



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



June 6, 2012

Richard J. Bruckner  
Director

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Andi Wang, Esq., Mckenna Long & Aldridge, LLP  
300 S. Grand Ave., 14<sup>th</sup> Floor  
Los Angeles, CA 90071

**REGARDING: PROJECT NO. R2008-02447-(3)  
OAK TREE PERMIT NO. 201000018  
2083 N. Topanga Canyon Blvd., Topanga, CA 90290**

Dear Applicant:

The Regional Planning Commission, by its action of June 6, 2012 **APPROVED** the above described project and entitlements. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 2 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

Please **make an appointment** with the case planner to ensure that the final processing of your case will be completed expeditiously. You will need to **hand deliver** a notarized affidavit of acceptance form, a certified copy of the recorded findings and conditions of approval, and any other required fees or materials to the planner assigned to your case (see attached instructions for more information). If the required documents and fees are not received within 60 days of this final letter's date, this permit will be transferred to Zoning Enforcement for further action.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact [TSeawards@planning.lacounty.gov](mailto:TSeawards@planning.lacounty.gov) of the Zoning Permits West at (213) 974-6462 or e-mail at [TSeawards@planning.lacounty.gov](mailto:TSeawards@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner  
Director

Mi Kim, Supervising Regional Planner  
Zoning Permits West Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

c: BOS, DPW (Building and Safety), County Forester, Zoning Enforcement,

MKK:TSS

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES**

**PROJECT NUMBER R2008-02447-(3)  
OAK TREE PERMIT NUMBER 201000018**

**HEARING DATE: June 6, 2012**

**SYNOPSIS:**

The applicant requests an oak tree permit to retroactively authorize the encroachment into the protected zone of 35 oak trees for past activities related to the paving of an existing driveway, the construction of new fencing and a new shed, and the installation of a new irrigation system at 2083 North Topanga Canyon Boulevard, in The Malibu Zoned District of unincorporated Los Angeles County.

**PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:**

A duly noticed public hearing was held on June 6, 2012, before the Regional Planning Commission. Commissioners Valadez, Pedersen, Helsley, and Modugno were present, and Commissioner Louie was absent. Two people testified: the applicant's agent, Mr. Andi Wang, and the project biologist, Mr. Daryl Koutnik. Mr. Wang stated that they had read and agree with the conditions.

Commissioner Helsley inquired about the reason for the six (6) emergency oak tree removals. Staff and Mr. Koutnik replied that it was due to storms in 2011, as well as existing conditions that were present at the purchase of the property in 2009. None of the work that was completed caused any of the removals.

Helsley inquired as to whether there was any indication of root damage in the other oak trees due to the presence of the irrigation system. Mr. Koutnik replied that he did not believe so as the irrigation system was put in for the vineyard and not for the oak trees.

Commissioners Pedersen and Valdez inquired as to why the permits for the driveways and other work were not obtained previously. Mr. Wang answered that the applicant purchased the property in late 2008 and wanted to make site improvements and was not aware of the need for permits.

Commissioner Helsley requested that two additional conditions be added to the approval of the project.

1. Add the need for two additional inspections by a certified arborist, 3-5 years after approval of the permit, and 7-10 years after approval of the permit, to assess the health of the oak trees on the site.
2. In addition to planting the required replacement oak trees, plant an additional acorn in the watering zone of these replacement trees.

There being no further testimony, the Regional Planning Commission voted to close the public hearing and approve the conditional use permit. Commissioners Helsley, Valadez, Pedersen, and Modugno voted in favor of the request. Commissioner Louie was absent.

Findings:

1. The applicant requests an oak tree permit to retroactively authorize the encroachment into the protected zone of 35 oak trees for past activities related to the paving of an existing driveway, the construction of new fencing and a new shed, and the installation of a new irrigation system.
2. The project site is located at 2083 North Topanga Canyon Boulevard, in The Malibu Zoned District of unincorporated Los Angeles County.
3. The project site is two parcels that combined total approximately 3.62 acres and is developed with an existing 1,637 square foot single-family residence, a 360 square foot two-car carport, and a 166.5-square-foot storage shed.
4. The project site is designated A-1-5 (Light Agricultural – 5 Acre Minimum Required Lot Area) Zone, and the existing single-family residence, driveway, carport, and storage shed are allowed by-right in the A-1 Zone.
5. The paving of an existing driveway, the construction of new fencing and a new shed, and the installation of a new irrigation system encroached within the protected zone of 35 oak trees. The applicant is requesting a retroactive oak tree permit to comply with rules protecting oak trees for these activities.
6. Six (6) oak trees have been removed, or have been identified for removal, as authorized under emergency oak tree evaluations, dated July 20, 2010, June 23, 2011, March 29, 2011, and March 29, 2012.
7. The oak tree permit process was established to recognize oak trees as significant historical, aesthetic and ecological resources and to create favorable conditions for the preservation and propagation of this unique resource. The intent of the oak tree permit is to maintain and enhance the general health, safety and welfare by assisting in counteracting the air pollution and in minimizing soil erosion and other related environmental damage. Approval of the oak tree permit, requiring adherence to the conditions for this permit, as well as the Forester's conditions, will ensure that oak trees will be preserved and maintain in healthy condition.
8. Surrounding properties are zoned A-1-5 and C-2 (Neighborhood Business) to the north, south and east, and A-1-5 to the west.
9. Surrounding land uses consist of undeveloped vacant land to the north, single-family residences and a theater to the south, single-family residences, a storage and hauling business, and undeveloped vacant land to the east, and single-family residences and undeveloped vacant land to the west.

10. According to the Assessor's Office, the single-family residence was built in 1931. The other case history related to the parcel is Plot Plan 200801678, which approved a new lap pool on February 9, 2009.
11. The project has been granted a Class 4, Minor Alteration to Land Categorical Exemption under CEQA reporting requirements as the project is a request for an oak tree permit to retroactively authorize the encroachment into the protected zone of 35 oak trees for the construction of a driveway, fencing, storage shed, and irrigation system.
12. The project site is consistent with the designated land use policy. The project site is designated N5 – Mountain Lands 5 under the Santa Monica Mountains North Area Plan of the Los Angeles County General Plan. The N5 land use designation consists of rolling hillside areas, steep slopes, and isolated remote mountain lands with difficult or no access and is suitable for low density single family housing at a maximum residential density of one dwelling unit per five (5) acres, as the property is only 3.6 acres but was constructed prior to the land use requirements of the Santa Monica Mountains North Area Plan.
13. The project site is located in the Santa Monica Mountains North Area CSD. There are no regulations in the CSD related to an oak tree permit.
14. There are no current zoning violations on the property.
15. The County Fire Department was consulted and is of the opinion that the oak tree report, prepared by a certified arborist on June 7, 2010 and revised April 2011, December 5, 2011, and January 9, 2012, accurately addresses the impacts to the oak resources on the site. The Forester recommends approval of the Oak Tree Permit, subject to the conditions and mitigation measures provided in the Forester's report of April 5, 2012.
16. Pursuant to the provisions of Section 22.56.2130 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
17. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:**

1. The subject property is consistent with the land use and zoning designation and with the existing community development pattern;
2. The proposed construction of the proposed use will be accomplished without endangering the health of the trees on the subject property; and
3. The removal or relocation of the oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
4. Absent the pruning and encroachment permitted by the attached conditions, the work approved is not contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for oak tree permits as set forth in Section 22.56.2100, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**REGIONAL PLANNING COMMISSION ACTION:**

1. The Regional Planning Commission finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects that has been determined to not have a significant effect on the environment. The project meets the criteria set forth in Section 15301 of the State CEQA Guidelines and Class 4 – Minor Alterations to Land Categorical Exemptions of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.
2. In view of the findings of fact presented above, Oak Tree Permit No. 201000018 is **GRANTED** subject to the filing of the attached affidavit and compliance with the attached conditions.

**VOTE**

Concurring: Helsley, Pedersen, Modugno, Valadez  
Dissenting: 0  
Abstaining: 0  
Absent: Louie

Action Date:

c: Each Commissioner, Zoning Enforcement, Building and Safety

MKK:TSS  
6/5/12

**CONDITIONS OF APPROVAL  
DEPARTMENT OF REGIONAL PLANNING  
PROJECT NO. R2008-02447-(3)  
OAK TREE PERMIT NO. 201000018**

**PROJECT DESCRIPTION**

The project is a request for an oak tree permit to retroactively authorize the encroachment into the protected zone of 35 oak trees for past activities related to the paving of an existing driveway, the construction of new fencing and a new shed, and the installation of a new irrigation system, subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. 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 of the conditions of this grant, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 and 11 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
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 limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or 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.
5. 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 make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation. At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material 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.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. 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. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$200.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **one (1)** inspection. The inspection 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 one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$[200.00] per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. 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 ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
12. All requirements of Title 22 of the County Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works.

14. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification 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.

15. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

#### PROJECT SITE SPECIFIC CONDITIONS

16. The permittee shall complete two additional inspections, conducted with a certified arborist, within 3-5 years of approval date, and within 7-10 years of the approval date, to assess the health of the oak trees on the site. The arborists report shall be submitted to the Director for review.
17. Any ongoing or future activities on the subject property that may result in a removal or encroachment into the protected zone of an oak tree will require additional oak tree permit approval from the Department of Regional Planning.
18. The permittee shall plant an additional acorn in the watering zone of the replacement oak that are required as a condition of approval for this project.
19. All existing landscaping and vegetation downslope from the vineyard must be maintained as a means of mitigating any runoff activities from the vineyard.
20. No use of chemical pesticides or other hazardous materials can be used on the site and vineyard without first consulting with the Department of Fish & Game for potential impacts to the stream that runs southwest along the property site boundary.
21. All vehicular ingress and egress will occur at the concrete driveway on the middle, western part of the subject property, labeled as "concrete driveway". No other vehicular ingress and egress to the property is allowed unless an encroachment permit is obtained from Caltrans.
22. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated April 5, 2012 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division.



# COUNTY OF LOS ANGELES

## FIRE DEPARTMENT

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

DARYL L. OSBY  
FIRE CHIEF  
FORESTER & FIRE WARDEN

April 5, 2012

Travis Seawards, Planner  
Department of Regional Planning  
Zoning Permits Section  
320 West Temple Street  
Los Angeles, CA 90012

Dear Mr Seawards:

**RETROACTIVE OAK TREE PERMIT NUMBER 2010-00018,  
PROJECT NUMBER R2008-02447  
2083 NORTH TOPANGA CANYON BLVD., TOPANGA**

We have reviewed the "Request for Oak Tree Permit #2010-00018." The project is located at 2083 North Topanga Canyon Blvd. in the unincorporated area of Topanga. 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, Inc., the consulting arborist, dated June 7, 2010 and revised April 2011 and January 2012.

**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 \$1500. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while

#### SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLEN DORA	IRWINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and fourteen (14) subsequent 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. 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 ENCROACHMENT:**

7. This grant allows encroachment within the protected zone of thirty-five (35) trees of the Oak genus identified as 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 42, 43, 47, 48, OP-5, OP-6, OP-7, and OP-8 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. 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 for each tree removed for a total of twenty (20) trees. This includes mitigation for hazardous trees already permitted for removal including numbers 8, 9, 13, 28, 46 (heritage), and 57. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree that dies as a result of the approved encroachments.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible 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.
12. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia*, 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