



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

July 5, 2016

Richard J. Bruckner
Director

Jin Hae Lew
2831 Eaton Canyon Drive
Pasadena, CA 91107

**REGARDING: PROJECT NO. R2013-00430-(5)
OAK TREE PERMIT NO. 201300008
2831 EATON CANYON DRIVE, PASADENA, CA 91107 (5860-040-019)**

Hearing Officer, Pat Hachiya, by her action of **July 5, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **July 19, 2016**. **Appeals must be delivered in person.**

Appeals: To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Carl Nadela of the Zoning Permits East Section at (213) 974-6435, or by email at cnadela@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


Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion), Notice of Determination (1 original, 1 copy)
c: DPW (Building and Safety); Zoning Enforcement
MM:CN

**FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2013-00430-(5)
OAK TREE PERMIT NO. 201300008**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Oak Tree Permit No. 201300008 ("OTP") on July 5, 2016.
2. The permittee, Jin Hae Lew ("permittee"), requests the Oak Tree Permit to authorize the removal of two oak trees and the encroachment into the protected zone of five oak trees, in conjunction with past unpermitted grading and proposed remedial grading ("Project") on a property located at 2831 Eaton Canyon Drive in the unincorporated community of Kinneloa Mesa ("Project Site").
3. The past unpermitted grading was undertaken by the applicant around 2009 or 2010 to increase the usable area of the fairly steep lot. The proposed remedial grading is intended to correct and mitigate the impacts of this past unpermitted grading and includes the removal of existing retaining walls, some of which encroach within the public right of way; the construction of three new, code-compliant retaining walls; construction of new drainage devices, cut and fill grading of 1,094 and 1,240 cubic yards respectively and the over-excavation, alluvial removal and compaction of a damaged and eroded area with a total 2,223 cubic yards. After the grading activities, a total of 25,147 square feet is proposed to be landscaped with drought resistant vegetation with an irrigation system.
4. The Project is located at 2831 Eaton Canyon Drive, Pasadena CA 91107.
5. The Project Site is 1.3 acres in size and consists of one legal lot. The Project Site is roughly rectangular in shape with steep slopes and hilly topography and is developed with a Single Family Residence.
6. The Project Site is located in the Northeast Pasadena Zoned District and is currently zoned R-1-40000 (Single-Family Residences with a Minimum Lot Requirement of 40,000 square feet).
7. The Project Site is located within the Low Density Residential (1) land use category of the Los Angeles County General Plan Land Use Policy Map.
8. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1-40000
 - South: City of Pasadena
 - East: R-1-40000
 - West: City of Pasadena

9. Surrounding land uses within a 500-foot radius include:

North: Single Family Residences, school
South: Reservoir
East: Vacant
West: Southern California Edison Easement

10. Ordinance 1494 was adopted on May 2, 1927, which established the different zoning designations for the unincorporated areas of Los Angeles County.

Ordinance 5455 was adopted on March 17, 1945, which established the R-1-40000 zoning on the subject property.

Ordinance 10710 was adopted on June 28, 1973, which retained the R-1-40000 zoning on the subject property.

Ordinance 11515 was adopted on April 26, 1977, which created the Kinneloa Mesa Equestrian District, which included the subject property.

Code Case No. 09-0015315 was opened on the property on June 18, 2009, for unpermitted encroachments into the oak trees at the site. This case was closed upon the application of this Oak Tree Permit.

11. The site plan for the Project depicts the Project Site with a single family residence in the northwest portion of the property. Scattered throughout the site are 13 oak trees identified as coast live oaks in an oak tree report dated January 27, 2016, prepared by Jan C. Scow, arborist.

12. The Project Site is accessible via Eaton Canyon Drive to the west.

13. Two parking spaces are provided for the existing four bedroom, four bath single family residence.

14. A letter from the County Fire Department, Forestry Division, dated June 23, 2016, was received indicating that the Oak Tree Report is accurate and complete as to the location, size, condition, and species of the oak trees at the site. Their proposed conditions are attached to the Conditions of Approval of this Oak Tree Permit.

15. Prior to the Hearing Officer's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, Regional Planning staff determined that a Mitigated Negative Declaration ("MND") was the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Project.

16. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by library, newspaper and Department of Regional Planning website posting.
17. Staff received an email dated June 3, 2016, from the past Vice President of the Santa Clarita Oak Conservancy in opposition to the project. The letter indicated that the remedial grading should not be allowed to affect any oak trees because of the applicant's illegal activities. A question was also raised about where the mitigation trees will be located.
18. The Hearing Officer held a duly-noticed public hearing on the Oak Tree Permit on July 5, 2016. The Hearing Officer heard a presentation from Regional Planning staff. The Hearing Officer recommended some changes to the Findings and the Mitigation Monitoring and Reporting Program. The permittee was present at the hearing and in response to the Hearing Officer's question, indicated that the original unpermitted grading was undertaken to extend the usable area for a garden plot. At staff's recommendation, the Hearing Officer closed the public hearing, adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project and approved Oak Tree Permit No. 201300008, subject to the attached findings and conditions, as modified.
19. The Hearing Officer finds that the proposed oak tree removals and encroachments are consistent with the 1 (Low Density Residential) land use designation of the Los Angeles County General Plan.

The project will allow the proposed remedial grading activities to proceed, which will correct and mitigate the adverse effects of past unpermitted grading. This will help ensure that the project site will be compatible with the surrounding residential areas, consistent with the Low Density Residential designation of the site.

20. The Hearing Officer finds that the proposed oak tree removals and encroachments are consistent with the development standards of the R-1 (Single-Family Residence Zone).

This approval of this Oak Tree Permit will satisfy the requirements of Title 22 for the proposed oak tree removals and encroachments. The existing single-family residence was built in 1991 and is compliance with the R-1 development standards. The proposed grading will be reviewed and approved separately by the Department of Public Works.

21. The Hearing Officer finds that the proposed oak tree removals and encroachments meet the Oak Tree Permit Burden of Proof requirements pursuant to Section 22.56.2100 of the County Code.
22. The Hearing Officer finds that the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, on the subject property.

The Oak Tree Report submitted by the applicant and reviewed by the County Forester, as well as this Oak Tree permit, contains conditions and mitigation measures that are intended to protect the remaining trees. With the implementation of these conditions and mitigation measures, the health of the remaining trees will not be endangered.

23. The Hearing Officer finds that that the proposed project will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.

The project will allow the implementation of remedial grading activities at the site, which will correct and mitigate adverse impacts, including soil erosion, that have been caused by unpermitted grading in the past. The implementation of this remedial grading will satisfactorily mitigate any soil erosion that already exists at the site or may result from this project.

24. The Hearing Officer finds that that the proposed removal and encroachment of the oak trees are necessary as continued existence and/or non-encroachment of the oak trees at their present locations frustrates the planned improvement or proposed use of the subject property to such an extent that it precludes the reasonable and efficient use of such property for a use otherwise authorized.

Thirteen oak trees are scattered throughout the site and their cumulative protective zones cover a substantial portion of the property. It would not be reasonable to completely avoid the removal or encroachment into the protected zones of these trees. As designed, the project proposes to remove only two oak trees and minimize and or mitigate the encroachment into the remaining oak trees at the site.

25. The Hearing Officer finds that that the proposed removal and encroachment of oak trees will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

Since the applicant has met the required Burden of Proof, the approval of this Oak Tree Permit will satisfy and therefore, be consistent with, the requirements of the oak tree permit procedure as per Sections 22.56.2050 to 22.56.2250 of the Zoning Code.

26. The Hearing Officer finds that pursuant to section 22.56.2130 of the County Code, the community was properly notified of the public hearing by newspaper posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Temple City Library located at 5939 Golden West Avenue, Temple City, CA 91780.

27. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56 of the County Code on the subject property; and
- B. That the proposed removal and encroachment of the oak trees will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated; and
- C. That the proposed removal and encroachment of the oak trees are necessary as continued existence at present locations frustrates the planned development and proposed use of the subject property to such an extent that placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized; and
- D. That the proposed removal and encroachment of oak trees will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

THEREFORE, THE HEARING OFFICER:

1. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that she independently reviewed and considered the MND and that the MND reflects the independent judgment and analysis of the Hearing Officer as to the environmental consequences of the Project; certifies that she considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Hearing Officer that there is no substantial evidence that the Project will have a significant effect on the environment; adopts the MND and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and
2. Approves Oak Tree Permit No. 201500008, subject to the attached conditions.

ACTION DATE: July 5, 2016

MB:CN
6/22/2016

c: Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2013-00430-(5)
OAK TREE PERMIT NO. 20130008**

PROJECT DESCRIPTION

The project is the removal of two oak trees and the encroachment into the protected zone of five oak trees, in conjunction with past unpermitted grading and proposed remedial grading ("Project") on a property located at 2831 Eaton Canyon Drive in the unincorporated community of Kinneloa Mesa ("Project Site") in the R-1-40000 zone pursuant to Los Angeles County Code ("County Code") section 22.56.2060, 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. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5 and 8 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 reasonably 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 reasonably 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.

If any 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 to the satisfaction of said department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
14. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
15. 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 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.

PERMIT SPECIFIC CONDITIONS – OAK TREE PERMIT

16. This grant shall authorize the removal of two (2) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers 9 and 11 on the applicant's site plan and the encroachment into the protected zone of five oak trees, identified as Oak Tree Nos. 7, 8, 10, 12, and 13 on the site plan, in conjunction with past unpermitted grading and proposed remedial grading. The proposed remedial grading shall be reviewed for compliance separately by the Department of Public Works.
17. The permittee shall plant one healthy acorn of the same species of oak (*Quercus sp.*) as the tree removed for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.
18. All replacement trees shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus sp.*) as the removed tree. The location of the replacement tree shall be in the vicinity of other oak trees of the same species. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.

19. When replacement trees are planted on disturbed soil or are not in the vicinity of the same species of oak (*Quercus sp.*) as the removed tree, planting shall incorporate a mycorrhizal product, either as amendment or in the first two irrigations or watering of planted trees (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.
20. The installation of chain link fencing not less than four feet in height shall be undertaken around the protected zone of trees shown on the site plan. Said fencing shall be in place and inspected by the forester and fire warden prior to commencement of any activity on the subject property. Said fencing shall remain in place throughout the entire period of development and shall not be removed without written authorization from the director or the forester and fire warden.
21. The installation of three retaining walls or modifications to existing retaining walls shall be undertaken as shown on the site plan and as indicated in the Oak Tree Report dated January 27, 2015, prepared by Jan C. Scow, consulting arborist. The applicant shall obtain the necessary approvals before undertaking the installation or modification or retaining walls.
22. Where grading or any other similar activity is specifically approved within the protected zone, the applicant shall provide an individual with special expertise acceptable to the director to supervise all excavation or grading proposed within the protected zones and to further supervise, monitor and certify to the county forester and fire warden the implementation of all conditions imposed in connection with the applicant's oak tree permit,
23. That any excavation or grading allowed within the protected zone or within 15 feet of the trunk of a tree, whichever distance is greater, be limited to hand tools or small hand-power equipment,
24. That trees on other portions of the subject property not included within the site plan also be protected with chain link fencing thus restricting storage, machinery storage or access during construction,
25. That the trees on the site plan be physically identified by number on a tag affixed to the north side of the tree in a manner preserving the health and viability of the tree. The tag shall be composed of a noncorrosive all-weather material and shall be permanently affixed to the tree. The tree shall be similarly designated on the site plan in a manner acceptable to the director,
26. That corrective measures for trees noted on the oak tree report as requiring remedial action be taken, including pest control, pruning, fertilizing and similar actions,

27. That, to the extent feasible as determined by the director, utility trenching shall avoid encroaching into the protected zone on its path to and from any structure,

28. At the start of grading operations and throughout the entire period of development, no person shall perform any work for which an oak tree permit is required unless a copy of the oak tree report, location map, fencing plans, and approved oak tree permit and conditions are in the possession of a responsible person and also available at the site.

29. The permittee shall comply with all conditions and requirements contained in the County Forester and Fire Warden, Forestry Division, letter dated June 23, 2016.

Attachments:

County Forester's Letter dated June 23, 2016.
Oak Trees: Care and Maintenance Guide



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

June 23, 2016

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

Dear Carl Nadela:

OAK TREE PERMIT NUMBER 2013-00008
PROJECT NUMBER R2013-00430-(5)
2831 EATON CANYON DRIVE, PASADENA

We have reviewed the "Request for Oak Tree Permit #2013-00008." The project is located at 2831 Eaton Canyon Drive in the unincorporated area of Pasadena. 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 Jan C. Scow, the consulting arborist, dated January 27, 2015.

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 \$500. 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

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

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
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CUDAHY

DIAMOND BAR
DUARTE
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GARDENA
GLEN DORA
HAWAIIAN GARDENS
HAWTHORNE

HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRWINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWNDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

- approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and four (4) 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's 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 REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of two (2) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers 9 and 11 on the applicant's site plan and Oak Tree Report. This grant allows encroachment within the protected zone of five (5) trees of the Oak genus identified as Tree Numbers 7, 8, 10, 12, and 13 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 and treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and

stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

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

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for each tree removed for a total of four (4) trees. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above, 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 two-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 two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

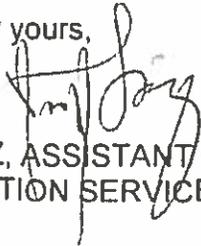
NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division, for all enforcement efforts necessary to bring the subject property into compliance.

To schedule a County Forester inspection, please contact the Environmental Review Unit at (818) 890-5719.

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

Very truly yours,



J. LOPEZ, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JL:jl

Enclosure

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2013-00430 / PERMIT NO. ROAK 201300008 / ENV NO. 201300154

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1	Biological Resources	A biological monitor shall be present at all times during grading or construction activities. If any of the species listed in the Initial Study is found, all work shall stop and a full biological inventory and analysis shall be conducted for the site. Work shall not resume until such an analysis has been completed and recommended mitigation measures have been set in place to protect these species to the satisfaction of the Department of Regional Planning.	Applicant shall submit to the Department of Regional Planning documentation proving the presence of biological monitor at all times during grading or construction activities.	Grading and construction phases	Applicant and subsequent owner(s)	DRP
19	Mitigation Compliance	As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.	Applicant shall submit to the Department of Regional Planning a compliance report, including time logs of when the biological monitor was present at the site; and shall replenish the mitigation monitoring account as necessary.	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	DRP