss the presence of native animals (e.g., coyote, bobcat, mountain lion) that could prey on pets and indicate that no actions shall be taken against native animals should they prey on pets allowed outdoors, and indicate that pets must be leashed while using the designated trail system and/or in any areas within or adjacent to open space. Control of stray and feral cats and dogs will be conducted in open space areas on an as-needed basis by the NMLO(s) managing the River Corridor, High Country, or Salt Creek area or by the HOAs managing the Open Areas. Feral cats and dogs may be trapped and deposited with the local SPCA.