



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

July 8, 2015

TO: Pat Modugno, Chair
Stephanie Pincetl, Vice Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

FROM: Gretchen Siemers
Zoning Permits North Section

RE: **Project No. 00-32-(5), Conditional Use Permit No. 00-32**
RPC Meeting: July 8, 2015 - Agenda Item: No. 6

The above-mentioned item is a request for a Conditional Use Permit to authorize a recreational vehicle park and campground in the A-2-2 (Heavy Agricultural, Two Acre Minimum Lot Area) Zone and within the Agua Dulce Community Standards District.

The hearing was continued from May 27, 2015, to allow the applicant additional time to review the hearing materials. Please find enclosed, a document from the Applicant, as well as a redacted email from a neighboring resident in opposition to the above-referenced item, which was received on July 7, 2015.

If you need further information, please contact Gretchen Siemers at (213) 974-6443 or gziemers@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

RG:GS

You are hereby notified to Cease and Desist in your continuing actions libeling and defaming Rancho Agua Dulce LLC, it's members and employees and the owners of the property which is the subject of Cup application 00-32 and Project No. 00-32-(5).

Your malicious actions, defamatory statements and libelous publications designed to interfere with Rancho Agua Dulce LLC business activities and the use and enjoyment of their property will subject you and any of your associates to legal action for damages.

You have injected yourself in the proceedings involving the application of RANCHO AGUA DULCE LLC for a conditional use permit and have gratuitously submitted false information, letters and misleading false, malicious statements designed to interfere with the conditional use permit application. Your actions are clearly intended to injure and damage RANCHO AGUA DULCE LLC business interests and in the process you have defamed and libeled the property owners and their employees and representatives accusing them among other things of of "breaking the laws."

Less than a year ago, you moved into the area, buying a house located more than a mile away from RANCHO's property. You are not a "neighbor"

under any stretch of the definition of the word. Several hundreds of acres of mountainous barren terrain separates your property from RANCHO's land. Your residence is so far away from RANCHO's property that is out of the line of sight of either property and beyond hearing distance. Furthermore, to gain access to a vantage point from which you could observe any activities taking place in RANCHO's property, not only do you have to travel more than a mile through a mountain path, you must also TRESPASS on numerous properties including large parcels of land owned by the Conservancy, properties that are gated and noticed to avoid trespassers.

When less than a year ago , on July 24, 2014, you contacted RANCHO with an offer to rent several parking spots in the property with the intention of traveling by "bike" or to "hike" up the hill, trespassing through Conservancy land for your enjoyment of the area, you did not seem to be particularly concerned with "proper use of the land" by the owners of the property as you expressed yourself in your communications to Mrs.

Siemers seeking to assist her in her effort to have the conditional use permit denied.

Neither were you apparently concerned with endangering the lives of the Metrolink passengers with an illegal and dangerous crossing of the railroad track that runs behind the property as you offered to "pay nicely" for access across the Metrolink Railroad tracks in your pursuit of personal enjoyment "biking and hiking a mile up the road to our place". At the time you did not feel such transit of RANCHO's property by yourself and "several others who reside up the hill in Briggs Road willing to pay for access and provide a steady cash flow", would interfere with "film business in the property".

You should know that RANCHO will seek to discover through the legal process how you became involved in the joint effort by several potential defendants, which include Los Angeles County employees, working illegally in concert, to deny the property owners of their property rights, due process of law and engaging in discriminatory practices that can potentially have criminal aspects.

Noting that your work as a Public Works Administrator for the City of West Hollywood may suggest possibly some form of collusion between your employer and the County of Los Angeles, another government entity whose employees have been heavily involved in a joint effort to interfere with RANCHO's property ownership and business. It will be RANCHO's intent to discover through the legal process if in fact your actions are your own or if they are related to your employment in any manner or form.

You are now on notice, be governed accordingly.

M. Fernandez
Rancho Agua Dulce LLC

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RANCHO AGUA DULCE LLC
18565 Soledad Canyon Road Ste 288
Canyon Country California 91351

July 7, 2015

TO: Pat Modugno, Chair
Stephanie Pincetl, Vice Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

FROM: Manuel Fernandez
Careylee Moisan
Rancho Agua Dulce LLC

PROJECT NO. 00-32-(5), CONDITIONAL USE PERMIT No. 00-32
RPC Meeting : July 08, 2015

Dear Commissioners:

Enclosed please find a rebuttal of the Draft Findings of The Regional Planning Commission and Order Project No. 00-32- (05) Conditional Use Permit No. 00-32 that was submitted for your consideration by Mrs. Gretchen Siemers to support her request that the Commission deny the Conditional Use Permit Application.

Additional evidence will be presented during the Applicant's testimony at the scheduled hearing to support the Applicant's request that the permit application be granted or that additional opportunity be afforded to the applicant to meet any additional requirements for the approval of the permit at a later date.

Considering the phenomenal number of falsehoods, misrepresentations and misleading statements contained in the Draft Findings document as well as the lack of supporting evidence or proof for the unsubstantiated allegations contained in the documentation Mrs. Siemers has presented to support her request, it would seem that the Applicant's rights to Due Process and Equal Application of the Law would be violated if the Commission were to accept without further study and analysis Mrs. Siemers assertions and documentation in granting her request without ascertaining the veracity of her assertions.

Respectfully,

Manuel Fernandez
Careylee Moisan
Rancho Agua Dulce LLC

The Proposed Draft Findings of the Regional Planning Commission and Order drafted by Mrs. Siemers et al cannot be adopted on account of the multitude of falsehoods and misrepresentations that are being proposed to be adopted as facts by the Commission.

In the order presented:

1. It is false that the Regional Planning Commission conducted a duly noticed public hearing in the matter of Conditional Use Permit No. 00-32 (CUP) on May 6, 2015 and May 27, 2015. No such hearings ever took place and the alleged hearing of May 27, 2015 was never duly noticed.

2. The Applicant is RANCHO AGUA DULCE LLC, the owner of the property, not Careylee Moisan as stated in the Draft.

The Applicant requested a CUP for the CONTINUANCE of an RV Park in operation at the site since 1946 (68 years!). The Draft incorrectly states the CUP application is for a NEW recreational vehicle park when in fact the CUP sought specifically seeks a CUP consistent with the historical use of the property in the same manner, unchanged and with no expansions of any kind over the historical use of 68 years.

The property located at 9777 Soledad Canyon Road was located in an R-R zone for 56 years and was zoned at the time of the CUP application R-R.

The zoning was changed without notice and in violation of the law by the Los Angeles County into A-2-2 zone. Applicant was never notified of the proposed change which devalued their property. Only recently has the change been noted and Applicant will seek to invalidate the change and restore the property to the R-R zoning it had when it was acquired and when the CUP was applied for.

3. Project site IS NOT 41.8 gross acres in size (Draft).
Project site is 11.4 gross acres in size. (See CUP application)

Project site consists of two legal lots (Draft) - This is false!
Project site consists of ONE legal lot. (See CUP application)

4. Project site is located in the Soledad Zoned District and is currently zoned A-2-2.
Applicant is unaware of the significance of being in the Soledad Zoned District as it has never been discussed with the planner. As to the zoning A-2-2, the illegal change without notice or due process of the zoning from R-R since 1958 to A-2-2 by County officials will be challenged in court as explained above on item 2.

6. The Project Site.... is currently used as a movie ranch. Applicant does not know what is a movie ranch. What is the legal definition of a movie ranch? The Project Site is used as a Film Location, meaning a location where film can take place.

The facilities and structures in place that were used in the pre-existing RV Park can be used for

filming, they are all properly permitted and the permits in the possession of the County.

False - the statement that there are former cabins that have been burned ! No such a thing. There are structures painted in such a manner as to imitate a burned wall that was used by a production company who filmed on the site during the time that the County allowed the issuance of film permits. The production company in question did purchase the license/permit to film on the location from FILM LA and painted the structure in question.

False - the statement that there are activities such as construction of sets and decoration, special effects and 24/7 access for filming television shows and feature films. Where does Mrs. Siemers comes up with this patently false information? Where is the proof of her statements?

False - The movie ranch (?) Was established without approvals from the Department of Regional Planning (DRP) or the Department of Public Works (Public Works) is therefore not lawfully established and operated in violation of Title 22 of the Los Angeles County Code. (Draft)

Nowhere in Title 22 of LACO Code is there any reference to "movie ranch", no definition as to what constitute a "movie ranch" or what type of approval is necessary to "lawfully" establish and operate a "movie ranch". Nor is there any indication that DRP or Public Works have any say in the establishment of a "movie ranch" whatever the term meaning may be.

However, the R-R zoning under which the CUP application was filed provides that short term films can take place in properties in the area without a permit or CUP requirement by the property owner.

The Agua Dulce Community Standards District provides and encourages film in the properties in the area without a requirement for a permit or CUP and as a result more than a 100 film sites and locations advertise through web sites and conduct film productions on a daily basis without permits or CUP's and without the harassment and targeting interference with their business the Applicant has endured for years.

9. Please note that within 500 foot radius of the property all there is open space including thousands of acres of the San Gabriel Mountains National Monument right across the front of Applicant's property.

As to "neighbors" there are only one home immediately adjacent to the property and a small market, both of which film on a regular basis without permits or approvals of any kind. Neither has been subjected to the harassment and abuse the Applicant has. Neither objects to the project or to the CUP approval.

10. False - The site plan for the Project... (Draft) There are additional dilapidated buildings on the site that may have been at one time used as cabins.

This is a false statement - there are no such buildings or cabins, this is simply a fabrication. Where is the proof for this statement? To call a building "burned out/bombed out" does not make

it so, specially in the world of film making where illusions are the name of the game. The existence of structures that were painted to simulate a burned wall has been discussed already on item No.3

From the Draft - "The site plan for the project is inadequate because 1) Is not to scale ...
False - A site plan map to scale was produced expressly at the request of the previous planner and the current planner has apparently decided to not acknowledge its existence. Nor did the current planner, Mrs. Siemers, asked for a site plan to meet her requirements if she had ever process the application properly.

From the Draft - 2) It does not depict the proposed use of RV or tent camp sites."

False - The site plan from the previous owner of the RV Park, reflecting the historical use of the property, on file with the County and resubmitted as part of the CUP application depicts the 70 RV sites approved for use since 1956 and the additional 10 sites for permanent mobile homes also previously approved. Tent camping needs not to be designated for each tent - this would be absurd ! The camping areas are designated in the historical use site plan map.

From the Draft - 3) Site Plan ..does not depict all of the structures'

False- Site Plan Map to scale prepared for the project at the request of the planner shows all buildings to scale. Also, previous site plan showing historical use also shows all structures.

From the Draft -4) Site Plan ... does not depicts any easements."

Such depiction was never requested, nor would it seem to serve any purposes or be required, Certainly other R Parks and campgrounds that have been granted a CUP had never been required to provide such depictions which would necessitate a specialist and legal expert at great cost in order to provide accurate information that has no bearing on the CUP application.

From the Draft - 5) Site Plan... does not depict wastewater treatment systems

There are no wastewater treatment systems in existence, why would the Site Plan require one to be depicted any more than a landing strip for small planes or a train station that do not exist!

From the Draft - listed as 5) but in reality is #6) Does not show both parcels listed on the application".

Only one parcel is the subject of the application, good reason not to include or list any others. It is worth to note that on item 3) Mrs. Siemers represented in the draft of findings and order that she asks the Commission to accept and adopt, that "Project Site is 41.8 gross acres in size and consists of two legal lots." even though here she admits that the second 'lot' is not listed in the application ! Where did she get the idea that the second lot was part of the project when the application clearly establishes that only the 11 acre "lot" is the subject of the application ?

11. From the Draft - "Although (Metrolink railroad tracks for the Antelope Valley Line are adjacent to the northern boundary of the site) the establishment (?) Currently offers the train tracks for filming".

So what? Metrolink sells permits for filming in their tracks with the use of a flagman for safety. Nothing improper in advertising the availability of the railroad tracks for filming providing the production company obtains a permit from the railroad authority, which they have done in the past and permitted film on the track has been verified by the local sheriff deputy called to investigate by the LACO zoning department.

In typical fashion this planner states lawful actions as if they were unlawful to prejudice the Applicant and apparently with the intent of misleading the Commission.

12. From the Draft -(as to the on site water well serving the Project) ..No information is provided as to the quality or quantity of the water well is provided"

No information has ever been requested, additionally the water well details are registered with the County with the Water Quality Department.

13. From the Draft - The Application for the Project does not indicate whether the Project is served by private septic systems or public sewer. If the project is served by private wastewater treatment systems...must be approved by the County..."

The information given to the planners indicates the existence of a private septic system, the information was in the file from previous applications and designated in the site plan. Additionally there are no public sewers within miles of the area and Mrs. Siemers should know that. There are no private wastewater treatment systems in the area. This discussion of the requirement for approvals of non existing private wastewater systems is filler verbiage for the Draft and to create an appearance of improper activity or non compliance on the part of the Applicant to mislead the Commission.

14. From the Draft - "The project Site provides ad-hoc crossing of the Santa Clara River."

False - Simply not true!

"At times the gates to the Project Site are open for automobile traffic to traverse the river from Soledad Canyon Road to Briggs Road."

False - There are no gates to the Project Site that can be open for automobile traffic. There is no way for automobile traffic to traverse the river from Soledad Canyon Road to Briggs Road through the Project Site, furthermore no automobile traffic can access Briggs Road without illegally crossing the Metrolink railroad tracks, an act that is a criminal offense. Matters pertaining to railroad interference and safety is reportedly regulated by the Department of Homeland Security.

"This crossing has not been permitted by the County, USFW or CDFW.

False - No crossing of the river at the Project Site, thus, approval by any entity is a non issue.

“County... concerned about traffic impacting the sensitive biota of the river,...has safety concerns about vehicles utilizing an unmapped roadway in the event of a flood or fire event.”

It is nice that a legal entity can be presumed to have human emotions, but this whole sentence is non-sense because it has no applicability to the approval of the CUP application as it is not part of any regulation governing the processing of the application. Nonetheless, the greatly diminished traffic the application project entails is a fraction of the traffic that existed in the previous 68 years of use as a Trailer Park with more than 400 residents, RV Park with hundreds of comings and goings and campground which at one time hosted concerts with well known bands such as The Grateful Death with attendance in excess of 7,000 persons without causing the County to become overly concerned.

Additionally, immediately adjacent to the applicants property, the only neighbor within 500 feet of the property, conducts rave parties and concerts with hundreds of cars and sometimes thousands of attendees that do impact with their actions the “sensitive biota of the river” without causing much concern to the County.

As to the safety concerns for the use of the property by vehicles coming or going in the event of a flood or fire, such concerns are unfounded because in the transcourse of 68 years there has not been any incidents that could suggest that such a possibility exists. There is no requirement that existing access to the Project Site be evaluated or approved by unknown agencies. We note here how Mrs. Siemers cannot even name what agencies are tasked to evaluate and approved the “access” that she has without any evidence to support her determination that is inadequate.

The Fire Department in the past has used the applicants property (with permission of course) to establish a fire fighting base for their trucks, bulldozers and dozens of firefighters on the occasion of forest fires in the area, apparently they have found in the pass the access quite adequate for their heavy equipment and personnel.

15. From the Draft - The site plan for the Project does not designate any parking space”

False - The site plan for the previously approved historical use of the project in the files of the DRP ,a copy of which was also submitted by the applicant designates the 70 spaces for the RV’s and the 10 sites for the mobile homes or RV’s which have been established for decades as well as the camping areas where parking of the campers vehicles could take place.

Planner Siemers attempts to imply some improper conduct on the part of the applicant in advertising the availability of parking facilities when in fact there is nothing improper about such activity. Permits to production companies filming in the area have been sold by the County for parking in properties in the area including the applicant’s. Photos included from applicant’s website are meaningless and another example of the extraordinary lengths the planner has to resort to suggest impropriety on the part of the applicant and a brazen attempt to mislead the Commission.

19. "According to a statement by Chris Dellith...the applicant sought grant monies from the federal government..."

False - Mr. Dellith denies ever making such statement. Where is the proof that the statement is true?

False - The Applicant has never sought any grant of monies from anyone or from the federal government - this is a fabrication.

"...monies sought from the federal government to install a bridge to replace the illegally constructed crossing..."

False - no monies have ever been sought by the applicant to install a bridge to replace an illegally constructed crossing, because there is no such crossing anywhere in the project site or anywhere in the applicant's property that was illegally constructed!

This is an outrageous fabrication seeking to establish by inference that there are illegal aspects of the applicants property without proving that to be the case, once again seeking to mislead the Commission into validating a multitude of false assertions by adopting as "findings" the bundle of lies that make up the majority of the staff report.

"...however the applicant was not willing or able to comply with the requirements and thus the project stalled"

False - Not True. Where is any evidence to support this outrageous lie?

20. From the Draft - "The Applicant applied for a Plot Plan in 2008 to establish a Motion Picture Set. The application was withdrawn ... after DRP sent a letter indicating a CUP was required..etc."

False - The Applicant sought to ADD to the existing CUP application for the renewal of the CUP of the RV Park approval to conduct film productions on the site. The planner at the time pointed out that a separate CUP Application would be required to build a Motion Picture Set, which it was not what Applicant wanted. It was pointed out by the planner at the time that the kind of film activity the applicant desired was already permitted under the R-R zoning of the property and thus there was no need to apply for an additional cup since the applicant DID NOT WANT to build a Motion Picture Set. The Applicant then withdrew the request. The withdrawal had nothing to do with any letter from the DRP as represented in this report.

21. From the Draft - "The Project Site is currently being used as a movie ranch which DRP considers a Motion Picture Set under Title 22."

False - The Project Site is currently been used as a film location, meaning a location where film activity takes place. The term movie ranch is meaningless and has no legal definition. Simply because the planner or the DRP wants to define the use of a property for film as a movie ranch

has no legal significance or consequences. DRP cannot arbitrarily decide that the use of a property as a film location in accordance with the zoning code and the Community District Standards is anything other than what is permitted simply by changing the term they decide to refer to. This is simply outrageous!

“Short-term filming may be permitted without a CUP if appropriate permits are first obtained from the County via FilmLA, the County’s film permit clearing house.”

This is a correct statement, except is incomplete because it implies that the applicant must first obtain a permit from the County to film in the property it owns. This is FALSE. The film maker, the production company is the one that is charged with the obligation by the County’s edict to obtain a permit in order to film on private property without the benefit of any County services or assistance. The property owner has no obligation to obtain any type of a permit from the County in order to allow the use of it’s property for filming. Where is the Code provision that establishes such an obligation for the property owner where film is allowed as part of the zoning of the property? There is none. The applicant has no obligation to produce any evidence of film permits.

22. From the Draft - “Project Site ..currently being used as a Motion Picture Set”

False - Project Site IS NOT being used as a Motion Picture Set. There is no evidence to support this claim. The use of the Project Site does not fit the definition of a Motion Picture Set according to the Code.

“Evidence that the Project Site is currently being used as a Motion Picture Set includes: complaints from neighbors which include emails (attached) and phone calls.”

False - the so called evidence does not prove use as a Motion Picture Set, if anything all it would suggest, without conclusively proving, that filming is taking place in the applicant’s property in accordance with the provisions of the Agua Dulce Community District Standards and the provisions of the zoning code which allows Short Term filming in the area without requiring a permit from the owners.

Having established that there are only three property owners within a 500 feet radius that can be considered properly as “neighbors”, the complaints, emails and phone calls of Agua Dulce and Santa Clarita residents who live miles away from the applicants property and that have been solicited by County employees to inject themselves in the CUP application process, are worthless as evidence of anything. For one, they are not capable to observe any activity within the applicants property unless they make their way through miles of mountain path, trespassing as they go along through private property and gated and noticed acres of land owned by the Conservancy in order to observe any activities in the applicants land.

Some of the “complaints” from far away residents in the hills that the County has recruited to support their efforts to persecute and harass the applicant, are former litigants who were organized by the County to file a lawsuit against the applicant in an attempt to wrestle from the

applicant parts of the property for an easement. Some of the “complainers” are disgruntled individuals that had attempted to purchase the applicant’s property and had failed in their endeavor.

Their emails prove nothing. Just a willingness to injure and do harm to the applicant for no valid reason with lies and fabrications.

“Observations of staff “ (as evidence of the Project Site currently being used as a Motion Picture Set vs. Short Term filming allowed under the Agua Dulce CSD and zoning code)

False - What observations from Staff? Staff has not been inside Applicant’s property to observe anything!

“Website promoting the Project Site .. (as a Motion Picture Set)

False - Website DOES NOT promote the Project Site as a Motion Picture Set . It promotes the Project Site as a film location available for Short Term filming in accordance with the Agua Dulce CSD and the zoning code, in the same manner that scores of other properties in the area promote their properties as film sites in scores of web sites. Yet, the DRP is not harassing and persecuting all others involved in the same activities as the applicant, including the applicant’s neighbors (all two of them) who regularly film in their properties without County interference and harassment.

23. From the Draft - “FilmLA has put a permanent “hold” on the issuance (sale) of permits for the Project Site due to the location’s continued operation of film shoots without permits.”

False - FilmLA does not have the authority to place “holds” of any kind on the issuance of permits for film producers to film on private property . FilmLA is a revenue collecting agency for the County of Los Angeles, it has no regulatory or enforcement powers or functions. Its sole function is to sell licenses for filming in the County of Los Angeles. It is very doubtful that it can legally “blacklist” private properties for which it will refuse to issue (sell) a license/ permit to film to a film producer wishing to do so, specially when the activity is to take place wholly within the confines of private property without the use of public assets, services or facilities.

Many legal opinions and journals maintain there is no right for the County or any government entity to demand a fee for a permit to film when the film activity does not involve the use of public services or property. Additionally, filming is a constitutionally protected activity under the Freedom of Speech and Assembly recognized rights in the U.S. Constitution which requires no permit for exercising.

FilmLA has on dozens of occasions told would be permit buyers that their instructions for placing a “hold” on the issuance of permits for filming in the applicants properties have come from Mr. Oscar Gomez, of the DRP zoning department who according to FilmLA was the only person that could remove the “hold”. FilmLA has volunteered in the past that the reason for the “hold” is the existence of violations by the property owner (the applicant) who needed to cure the

violations before Mr. Gomez would remove the “hold.” FilmLA has told many of the permit seekers that the reason for the “hold” were one of numerous alleged violations according to Mr Gomez, who in a single day and within hours changed the reason for the ‘Hold” half a dozen times as every single alleged violation was proven to be false.

Mr. Gomez has confirmed in conversations with the applicant’s representatives that he can remove the hold on a whim and can equally put back. He refused to remove the hold when confronted with the fact that there were no violations that justified his action (assuming the same was lawful which is highly questionable) and justified himself by making the absurd claim that because some film makers had filmed without obtaining a permit, he would now deny a permit to a film maker seeking to film at the applicant’s site.

Mr. Norm Hinckling, representative of County Supervisor Michael Antonovich for the Acton, Agua Dulce area, told in a recorded meeting to a group of mountain residents to whom he had promised passage to Soledad Canyon Road through the applicant’s property, that the Supervisor’s office had blocked the issuance of film permits to filmmakers wanting to film in the applicant’s property. Mr. Hinckling stated that the applicant would not be allowed to film in the property or derive any financial gain from the film activity until the applicant was forced to grant the County an easement through the property that would allow the mountain residents to transit to Soledad Canyon Road. He also stated that a road would have to be built by the applicant and maintained with a portion of the profits from the filming that would then be allowed in the property. The proceeds from the applicants film activities would be deposited in an escrow to finance the road extorted by the county from the applicant.

The behavior of the County officials and employees in regards to the applicant more closely resemble the actions of a gang of criminals than the behavior of civil servants.

In the enclosed letter/ message dated March 20, 2015 from FilmLA Vice President of Operations, Donna Washington to Les and Diane Jundy (former litigant against the applicant in a County sponsored case for an easement through the applicant’s property and disgruntled would be buyer of the applicant’s property, “complainer emeritus recruited by the County to complaint about activities in Applicant’s property located several miles from his residence)Edel Vizcarra and Norm Hinckling (representatives of Supervisor Michael Antonovich) and Oscar Gomez and others, Mrs. Washington clearly states that, “ FilmLA is only authorized to coordinate and release permits” and that “FilmLA does not have the authority to enforce film permits”.

Clearly, FilmLA has no authority to place “holds” on private properties for the issuance of permits and Mrs. Siemers knows that since she had a copy of the letter which also recognizes the obvious - that the violator of the county requirement that a permit be obtained for filming is the production company if it fails to obtain a permit and NOT the property owner where the filming takes place.

24. From the Draft - “The existing river crossing is unpermitted “

False - There are no unpermitted river crossings in the Project Site. Additionally, longstanding

existing river crossings require no permits of any kind from anyone.

25. From the Draft - "The county has received numerous complaints regarding the property"

Where is the evidence this is true? What kind of complaints? How was determined that the complaints were valid? Complaints about what, how were they relevant to the applicants CUP application? No evidence of the veracity of this statement is presented, nor was the applicant confronted with the complaints and their sources to ascertain the validity of the complaint or the opportunity to remedy the situation. Hardly due process.

"DRP has issued several Notices of Violation (NOV) for the Project Site, also known as Assessor Parcel Number 3210-009-013 and 3210-009-014."

False - Project Site involves only one parcel, namely PN 3210-009-013 as indicated in the Application. DRP has been attempting to join the parcels so as to bring PN3210-009-014 into the Project Site but Applicant has no intention to include the second parcel in the application and has not done so.

The alleged Notices of Violation are fabrications without substance. The claimed violations do not exist and DRP issued the NOV without a factual basis to sustain the claim of the existence of any violations. DRP failed to notify Applicant of it's unfounded decision to issue some of the NO's and failed to comply with the requirements of Title 22 for Due Process procedures mandated by the Code.

26. From the Draft - "In order to enforce the County code, DRP Zoning Enforcement Officers have the authority to inspect premises where a complaint regarding a property's compliance with the zoning code has been filed."

Zoning Enforcing Officers ability to enter private property is governed by federal and state constitutional provisions protecting citizens from unreasonable searches and Fourth Amendment protections under the US Constitution. Mr. Gomez at the DRP zoning Department seems to believe the US Constitution does not apply to him or his department and that he can waltz unannounced into any ones property, after recruiting some person with an axe to grind to file an anonymous solicited for complaint to justify his illegal entry and unwarranted search.