

DEPARTMENT OF REGIONAL PLANNING DEPARTMENT STATEMENT

BOARD OF SUPERVISORS MEETING: JULY 22, 2025

Appeal Hearing on the Los Angeles County Regional Planning Commission's (Commission) California Environmental Quality Act (CEQA) decision to approve the 2024 Addendum to a Certified Final Environmental Impact Report (FEIR) (State Clearinghouse No. 1997031043) associated with a Modification to Conditional Use Permit (CUP Mod) No. RPPL2019002028 to modify 12 Conditions of Approval (COAs) of Conditional Use Permit (CUP) No. 96-044-(5) (Project), all approved by the Commission on February 12, 2025.

Project Background

On August 3, 2004, the Los Angeles County Board of Supervisors (Board) approved Vesting Tentative Tract Map No. 48086, CUP No. 96-044-(5) and related entitlements, to facilitate the development of a 542-unit subdivision (Original Project). On August 3, 2004, the Board also approved and certified the FEIR, and adopted the associated Mitigation Monitoring and Reporting Program, Findings of Fact, and a Statement of Overriding Considerations. Since 2004, there were four tentative map amendments to the Original Project. The four approved map amendments, along with the Original Project, are referred to collectively as the **"Spring Canyon Project."** The Board found the First Amendment to be categorically exempt pursuant to CEQA, and Addenda to the certified FEIR were prepared for all subsequent Amendments including the Fourth Amendment (ATM4). The Board adopted ATM4 on June 25, 2019. Pursuant to CEQA Guidelines Section 15122, a 180-day time period is provided for legally challenging environmental determinations, which has closed for all previously issued determinations.

ATM4 adjusted the sequencing of compliance for the COAs, and mitigation measures related to grading, road, infrastructure, and parks/trail improvements as well as landscaping installation. ATM4 also clarified which parties are responsible for implementation of mitigation measures and added conditions to address climate change considerations. Furthermore, Condition No. 20 of ATM4 required the filing of a CUP Mod to ensure consistency between the CUP and ATM4 COAs:

- ATM4 Condition No. 20
"All Vesting Map conditions not amended by this Amendment map and all conditions of previously approved CUP and Oak Tree Permit Nos. 96-044-(5) apply, except where

modified herein, or as will be required to be modified through the CUP Modification process, County Code Section 22.236, to ensure that the related CUP No. 96-044-(5) is consistent with the conditions of approval for this Amendment. The modification will capture changes with respect to earth material export and will ensure the timing of the conditions of approval of both the CUP and Amendment are consistent and will be required prior to issuance of grading and/or building permits. Subdivider must file for the CUP Modification prior to final map recordation.”

Recent Discretionary Actions and Appeals

At the October 22, 2024, duly-noticed public hearing, the Hearing Officer approved the Project, including the 2024 Addendum to the FEIR. On October 31, 2024, the Mountains Recreation Conservation Authority timely appealed the Hearing Officer decision to the Commission on the following topics: 1) potential exposure to potential lead shot during grading; 2) the Project's wildlife crossing being suitable only to some animals; 3) a condition that requires installation of native landscaping along the eight foot-wide multimodal trail as being infeasible; 4) the Project would substantially affect the California Mountain Lion; 5) stating that the transfer of open space to a public or non-profit agency is vague; 6) structure hardening requirements should be imposed; 7) the CUP Mod removes the requirement to construct a restroom facility in the Active Park; and, 8) the Project does not conform to current Low Impact Development standards. On February 12, 2025, the Commission held a duly-noticed public hearing to consider the appeal of the Hearing Officer's decision and upheld the Hearing Officer's decision to approve the Project.

On February 21, 2025, the Santa Clarita Organization for Planning the Environment (SCOPE), appealed the Commission's decision to the Board on several issues: 1) public comments not being provided to the Commission; 2) the number of units that can be built prior to construction of a secondary means of access; 3) wildfire evacuation; 4) wording of changed Project conditions; 5) previous Environmental Impact Report (EIR) analysis; 6) lack of easy access to all Project COAs; and, 6) State legislation pertaining to wildlife connectivity actions and climate change which became effective following approval of the Original Project.

Pursuant to County Code Section 22.228.070 (Effective Date of Decision and Appeals), a CUP Mod is a Type II permit, and therefore, the Commission's decision to approve the CUP Mod is final and not appealable. However, pursuant to Section 21151(c) of the California Public Resources Code, the Project's environmental determination is appealable to the Board. In its appeal, SCOPE claims that the Spring Canyon Project's previously certified FEIR and Addenda do not provide adequate analysis of new information regarding mountain lions.

CEQA requires environmental review of discretionary projects, including the CUP Mod, to disclose the environmental effects of a project to the public and decision-makers and provide ways to minimize those effects through mitigation measures and project alternatives. The latest substantive changes to the Spring Canyon Project were approved in 2019 as part of ATM4, which added 12 COAs. Incorporation of the same 12 COAs as part of the CUP Mod, as required

by the ATM4, constitutes technical changes only, not substantive changes. Therefore, the Addendum that was prepared for this Project is for a very narrow scope, and presents no change, expansion, or intensification -- physically, materially, or otherwise, to the Original Project. The goal of this CUP Mod is only to update the CUP to be fully consistent with the previously approved ATM4.

An Addendum to the FEIR was determined to be appropriate because the CUP Mod does not propose any substantive changes to the previously considered and approved Spring Canyon Project. There is no substantial change to the circumstances under which the approved Project was undertaken or new information of substantial importance showing that the proposed Project has a new or more severe effect on the environment not discussed in the previously certified EIR. Additionally, there are no mitigation measures or alternatives previously found to be infeasible that would in fact be feasible, and there are no mitigation measures or alternatives considerably different from those analyzed in the previously certified EIR that would substantially reduce any significant environmental impacts.

In 2020, the California Department of Fish and Wildlife (CDFW) listed the Southern California Mountain Lion as a candidate California Endangered Species Act species following certification of the FEIR in 2004, approval of the ATM4, and corresponding Addenda in 2019. However, the listing did not increase or introduce additional environmental impacts to the Project because the FEIR's analysis, Findings of Fact, and prior Addenda took wildlife movement, including mountain lions, into account and determined the impact to be significant and unavoidable with the incorporation of feasible mitigation. Furthermore, CDFW's subsequent listing does not change the Project's impact on the species because the previous environmental review and adopted mitigation measures adequately analyzed the real-world effects of the Original Project on mountain lion populations and migration, and the CUP Mod Project presents no changes to subdivision design or scope of the proposed development. As such, the 2024 Addendum to the FEIR is the appropriate CEQA determination for the CUP Mod Project.

Therefore, a subsequent or supplemental EIR is not required pursuant to CEQA Guidelines Sections 15162 and 15163, and an Addendum to the EIR under Section 15164 is appropriate and sufficient to comply with CEQA.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Amy Bodek', followed by a horizontal line.

AMY J. BODEK, AICP
Director of Regional Planning

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