

## **Appendix C**

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### Regulatory Measures

## **AESTHETICS**

### **USDA Forest Service, Pacific Southwest Region**

1323 Club Drive, Vallejo, CA 94592; P: (707) 562-8737, F: (717) 562-9130

*Comprehensive Management Plan for the Pacific Crest National Scenic Trail:*

USDA Forest Service, Pacific Northwest Region. January 1982. *Comprehensive Management Plan for the Pacific Crest National Scenic Trail*. Available online at: [http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5311111.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5311111.pdf)

### 1968 National Trails System Act and 1982 Pacific Crest National Scenic Trail Comprehensive Plan

The 1982 Pacific Crest National Scenic Trail Comprehensive Plan provides guidelines and criteria for design and location of the Pacific Crest National Scenic Trail (PCT).<sup>1</sup> Specifically, these guidelines state that the most desirable location for the PCT will avoid established highways, unattractive motor roads, mining areas, power and telephone lines, existing commercial and industrial developments, fences, and other features incompatible with the natural condition of the trail, and with its use for outdoor recreation. Where the trail encounters such developments, it should be located so as not to adversely affect, or conflict with, the purpose of the development. Where the trail passes through right-of-ways on private land, signs should notify the trail user where Federal land ends and private land begins, and the limits of the right-of-way. Natural vegetation, topography, or natural plantings shall also be used, where possible, to screen objectionable features from the view of the trail user. Property owners are required to coordinate with the applicable federal agency where the trail passes through rights-of-way on their private land to maintain an easement.

### **California Department of Transportation**

District 7, 100 S. Main Street, Los Angeles, CA 90012; P: (213) 897-3656

*Corridor Protection Program for Angeles Crest Scenic Byway, a designated State scenic highway:*

Federal Highway Administration, USDA Forest Service Pacific Southwest Region, the California Department of Transportation, and state and local partners. Accessed 12 November 2015. *Corridor Management Plan: Angeles Crest Scenic Byway*. Available at: [http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fsbdev3\\_019912.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev3_019912.pdf)

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<sup>1</sup> USDA Forest Service, Pacific Northwest Region. January 1982. *Comprehensive Management Plan for the Pacific Crest National Scenic Trail*. Available online at: [http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5311111.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5311111.pdf)

## California Scenic Highway Program, Sections 260 through 263<sup>2</sup>

When Caltrans determines that a proposed scenic highway satisfies its qualifications for designation, the local governing body, with citizen support, must adopt a program to protect the scenic corridor.<sup>3</sup> Where there is more than one governing body involved, each jurisdiction shall jointly submit protection measures. The zoning and land use along the highway must meet the State's legislatively required elements for scenic highway corridor protection as stated in Section IV: Designation Process, of Caltrans' Scenic Highway Guidelines. The Corridor Protection Program for Angeles Crest Scenic Byway (California State Route 2), a designated State scenic highway, was produced by the Federal Highway Administration in partnership with the USDA Forest Service, Caltrans, and many State and local partners.<sup>4</sup>

A scenic corridor is the land generally adjacent to and visible from the highway and is identified by using a motorist's line of vision. A reasonable boundary is selected when the view extends to the distant horizon. Caltrans outlines the following minimum requirements for scenic corridor protection (Section 261 of the Streets and Highways Code):

1. Regulation of land use and density of development (i.e., density classifications and types of allowable land uses)
2. Detailed land and site planning (i.e., permit or design review authority and regulations for the review of proposed developments)
3. Control of outdoor advertising (i.e., prohibition of off-premise advertising signs and control of on premise advertising signs)
4. Careful attention to and control of earthmoving and landscaping (i.e., grading ordinances, grading permit requirements, design review authority, landscaping and vegetation requirements)
5. The design and appearance of structures and equipment (i.e., design review authority and regulations for the placement of utility structures, microwave receptors, wireless communication towers, etc.)

Caltrans is authorized by statute to revoke an official scenic highway designation if it determines that the Corridor Protection Program or the scenic quality of the corridor is no longer in compliance. Caltrans defines non-compliance for a Corridor Protection Program as a program that: (1) no longer complies with the five legislatively required elements under Section 261 of the Street and Highways Code, (2) no longer affords protection because required elements have been amended or changed, or (3) no longer is being enforced by the local governing body.

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<sup>2</sup> California Department of Transportation. Accessed 11 April 2014. Frequently Asked Questions. Available online at: <http://www.dot.ca.gov/hq/LandArch/scenic/faq.htm>

<sup>3</sup> Caltrans Landscape Architecture Program, Division of Design. October 2008. Scenic Highway Guidelines. Available at: [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/guidelines/scenic\\_hwy\\_guidelines\\_04-12-2012.pdf](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/guidelines/scenic_hwy_guidelines_04-12-2012.pdf)

<sup>4</sup> Federal Highway Administration, USDA Forest Service Pacific Southwest Region, the California Department of Transportation, and state and local partners. Accessed 12 November 2015. Corridor Management Plan: Angeles Crest Scenic Byway. Available at: [http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fsbdev3\\_019912.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev3_019912.pdf)

## Los Angeles County Department of Regional Planning

Los Angeles County Department of Regional Planning, 320 West Temple Street, 13<sup>th</sup> Floor, Los Angeles, CA 90012; P: (213) 974-6411

### Rural Outdoor Lighting District Ordinance

The Rural Outdoor Lighting District Ordinance, adopted in November 2012, is an amendment to Title 22 – Planning and Zoning of the Los Angeles County Code that established a rural outdoor lighting district, a supplemental district for the rural areas of the County within which outdoor lighting is regulated to maintain dark skies at night for the residents and wildlife in the district.<sup>5</sup> The Ordinance also modified the community standards districts located within the district to be consistent with the dark skies ordinance. Under the Ordinance, outdoor lighting shall be fully shielded on properties located in residential, agricultural, open space, or watershed zones. Drop-down lenses, mercury vapor light, ultraviolet lights, searchlights, laser lights, and other lighting that flashes, blinks, alternates, or moves are prohibited within the rural outdoor lighting district. In addition to compliance with the applicable provisions of the Building and Electrical Codes of Los Angeles County, outdoor lighting within the rural outdoor lighting district, other than street lights, is subject to the following requirements under the Rural Outdoor Lighting District Ordinance relevant to the proposed initiative:

- For properties located in a residential, agricultural, open space, or watershed zone, outdoor light fixtures installed above 15 feet in height shall have a manufacturer's maximum output rating of no greater than 400 lumens.
- Outdoor lighting shall cause no unacceptable light trespass.
- Outdoor lighting shall be fully shielded.
- The maximum height for an outdoor light fixture, as measured from the finished grade to the top of the fixture, shall be 20 feet for a property located in a residential, agricultural, open space, or watershed zone.

In order to maintain the dark skies characteristic of the Rural Outdoor Lighting District, street lights in the district shall be prohibited except where necessary at urban cross-sections with sidewalks, curbs, and gutters, or at intersections and driveways on County roads, where the Director of Public Works finds that street lights will alleviate traffic hazards, improve traffic flow, and/or promote safety and security of pedestrians and vehicles based on Public Works' highway safety lighting standards. Where street lights are installed in the district, they shall:

1. Be placed at the maximum distance apart, with the minimum lumens allowable pursuant to Public Works' highway safety lighting standards, as determined by the Director of Public Works;
2. Utilize full-cutoff (flat glass lens) luminaries so as to deflect light away from adjacent parcels; and
3. Be designed to prevent off-street illumination and glare.

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<sup>5</sup> Los Angeles County Department of Regional Planning. 28 September 2012. Ordinance No. 2012-0047. Available online at: [http://planning.lacounty.gov/assets/upl/data/ord\\_outdoor-lighting.pdf](http://planning.lacounty.gov/assets/upl/data/ord_outdoor-lighting.pdf)

## Community Standards Districts

Los Angeles County Department of Regional Planning, 320 West Temple Street, 13<sup>th</sup> Floor, Los Angeles, CA 90012; P: (213) 974-6411

Website: [http://planning.lacounty.gov/view/community\\_standards\\_districts](http://planning.lacounty.gov/view/community_standards_districts)

### Community Standards Districts Ordinances

Community standards districts (CSDs) are supplemental districts that are established to provide a means of implementing special development standards for neighborhoods and communities within the unincorporated areas of Los Angeles County or to provide a means of addressing special problems which are unique to certain geographic areas within the County (Ord. 93-0047 § 1, 1993; Ord. 87-0130 § 1, 1987; Ord. 83-0065 § 5, 1983; Ord. 1494 Ch. 9 Art. 5 § 905.1, 1927).<sup>6</sup> CSD regulations supplement the Countywide zoning and subdivision regulations.<sup>7</sup> Properties located within CSDs must demonstrate that development is in compliance with community-wide development standards, as well as zone-specific development standards and area-specific development standards as applicable, including standards for significant ridgeline protection, street lighting, and outdoor lighting within the Rural Outdoor Lighting District (Table 1, *CSD Significant Ridgeline Protection Standards*, Table 2, *CSD Street Lighting Standards*, and Table 3, *Outdoor Lighting Standards*).

**TABLE 1**  
**CSD SIGNIFICANT RIDGELINE PROTECTION STANDARDS**

CSD	Significant Ridgeline Protection Standards
Acton CSD	Preserve to the greatest extent possible the natural silhouette in significant ridgeline areas. Significant ridgelines are the ridgelines that surround or visually dominate the Acton landscape either through their size in relation to the hillside or mountain terrain of which they are a part, or through their visual dominance as characterized by a silhouetting appearance against the sky, or through their visual dominance due to proximity and view from existing development, freeways, and highways designated as Major, Secondary or Limited Secondary on the Highway Plan.

<sup>6</sup> County of Los Angeles Department of Regional Planning. Accessed 29 July 2014. Community Standards Districts. Website. Available online at: [http://planning.lacounty.gov/view/community\\_standards\\_districts](http://planning.lacounty.gov/view/community_standards_districts)

<sup>7</sup> Los Angeles County. n.d. Los Angeles County, California, Code of Ordinances: Title 22 – Planning and Zoning: Division 1 – Planning and Zoning: Chapter 22.44 – Supplemental Districts: Part 2 Community Standards Districts. Website. Available online at: [https://library.municode.com/HTML/16274/level4/TIT22PLZO\\_DIV1PLZO\\_CH22.44SUDI\\_PT2COSTDI.html#TIT22PLZO\\_DIV1PLZO\\_CH22.44SUDI\\_PT2COSTDI\\_22.44.126ACCCOSTDI](https://library.municode.com/HTML/16274/level4/TIT22PLZO_DIV1PLZO_CH22.44SUDI_PT2COSTDI.html#TIT22PLZO_DIV1PLZO_CH22.44SUDI_PT2COSTDI_22.44.126ACCCOSTDI)

**TABLE 1  
CSD SIGNIFICANT RIDGELINE PROTECTION STANDARDS**

CSD	Significant Ridgeline Protection Standards
<p>Agua Dulce CSD</p>	<p>The highest point of any structure, excluding chimneys, rooftop antennas, amateur radio antennas, roof-mounted solar panels, and wind energy conversion systems, shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline.</p> <p>Any modification to the requirements shall require a conditional use permit, in accordance with the applicable provisions of Part 1 of Chapter 22.56 of the Los Angeles County, California, Code of Ordinances. In approving such conditional use permit, the hearing officer or Commission shall make the following findings, in addition to those required by Section 22.56.090:</p> <ul style="list-style-type: none"> <li>i. That alternative sites within the project site have been considered and rejected due to documented hazards for potentially greater damage to biota on the alternative sites than on the subject site, as determined by a biologist; and</li> <li>ii. That the overall development is designed so that grading will not occur uniformly across the project area and will be limited to the pads required for individual structures.</li> </ul>
<p>Altadena CSD</p>	<ul style="list-style-type: none"> <li>i. The highest point of any structure shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, roof-mounted solar panels, and wind energy conversion systems.</li> <li>ii. Any modification to the standards set forth in subsection i. shall require a conditional use permit, pursuant to Part 1 of Chapter 22.56. In approving such conditional use permit, the Hearing Officer or Regional Planning Commission shall make the following findings in addition to those required by Section 22.56.090: <ul style="list-style-type: none"> <li>(A) Alternative sites within the project site have been considered and rejected due to the presence of documented hazards or the potential for greater damage to biota, as determined by a biologist; and</li> <li>(B) The overall development is designed to comply with the development standards provided below:</li> </ul> <p>The overall development minimizes visual and environmental impacts to the surrounding area. In making this finding, the Hearing Officer or Regional Planning Commission shall require projects to comply with the following development standards regarding hillside design, where they apply to the project:</p> <ul style="list-style-type: none"> <li>• Grading is not conducted uniformly across the entirety of the project and is limited to the pads required of individual structures.</li> <li>• Terracing and retention walls, if unshielded by landscaping and visible from downslope, are designed with varied gradients and curvilinear shapes that mimic or blend into surrounding contours.</li> <li>• Structures, retention walls, and graded areas are screened by landscaping and vegetation.</li> <li>• Structures are placed to minimize their visibility from surrounding parcels or public viewpoints downslope.</li> <li>• Structures incorporate articulated surface faces instead of flat blank walls.</li> <li>• Structures incorporate colors, materials, and textures with an average Light Reflectance Value of 35 percent or less.</li> <li>• Where new tree planting occurs, new trees blend with surrounding vegetation.</li> </ul> <p>Existing trail right-of-ways or trailheads within the project, dedicated to the County as of the effective date of the ordinance creating this subsection, are improved if necessary to ensure their ongoing use.</p> </li> </ul>

**TABLE 1  
CSD SIGNIFICANT RIDGELINE PROTECTION STANDARDS**

CSD	Significant Ridgeline Protection Standards
Castaic CSD	<p>For purposes of this CSD, significant ridgelines shall consist of primary and secondary ridgelines. Except as provided below, no development, grading, construction, or improvements shall be allowed on a significant ridgeline within a 50-foot radius from every point on the crest of a primary ridgeline or within a 25-foot radius from every point on the crest of a secondary ridgeline.</p> <p><b>Significant Ridgeline Exemptions</b>            Provided an approval is obtained for an exemption as described below, the following structures or uses may be permitted on significant ridgelines, or within the respective 50-foot and 25-foot restricted areas surrounding such significant ridgelines:</p> <ul style="list-style-type: none"> <li>i. Accessory buildings or structures;</li> <li>ii. Additions and/or modifications to an existing single-family residence;</li> <li>iii. New single-family residences where not more than one such residence is proposed to be built by the same person on contiguous parcels of land;</li> <li>iv. Open spaces, conservation areas, parks, recreation areas, and/or trails;</li> <li>v. Water tanks or transmission facilities;</li> <li>vi. Architecturally superior structures, other than new single-family residences, which maximize the aesthetic appeal of the hillsides and significant ridgelines, and minimize the disturbance of the natural setting; and</li> <li>vii. Roads providing access to any of the structures or uses described above.</li> </ul> <p><b>Significant Ridgeline Exemption Approval</b>            No exemption shall be allowed unless the applicant obtains:</p> <ul style="list-style-type: none"> <li>(A) A director's review and approval pursuant to subsection G, below, for structures or uses described in subsection i, ii, and iii; or</li> <li>(B) A conditional use permit, as provided in Part 1, Chapter 22.56, for structures or uses described in subsections iv, v, or vi. The application for the conditional use permit must contain the information either required by or described in Sections 22.56.030, 22.56.040 and, where applicable, subsections D and E of Section 22.56.215.</li> </ul> <ul style="list-style-type: none"> <li>ii. In addition to any information required for the director's approval and the conditional use permit, an application for a significant ridgeline exemption approval shall also demonstrate that the proposed use:               <ul style="list-style-type: none"> <li>(A) Is compatible with adjacent uses, the character of the neighboring community, and the goals and policies of the general plan;</li> <li>(B) Will leave the crest of the significant ridgeline in its natural state;</li> <li>(C) Is designed to minimize the amount of grading necessary and will use landscaping to minimize the visual impact of the project;</li> <li>(D) Will not be materially detrimental to the visual character of the neighborhood or the Castaic communities;</li> <li>(E) Will not impede the normal and orderly development of surrounding properties and will not promote encroachments on significant ridgelines; and</li> <li>(F) Will not degrade the visual integrity of the significant ridgeline, as verified through submission of a precise illustration and depiction.</li> </ul> </li> </ul>

**TABLE 1  
CSD SIGNIFICANT RIDGELINE PROTECTION STANDARDS**

CSD	Significant Ridgeline Protection Standards
Elizabeth Lake and Lake Hughes CSD	<p>The highest point of a structure shall be located at least one hundred-fifty (150) vertical feet and one hundred-fifty (150) horizontal feet in a southerly direction from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, and wind energy conversion systems. No portion of any structure shall be located less than fifty (50) horizontal feet in a northerly direction from a significant ridgeline, excluding amateur radio antennas, chimneys, rooftop antennas, and wind energy conversion systems.</p> <p>Any modification to the requirements shall require a minor conditional use permit, as provided in Section 22.56.085. In approving such permit, the Hearing Officer or Commission shall make the following findings in addition to those required by Section 22.56.090:</p> <ul style="list-style-type: none"> <li>i. Alternative sites within the project site have been considered and eliminated from consideration due to their physical infeasibility or their potential for substantial habitat damage or destruction; and</li> <li>ii. The project maintains the maximum view of the applicable significant ridgeline through design features, including, but not limited to, minimized grading; reduced structural height; use of shapes, materials, and colors that blend with the surrounding environment; and/or use of native drought-tolerant landscaping for concealment.</li> </ul>
San Francisquito Canyon CSD	<p>The highest point of a structure shall be located at fifty (50) vertical feet and fifty (50) horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, and wind energy conversion systems.</p> <p>Any modification to the requirements shall require a minor conditional use permit, as provided in Section 22.56.085. In approving such permit, the Director, Hearing Officer, or Commission shall make the following findings in addition to those required by Section 22.56.090</p> <ul style="list-style-type: none"> <li>i. Alternative sites within the project have been considered and eliminated from consideration due to their physical infeasibility or their potential for substantial habitat damage or destruction; and</li> <li>ii. The project maintains the maximum view of the applicable significant ridgeline through design features, including but not limited to, minimized grading; reduced structural height; use of shapes, materials, and colors that blend with the surrounding environment; and/or use of native drought-tolerant landscaping for concealment.</li> </ul>

**TABLE 2  
CSD STREET LIGHTING STANDARDS**

<b>CSD</b>	<b>Street Lighting Standards</b>
Agua Dulce CSD	Street lights shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District. Where installed, street lights shall be compatible in style and material with the poles on which they are mounted.
Elizabeth Lake and Lake Hughes CSD	Street lights shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District. Where installed, street lights shall be compatible in style and material with the poles on which they are mounted.
Juniper Hills CSD	Street lights shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District. Where installed, street lights shall be compatible in style and material with the poles on which they are mounted.
San Francisquito Canyon CSD	Street lights shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District. Where installed, street lights shall be compatible in style and material with the poles on which they are mounted.
Southeast Antelope Valley CSD	Street lights shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District.

**TABLE 3  
CSD OUTDOOR LIGHTING STANDARDS**

<b>CSD</b>	<b>Outdoor Lighting Standards</b>
Acton CSD	Outdoor lighting shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District. Where outdoor lights are required, light fixtures in keeping with the Western frontier architectural style will be required.
Agua Dulce CSD	Outdoor lighting shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District.
Castaic CSD	Outdoor lighting shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District.
Elizabeth Lake and Lake Hughes CSD	Outdoor lighting shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District.
Juniper Hills CSD	Outdoor lighting shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District.
Leona Valley CSD	Outdoor lighting, including street lights, shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District.
San Francisquito Canyon CSD	Outdoor lighting shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District.
Southeast Antelope Valley CSD	Outdoor lighting shall be provided in accordance with the applicable provisions of the Rural Outdoor Lighting District.

## **AIR QUALITY**

### **United States Environmental Protection Agency**

*Southern California Field Office: 600 Wilshire Blvd., Suite 1460, Los Angeles, CA 90017; P: (213) 244-1800*

#### Federal Clean Air Act

The Clean Air Act (CAA) was enacted in 1970 to foster growth in the economy and industry while improving human health and the environment. The CAA is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, the CAA authorizes the U.S. EPA to establish national ambient air quality standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants. The CAA requires the U.S. EPA to routinely review and update the NAAQS in accordance with the latest available scientific evidence. For example, the 1-hour standard for ozone (O<sub>3</sub>) was revoked in 2005 in favor of a new 8-hour standard that is intended to better protect public health.

#### Tier 4 Emission Standards

The US EPA has adopted multiple tiers of emission standards for non-road diesel engines. The latest and strictest standard, Tier 4 emission standards, require engine manufacturers to produce new engines with advanced emission control technologies similar to those already expected for highway trucks and buses. Exhaust emissions from these engines will decrease by more than 90 percent. Because the emission control devices can be damaged by sulfur, the EPA has also adopted requirements for in-use diesel fuel to decrease sulfur levels by more than 99 percent. The resulting Ultra Low Sulfur Diesel Fuel has a maximum sulfur concentration of 15 parts per million.

### **California Environmental Protection Agency**

*1001 I Street, P.O. Box 2815, Sacramento, CA 95812; P: (916) 323-2514*

#### California Clean Air Act

The California Air Resources Board, which became part of the California Environmental Protection Agency (CalEPA) in 1991, is responsible for meeting state requirements of the federal CAA, administering the California CAA, and establishing the California Ambient Air Quality Standards (CAAQS). The California CAA, amended in 1992, requires all air districts in the state to endeavor to achieve and maintain the CAAQS. The CAAQS are generally stricter than national standards for the same pollutants, but there is no penalty for nonattainment. California has established standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles, for which there are no national standards.

## **South Coast Air Quality Management District**

*21865 Copley Drive - Diamond Bar, CA 91765; P: (909) 396-2000*

### Rule 403, Fugitive Dust

The purpose of this Rule is to reduce the amount of particulate matter entrained in the ambient air as a result of anthropogenic (man-made) fugitive dust sources by requiring actions to prevent, reduce or mitigate fugitive dust emissions.

### Rule 1113, Architectural Coatings

The purpose of this rule is to limit the volatile organic compounds (VOC) content of architectural coatings used in the District or to allow the averaging of such coatings, as specified, so their actual emissions do not exceed the allowable emissions if all the averaged coatings had complied with the specified limits.

## **BIOLOGICAL RESOURCES**

### **United States Fish and Wildlife Service**

*Carlsbad Office: 2177 Salk Avenue, Suite 250, Carlsbad, CA, 92008; P: (760)431-9440*

*Ventura Office: 2493 Portola Road #B, Ventura, CA, 93003; P: (805)644-1766*

### Federal Endangered Species Act

All construction within or near designated critical habitat afforded protection pursuant to the federal Endangered Species Act or within or near suitable habitat for plant and wildlife species listed as threatened or endangered pursuant to the federal Endangered Species Act, which prohibits the “take” of species listed by the U.S. Fish and Wildlife Service (USFWS) as threatened or endangered, requires coordination with the USFWS prior to the issuance of the building permit. Take is defined as follows: “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in such conduct.” All applicants are required to determine if designated critical habitat or suitable habitat for federally listed species occurs within or near the proposed development. All conditions required by the USFWS during coordination must be made part of the site plan.

### Migratory Bird Treaty Act

All construction that occurs during the nesting season (February 15 – September 1) within or near suitable breeding or nesting habitat for migratory bird species protected pursuant to the federal Migratory Bird Treaty Act, which prohibits the take of nests or eggs of native resident and migratory birds, requires coordination with the USFWS prior to the issuance of the building permit. If construction takes place during the nesting season, all applicants are required to determine if suitable breeding or nesting habitat for migratory birds occurs within or near the proposed development. All conditions required by the USFWS during coordination must be made part of the site plan.

## **United States Army Corps of Engineers**

*Department of the Army, Los Angeles District, Corps of Engineers, 911 Wilshire Blvd, Los Angeles, CA 90017; P: (213) 452-3412*

### Section 404 of the Federal Clean Water Act

All construction that occurs within or near a streambed, wetland, or waterway afforded protection pursuant to Section 404 of the Clean Water Act requires approval from the U.S. Fish Army Corps of Engineers (USACOE) 404 Permit Planning Program prior to the issuance of the building permit. USACOE has established a series of nationwide permits that authorize certain activities in Waters of the United States, provided that a proposed activity can demonstrate compliance with standard conditions. If the conditions of a nationwide permit cannot be met, or the proposed development results in more than minimal adverse environmental impact, an individual permit may be required. All applicants are required to determine if streambeds, wetlands, or waterways afforded protection pursuant to Section 404 of the Clean Water Act occur within or near the proposed development. All conditions required by the USACOE 404 permit must be made part of the site plan.

## **California Department of Fish and Wildlife**

*South Coast Region: 3883 Ruffin Road, San Diego, CA, 92123; P: (858) 467-4201*

### California Endangered Species Act – Sections 2080 and 2081 of the State Fish and Game Code

All construction within or near suitable habitat for plant and wildlife species listed as threatened or endangered pursuant to the state Endangered Species Act, which prohibits the “take” of State-listed plant and wildlife species, requires coordination with the California Department of Fish and Wildlife (CDFW) prior to the issuance of the building permit. All applicants are required to determine if suitable habitat for listed threatened or endangered species occurs within or near the proposed development. All conditions required by the CDFW during coordination must be made part of the site plan.

### Sections 1600 through 1603 of the State Fish and Game Code

All construction that occurs within or near a stream, river, lake, wetland, waterway, or riparian habitat afforded protection pursuant to Section 1600 – 1603 of the State Fish and Game Code requires approval from the CDFW Streambed Alteration Program prior to the issuance of the building permit. Pursuant to the Code, a *stream* is defined as a body of water that flows at least periodically, or intermittently, through a bed or channel having banks and supporting fish or other aquatic life. Based on this definition, a watercourse with surface or subsurface flows that support or have supported riparian vegetation is a stream and is subject to CDFW jurisdiction. Altered or artificial waterways valuable to fish and wildlife are subject to CDFW jurisdiction. A Lake or Streambed Alteration Agreement must be obtained from CDFW prior to any alteration of a State jurisdictional area which requires that there will be “no net loss” of either wetland habitat values or acreage where applicable. Streambed Alteration Agreements authorize certain activities in State jurisdictional areas, provided that a proposed activity can demonstrate compliance with standard conditions. All applicants are required to determine if streams under the regulatory authority of the CDFW occur within or near the proposed development. All conditions required by the Streambed Alteration Agreement must be made part of the site plan.

### Native Plant Protection Act – Sections 1900 – 1913 of the State Fish and Game Code

All construction that occurs within or near suitable habitat for native plant species afforded protection pursuant to the Native Plant Protection Act (Sections 1900 – 1913 of the State Fish and Game Code), that prohibits the unauthorized “take” of state-listed rare or endangered plant species, requires coordination with CDFW prior to the issuance of the building permit. All applicants are required to determine if suitable habitat for state-listed rare or endangered plant species protected pursuant to the Native Plant Protection Act occurs within or near the proposed development. All conditions required by the CDFW during coordination must be made part of the site plan.

### Sections 3511, 4700, 5050, and 5515 of the State Fish and Game Code

All construction that occurs within or near suitable habitat for state designated “Fully Protected” species pursuant to Sections 3511, 4700, 5050, and 5515 of the State Fish and Game Code, that prohibits the unauthorized “take” of state designated “Fully Protected” species, requires coordination with CDFW prior to the issuance of the building permit. All applicants are required to determine if suitable habitat for state designated “Fully Protected” species occurs within or near the proposed development. All conditions required by the CDFW during coordination must be made part of the site plan.

### Section 4150 of the State Fish and Game Code

All construction that occurs during the breeding season (February – July) within or near suitable habitat for mammals occurring naturally in California classified as fur-bearing mammals or nongame mammals protected pursuant to Section 4150 of the State Fish and Game Code which prohibits the unauthorized “take” of these species, requires coordination with CDFW prior to the issuance of the building permit. These mammals include but are not limited to bobcat (*Lynx rufus*), desert kit fox (*Vulpes macrotis arsipus*), coyote (*Canis latrans*), and American badger (*Taxidea taxus*). If construction takes place during the breeding season, all applicants are required to determine if suitable habitat for nongame and fur-bearing mammals occurs within or near the proposed development. All conditions required by the CDFW during coordination must be made part of the site plan.

### Sections 3503 and 3503.5 of the State Fish and Game Code

All construction that occurs during the nesting season (February 15 – September 1) within or near suitable breeding or nesting habitat for migratory bird species or birds of prey protected pursuant to Sections 3503 and 3503.5 of the State Fish and Game Code, which prohibits the take of nests or eggs of native resident and migratory birds and all birds of prey, requires coordination with CDFW prior to the issuance of the building permit. If construction takes place during the nesting season, all applicants are required to determine if suitable breeding or nesting habitat for migratory birds occurs within or near the proposed development. All conditions required by CDFW during coordination must be made part of the site plan.

## **California Department of Food and Agriculture**

1220 N Street, Sacramento, CA, 95814; P: (916) 654-0466

### California Desert Native Plants Act – Division 23 of the California Food and Agriculture Code

All construction that requires the removal of plants afforded protection under the California Desert Native Plants Act (Division 23 of the California Food and Agriculture Code), which prohibits the unauthorized harvest, transport, or possession of certain native desert plants, requires coordination with the California Department of Food and Agriculture (CDFA) prior to the issuance of the building permit. Authorization for take of native desert plants can be obtained through the sheriff or commissioner of the county where harvesting will occur and subject to county-designated fees. The following species are regulated by the California Desert Native Plants Act and may occur within Los Angeles County: panamint dudleya (*Dudleya saxosa*), all species of the family Agavaceae (century plants and yuccas), all species of the family Cactaceae (cacti), all species of mesquites (*Prosopis*), catclaw (*Acacia greggii*), and desert holly (*Atriplex hymenelytra*). All applicants are required to determine if proposed development construction will require the removal of plants protected by the California Desert Native Plants Act. All conditions required by the CDFA during coordination must be made part of the site plan.

## **CULTURAL RESOURCES**

### **U.S. Department of Interior, Office of the Secretary**

1849 C Street N.W., Washington D.C. 20240

#### ***Native American Graves Protection and Repatriation Act of 1990***

The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains and associated funerary objects and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

### **California Department of Parks and Recreations**

1416 9<sup>th</sup> Street, Sacramento, CA 95814

#### ***Public Resources Code Sections 5097.9–5097.991***

Section 5097.91 of the PRC established the NAHC, whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Under Section 5097.9 of the PRC, a state policy of noninterference with the free expression or exercise of Native American religion was articulated along with a prohibition of severe or irreparable damage to Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines located on public property. Section 5097.98 of the PRC specifies a protocol to be followed when the NAHC receives

notification of a discovery of Native American human remains from a county coroner. Section 5097.5 states that it is a misdemeanor to knowingly and willfully excavate, disturb, destroy, deface, or remove any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological sites, on public lands, except with the express permission of the public agency holding jurisdiction over the lands.

### ***California Native American Graves Protection and Repatriation Act of 2001***

Codified in the California Health and Safety Code Sections 8010–8030, the California Native American Graves Protection and Repatriation Act (Cal NAGPRA) is consistent with the federal NAGPRA. Intended to “provide a seamless and consistent state policy to ensure that all California Indian human remains and cultural items be treated with dignity and respect,” Cal NAGPRA also encourages and provides a mechanism for the return of remains and cultural items to lineal descendants. Section 8025 established a Repatriation Oversight Commission to oversee this process. The Act also provides a process for non–federally recognized tribes to file claims with agencies and museums for repatriation of human remains and cultural items.

### ***Health and Safety Code, Sections 7050 and 7052***

Health and Safety Code, Section 7050.5, declares that, in the event of the discovery of human remains outside a dedicated cemetery, all ground disturbance must cease and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

### ***Penal Code, Section 622.5***

Penal Code, Section 622.5, provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public lands.

The County will provide notification during the site plan review process to property owners seeking permits for a single-family residence, where hauled water will be used as the primary source of potable water, of the need to demonstrate compliance with Public Resources Code 5097:

- The Los Angeles County Coroner shall be notified within 24 hours of the discovery of human remains. Upon discovery of human remains, there shall be no further excavation or disturbance of the site or any of that area reasonably suspected to overlie adjacent human remains until the following conditions are met:
  - The Los Angeles County Coroner has determined that no investigation of the cause of death is required, and
  - If the remains are of Native American origin, the descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

## **GREENHOUSE GAS EMISSIONS**

### **California Building Standards Commission**

2525 Natomas Park Dr # 130, Sacramento, CA 95833; P: (916) 263-0916

#### California Green Building Standards Code (Part 11 of Title 24, California Code of Regulations)

The purpose of this code is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in the following categories: Planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.

## **HYDROLOGY AND WATER QUALITY**

### **United States Army Corps of Engineers**

*Department of the Army, Los Angeles District, Corps of Engineers, 911 Wilshire Blvd, Los Angeles, CA 90017; P: (213) 452-3412*

#### Section 404 of the Federal Clean Water Act

All construction that occurs within or near a streambed, wetland, or waterway afforded protection pursuant to Section 404 of the Clean Water Act requires approval from the U.S. Fish Army Corps of Engineers (USACOE) 404 Permit Planning Program prior to the issuance of the building permit. USACOE has established a series of nationwide permits that authorize certain activities in Waters of the United States, provided that a proposed activity can demonstrate compliance with standard conditions. If the conditions of a nationwide permit cannot be met, or the proposed development results in more than minimal adverse environmental impact, an individual permit may be required. All applicants are required to determine if streambeds, wetlands, or waterways afforded protection pursuant to Section 404 of the Clean Water Act occur within or near the proposed development. All conditions required by the USACOE 404 permit must be made part of the site plan.

### **Lahontan Regional Water Quality Control Board**

*14440 Civic Drive, Suite 200, Victorville, CA 92392*

*Phone: (760) 241-6583, Fax: (760) 241-7308*

### **Los Angeles Regional Water Quality Control Board**

*320 West Fourth Street, Suite 200, Los Angeles, CA 90013*

*Phone: (213) 576-6600, Fax: (213) 576-6640*

## Water Quality Control Plan for the North and South Basins

The Lahontan RWQCB prepared a Water Quality Control Plan for the North and South Basins (Basin Plan). The Lahontan Region is defined in terms of drainage basins by Section 13200(h) of the Porter-Cologne Act. For planning purposes, it has historically been divided into North and South Lahontan Basins at the boundary between the Mono Lake and East Walker River watersheds. It is about 570 miles long and has a total area of 39,210 square miles. The Region includes the eastern slopes of the Warner Mountains and the Sierra Nevada, the northern slopes of the San Bernardino and San Gabriel Mountains; the southern slopes of the Tehachapi Mountains, and all or part of other ranges including the White, Providence, and Granite Mountains and the western slopes of the New York, and Ivanpah Mountains. The latest version of the Basin Plan was adopted in 1995.

## Water Quality Control Plan for the Los Angeles Region

The Los Angeles RWQCB has prepared a Water Quality Control Plan for the Los Angeles Region (Basin Plan), which includes the Coastal Watersheds of Los Angeles and Ventura Counties. The first essentially complete Basin Plan, which was established under the requirements of California's 1969 Porter-Cologne Water Quality Control Act (Section 13000 [Water Quality] et seq. of the California Water Code), was adopted in 1975 and revised in 1984. The latest version was adopted in 1994.

The Basin Plan assigned beneficial uses to surface and groundwater such as municipal water supply and water-contact recreation to all waters in the basin. It also set water-quality objectives, subject to approval by the EPA, intended to protect designated beneficial uses. These objectives apply to specific parameters (numeric objectives) and general characteristics of the water body (narrative objectives). An example of a narrative objective is the requirement that all waters must remain free of toxic substances in concentrations producing detrimental effects upon aquatic organisms. Numeric objectives specify concentrations of pollutants that are not to be exceeded in ambient waters of the basin.

The Los Angeles and Lahontan RWQCBs are involved in the regulation of a number of activities that are relevant to the consideration of the proposed initiative:

- Prepares, monitors compliance with, and enforces Waste Discharge Requirements, including NPDES Permits;
- Implements and enforces local storm water control efforts;
- Enforces water quality laws, regulations, and waste discharge requirements;
- General Construction Activity Storm Water Discharges

Storm water discharges that are composed entirely of runoff from qualifying construction activities may require regulation under the General Construction Activity Storm Water Permit issued by the SWRCB. Construction activities that qualify include clearing, grading, excavation, reconstruction, and dredge-and-fill activities that result in the disturbance of at least one acre of total land area. The development of single-family residences would be required to obtain General Construction Activity Storm Water Permits if the development disturbs greater than one acre of land.

In response to Order NO. R4-2012-0175, as amended by State Water Board Order WQ 2015-0075 NPDES Permit NO. CAS004001, Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges Within The Coastal Watersheds Of Los Angeles County, Except

Those Discharges Originating from the City of Long Beach MS4, The County has adopted a Low Impact Development (LID) Ordinance: Title 12, Chapter 12.84 of Los Angeles County Code of Ordinances. Under this ordinance, developments shall incorporate LID features as required by the County's LID Standards Manual to reduce or eliminate stormwater runoff, mitigate polluted discharges, and minimize erosion. All developments are required to implement source control measures, such as storm drain signage and outdoor storage material areas, to the maximum extent practicable. The ordinance categorizes new development and redevelopment projects as Designated, Non-Designated Projects, Streets, and Single-Family Hillside Homes.

- Designated Projects are new developments that are one acre or larger and add over 10,000 square feet of impervious surface area. Designated Projects also applies to redevelopment projects that add or replace either: five thousand square feet or more of impervious surface area on a site that has been previously developed; or ten thousand square feet or more of impervious surface area on a site that has been previously developed with a single family home.
  - Designated Projects are required to retain its entire Stormwater Quality Design Volume (SWQDv) on-site.
- Non-Designated Projects are categorized as Small-Scale or Large-Scale.
  - Non-Designated Projects that consist of the development of four residential units or less are considered Small-Scale and are required to include two LID BMP features. BMPs that are intended to store or infiltrate stormwater, such as rain barrels or dry wells, shall have a capacity of 200 gallons.
  - Non-Designated Projects that consist of the development of five or more residential units are considered Large-Scale. These developments must retain the difference in SWQDv resulting from pre- and post-development conditions.
- The development of streets and roads that results in over 10,000 square feet of impervious surfaces must comply with the LID Standards Manual and the USEPA's Green Streets 26. The County code does not specify if such projects are to retain the SWQDv, the difference between pre a post project SWQDv or to install two LID bmps.

Single-Family Hillside Homes located within a hillside management area, which is defined as an area with a natural slope of 25 percent or greater, are required to provide conservation of natural areas, slope and channel protection, storm drain signage, and divert roof runoff and surface flow to vegetated areas.

## **NOISE**

Noise Control Ordinance of the County of Los Angeles. County of Los Angeles Code, Title 12, Chapter 12.08, Sections 5500-5503.

*Contact: Los Angeles County Department of Regional Planning, 320 West Temple Street, Los Angeles, California, 90012.*

*Phone: (213) 974-6411*

## **UTILITIES AND SERVICE SYSTEMS**

### **Lahontan Regional Water Quality Control Board**

*14440 Civic Drive, Suite 200, Victorville, CA 92392*

*Phone: (760) 241-6583, Fax: (760) 241-7308*

### **Los Angeles Regional Water Quality Control Board**

*320 West Fourth Street, Suite 200, Los Angeles, CA 90013*

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### ***Clean Water Act, Section 401***

The Federal Clean Water Act of 1972 (CWA) established the basic structure for regulating discharges of pollutants into the waters of the U.S. and regulating quality standards for surface waters.<sup>8</sup> Under the CWA, the U.S. Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industries and surface waters. Section 401 of the CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. The U.S. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances, such as pipes or manmade ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit.

The provisions of Section 401 of the CWA are enforced through the State Water Resources Control Board and local Regional Water Quality Control Boards (RWQCBs); the parcels that would be eligible for the use of hauled water are located within the boundaries of two local water quality control board authorities: Lahontan RWQCB and the Los Angeles RWQCB.

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<sup>8</sup> California Water Boards Fact Sheet "Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy). Website Available online at: [http://www.waterboards.ca.gov/water\\_issues/programs/owts/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/owts/index.shtml)