



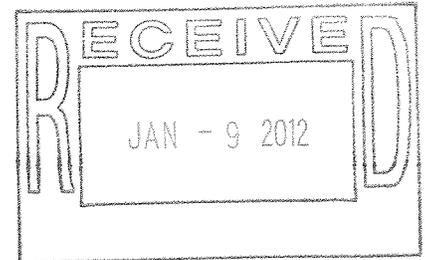
# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400  
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998  
Telephone: (562) 699-7411, FAX: (562) 699-5422  
www.lacsd.org

STEPHEN R. MAGUIN  
Chief Engineer and General Manager

January 4, 2012

Ms. Emma Howard  
County of Los Angeles  
Regional Planning Department  
Room 1354  
320 West Temple Street  
Los Angeles, CA 90012



Dear Ms. Howard:

## **Comments on Preliminary Draft Significant Ecological Area (SEA) and Hillside Management Area (HMA) Ordinances**

The Sanitation Districts of Los Angeles County (Districts) appreciate this opportunity to review and submit comments on the Preliminary Draft Significant Ecological Area (SEA) and Hillside Management Area (HMA) Ordinances released on November 10, 2011, by the Los Angeles County Department of Regional Planning. The Districts are a confederation of 23 special districts that operate and maintain regional wastewater and solid waste management systems for approximately 5 million people residing in 78 cities and unincorporated portions of Los Angeles County. This letter summarizes the Districts' comments.

### *Significant Ecological Areas*

The Districts support the efforts of the Department of Regional Planning to further develop the SEA program and offer the following comments to improve the draft ordinance:

- a) Item D. Conditional Use Permit Required (page 4) – Some previously disturbed areas have been designated as part of a SEA. The Districts believe it would be inappropriate to require a Conditional Use Permit (CUP) for parcels that have been disturbed in recent history or have been approved for development prior to the issuance of this ordinance. The Districts suggest adding an exemption for such occurrences .
- b) Item D.10. Conditional Use Permit Required (page 6) – Please provide a definition for “public facilities and infrastructure.”
- c) Item F. Initial Project Appraisal (page 6) – The Districts agree that project proponents should be given direction on whether an SEA CUP is required without needing to file the extensive CUP application. Unfortunately, the first phase of the proposed two-step process appears to be just as rigorous and time consuming as the current “submit an application and we will later tell you if you need a permit” approach. Further, the second phase of actually getting a permit requires the Significant Ecological Area Technical Advisory Committee to see the project a second time, making the overall process appear to be more time-consuming and bureaucratic. Instead, we

suggest the ordinance provide clear direction on what necessitates a permit and that Regional Planning staff provide proponents feedback on the need for a permit.

- d) Item H. Development Standards and Guidelines (page 10) – The Districts suggest that these standards be presented more clearly as guidelines that could be modified based on site-specific conditions. Different noise levels or setbacks may be justified depending on the circumstances and the current requirements may be unnecessarily restrictive for a number of projects. For example, subheading 1-h restricts allowable noise levels, although higher levels may be acceptable depending on the type of wildlife present in the area.
- e) Item J.3. Findings (page 17) – The Districts recommend deleting the second sentence beginning “Preservation of biologically valuable vegetation...” The first sentence provides the appropriate environmental protection while the second requires a highly subjective determination that environmental protection was considered “the highest priority.” Consideration as a “highest priority” is not required to make a project protective of the environment.
- f) Item J.4. Findings (page 17) – The Districts suggest clarifying the phrase “habitat they support” to “habitat that the development would impact.” Recommend changing “considered as a priority in the design” to “considered in the design” for the same reasons as noted in comment e) above.
- g) SEA Ordinance Item D.3. (page 5) and HMA Ordinance Item D.5. (page 20) – A CUP exemption is allowed for “grading projects of more than 5,000 cubic yards of earthwork.” Is it appropriate to exempt larger grading projects? Should “more than” be replaced with “less than?”

#### *Hillside Management Areas*

The following comments refer to the HMA Ordinance:

- h) Item A. Purpose (page 18) – The Districts agree that development activities should be regulated within HMAs to protect public health and safety but disagree on the use of HMAs to also protect environmental resources. There are already a variety of laws and regulations to protect environmental resources (CEQA, SEA, Clean Water Act, Endangered Species Act, etc.). The Districts believe that adding another layer of environmental protection through the HMA ordinance is unnecessary and detrimental to the public interest by adding another layer of bureaucracy. If sensitive environmental resources are present, the area should be designated as a SEA. The Districts suggest revising this section to apply to public health and safety only.
- i) Item D. Conditional Use Permit Required (page 19) – Similar to the language in the proposed SEA ordinance, the Districts suggest adding an exemption for public facilities and infrastructure.

If you have any questions regarding this comment letter, please contact me at (562) 908-4288, extension 2707, or by e-mail at [lgaboudian@lacs.org](mailto:lgaboudian@lacs.org).

Very truly yours,

Stephen R. Maguin



Lysa Gaboudian  
Civil Engineer  
Planning Section

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