

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: June 11, 2019

TO: Public Works and Gang Reduction Committee
Attention: Office of the City Clerk

FROM: *For* Adel H. Hagekhalil, P.E.
Executive Director and General Manager
Bureau of Street Services

**SUBJECT: CASE FILE NO. 18-0916- RECOMMEND THE CITY COUNCIL DENY THE
APPEAL BY THE FRIENDS OF WESTWANDA DRIVE DATED AUGUST 31,
2018**

RECOMMENDATIONS:

1. DENY the appeal.
2. Determine, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Guidelines section 15303 and 15332, and there is no substantial evidence demonstrating that any exception to the categorical exemptions listed in CEQA Guidelines section 15300.2 applies.
3. Determine, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to City of Los Angeles CEQA Guidelines, Article III, Section 1, Class a, Category 1 (existing facilities), subpart (3) (operation, repair, maintenance or minor alteration of sidewalks) not subject to any exception.
4. Direct, the Bureau of Street Services to file a CEQA Notice of Exemption based upon the exemption determinations stated above at Recommended Action No. 2 and 3.
5. Sustain the Board of Public Work's March 7, 2018 action approving a tree removal permit request to remove 3 trees and 6 remnant stumps located at 10034 Westwanda Drive for construction of a two-story single family residence.

RECOMMENDATION REPORT

Case File No.: 18-0916

Council Area: Council District 5 – Council Member Paul Koretz

Community Plan Area: Bel Air-Beverly Crest

Certified NC: Bel Air-Beverly Crest

GPLU: Very Low II Residential

Zone: RE15-1-H-HCR

Original Owner/Applicant: Karla Shahin

Project Location: 10034 Westwanda Drive, Los Angeles, CA 90210

Project Description: Construction of a two-story single-family residence with a basement constituting a building footprint of approximately 1,500 sq. ft. (with an interior building space of approximately 3,238 sq. ft. over a basement and two stories) and two retaining walls on a 4,009 sq. ft. lot, with associated grading (including 954 cubic yards of soil to be exported and 0 cubic yards to be imported), and the construction of retaining walls and related improvements. (See Board of Public Works Agenda Report (March 7, 2018) (**Report Attachment (“RA”) 7**); Project plans, **RA 10**; and the building footprint was clarified by Applicant during the Board of Public Works hearing on March 7, 2018.) The project includes the removal of three Coast Live Oak trees that, pursuant to the City’s Protected Tree Ordinance, will require a Permit to Remove Protected Trees and Replant and replacement at a 4:1 ratio. The project also involves removing six old, remnant stumps of California Black Walnut trees with limited shoot regrowth that were previously cut due to death from disease, poor health, and/or drought and that do not qualify as protected trees under the City’s protected tree ordinance.

APPELLANT: The Friends of Westwanda Drive submitted a letter of appeal dated August 31, 2018, which was received by the City Clerk on August 31, 2018 (“Appeal”) (**RA 6**). The Appeal identifies the Appellant as “a community organization composed of residents of Westwanda Drive concerned who live, work and recreate in the area surrounding the Project and would be negatively impacted if the Project was to move forward.” (**RA 6** at p.2.) The letter does not identify any individual members of the organization.

REQUESTED ACTION: Review the City’s compliance with the California Environmental Quality Act (“CEQA”), based on an appeal pursuant to CEQA (Public Resources Code § 21151(c)) related to the City’s approval of the Project. The appeal only involves CEQA compliance, and not the project approval.

On January 10, 2018, City staff prepared, but did not file with the County Clerk, a Notice of Exemption for the Project, finding the Project is categorically exempt from the requirements of CEQA pursuant to City of Los Angeles CEQA Guidelines, Article III, Section 1, Class 3, Category 1 (new construction of small structures – single family residence not in conjunction with the building of two or more units) (**RA 4**).

The action appealed is the March 7, 2018 determination by the City’s Board of Public Works that the Project is categorically exempt from the requirements of CEQA pursuant to City of Los Angeles CEQA Guidelines, Article III, Section 1, Class 3, Category 1 (new construction of small structures – single family residence not in conjunction with the building of two or more units) (**RA 5**; **RA 7**). On March 14, 2018, the Director of Street Services issued a Permit to Remove Protected Trees and Replant (Permit No. 1-745954991) (**RA 5**). The Appeal was received by

5/30/19

the City Clerk on August 31, 2018, which was on or about 177 days after the Board's March 7, 2018 action.

RECOMMENDED ACTIONS:

1. **DENY** the appeal.
2. **Determine** based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Guidelines sections 15303 and 15332, and there is no substantial evidence demonstrating that any exception to the categorical exemptions listed in CEQA Guidelines section 15300.2 applies and instruct the Bureau of Street Services to file a CEQA Notice of Exemption with the County Clerk reflecting this determination.
3. **Determine** that the City of Los Angeles Municipal Code does not provide Appellant a legal right to appeal the decision to issue a protected tree permit and that Appellant's sole right to appeal exists pursuant to CEQA.
4. **Sustain** the Board of Public Works' approval (on March 7, 2018) and the Director of Street Services' issuance (on March 14, 2018) of the Permit to Remove Protected Trees and Replant (Permit No. 1-745954991) dated March 14, 2018.

TABLE OF CONTENTS

A.	PROJECT DESCRIPTION	4
1.	BACKGROUND	4
2.	PROJECT SUMMARY	4
B.	PROCEDURAL SUMMARY	5
C.	TREE PERMIT FINDINGS	6
D.	CEQA FINDINGS	6
E.	APPEAL POINTS AND STAFF RESPONSES.....	7
1.	Appeal Point No. 1: Unusual Circumstances.....	7
(a)	Appeal Assertion: Unusual Circumstances Generally	7
(b)	Appeal Assertion: Unusual Circumstances, Biological Resources	9
(b)	Appeal Assertion: Unusual Circumstances, Noise, Geology & Soils	14
2.	Appeal Point No. 2: Specialized Conditions of Approval as Mitigation.....	15
3.	Appeal Assertion Point 3: Replacement Trees are Horticulturally Unsound	17
4.	Appeal Assertion Point 4: Impacts to Additional Trees.....	18
5.	Appeal Assertion Point 5: CEQA Location Exception, Santa Monica Mountains Conservancy Map (Guidelines, § 15300.2 (a).).....	19
6.	Appeal Assertion Point 6: CEQA Location Exception, Very High Fire Hazard Severity Zone (Guideline 15300.2 (a))	22

REPORT ATTACHMENTS (RA)

- RA 1. May 16, 2016 Geology and Soils Report Approval Letter
- RA 2. September 12, 2017, Protected Tree Report
- RA 3. June 8, 2018, Building Permit No. 16010-10000-06248
- RA 4. January 10, 2018, Notice of Exemption
- RA 5. March 14, 2018, Protected Trees and Replant Permit (No. 1-745954991)
- RA 6. August 31, 2018, Appeal Letter
- RA 7. March 7, 2018, Board of Public Works Agenda Report
- RA 8. Draft Notice of Exemption to be filed with County Clerk
- RA 9. June 11, 2018, Grading Permit No. 16030-10000-09597
- RA 10. June 8, 2018 Building Permit No. 16020-10000-04056
- RA 11. Santa Monica Mountains Conservancy, Agenda Item 13, Resolution 17-1 (January 23, 2017) and Santa Monica Mountains Conservancy, Memorandum from Joseph T. Edmiston, Executive Director, Re: Agenda Item 13 (January 23, 2017) pp. 1-2
- RA 12. Aerial photo
- RA 13. September 26, 2017, Application for a Tree Removal Permit, Service Request, and Notification
- RA 14. March 5, 2018, Letter from Applicant
- RA 15. List of projects
- RA 16. Tree photos

A. PROJECT DESCRIPTION

1. BACKGROUND

The project site consists of an undeveloped 4,009 sq. ft. lot, located at 10034 Westwanda Drive within the Bel Air-Beverly Crest Community Plan. The subject property is zoned RE15-1-H-HCR and has a Very Low II Residential General Plan Land Use Designation. The property is located in a Very High Fire Hazard Severity Zone. Other surrounding properties are zoned R15-1-H-HCR and RE40-1-H-HCR. The property is surrounded by existing single-family residences on all adjacent properties, except along the southwest boundary (**RA 12** [aerial photo]). Paved roadways abut the property on Stowell Lane along the northwest boundary (a road that was previously withdrawn from public use), and Westwanda Drive along the northeast boundary (**RA 12**).

Applicant Karla Shahin is the owner of the property that is the subject of this appeal. The subject site is a vacant, irregular shaped lot located within a hillside area of the City of Los Angeles. The site terrain is upsloping from Westwanda Drive to the rear of the property.

2. PROJECT SUMMARY

As clarified by the Applicant during the Board of Public Works hearing on March 7, 2018, and on the Project's plans (**RA 10**), Applicant seeks to construct a single-family residence constituting a footprint of approximately 1,500 sq. ft. (with a total floor space of approximately 3,238 sq. ft. within a basement and two stories)¹, on a 4,009 sq. ft. lot, with associated grading (including 954 cubic yards of soil to be exported and 0 cubic yards to be imported), and the construction of two retaining walls and related improvements (**RA 7**; **RA 9**).

A September 12, 2017 Protected Tree Report was prepared by Mr. Jan C. Scow, a registered consulting arborist from Jan C. Scow Consulting Arborists, LLC (**RA 2**). The Protected Tree Report concluded that the Project would require the removal of 3 Coast Live Oaks trees to allow excavation on the site. The report also concluded that 6 Southern California Black Walnut stumps would require removal and opined that the tops of these tree stumps had died back from drought and/or thousand canker disease, and were cut to stumps as part of previous required brush clearance. Four additional existing trees would be avoided by the design of the Project, and these would remain and be preserved in place on the property.

Both Coast Live Oaks and Southern California Black Walnut are considered protected trees pursuant to City of Los Angeles Municipal Code, Chapter IV (Public Welfare), Article 6 (Preservation of Protected Trees) (Protected Tree Ordinance). However, based on the very poor condition of the Southern California Black Walnut tree stumps and minor sprouts from those stumps, the Protected Tree Report concluded that the City should not count the stumps as tree removals for purposes of applying the City's standard condition for planting replacement trees. Staff agrees with these conclusions, and concludes that the stumps do not qualify as Protected Trees pursuant to the Protected Tree Ordinance based on the diameter being less than four inches cumulatively at a four and one-half foot height, the poor condition of the plants, and that minor shoot regrowth from a cut tree stump will not develop into a mature healthy tree. Even if the stumps could be counted as trees, they show a substantial state of decline from a

¹ The size of the footprint was erroneously previously identified as the floor space area in the staff report to the Board of Public Works, but this was corrected by the Applicant at the hearing.

5/30/19

condition of normal health and vigor, and restoration of these stumps would not be advisable due to their poor condition.

The Protected Tree Ordinance required the Applicant to obtain a permit to remove the protected trees.

Consistent with the Board's authority in LAMC 46.02, the Board required the replacement of the three protected trees at a ratio of 4:1 pursuant to the Board's standard conditions imposed on tree removal permits for development projects involving the removal of protected trees. These are not considered mitigation for project impacts, but are rather imposed as standard conditions by the Board of Public Works as a regulatory compliance measure on projects of this nature.

B. PROCEDURAL SUMMARY

An application for a tree removal permit, dated September 26, 2017, was filed by the Applicant regarding the removal of the three Coast Live Oak trees and six Southern California Black Walnut stumps (**RA 13**).

City staff considered the application and the applicability of CEQA. Staff prepared a January 10, 2018 Notice of Exemption finding that the entire Project was exempt from the requirements of CEQA pursuant to City of Los Angeles CEQA Guidelines, Article III, Section 1, Class 3, Category 1 (new construction of small structures – single family residence not in conjunction with the building of two or more units) (**RA 4**). The NOE was not filed with the County Clerk. The Applicant submitted a letter stating that six Southern California Black Walnut stumps on the property had been cut prior to the Applicant purchasing the property on September 22, 2015, by someone other than the applicant (**RA 14**).

On March 7, 2018, the Board of Public Works held a hearing to consider whether to grant the Applicant's request for a tree removal permit for the Project. During the proceedings, comments opposing the Project were received from two commenters who claimed that neighbors opposed to the project. Staff is not aware of any comment letters being received related to the project. The Board considered the nature of the project removing and replacing the three trees with twelve newly planted trees, removing six stumps that were previously cut by a prior owner. At the hearing, the Board discussed and considered how the Project was designed to avoid environmental impacts to the fullest extent possible by having a small building footprint of only 1,500 sq. ft. on a 4,009 sq. ft. lot, and a placement that would avoid and retain four of the seven existing trees onsite, and that it would effectively replant and replace the removed trees, while also providing a dual benefit of planting new trees to the fullest extent feasible in all remaining available space that supported trees on the property.

At the conclusion of the March 7, 2018 hearing, the Board determined that the Project is categorically exempt from the requirements of CEQA pursuant to City of Los Angeles CEQA Guidelines, Article III, Section 1, Class 3, Category 1 (new construction of small structures – single family residence not in conjunction with the building of two or more units) (**RA 5; RA 7**) and approved the issuance of a tree removal permit for the Project.

On March 14, 2018, the Director of Street Services issued a Permit to Remove Protected Trees and Replant (Permit No. 1-745954991) (**RA 5**). The Applicant removed the trees pursuant to the permit.

5/30/19

Applications for building permits, certificates of occupancy, grading permits, and grading certificates were issued on June 8 and June 11, 2018 (**RA 3, RA 9, RA 10**).

On August 31, 2018, which was on or about 177 days after the Board's March 7, 2018 action, Appellant submitted an appeal of the CEQA determination for the Project to the City Clerk.

This staff report makes recommendations concerning the appeal.

C. TREE PERMIT FINDINGS

To the extent the appeals challenge the Board of Public Works' March 7, 2018 determinations and the March 14, 2018 Protected Trees and Replant Permit on grounds other than an alleged failure to comply with CEQA, City staff recommends the Committee recommend the City Council deny the appeals as without legal basis. The City's Protected Tree Ordinance, at Municipal Code section 46.05, provides the right to appeal a determination concerning a protected tree removal permit application solely to the permit applicant. Appellant is not the permit applicant here, and thus, has no standing to challenge the permit pursuant to the terms of the Protected Tree Ordinance. Appellant's challenge, thus, is based solely upon its CEQA arguments.

D. CEQA FINDINGS

City staff recommends the City Council determine that the Project is exempt from the requirements of CEQA for the following reasons:

1. State CEQA Guidelines section 15303 (Class 3) states that the following types of projects are considered Class 3 projects exempt from the requirements of CEQA: "One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption." Here, the Project is a single-family residence in a residential zone, in an urbanized area. It is exempt from the requirements of CEQA pursuant to CEQA Guideline section 15303.

2. State CEQA Guidelines section 15332 (Class 32) states that the following types of projects are considered exempt from the requirements of CEQA:

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value, as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

- (e) The site can be adequately served by all required utilities and public services.

As discussed further below, the proposed Project meets all of the requirements to qualify for a Class 32 CEQA exemption and is therefore exempt.

3. No substantial evidence exists demonstrating that any exception to the applicable categorical CEQA exemptions listed at CEQA Guidelines section 15300.2 applies. The inapplicability of the exceptions under Sections 15300.2(a)(location) and (c)(unusual circumstances) are discussed at length in the responses to the appeal, below. The exception under Section 15300.2(b) is inapplicable because there are no “successive projects of the same type in the same place” occurring as this Project. The Project involves one home being built at the Project site, without any successive projects of the same type in the same place. The exceptions in Sections 15300.2(d) and 15300.2(e) are inapplicable because the Project is not on a “highway officially designated as a state scenic highway” or on hazardous materials-related site “which is included on any list compiled pursuant to Section 65962.5 of the Government Code.” The exception in Section 15300.2(f) is also inapplicable since the Project does not affect any historical resources.

E. APPEAL POINTS AND STAFF RESPONSES

As a preliminary matter, the Appellants raised their appeal after a substantial and unreasonable delay. The Board of Public Works made its final decision to approve the Project on March 7, 2018. Two individuals spoke at the hearing before the Board of Public Works, noting that some neighbors opposed the project. Those were the only comments raised. The City issued a tree removal permit on March 14, 2018 (7 days after the Board’s approval), with a permit expiration date of September 14, 2018. The Applicant proceeded pursuant to that permit to remove the trees and stumps. Even after the permit issued and the trees/stumps were removed, still no appeal was filed until 177 days following the Board’s final decision, when the Appellant ultimately filed its appeal on August 31, 2018. This delay was unreasonable, since action could have been taken much earlier. But, the Appellant waited until the last possible moment to file this appeal. No one challenged the Board’s decision, including appealing the matter to the City Council, until long after the permit issued and the trees were removed. That delay prejudiced the City Council’s ability to consider the appeal’s merits prior to the tree removal. At this point, halting the project would provide no environmental benefit since the trees have been removed and replanting the removed trees at a 4:1 ratio is already part of the regulatory compliance measures that are being implemented as a standard condition in the permit. Appellant’s argument is moot, and as discussed below, the Appeal’s contentions are otherwise without merit.

1. Appeal Point No. 1: Unusual Circumstances Generally, and Related to Biological Resources, Noise, and Geology and Soils Impacts

(a) *Unusual Circumstances Generally*

Appeal Assertion

The Class 3 exemption is not available due to “unusual circumstances.” Application of the so-called “single family home exemption” is limited by the factors described in section 15300.2.” An exemption should be denied if one of the exceptions listed in section 15300.2 of the Guidelines applies. Section 15300.2, subdivision (c), of the Guidelines provides for one such exception and states that if there is a “reasonable possibility” of a “significant effect on the environment due to unusual circumstances,” then the categorical exception cannot apply. A “circumstance is ‘unusual’ ... judged relative to the typical circumstances related to an otherwise typically exempt project.” Voices for Rural Living v. El Dorado Irr. Dist. (2012) 209 Cal.App.4th 1096, 1108-09.

Staff Response

The proposed Project is exempt from having to undergo environmental review under CEQA because it fits within the criteria of several Categorical Exemptions. Specifically, as the lead agency, the City of Los Angeles determined, after review of the whole record, that the Project qualifies for a categorical exemption under CEQA Guidelines Section 15303 because the proposed Project is for the construction and location of a new single-family residence in a residential zone (RE15-1-H-HCR). Moreover, the site is located in an urbanized area, in the Bel Air-Beverly Crest Community Plan area of the City of Los Angeles, and the exemption allows for the development of up to three single-family residences on a lot in such areas. As a single-family residence, the project squarely qualifies as a “small facility or structure” for the Class 3 (New Construction of Small Structures) categorical exemption under CEQA Guidelines, section 15303, subdivision (a).

Additionally, the Project qualifies for an exemption under CEQA Guidelines Section 15332 because it is an infill project that develops a single-family residence on a lot that is in a residential neighborhood and bounded on all sides by similarly developed single-family properties, except the southwest boundary, which is not developed. The project is consistent with the applicable general plan designation (Very Low II Residential) and all applicable general plan policies, as well as with the applicable zoning designation (RE15-1-H-HCR) and regulations. The Project site is less than five acres (here, approximately 0.098 acres), is located within the city limits of the City of Los Angeles and substantially surrounded by urban (residential) uses. Additionally, the site can be adequately served by all required utilities and public services in the same manner as all of the surrounding, previously developed, similar homes in the neighborhood. The site has no value as habitat for endangered, rare, or threatened species due to the nearby residences, frequent vehicle traffic, and relatively steep slopes. The site is almost entirely surrounded by developed single-family properties and it is bounded by paved roadways on two sides. Lastly, no evidence exists in the record that development of one single-family residence on the site will have any significant effects relating to traffic, noise, air quality, or water quality since the Project is inherently small in its nature—constructing only one residence in a neighborhood of similar residences—and the Applicant will be required to comply with standard City conditions in the permits for this type of work that will ensure no such significant impacts. Thus, the proposed single-family residence Project qualifies for the Class 32 (In-Fill Development Projects) categorical exemption under CEQA Guidelines, § 15332.

The appeal references CEQA Guidelines, § 15300.2, subdivision (c) which prohibits a project from being found exempt where “there is a reasonable possibility that an activity will have a significant effect on the environment due to unusual circumstances.” The City reviewed the proposed project in relation to the possible exceptions to relying on the Categorical Exemptions and found that none applied to the Project, including the unusual circumstances exception.

No unusual circumstances exist to trigger the unusual circumstances exception, and appellant has submitted no substantial evidence, as defined by CEQA, showing that the project involves any unusual circumstance dissimilar to other projects to construct one single-family hillside residence, which is Appellant's legal burden to demonstrate. Substantial evidence is limited, to facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. (CEQA Guidelines, § 15384.) Appellant did not include any substantial evidence demonstrating unusual, site-specific circumstances as a part of the appeal application. The Project site is located on an urban, paved street within the City of Los Angeles, and in a residential neighborhood surrounded by similar single-family residential properties. Because the Project is located in an "urbanized area" within the City of Los Angeles, uses that are typically exempt pursuant to CEQA Guidelines Section 15303(a) might typically involve constructing up to three single-family residences. Constructing one residence on a lot of this size and location is not unusual. This Project is similar in effects as other single-family residential projects that would be exempt, including the existing surrounding lots within this very same neighborhood. The Project is also similar in effect, and not unusual, compared to other infill projects pursuant to the CEQA Guidelines Section 15332 in that the site is abutted by developed urban uses, such as urban streets and other similar single-family residences.

In addition to finding that no unusual circumstance exists, staff has found no reasonable possibility that construction of the single family home on the identified site (even if that could be considered an unusual circumstance) would cause a significant adverse effect on the environment. As further discussed below, Regulatory Compliance Measures (RCMs) embedded in the Los Angeles Municipal Code and applied as standard conditions on projects by the Board of Public Works and the Grading Division of the Los Angeles Department of Building and Safety address the concerns raised by the Appellant in relation to the Project.

(b) Biological Resources

Appeal Assertion

Thus, if it can be shown, as is the case here, that the Project will have a significant effect on the environment, that alone is sufficient to eliminate the applicability of the categorical exemption.

Southern California Black Walnut trees are included in the City CEQA Thresholds Guide's "Sensitive Species Compendium."

The status of this tree is listed as "4" - which means "Plants of limited distribution – a watch list." A footnote describing this species category is included that states "Very few of the plants constituting List 4 meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and few, if any, are eligible for listing. Nevertheless, many of them are significant locally, and the [Department of Fish and Game recommends that List 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA. This may be particularly appropriate for the type locality of a List 4 plant, for populations at the periphery of a species' range or in areas where the taxon is especially uncommon or has sustained heavy losses, or for populations exhibiting unusual morphology or occurring on unusual substrates."

Based on the threat to this native tree, in 2006 the City adopted Ordinance 177404 to amend its Protected Tree Ordinance. The Southern California Black Walnut was added to the

list of protected trees and their removal was prohibited without the issuance of a tree removal permit and a determination from the Board of Public Works that removal was "necessary" in order to allow for "reasonable development."

Notably, the City Planning Commission made the following finding when it recommended approval to the City Council for the amended Protected Tree Ordinance:

*"In accordance with Charter Section 556, the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent, and provisions of the General Plan. It implements Policy 3 of Section 6: Endangered Species of the Conservation Element 2 of the General Plan by revising regulations concerning endangered species; and Policy 4 of Section 103: Habitats of the Conservation Element of the General Plan by creating legislation that encourages and facilitates protection of local native plant and animal habitats. It also implements the California Environmental Quality Act by designating *Juglans californica* var. *californica* as a protected species, consistent with the recommendations of the California Native Plant Society (6th. Inventory of Endangered Species, RED Code 4-4-4) that this "locally significant" species be "evaluated for consideration during the preparation of environmental documents relating to CEQA."*

The City Council adopted the Planning Commission's findings. Policy 3 of Section 6: Endangered Species of the Conservation Element of the General Plan states:

"Policy 3: continue to support legislation that encourages and facilitates protection of endangered, threatened, sensitive and rare species and their habitats and habitat corridors."

Policy 4 of the Habitats portion of the Conservation Element of the General Plan states:

"Policy 4: continue to support legislation that encourages and facilitates protection of local native plant and animal habitats."

*Here, the unusual circumstances are the existence of *juglans californica* var. *californica* species individuals and Coast Live Oak (*Qeucus agrifolia*) species individuals on the Project site which the Project would negatively impact. Both of these trees are locally protected species. The City Council's findings and the implementing City's official CEQA Thresholds Guide quoted above constitute an authorized and definitive legislative finding that this particular project's special circumstances would have a significant impact on biological resources.*

The City's official CEQA Thresholds Guide states:

A project would normally have a significant impact on biological resources if it could result in:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;*
- The loss of individuals or the reduction of existing habitat of a **locally designated species** or a reduction in a locally designated natural habitat or plant community;*

It is clear that this is a parallel to the definition of a "sensitive biological resource" found in that same document:

For the purposes of the Thresholds Guide, a sensitive biological resource is defined as

follows:

- A plant or animal that is currently listed by a state or federal agency(ies) as endangered, threatened, rare, protected, sensitive or a Species of Special Concern or federally listed critical habitat;
- A plant or animal that is currently listed by a state or federal agency(ies) as a candidate species or proposed for state or federal listing; or
- A locally designated or recognized species or habitat.

The quoted statement from the CEQA Thresholds Guide above, in combination with the definition of a sensitive biological resource and the requirement that the description of the environmental setting include a "statement of the potential for existing sensitive resources, based upon review of Exhibit C-7" make it clear that California Black Walnut trees are a sensitive resource in the City of Los Angeles and that, therefore, the presumption is that the Project will have a significant impact on biological resources. This certainly meets the required showing that there is "a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances" as required by Berkeley Hillside Pres., supra, 60 Cal.4th at p. 1105.

Staff Response

As an initial matter, the six Southern California Black Walnut stumps identified by the Appellant do not qualify as protected trees under the City's Protected Tree Ordinance. Section 46.01 of the LAMC defines "protected tree" as only including trees that are "four inches or more in cumulative diameter, four and one half feet above the ground level at the base of the tree...." As noted in the Protected Tree Report (**RA 2**) prepared for the Project, all six of the stumps at the Project site could only be measured at heights of "at grade" to one foot from the base since the trees had been previously cut. The Report opined that the trees had previously died off at the tops and were "cut to stumps as part of required brush clearance" (**RA 2** at p.2.) As noted by the Protected Tree Report, and confirmed by staff, each of the six stumps had no main tree trunk, and only limited "stump sprouts" growing from the sides of the stump. None of the six Southern California Black Walnut stumps were found to be four inches or more in cumulative diameter at a height of four and one half feet above the ground level from the base of the tree and, in fact, some of the stump sprouts were entirely shorter than four and a half feet in height (**RA 2** at 13 [Tree 14 Photo]; **RA 16**). The Protected Tree Report concluded that the stumps should not be counted as tree removals and replacing them under the City's Protected Tree Ordinance was not necessary. Also, Southern California Black Walnut "stump sprouts" are not trees and do not qualify as Protected Trees, as defined in LAMC Section 46.01. Thus, the stumps and their sprouts are not subject to the requirements of the Protected Tree Ordinance, including the tree replacement requirements. Moreover, that the Project would involve removing a few minor stumps, with only limited re-growing sprouts that do not qualify as Protected Trees under the City's Protected Tree Ordinance, does not support the Appellant's claim that the Project involves unusual circumstances or significant impacts that would preclude relying on a categorical exemption. Removal of sprouts and stumps is typical for developing single-family homes on infill parcels, since it is part of the regular brush clearance performed on every site as part of the construction activities.

Regardless of whether the Southern California Black Walnut stumps are a Protected Tree under the Protected Tree Ordinance, the L.A. CEQA Threshold Guide does not compel finding significant impacts from removing the stumps, as argued by the Appellant. The Guide itself states that it "is intended to provide general information about CEQA. It should not be used as a substitute for professional or legal advice. The reader should refer to the CEQA Statutes and

Guidelines and consult with the appropriate City departments, as necessary.” (L.A. CEQA Threshold Guide, inside cover.) Moreover, the Guide states that it is a “guidance document” that “provides technical assistance” and that it “applies to non-exempt, discretionary projects (including public and private projects and plans) in the City of Los Angeles under ‘normal’ conditions.” (*Id.*, Executive Summary, pp. vii-viii, emphasis added.) Additionally, the Guide was last updated in 2006, and much of the information it contains is even older. For example, the Sensitive Species Compendium states that it contains information that was “current as of January 2001.” (*Id.* at p. C-27.) Thus, even when it was current, the City was not required to use the Thresholds Guide as mandatory thresholds or to determine the applicability or inapplicability of an exemption.

The Guide does not support the Appellant’s argument that the City’s use of a categorical exemption was in any way improper. The discussion of Black Walnut Trees in the Sensitive Species Compendium within the City’s CEQA Thresholds Guide explicitly states that the trees are not endangered, rare, or threatened species.² Specifically, Black Walnut Trees are listed in category 4: Plants of limited distribution – a watch list. This status means that, while not abundant, the plants listed in the category do not meet the requirements to be designated endangered, threatened, or rare under either state or federal law. While the Guide states that CDFW “recommends that List 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA” and lists circumstances when it “may be particularly appropriate,” the City has discretion to determine when it believes such “evaluat[ion] for consideration” is necessary. Further, “evaluating” whether a tree should be “considered” in a CEQA document, as recommended by CDFW, does not mean that a project will have a significant environmental impact. Regardless, the plants were in fact evaluated and considered in City’s environmental document pursuant to CEQA (here a notice of exemption), and the City has determined that relying on the cited categorical exemptions is proper.

The City’s CEQA Thresholds Guide also recommends that the significance of biological impacts depends, in part, on whether there will be “a loss of individuals” and whether biological resources would be “degraded by project implementation.” (L.A. CEQA Thresholds Guide, pp. C-6 to C-7.) The actual presence and “quality of existing vegetation,” inform whether “biological resources could be lost or degraded by project implementation. . . .” (L.A. CEQA Thresholds Guide, p. C-7.) For this Project, a September 12, 2017 Protected Tree Report was prepared by Mr. Jan C. Scow, a registered consulting arborist from Jan C. Scow Consulting Arborists, LLC (RA 2). As noted above, the Protected Tree Report opined that the six Southern California Black Walnut stumps at issue in this Appeal had died back from drought and/or thousand canker disease, and were previously cut to stumps as part of required brush clearance. Only minor sprouts were re-growing from the stumps since the main trunk had been removed. Based on the inherently poor conditions of the stumps and regrowth, the Protected Tree Report concluded that the City should not count the stumps as tree removals for purposes of applying the City’s standard condition for planting replacement trees, and the City does not consider them as tree removals. Additionally, an environmental baseline with only poor condition stumps and sprouts further supports that there would be no actual loss of individual trees of a locally designated species by removing these stumps, and no significant impact would result from the Project.

² Notably, none of the guidance and policy goals cited by Appellant mention Coast Live Oak trees. Regardless, for the reasons discussed herein, the presence of the protected trees and stumps do not trigger the “unusual circumstances” exception, and the project was properly determined to be exempt.

Similarly, the project applicant's compliance with the protected tree ordinance is not evidence of unusual circumstances. As further discussed below, the protected tree ordinance is a generally applicable regulation, and not improper mitigation making categorical exemptions inapplicable. The ordinance requires any person, prior to removing or relocating a protected tree, to obtain a permit from the Board of Public Works or its designated officer or employee, which have discretion to grant the permit where the tree is not an officially designated historic resource, its removal would not "result in undesirable, irreversible soil erosion" and, removal is necessary to allow reasonable development on the site, or the tree's health has substantially declined and economically feasible restoration is not advisable, or the tree is in danger of falling. (LAMC, § 46.02, subd. (b).) The Board of Public Works is authorized to issue a tree removal permit when it determines these conditions have been met. (*Ibid.*) Such was the case here.

Pursuant to the Protected Tree Ordinance authority, trees will be replanted at the site pursuant to the City's standard conditions by replacing the three removed Coast Live Oaks at a 4:1 ratio, which will result in planting twelve new trees on the site. As further discussed below, this requirement was imposed separately from categorical exemption determination, and it was applied as a regulatory compliance measure pursuant to the City's Protected Tree Ordinance authority through a standard condition in the permit, and not as a mitigation measure. The replacement tree requirement supports the City's finding that there would be no loss of protected Coast Live Oak trees and no significant impact, because they will be replaced at a ratio four times greater than their removal. Also, even if the six Southern California Black Walnut stumps could be considered viable trees (they are not), then there would still be a net gain of three trees over the existing count. The replanting of twelve trees on the Project site supports the City's finding that there would be no loss of protected tree individuals and no significant impact from the Project.

Appellant cites the City's findings supporting the 2006 amendment of the former oak tree ordinance and argues that the City has essentially admitted that the presence of the protected trees means that there are unusual circumstances. This is an incorrect and illogical interpretation of the City's policies. First, while the City does not dispute that Coast Live Oak and Black Walnut species are generally evaluated for protection under the ordinance, the City considers the presence and removal of the trees and stumps on a single-family residential lot in the hillsides area of the City to be, in context, more commonplace than unusual. That such an ordinance was enacted to establish procedures for removing protected trees and developing such lots supports that the removal of protected trees in this type of situation is not unusual. Second, the City does not consider the presence or removal of the three individual protected trees and six stumps to be an unusual circumstance here, since it is similar to typical development of single-family residential and infill projects, including the areas that are currently developed on the same street as, and in the same neighborhood as, the Project. The fact that the City "evaluated" whether the protected trees on the site should be considered in the preparation of a CEQA document (here, a Notice of Exemption) does not mean that the project will have a significant environmental impact. The City considered the trees and stumps on the site, and determined that the Project would not result in significant impacts.

In this case, in determining whether the single-family residence project qualified for a Class 3 exemption, the City determined that the removal of the three coast live oak trees and six southern California black walnut stumps would not have a significant impact due to unusual circumstances. Using the City's CEQA procedures, the Board of Public Works determined that removal of the trees and stumps from the property would not have a significant impact on the environment, and that none of the exceptions to the categorical exemption applied.

(c) Noise, Geology & Soils

Appeal Assertion

Further, the Project will have significant environmental impacts with regard to noise and geology and soils. The City has acknowledged these potentially foreseeable impacts unique to hillside communities when they analyzed a proposal to grade a similar amount of dirt for a nearby project at 8426 W Brier Drive in Laurel Canyon in November of 2017. See ENV-2015-2587-MND.

The MND for the Brier Project with regard to noise said,

"Construction activities can generate varying degrees of vibration depending on the construction procedures and they type of equipment used. High levels of vibration may cause physical personal injury or damage to buildings. The operation of construction equipment generates vibrations that spread through the ground ... With mitigation measures a less than significant environmental impact may result for the project"

Mitigation measure 12-20 was then adopted for the Brier Project - which went above and beyond what the municipal code required. The City also concluded that the Brier Drive project would have a potentially significant impact on geology and soils. These are unusual circumstances that warrant an MND or EIR for the Project.

Staff Response

As noted above, there are no unusual circumstances about the Project. The Project is similar to other infill projects or projects involving the construction of single-family residences in residential zones. Particularly with regard to alleged noise, the Project's noise impacts would be similar to the usual impacts in exempt infill and single-family residential construction projects, and there is no evidence of any unusual circumstance about the Project that would cause a significant impact beyond the usual noise impacts that are common to single-family residence construction and infill projects. The same can be said for geology and soils impacts. The fact that Project involves removing 954 cubic yards of soils is not an unusual circumstance for a categorically exempt infill or single-family residential construction project, and does not raise any significant impacts.

Further, the project at 8426 W. Brier Drive is not the same as, and not even "similar" to, this Project, as alleged by the Appellant. According to the Department of Planning Case Summary, the W. Brier Drive project was "for remedial site grading, to remove undocumented retaining walls, a wood shed, and fill soils placed without required permits and inspections. The haul route will export 2660 [cubic yards] from a site fronting on a substandard hillside street."

The differences in the W. Brier Drive project show that it would involve substantially more groundwork than this Project. The 2,660 cubic yards of soil removed in the Brier Drive project is two and half times larger than the 954 cubic yards that will be removed from this Project. Also, in contrast to the W. Brier Drive project, no demolition of unpermitted structures or removal of unauthorized fill soils is proposed for this Project. When unusual circumstances are not present, as they have been shown to not be present for this Project, then the Appellant would need to show more than just a mere possibility that significant impacts may occur. Arguing that a different and dissimilar hillside project may have significant impacts does not mean that this project *will* have significant impacts on the environment.

To the extent construction of the single family residence will generate noise, and potentially impact geology and soils, compliance with the City's noise ordinance and the conditions in the Geology and Soils Report Approval Letter (**RA 1**) will ensure that there are no significant impacts. There is no substantial evidence that the Project will have a significant effect on the environment due to unusual circumstances.

2. Appeal Point No. 2: Specialized Conditions of Approval as Mitigation

Appeal Assertion

Significantly, in evaluating whether a categorical exemption may apply, a public agency may not rely on mitigation measures as a basis for concluding that a project is categorically exempt, or as a basis for determining that one of the significant effects exceptions does not apply. Salmon Prot. & Watershed Network v. Cnty. of Marin (2004) 125 Cal.App.4th 1098. As held in Salmon, if a project requires mitigation measures it cannot be approved via categorical exemption:

Only those projects having no significant effect on the environment are categorically exempt from CEQA review. (Pub. Resources Code, §§ 21080, subd.(b)(9), 21084, subd. (a).) If a project may have a significant effect on the environment, CEQA review must occur and only then are mitigation measures relevant. (Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster (1997) 52 Cal.App.4th 1165, 1199-2000.) Mitigation measures may support a negative declaration but not a categorical exemption.

Salmon Prot. & Watershed Network v. Cnty. of Marin, supra, 125 Cal.App.4th at p. 1102. A City may condition a project on compliance with regulations of general application, but a City may not apply site specific environmental mitigation measures in order to reach an exemption determination. San Francisco Beautiful v. City & Cnty. of San Francisco (2014) 226 Cal.App.4th 1012, 1032. The City sought to deem this project "exempt" from City by relying of an environmental mitigation measure namely, the planting of replacement trees on the property. The City has previously claimed that tree replanting is a "Regulatory Compliance Measure." But, the tree replanting measure does not even appear in the City's published list of Regulatory Compliance Measures. The Staff Report to the City Planning Commission for the amended Protected Tree Ordinance affirms that the City views replanting as an environmental mitigation measure. In response to a paragraph labeled "Oversight of the regulations and enforcement of the regulations" the Staff Report states as follows: "The Street Tree Division of the Board of Public Works is responsible for oversight of the regulations. Enforcement comes in several ways. One, applicants for building permits are required to list protected trees on their site plans. Two, as part of any required environmental review, a plot plan of the site showing all trees must be submitted, and a mitigation for removal of any protected trees is required, in accordance with Code requirements." Even the City's CEQA Threshold Guide lists "revegetation" after project construction as a "sample mitigation measure." CEQA Threshold Guide, Page C-8. Even the developer's own arborist referred to the replacement trees as "mitigation" in the Protected Tree Report ("PTR") prepared for the Project. The arborist also prepared a "Mitigation Plan" for the Project. There is no absolute requirement to plant mitigation trees under the Los Angeles Municipal Code. The Board of Public Works is merely authorized to condition a tree removal permit on the replacement of the tree. The City's Protected Tree Ordinance states as follows:

The Board of Public Works or its authorized officer or employee may [r]equire as a

condition of a grant of permit for the relocation or removal of a protected tree, that the permittee replace the tree within the same property boundaries by at least two trees of a protected variety included within the definition set forth in Section 46.01 of this Code, in a manner acceptable to the Board.

LAMC § 46.02(c). The Protected Tree Ordinance uses the word “may” - not “shall.” This is significant. The tree replacements that are traditionally conditioned by the Board of Public Works are discretionary environmental mitigation measures. They are not mandatory “regulatory compliance measures” of general application. Again, under Salmon, the City cannot use a mitigation measure to reach a determination that a project is exempt from CEQA. Further, the Grading Division has issued a Geology and Soils Report Approval Letter for the Project. This letter contains numerous conditions of approval. Many of these conditions are not simply applications of the California Building Code or existing City of Los Angeles regulations. The fact that the Geology Report contains specialized mitigation measures renders the application of a categorical exemption in appropriate and unlawful. This is fundamental black letter CEQA law.

Staff Response

(a) The Tree Replacement Condition in the Tree Permit Appropriately Applies as a Regulatory Compliance Measure, and Supports Finding No Significant Impacts and the Use of a Categorical Exemption

Los Angeles Municipal Code section 46.02 states that, “No person shall relocate or remove any protected tree ... without first having applied for and obtained a permit from the Board of Public Works or its designated officer or employee...” As stated above, the requirements for the issuance of a tree removal permit are that the tree is not an officially designated historic resource, its removal would not “result in undesirable, irreversible soil erosion” and, removal is necessary to allow reasonable development on the site, or the tree’s health has substantially declined and economically feasible restoration is not advisable, or the tree is in danger of falling. (LAMC, § 46.02, subd. (b).) If these conditions are met, the City may issue the permit. (*Ibid.*) The only other requirement is that a fee be charged for the permit. (LAMC, § 46.04.) Subdivision (c) of Section 46.02 grants the Board or its authorized officer or employee the authority to “[r]equire as a condition of a grant of permit for the relocation or removal of a protected tree, that the permittee replace the tree within the same property boundaries by at least two trees of a protected variety...” The Board of Public Works and City Staff have consistently required replacement of each removed Protected Tree at a 4:1 ratio as standard conditions or regulatory compliance measures, as was the case here. **(RA 15.)**

Even if the removal of the trees and stumps would be a significant impact, the standard permit condition requiring tree replacement would reduce the impact without the need for imposing mitigation measures. The protected tree ordinance is a generally applicable regulation and the replacement of trees at a ratio of 4:1 is consistently applied by the Board of Public Works and staff for these types of projects, and is not site specific. The City may rely on such generally applicable regulations to conclude that an environmental impact will not be significant and therefore does not require mitigation.

There is no merit to Appellant’s contention that the discretion conveyed to the Board of Public Works and City staff in the protected tree ordinance prevents it from being a generally applicable regulation. Compliance with the protected tree ordinance is mandatory because no Protected Trees may be removed without securing a tree removal permit first. Also, the existence of discretion in a condition does not preclude using such regulatory compliance

measures for projects that are categorically exempt. The City's Board of Public Works and its Bureau of Street Services' Urban Forestry Division regularly apply these measures to projects of this nature as a standard condition. Based on this, the City's regulatory compliance measure supports using the categorical exemptions because replacing the trees pursuant to the standard conditions in the tree removal permit supports a conclusion that there would not be a significant impact and that mitigation is not needed.

The use of the word "mitigation" in the Protected Tree Report does not mean that the trees were mitigation for a significant environmental effect under CEQA. The Protected Tree Report makes no mention of CEQA and does not assess whether the removal of the trees would have a significant effect on the environment. That the report used the word "mitigation" in the colloquial sense to describe proposed replacement trees, does not mean that the report found that there would be a significant impact on the environment or that planting replacement trees is necessary as mitigation for this Project to reduce that impact to insignificance. The context of these references in the report make clear that the City's requirement for replacing protected trees is a "standard" mitigation, because the City consistently requires tree replacement as a standard condition or regulatory compliance measure under the City's Protected Tree Ordinance authority.

The Appellant also argues that replacing protected trees under the Protected Tree Ordinance is automatically considered a mitigation measure because the City's CEQA Thresholds Guide allows "revegetation" as a "sample mitigation" for biological impacts. This is incorrect. As noted above, the City consistently requires replacing protected trees on these types of projects as a "regulatory compliance measure" pursuant to the Protected Tree Ordinance authority rather than as a "mitigation measure" for particular projects. That revegetation could be used as a mitigation measure for biological impacts in the absence of such a regulatory compliance measure, including other plants not covered by the Protected Tree Ordinance, is of no consequence. In fact, it tends to support the absence of any significant impact from this Project, because it shows that the City's standard tree replacement requirement would tend to reduce impacts since replanting is an effective measure for avoiding significant impacts.

(b) Grading Conditions Were Imposed for Normal Concerns, Not to Mitigate Significant Impacts

The generally applicable conditions of approval in the Geology and Soils Report Approval Letter issued by the Grading Division of the Los Angeles Department of Building and Safety (**RA 1**) were imposed to address the ordinarily anticipated inconvenience and dangers that arises when construction activity for a single-family residence occurs in an urbanized hillside area of the City like Westwanda Drive. Further, the Grading Division's consideration and approval of the Geology and Soils Report was separate from the Division of Urban Forestry's consideration and approval of the tree removal permit, and thus were not adopted out of concerns of any significant environmental effects from the Project. The fact that requirements were imposed on the applicant to take precautions for stability and earthquake safety reasons, does not mean that the project will have a significant impact on the environment.

3. Appeal Assertion Point 3: Replacement Trees are Horticulturally Unsound

Appeal Assertion

Moreover, the environmental mitigation measures mandated by the Board of Public Works - the planting of 12 mitigation trees is inadequate. The trees are proposed to be planted

around the perimeter of the property in close proximity to one another. This is horticulturally unsound. The replacement trees are planted far too close to each other. They will not be able to grow to full maturity as currently proposed. The "mitigation" is therefore illusory.

Staff Response

First, as stated above, the planting of the replacement trees is not mitigation for significant impacts on the environment under CEQA. Second, CEQA Guidelines section 15384 defines "Substantial Evidence" as "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." Substantial evidence does not include "[a]rgument, speculation, unsubstantiated opinion or narrative..." (*Ibid.*) Appellant's statement that the planting of replacement trees is "horticulturally unsound" is merely unsubstantiated opinion, and therefore not substantial evidence. Moreover, the planting was recommended by the applicant's arborist, and reviewed and approved by City staff.

4. Appeal Assertion Point 4: Impacts to Additional Trees

Appeal Assertion

The Project's retaining walls and other grading activity may cause harm and damage to other protected trees as acknowledged in the Protected Tree Report. As a result, the applicant is required to obtain a Tree Removal Permit from the Board of Public Works - even if the death of the tree remains unknown. The Board issued the Tree Removal permit in error when it failed to recognize the full scope of the project's impacts.

Staff Response

Appellant's argument that the Project may cause harm to other protected trees fails for the same reason that the arguments regarding the removal of trees on the subject property fail. As noted above, the project is categorically exempt. Limited impacts to trees is not an unusual circumstance for hillside residential development, just as removal of trees is not an unusual circumstance in the development of such projects.

The Protected Tree Report found that, based on the arborist's investigation, the removal of three protected trees and six stumps "is necessary to allow reasonable development on the site." (LAMC, § 46.02, subd. (b).) The report notes that two other Coast Live Oak trees and one other Southern California Black Walnut stump are near the proposed retaining walls and may be affected by construction activity. The Tree Report concluded that the black walnut stump was likely killed back by thousand canker disease and/or drought in the past, and was cut to a stump for required brush clearance. As noted in the prior discussions, above, the poor condition of a stump supports the City's conclusion that the minor regrowth of shoots from the stump do not qualify as protected trees under the Protected Tree Ordinance and Project's potential impacts to this stump would not result in a significant impact to the environment. The report also only states that all three of these trees and stumps would have limited impacts. It does not opine that the trees or stump shoots would die from or be removed by the construction activity, and there is no anticipated loss of these individual plants. The limited nature of the impact to these trees supports the City's conclusion that the Project will not cause a significant impact to the environment. Additionally, tree protection measures during construction will be implemented. The report goes on to describe these measures, which include oversight of construction activities near the "encroached" trees and stump by the arborist. City staff reviewed and approved of these measures, as part of the Protected Tree Report, prior to issuing

the Tree Removal Permit. The measures address issues regarding normal inconvenience and safety that are faced with building in the vicinity of trees. There is no evidence to suggest that the applicant will not comply with the protection measures or that the two trees and one stump will be harmed by the construction of the Project and result in a significant impact on the environment.

Also, even if all twelve of the mentioned trees and stumps (on and off the property) were removed by the Project, the Project includes the replanting of twelve Coast Live Oak trees as a standard condition, and the net balance of trees at the site would remain the same. The trees will be replaced with Coast Live Oaks species, which were the only species of actually present and healthy trees found at the Project site. Based on this there will be no loss, which supports a finding that there would be no significant impacts.³

5. Appeal Assertion Point 5: CEQA Location Exception, Santa Monica Mountains Conservancy Map (State CEQA Guidelines, § 15300.2(a).)

Appeal Assertion

CEQA Guidelines Section 15300.2 - labeled "Exceptions" - outlines six situations where an exemption may not be used. The Project is not eligible for an exemption due to its location.

"(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. CEQA Guidelines Section 15300.2.

As explained in the CEQA Guidelines, "a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant." CEQA Guidelines Section 15300.2(a). An exemption does not apply where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

In this case, the Class 3 single family home exemption cannot be used because the Project is located with the Santa Monica Mountains Zone ("Zone"). The Zone was established by the Legislature via the Santa Monica Mountains Conservancy Act, which is codified at Section 33001 of the Public Resources Code. The Act states as follows:

"The Legislature hereby finds and declares that the Santa Monica Mountains Zone, as defined in Section 33105, is a unique and valuable economic, environmental, agricultural, scientific, educational, and recreational resource that should be held in trust for present and future generations; that, as the last large undeveloped area contiguous

³ Appellant's additional claim that "the applicant is required to obtain a Tree Removal Permit from the Board of Public Works - even if the death of the tree remains unknown" is misplaced. As mentioned above, the Appellant lacks standing to appeal the City's approval of the permit, and this appeal was only taken upon whether the City complied with CEQA. Appellant also provides no support for its contentions. LAMC Section 46.02 only states that Tree Removal Permits are required for relocating or removing protected trees. Such is not the case here.

to the shoreline within the greater Los Angeles metropolitan region, comprised of Los Angeles and Ventura Counties, it provides essential relief from the urban environment; that it exists as a single ecosystem in which changes that affect one part may also affect all other parts; and that the preservation and protection of this resource is in the public interest."

The Legislature itself declared that the Santa Monica Mountains Zone is a unique and valuable environmental resource that provided essential relief from the urban environment. Notwithstanding the habitat maps, all of the Santa Monica Mountains comprise an environmental resource of critical concern. The Santa Monica Mountains Conservancy Act goes on to say the following:

"in the absence of a governmental mechanism to perform such evaluations, piecemeal development projects were occurring within the zone which resulted in the irreplaceable loss of open space and recreational resources, in the physical and biological deterioration of air, land, and water systems within the zone, and adversely affected regional life-support systems, including fish and wildlife, therefore being harmful to the needs of the present and future population of the region."

The Legislature further declared at PRC Section 33008 that:

"there are existing problems of substandard lots, incompatible land uses, conflicts with recreational use, and inadequate resource protection which, in some cases, cannot be addressed in a feasible manner by local government exercise of the police power or federal land acquisition as part of the Santa Monica Mountains National Recreation Area, and that it is necessary to enact the provisions of this division as a complement to the full exercise of the police power by local governments ..."

The Legislature also stated that "the people of the State of California have an interest in the protection of resources and the use of lands acquired or managed by the conservancy pursuant to this division, and that the conservancy in carrying out its duties pursuant to this division acts on behalf of the State of California."

In sum, the use of the Class 3 single-family home exemption cannot be used for this project because it is located within the Santa Monica Mountains Zone. Environmental review pursuant to CEQA is required because the mountains are an environmental resource of critical concern that have been designed and precisely mapped pursuant to state law.

Staff Response:

First, CEQA Guidelines section 15300.2 (a), the location exception, does not apply to a Class 32 exemption, urban infill projects which is applicable to this Project and provides no basis to find the Project is not exempt from the requirements of CEQA.

To the extent Appellant asserts CEQA Guidelines section 15300.2 (a) precludes the City from relying on a Class 3 CEQA exemption (single family home) due to being present within the Santa Monica Mountains Zone, that contention is also without merit.

No evidence exists that the location of the project site within the SMMC zone identifies "an environmental resource of critical concern," much less "designates" and "precisely maps" such

resources. No facts identify any evidence regarding any species or biological communities studied or considered in connection to the zone.

City staff has not identified any federal, state, or local laws that grant SMMC the legal authority to prevent or limit the construction of single family residences within the zone. The SMMC Act, Pub. Res. Code, §§ 33203-33204, limits SMMC's power over the City's planning process. The SMMC Act does not authorize SMMC to regulate private property, nor does it supersede or limit a local government's exercise of the police power over private property or derived from any other provision of existing law. (Id., § 33008, subd. (c).) The sole power conferred upon the SMMC by this State legislation is the authority to administer grants and acquire and manage land in trust for the purposes set forth by the SMMC Act.

Also, as delineated in the statute, the SMMC Zone is nothing more than a loosely applied jurisdictional boundary over a portion of "the greater Los Angeles metropolitan region" where the SMMC can implement the above-noted statutory authority. It is set forth in Public Resources Code, section 33105, and it does not identify a precisely mapped environmental resource of critical concern. For example, in the area near where the Project is located, the SMMC Zone is crudely delineated for almost three and a half miles as an entirely arbitrary "direct line drawn southwest from the southernmost boundary point of Griffith Park to the intersection of Sunset Boulevard with the corporate boundary of the City of Los Angeles near the intersection of Sunset Boulevard and Marmount [sic] Lane." (Public Resources Code, § 33105) This straight line bisects properties across a fully developed portion of the City of Los Angeles in the Hollywood area. From there, it is drawn (again, arbitrarily) westward following "the City of Los Angeles *corporate* boundary" (emphasis added) and the neighboring City of Beverly Hills' corporate boundary, until it reaches Sunset Boulevard, where it simply follows Sunset Boulevard for roughly twelve miles through fully developed neighborhoods until reaching Pacific Coast Highway. (Public Resources Code, section 33105.) Accordingly, the SMMC Zone's boundary inherently has no relation to environmental resources of critical concern, and it certainly could not be considered a "precise" mapping of any such resources, because it arbitrarily follows straight lines, corporate city boundaries, and streets without any regard to particular environmental resources.

The Conservancy's resolution adopting the map for the SMMC Zone further supports the lack of precision in identifying any environmental resources by stating that there has been "limited ground truthing" for the map. (Santa Monica Mountains Conservancy, Agenda Item 13, Resolution 17-1 (January 23, 2017) p. 1) (**RA 11** at p. SMMCPRA_007). Further, the Executive Director's Memorandum to the Conservancy about the Map admits that the "map's delineations are not definitive in all areas" and that many of the delineations "were not ground-truthed" but instead were largely based on "Google Earth areal and street view photography." (Santa Monica Mountains Conservancy, Memorandum from Joseph T. Edmiston, Executive Director, Re: Agenda Item 13 (January 23, 2017) pp. 1-2) (**RA 11** at p. SMMCPRA_005-6). The record, thus, demonstrates that the SMMC approved a map unsupported by any evidence created by or reviewed by any biologist, wildlife expert, or any person qualified to verify the conditions the map purports to represent. Based on this, the SMMC Zone map does not identify, with any specificity, an environmental resource of critical concern.

Moreover, the Santa Monica Mountains Comprehensive Plan divided the Santa Monica Mountains into six subareas, and the project site is located in Subarea 1: City of Los Angeles East of San Diego Freeway. (Santa Monica Mountains Comprehensive Planning Commission, Santa Monica Mountains Comprehensive Plan (1979) p. 61.) The Plan describes this subarea as "predominantly residential" and states that the "major planning objectives in this subarea are

to establish substantial public parks with adequate access ... and to maintain the quality of the currently low-density residential areas.” (*Ibid.*) These objectives contrast those of other subareas, such as subarea 4, where the Plan recommends “[c]onservation, open space, compatible recreation, and rural densities” because “development is concentrated in a few, relatively small places.” (*Id.* at p. 67.) The proposed single-family home does not trigger the location exception and is categorically exempt because it is within a concentrated development area in the “predominantly residential” Subarea 1 and will not adversely affect “the quality of the currently low-density residential areas.”

Also, the nature of this particular Project and context of the particular environment in the vicinity of the Project are ignored by the Appellant’s conclusory assertion that every property within the Santa Monica Mountains Conservancy Zone must be excepted from applying categorical exemptions due to a particularly sensitive environment. Here, a single-family home would be constructed on a lot that is bounded by paved roads on two sides, and the adjacent properties are developed lots on all sides, except for the southwest property boundary. It is incredible that Appellants allege that an exception applies for developing a single-family residence on this property on Westwanda Drive due to an abnormal sensitivity of the environment, where similar single-family lots in the surrounding neighborhood have been similarly developed with residences and the appellants, by their own admission, are such “residents of Westwanda Drive” who “live, work and recreate in the area surrounding the Project” The setting for the Project is not a “particularly sensitive environment” that would somehow render significant otherwise insignificant impacts from this Project. No evidence has been shown supporting that assertion. The existence of substantial similar development of similar lots in the area next to the Project site strongly supports the City’s conclusion that the location exception does not apply for this Project.

For all these reasons, City Staff recommends the Council determine that the zone does not constitute substantial evidence of designated and precisely mapped environmental resources of critical concern that the proposed single-family project may impact. (See CEQA Guidelines, § 15300.2, subd. (a).) Based upon such a determination, the Location exception does not apply and the proposed project is categorically exempt.

6. Appeal Assertion Point 6: CEQA Location Exception, Very High Fire Hazard Severity Zone (State CEQA Guidelines, § 15300.2(a))

Appeal Assertion

CEQA Guidelines Section 15300.2(a) specifically excepts a project such as this from the single-family home exemption “where the project may impact on an environmental resource of hazardous or critical concern” where officially designated. Here, the property has been officially mapped in a “Very High Fire Hazard Severity Zone” due to its location in a fire-prone hillside area of the City.

The City has defined the “Very High Fire Hazard Severity Zone” as follows:

“Any area within the City of Los Angeles that poses a significant threat of fire from adjoining natural brush hillside areas and which is determined by the following factors: topography, infrastructure, fire protection, population density, types of construction, weather, existing fire codes and ordinances, and fire history.”

LAMC Section 57.202. The City's Zone Information and Map Access System ("ZIMAS") describes the Very High Fire Hazard Severity Zone as follows:

"Lands designated by the City of Los Angeles Fire Department pursuant to Government Code 51178 that were identified and recommended to local agencies by the Director of Forestry and Fire Protection based on criteria that includes fuel loading, slope, fire weather, and other relevant factors. These areas must comply with the Brush Clearance Requirements of the Fire Code. The Very High Fire Hazard Severity Zone (VHFHSZ) was first established in the City of Los Angeles in 1999 and replaced the older 'Mountain Fire District' and 'Buffer Zone.'"

Further, the property has been officially mapped in a liquefaction zone as evidence by the City's ZIMAS.

It simply cannot be disputed that these zones have been officially designated pursuant to law and that they represent an 'environmental resource of hazardous concern.' Therefore, the Project cannot be exempted from CEQA.

Staff Response

First, as stated above, CEQA Guideline 15300.2(a), the location exception, does not apply to a Class 32 exemption (urban infill projects), an exemption which is applicable to this Project, and provides no basis to find the Project is not exempt from the requirements of CEQA.

To the extent Appellant asserts CEQA Guideline 15300.2(a) precludes the City from relying on a Class 3 CEQA exemptions (single family home) because of its location within a liquefaction zone and Very High Fire Hazard Severity Zone that contention is also without merit.

First, neither of the maps of liquefaction zones or a Very High Fire Hazard Severity Zones reflects environmental resources of hazardous or critical concern since neither maps a resource that is a natural source of wealth or revenue or a natural feature or phenomenon that enhances the quality of human life. For example, earthquakes and landslides are hazardous geologic events but they are not "resources" within the meaning of the location exception since the location exception was not intended to cover all areas subject to such potential natural disasters as a matter of law. Staff finds that liquefaction and wildfires are a similar natural hazard event to earthquakes or landslides, but similarly neither is an environmental resource. As such, both zone designations were developed to indicate where existing environmental conditions could affect public health and safety, and where additional regulatory compliance measures (including brush clearance and seismic standards, discussed below) would be required to protect health and safety. The zones thus reflect concern with potential damage to property and loss of life, rather than protection of environmental resources. Also, liquefaction and fire hazards are an impact of the existing environmental conditions on the project. CEQA and the location exception in CEQA Guidelines section 15300.2(a), however, are concerned with the impacts of a project on the environment, not the impact of existing environmental conditions on a project.

Consequently, the fact that the Project site is located in an area designated as a Very High Fire Hazard Severity Zone (VHFHSZ) is not substantial evidence that the Project would have a significant effect on an environmental resource of hazardous concern, let alone fire hazards in the area. The VHFHSZ is a fire district in the City of Los Angeles that indicates the severity of fire that is expected to prevail in the area, and its delineation helps identify measures that will retard the rate of spread and reduce the potential intensity of fires. Because the property is located within a VHFHSZ, the Project must comply with brush clearance requirements as listed

5/30/19

in LAMC Section 57.322.1 in order to prevent the spread or intensity of a fire. The Los Angeles Fire Department (LAFD) also maintains a set of brush clearance compliance measures which property owners must follow. Furthermore, projects in VHFHSZs must submit vegetation for landscaping to LAFD's Brush Clearance Unit for verification against the list of prohibited plants in these areas. There are also restrictions on the use of metal cutting blades set forth in LAMC Section 57.305.5.2. Appellant has not submitted any substantial evidence that the Project would have a significant impact on the environment if complying with these requirements.

VHFHSZs were established in 1999, and since then development has occurred in other areas of the City located in VHFHSZs, including Pacific Palisades, Silver Lake, Sherman Oaks, and Porter Ranch. Also, the VHFHSZ does not precisely map, or even delineate, a particularly sensitive environment that would support an exception to using categorical exemptions for every single-family property within the zone. The nature of the Project and the particular environment in the vicinity of the Project support the City's conclusion that the Project's location within a VHFHSZ does not preclude the use of a categorical exemption. Similar single-family lots in the surrounding neighborhood have been similarly developed with residences, including the lots surrounding on all side of the Project, except along the southwest boundary line. The appellants, themselves, reside on Westwanda Drive in the area surrounding the Project. Thus, the setting for the Project is not a "particularly sensitive environment" due to the mere presence of the VHFHSZ, and the VHFHSZ does not somehow render normally insignificant impacts from the Project significant. No evidence has been shown supporting that assertion. The existence of substantial development of similar lots next to the Project strongly supports a conclusion that the location exception does not apply with respect to the VHFHSZ.

Related to the Appellant's allegation that the Project is located in a liquefaction zone, LADBS requires that buildings adhere to seismic building standards. So long as a project has received a Geology and Soils Report Approval Letter from LADBS, which occurred here, there is no substantial evidence that a single-family home in a liquefaction zone would have a significant impact on the environment. Hence, City Staff recommends the Council determine this exception does not apply and the proposed project is categorically exempt.

CONCLUSION

Upon review and analysis of the issues raised by the Appellant, no errors or abuse of discretion by the Board of Public Works and Department of Street Services' Urban Forestry Division were found when determining that the Project was exempt from CEQA when it issued the tree removal permit. Two CEQA categorical exemptions apply, CEQA Guideline sections 15303 and 15332. Appellant has failed to provide any substantial evidence showing that the proposed project will have significant impacts on the environment due to unusual circumstances or any other factor identified by CEQA Guideline § 15300.2 which would create an exception to the City's reliance on both of these CEQA exemptions. As such, the appeal of the CEQA determination for the Permit to Remove Protected Trees and Replant (Permit No. 1-745954991) cannot be substantiated and should be denied by the City Council.

Respectfully Submitted,



Timothy Tyson
Chief Forester, Urban Forestry Division, Bureau of Street Services

RA 1. May 16, 2016 Geology and Soils Report Approval Letter

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

HELENA JUBANY
PRESIDENT

VAN AMBATIELOS
VICE-PRESIDENT

E. FELICIA BRANNON
VICTOR H. CUEVAS
SEPAND SAMZADEH

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

BPW-2018-0192

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

TRANSMITTAL NO. 5

RAYMOND S. CHAN, C.E., S.E.
SUPERINTENDENT OF BUILDING
INTERIM GENERAL MANAGER

GEOLOGY AND SOILS REPORT APPROVAL LETTER

May 16, 2016

LOG # 93040
SOILS/GEOLOGY FILE - 2
LAN

Karla Shahin
435 N. Beverly Drive, Suite 208
Beverly Hills, CA 90210

TRACT: 4311
BLOCK: 9
LOT: 9
LOCATION: 10034 W. Westwanda Drive

<u>CURRENT REFERENCE</u> <u>REPORT/LETTER</u>	<u>REPORT</u> <u>No.</u>	<u>DATE OF</u> <u>DOCUMENT</u>	<u>PREPARED BY</u>
Addendum Report	GS16-0102-1	04/28/2016	GeoSystems, Inc.

<u>PREVIOUS REFERENCE</u> <u>REPORT/LETTER(S)</u>	<u>REPORT</u> <u>No.</u>	<u>DATE OF</u> <u>DOCUMENT</u>	<u>PREPARED BY</u>
Dept. Approval Letter	92442	04/12/2016	LADBS
Geology/Soils Report	GS16-0102	03/18/2016	GeoSystems, Inc.

The Grading Division of the Department of Building and Safety has reviewed the referenced reports providing recommendations for the proposed 3-story single family residence with basement, pool and retaining walls up to 38 feet in height. The proposed construction is located at the toe of an approximately 220 foot high between 1:1 and 2.5H:1V ascending slope. An existing cut slope is located on the west side of the lot at 1:1 to nearly vertical gradients that is recommended to be trimmed to no steeper than 1:1. The earth materials at the subsurface exploration locations consist of residual soil underlain by Topanga Formation sandstone, siltstone and conglomerate bedrock. The bedrock dips adversely to the east between 38 and 59 degrees. The consultants recommend to support the proposed structures on conventional, mat and/or drilled-pile foundations bearing on competent bedrock.

The Department previously conditionally approved the above referenced report dated 03/18/2016 for the proposed structure in a letter dated 04/12/2016, Log #92442.

The referenced reports are acceptable, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis () refer to applicable sections of the 2014 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

Page 2

10034 W. Westwanda Drive

1. All conditions of the above referenced Department approval letter dated 04/12/2016 (Log #92442) shall apply.



CASEY LEE JENSEN
Engineering Geologist Associate II



DAN RYAN EVANGELISTA
Structural Engineer Associate I

Log No. 93040
213-482-0480

cc: Armen Melkonians, Applicant
GeoSystems, Inc., Project Consultant
WL District Office

RA 2. September 12, 2017, Protected Tree Report

BPW-2018-0192

TRANSMITTAL NO. 7

**Protected Tree Report
for
Single Family Residence
10034 Westwanda Drive
Los Angeles, CA 90210**

**Prepared for:
Armen Melkonians
AMEC
435 N. Beverly Drive, Suite 208
Beverly Hills, CA 90210**

**Prepared by:
Jan C. Scow, RCA #382
Jan C. Scow Consulting Arborists, LLC
1744 Franklin Street Unit B
Santa Monica, CA 90404**

September 12, 2017

Table of Contents

TREE MAP and INVENTORY	1
SUMMARY OF DATA	
Table 1.	
SCHEDULE OF PROPOSED PROTECTED TREE REMOVALS	
Table 2.	
Reasons for relocation/removal	2
SCHEDULE OF TREES TO BE RETAINED	3
Table 3.	
Verification signature	
BACKGROUND (PURPOSE)	
ASSIGNMENT (PURPOSE)	
OBSERVATIONS	4
Site description	
Project description	
Tree description	
Tree safety	
IMPACTS (FINDINGS)	5
Impact assumptions	
Tree removals	
Tree encroachments	6
MITIGATION (RECOMMENDATIONS)	
Tree replacement mitigation	
Specific tree protection measures	7
Contractor responsibility	

Project Arborist
Protective fencing
Excavation

General tree protection measures

CONCLUSIONS	8
Signature page	9

Attachments

Photos	10
Field Inventory Data sheet	17
Site Location Map	18
Arborist Disclosure Statement	19
Arborist Qualification Certification	20

Enclosures

Protected Tree Plan (24 x 36")
Mitigation Plan (24 x 36")

Jan C. Scow Consulting Arborists, LLC

Disease and Pest Diagnosis, Hazard Evaluation, Restorative Pruning Advice, Value Assessment

1744 Franklin St. Unit B
Santa Monica, CA 90404
(818) 789-9127

9/12/17

Armen Melkonians
AMEC
435 N. Beverly Drive, Suite 208
Beverly Hills, CA 90210

SUBJECT: Tree Inventory and Protected Tree Report at 10034 Westwanda Dr.

1. TREE MAP and INVENTORY: see enclosed Protected Tree Plan and Field Inventory Data Sheet (attached)

2. SUMMARY OF DATA:

Table 1.

Total number of protected trees over 4" diameter (includes street trees).....	8
Total number of dead protected trees listed on map (over 4" diameter).....	0
Total number of protected tree stumps.....	6
Total number of protected trees to be removed (including dead trees/stumps).....	9
Total number of protected trees not removed, but impacted by construction.....	3
Total number of protected trees not removed and/or impacted.....	2

3. SCHEDULE OF PROPOSED PROTECTED TREE REMOVALS:

This project will cause the removal of nine protected trees, including stumps.

Table 2. All trees are coast live oaks (*Quercus agrifolia*) and Southern California walnuts (*Juglans californica*).

Tree #	Health/Structure Rating	General Location	DSH* (inches)	Reason for Removal
④	Fair/Fair	North end of lot near middle	11	Excavation for basement
5**	Good/Stump sprout	North end of lot near middle	6,3 @ 1'	Excavation for basement
6**	Good/Stump sprout	North end of lot near west property line	6,4,3,3 @ 1'	Excavation for basement

7**	Good/Stump sprout	North end of lot near west property line	5 @ 6"	Excavation for basement
(8)	Fair/Fair	At west property line near middle	17.5, 12.5	Excavation for basement
9**	Good/Stump Sprout	Near middle of lot, close to east property line	7.5 @ grade	Excavation for basement
(10)	Fair/Fair	Near middle of lot, close to east property line	19.5	Excavation for basement
12**	Good/Stump Sprout	Near middle of lot, close to west property line	5, 4, 3.5 @ 1'	Excavation for basement
14**	Poor/Stump Sprout	Near middle of lot, close to east property line	6 @ grade	Grade change

*Diameter at standard height of 4.5' unless otherwise specified

**We believe that the tops of these Southern California walnuts most likely died during the drought from drought and/or thousand canker disease, and were cut to stumps as part of required brush clearance, and thus do not require mitigation for their removal.

Reasons for relocation/removal:

(Check all that apply)

☒ The removal of any tree will not result in undesirable, irreversible soil erosion through diversion or increased flow of surface waters which cannot be mitigated to the satisfaction of the City;

AND

☒ It is necessary to remove the tree(s) because its continued existence at said location prevents the *planned* development of the subject property;

OR

☐ The tree shows a substantial decline from a condition of normal health and vigor, and restoration through appropriate and economically reasonable preservation procedures and practices is not advisable;

OR

☐ Because of an existing and irreversible adverse condition of the tree, the tree is in danger of falling or failing;

OR

☐ The presence of the tree interferes with utility services and/or roadways within or without the subject property and the only reasonable alternative to the interference is the removal of the tree;

OR

☐ The tree has no apparent aesthetic value that will contribute to the appearance and design of the surrounding properties, or is not located with reference to other trees or Historical-Cultural Monuments in such a way as to acquire a distinctive significance at said location.

4. SCHEDULE OF TREES TO BE RETAINED:**Table 3.** (All trees are coast live oaks except Tree OP15, which is a Southern California walnut)

Tree #	Health/Structure Rating	General Location	DSH* (inches)	Disposition
OP15	Poor/Poor	Just off-property to the southeast	4 @ 3'	Encroach
PL16	Poor/Poor	On property line (?) to the southeast	9.5, 8.5	Encroach
OP19 (no tag)	Poor/Fair	Off-property to the south	~22 @ 3'	Save
OP20 (no tag)	Fair/Fair	Extreme south point	~26, 11 @ 3'	Save
21	Fair/Fair	Near middle of south corner of lot	6, 2.5	Encroach

*Diameter at standard height of 4.5' unless otherwise specified

5. The above information is true and correct.


(Name)



(License Number)

BACKGROUND

The applicant is proposing construction of a two-story, single-family residence with basement, pool, and retaining walls at a site located on Westwanda Drive in the Benedict Canyon area of the City of Los Angeles. There are protected native trees on the property, requiring an inventory of all trees and an arborist report to satisfy the LA City tree protection ordinance.

We visited the site on September 5, 2017, and did a complete inventory of all trees on the property and all protected native trees on or near the property. All information below is based on our site visit, upon discussion with the applicant, and upon the site plans that were provided.

ASSIGNMENT

We agreed to do the following work:

Tree Inventory

1. Inventory all trees on the property that are at least 8 inches in trunk diameter, and all protected tree species (oak, walnut, CA bay, sycamore) on or near the property that are at least 4 inches in trunk diameter.
2. Place a numbered tag on each tree.
3. Identify trees by tag number on a topographic survey map provided by client.

4. Create an inventory table with the following information:

- Tree number
- Species
- Trunk diameter(s)
- Estimated canopy spread
- Estimated height
- Health
- Structure
- Disposition

Protected Tree Report

Create a Protected Tree Report and Protected Tree Plan, and Mitigation Plan (if required) for this property addressing all protected trees that will be removed and any protected trees that may be impacted. The report will include all necessary information to satisfy the City Tree Ordinance, including measures to protect trees in place as deemed appropriate, photographs of all protected trees, and a mitigation plan as required for all protected trees that will be removed by the project.

OBSERVATIONS

Site description:

The site is located in a residential neighborhood in the Benedict Canyon area of the City of Los Angeles. It is bordered by Westwanda Drive to the north, Stowell Lane to the west, a private residence to the east, and a natural area to the south. The lot is a steep, undeveloped, north-facing hillside with an average 1:1 slope. Vegetation on the site consists of native and non-native mature trees, native and non-native shrubs, and cleared brush/weeds.

Project description:

The proposed project consists of major excavation of the site and construction of a two-story, single-family home with a basement level. A driveway will be added to the north to create access to the site from Westwanda Drive. A swimming pool, spa, and baja shelf will be constructed in the rear along with cut and fill retaining walls for support. A light well will be created on the east side of the property at the basement level. Patio, balcony, roof deck, and planter spaces will be situated on rooftops of all three levels.

Tree description:

We inventoried all qualifying trees on site, both native and non-native, and all qualifying native trees near the site. There are a total of twenty-one trees on or near the site, including seven protected coast live oaks (*Quercus agrifolia*), seven protected Southern California walnuts (*Juglans californica*, six of which are stump sprouts), and one non-qualifying Southern California walnut. The remaining six trees are unprotected native and non-native trees. All required information about the trees is found on the attached Field Inventory Data Sheet. The report below addresses protected native trees only and there will be no further discussion regarding non-protected trees.

Tree safety:

We have not evaluated trees on this property for safety. Without a thorough and focused "risk assessment," it is difficult to estimate the likelihood that a tree may fail and cause damage to life or property. Even with such an assessment, there are no guarantees that a tree will not fail unexpectedly. Trees are dynamic living organisms subject to many

influencing factors. All trees are potentially hazardous, regardless of their apparent health and vigor. It is impossible to be certain that a tree is absolutely safe.

IMPACTS

Impact assumptions:

The impact analysis below is based on several assumptions, as stated below. Should these assumptions prove to be incorrect, additional impacts could result from the project.

1. All protective mitigation measures will be followed carefully as described.
2. Our understanding of the proposed project is accurate¹.
3. The proposed project design will not change significantly.
4. We have correctly identified where the property lines are.
5. All trees are mapped correctly².

Tree removals:

This project will cause the removal of three coast live oaks to allow for excavation on the site.

[Note: Removed Southern California walnut stump sprouts have not been counted as tree removals. We believe these trees' tops died back from drought and/or thousand canker disease, and were cut to stumps as part of required brush clearance, negating the necessity of mitigation for their removal.]

Before removing any tree that is near a property line it is the owner's responsibility to discuss this with the adjacent property owners and we advise that they be notified in writing before doing anything that may affect jointly-owned or off-property trees.

R Tree 4- This tree is a relatively young coast live oak that is leaning entirely over the neighbor's house to the east. The tree is to be removed as it is within the boundaries of excavation for the proposed basement level.

R Tree 8- This tree is a large coast live oak located above a steep drop-off and Stowell Lane on the west side of the property. The tree is to be removed due to its close proximity to excavation for the proposed basement level.

R Tree 10- This tree is a large coast live oak located near the eastern side of the property. The tree is to be removed as it is within the boundaries of excavation for the proposed basement level.

¹ The plans we were provided with are limited, and we do not know all proposed construction details.

² Because not all trees were accounted for on the site survey provided to us, we mapped certain trees ourselves in the field during our site visit. In particular, Tree PL16 appeared to be a property line tree when we mapped it ourselves, and may receive lesser or greater impacts depending on its true location.

Tree encroachments:

We expect minor to moderate impacts to an off-property protected Southern California walnut (Tree OP15) and a protected coast live oak (Tree 21) and moderate to major impacts to a protected coast live oak (Tree PL16) located at the southeastern property line as a result of the proposed construction.

Before impacting any tree that is near a property line it is the owner's responsibility to discuss this with the adjacent property owners and we advise that they be notified in writing before doing anything that may affect jointly-owned or off-property trees.

SAVE
IN
PLACE Tree OP15- This off-property Southern California walnut consists of one dead trunk and several stump sprouts. We suspect this tree was affected by thousand canker disease and/or drought in the past. This tree is located within three feet of proposed excavation for the retaining wall at the rear of the property. Excavation within the dripline of this tree is expected to be anywhere between one and two feet deep, and should only result in minor impact if our tree protection measures are followed.

SAVE IN
PLACE Tree PL16- This protected coast live oak is located at or very near the property line, depending on the true location of the tree (this tree was not included on the provided site survey and was mapped approximately during our site visit). Based upon our own mapping of the tree, this oak is located within three feet of proposed excavation for the retaining wall at the rear of the property. Excavation within the dripline of this tree is expected to be anywhere between eight feet deep at the west of the tree to one foot deep at the northeast of the tree. Depth of excavation will be approximately four feet at the point nearest the trunk. We expect this to be a moderate to major impact to the tree that could be minimized if our tree protection measures are followed. Depending on the true location of the tree, impacts could be lesser or greater than anticipated.

SAVE IN
PLACE Tree 21- This protected coast live oak is located within approximately four feet of proposed excavation for the retaining wall at the rear of the property. Excavation within the dripline of this tree is expected to be anywhere between one foot deep at the northwest of the tree to seven feet deep at the northeast of the tree. Depth of excavation will be approximately four feet at the point nearest the trunk. We expect this to be a moderate impact to the tree, with the possibility of reduction to minor impact if our tree protection measures are adhered to.

MITIGATION***Tree replacement mitigation:***

The applicant is proposing the removal of three protected coast live oaks. The standard mitigation required by the City is 4:1, resulting in twelve mitigation trees being required. The City is requiring that all mitigation trees be planted onsite.

We recommend that the twelve mitigation trees be planted as shown on the enclosed Mitigation Plan, and that they all be coast live oaks (*Quercus agrifolia*). We have placed some mitigation trees in the easement area between the west property line and Stowell Lane. However, this is only one possible option, and the trees could be arranged differently if approved by the City.

12 – 24" *Quercus agrifolia* to be planted on site as shown in the Mitigation Plan

Specific tree protection measures:

Contractor responsibility- The project applicant will ensure that all contractors have read and are familiar with the requirements laid out in these tree protection measures. A copy of this document and the Protected Tree Plan shall be kept on site at all times. It is the contractors' responsibility to become familiar with all tree protection measures described below and to adhere to them as they apply to their portion of the work.

Project Arborist- There are some instances where the ***Project Arborist is required to be on-site***. It is the applicant's responsibility to notify the Project Arborist when those milestones requiring arborist presence are reached.

Protective fencing- Protective fencing will not be useful in this situation due to the "lay of the land" and steepness of the site.

Excavation- In order to minimize damage to the roots of Trees OP15, PL16, and 21, all excavation for the rear retaining wall at the south of the property ***must be completed under the oversight of the Project Arborist***. Root cuts should be made cleanly with a sharp saw or pruning tool, far enough behind the damage that all split and cracked root portions are removed. The cut should be made at right angles to the root so that the wound is no larger than necessary. When practical, cut roots back to a branching lateral root. Do not apply any pruning wound treatment to cuts.

General tree protection measures:

The following additional measures should be applied where they are relevant. If there is a conflict between the specific mitigation measures for this project (see above) and any of these general measures, the specific measures supersede.

1. All work conducted in the ground within the root protection zone of any protected tree should be accomplished with hand tools only. The root protection zone is defined as the area within a circle with a radius equal to the greatest distance from the trunk to any overhanging foliage in the canopy.
2. Where structural footings are required and major roots will be impacted, the footing depth should be reduced to 12". This may require additional "rebar" for added strength. An alternative would involve bridging footings over roots and covering each root with plastic cloth and 2-4" of Styrofoam matting before pouring concrete.
3. Any required trenching which has multiple trench path options should be routed in such a manner to minimize root damage. Radial trenching is less harmful than tangential trenching because it runs parallel to tree roots rather than diagonal or perpendicular to them. Whenever possible trenching should work around roots rather than cutting them. Place pipes and cables below uncut roots, and utilize the same trench for as many utilities as possible.
4. "Natural" or pre-construction grade should be maintained for as great a distance from the trunk of each tree as construction permits. At no time during or after construction should soil be in contact with the trunk of the tree above natural grade.
5. In areas where grade will be lowered, or where footings will be dug, some root cutting may be unavoidable. Cuts should be made cleanly with a sharp saw or pruning tool, far enough behind the damage that all split and cracked root portions are removed. The cut

should be made at right angles to the root so that the wound is no larger than necessary. When practical, cut roots back to a branching lateral root. Do not apply any pruning wound treatment to cuts.

6. When removing pavement, as little disruption of soil as necessary should be attempted.

7. Pruning of oaks should be limited to the removal of dead wood and the correction of potentially hazardous conditions, as evaluated by a qualified arborist. Pruning oaks excessively is harmful to them. Removal or reduction of major structural limbs should be done only as required for actual building clearance or safety. If limbs must be removed, cuts should be made perpendicular to the branch, to limit the size of the cut face. The branch bark collar should be preserved (i.e. no "flush cuts"), and cuts should be made in such a way as to prevent the tearing of bark from the tree. All pruning should be done in accordance with ANSI A300 pruning standards. No pruning wound treatment (e.g. "Tree Seal") should be applied.

8. To minimize soil compaction, keep all activity and traffic to a minimum within the root protection zone.

9. It is important that the root protection zone not be subjected to flooding incidental to the construction work, or to disposal of construction debris such as paints, plasters, or chemical solutions. No equipment fueling or chemical mixing should be done within the root protection zone.

10. In general, it is best to minimize the amount of environmental change which trees will be subjected to. This includes drastic changes in watering practices from historic conditions, including drastic increases as well as decreases in the amount or frequency of water applied.

11. Care should be exercised not to allow equipment to physically damage the tree's trunk, root crown, or lower scaffold branches during construction. This includes but is not limited to 1) impact damage by scrapers, buckets, or hoes; or 2) damage by tires, wheels, or tracks from operating in close proximity to trees.

CONCLUSIONS

There are seven protected coast live oaks and seven protected Southern California walnut on or near this property. This project causes the removal of three protected coast live oaks, requiring the planting of twelve mitigation coast live oaks on site, and will encroach on three additional protected trees. Additionally it will remove all walnut stumps. If our recommendations are followed, we expect impacts from this project to be minor to moderate. Two additional protected coast live oaks that appear to be located off-property should not be impacted by this project.

10034 Westwanda Drive

9/12/17

Please let us know if we can be of any further assistance or if you have any additional questions. Our goal is to satisfy our clients and help them to better care for their trees in the most effective way possible. We look forward to working with you toward that goal!

Sincerely,



Jan C. Scow
ASCA Registered Consulting Arborist #382
ISA Certified Arborist # WC1972



Attached: Photos (13)
 Field Inventory Data sheet
 Site Location Map
 Arborist Disclosure Statement
 Arborist Qualification Certificate

Enclosed: Protected Tree Plan (24 x 36")
 Mitigation Plan (24 x 36")

✓ Trees 4 (leaning right) and 5 (stump sprout at base of Tree 4)



Tree 6



Tree 7



Tree 8



Tree 9



Tree 10



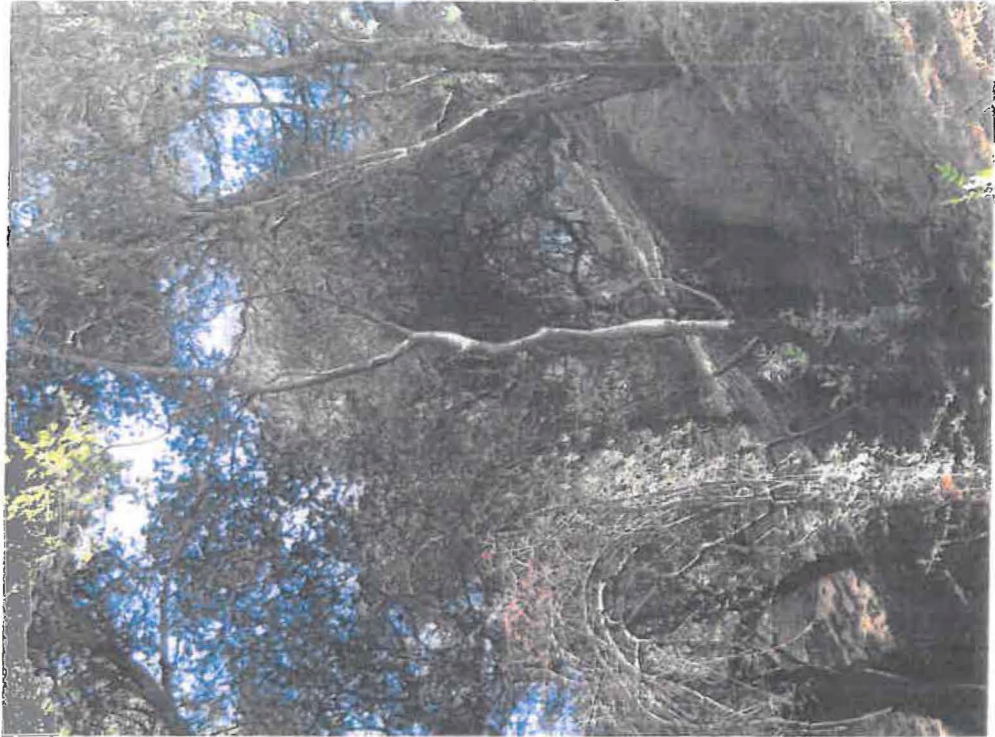
Tree 12



Tree 14



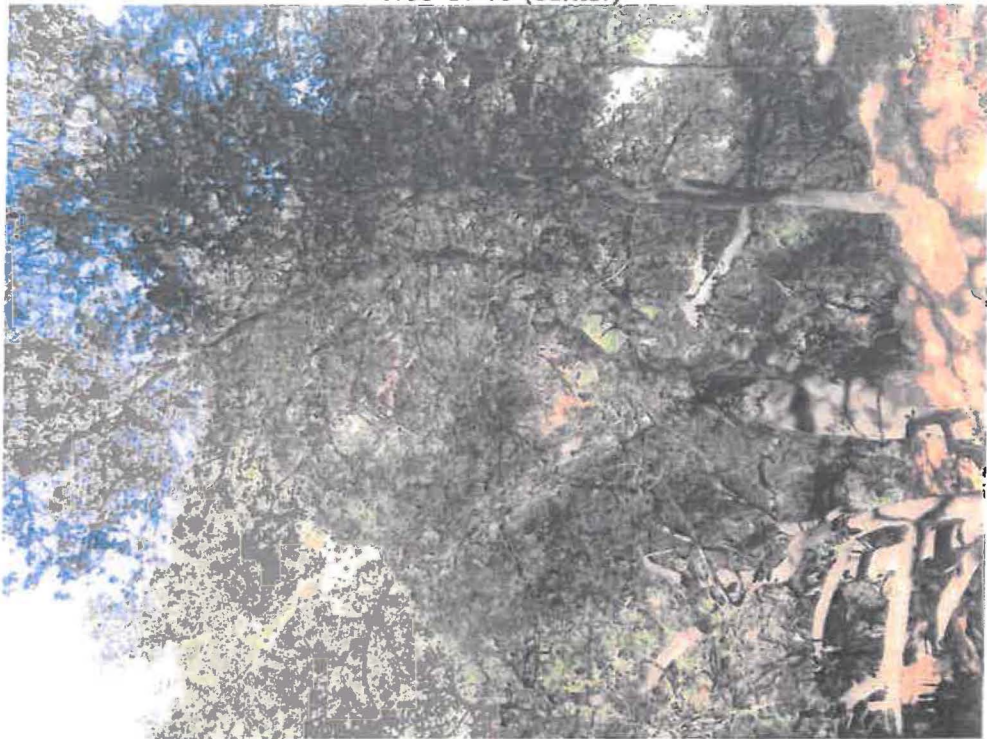
Tree OP15 (center)



Tree PL16



Tree OP19 (center)



Tree OP20 (center, not shown on Protected Tree Plan)



Tree 21 (center)



Property: 10034 Westwanda Drive

FIELD INVENTORY DATA

Date: 9/5/17

10034 Westwanda Drive

Tree #	Species	DSH (Inches)*	Height**	Spread***	Health	Structure	Disposition
1	<i>Ficus microcarpa</i>	12.5	35	19/19/19/—	good	fair	remove
2	<i>Ficus microcarpa</i>	8 @ 2.5'	30	10S	good	fair	remove
3	<i>Pinus radiata</i>	22.5	60	~24r	fair-poor	good	remove
4	<i>Quercus agrifolia</i>	11	15	~30E	fair	fair	remove
5	<i>Juglans californica</i>	6,3 @ 1'	10	6r	good	stump sprout	remove
6	<i>Juglans californica</i>	6,4,3,3 @ 1'	8	6r	good	stump sprout	remove
7	<i>Juglans californica</i>	5 @ 6"	3	3r	good	stump sprout	remove
8	<i>Quercus agrifolia</i>	17.5, 12.5	45	~25/20/25/20	fair	fair	remove
9	<i>Juglans californica</i>	7.5 @ grade	2	2r	good	stump sprout	remove
10	<i>Quercus agrifolia</i>	19.5	40	~12/15/15/18	fair	fair	remove
11	<i>Ceanothus sp.</i>	6.5, 4.3, 3 @ 6"	STUMP	—	—	—	remove
12	<i>Juglans californica</i>	5, 4, 3.5 @ 1'	10	6r	good	stump sprout	remove
13	<i>Ceanothus sp.</i>	10 @ 1'	20	12NW	poor	fair	remove
14	<i>Juglans californica</i>	6 @ grade	1	2r	poor	stump sprout	remove
OP15	<i>Juglans californica</i>	4 @ 3'	20	4r	poor	poor	encroach
PL16	<i>Quercus agrifolia</i>	9.5, 8.5	20	~12r	poor	poor	encroach
17	<i>Juglans californica</i>	3.5, 2 @ 3'	8	12W	poor	poor	remove
18	<i>Rhus ovata</i>	9.5	20	12/6/—/6	fair	fair	remove
OP19 (no tag)	<i>Quercus agrifolia</i>	~22 @ 3'	30	~14/15/10/—	poor	fair	save
OP20 (no tag, not shown on plan)	<i>Quercus agrifolia</i>	~26, 11 @ 3'	35	~25r	fair	fair	save
21	<i>Quercus agrifolia</i>	6, 2.5	20	~8r	fair	fair	encroach

* Diameter measured at the standard height of 4.5-feet above grade, unless otherwise specified.

** Height is estimated in feet.

*** For impacted protected trees, canopy is the distance to the North/East/South/West. "r" indicates canopy as a radius estimated in feet.

Protected trees: ≥ 4" DSH, JUCA, UMCA, PLRA, *Quercus* except "*dumosa*" (Walnut, CA Bay, Western Syc, Oaks), and LA City Street Trees

Shaded fields denote non-protected trees

9/12/17

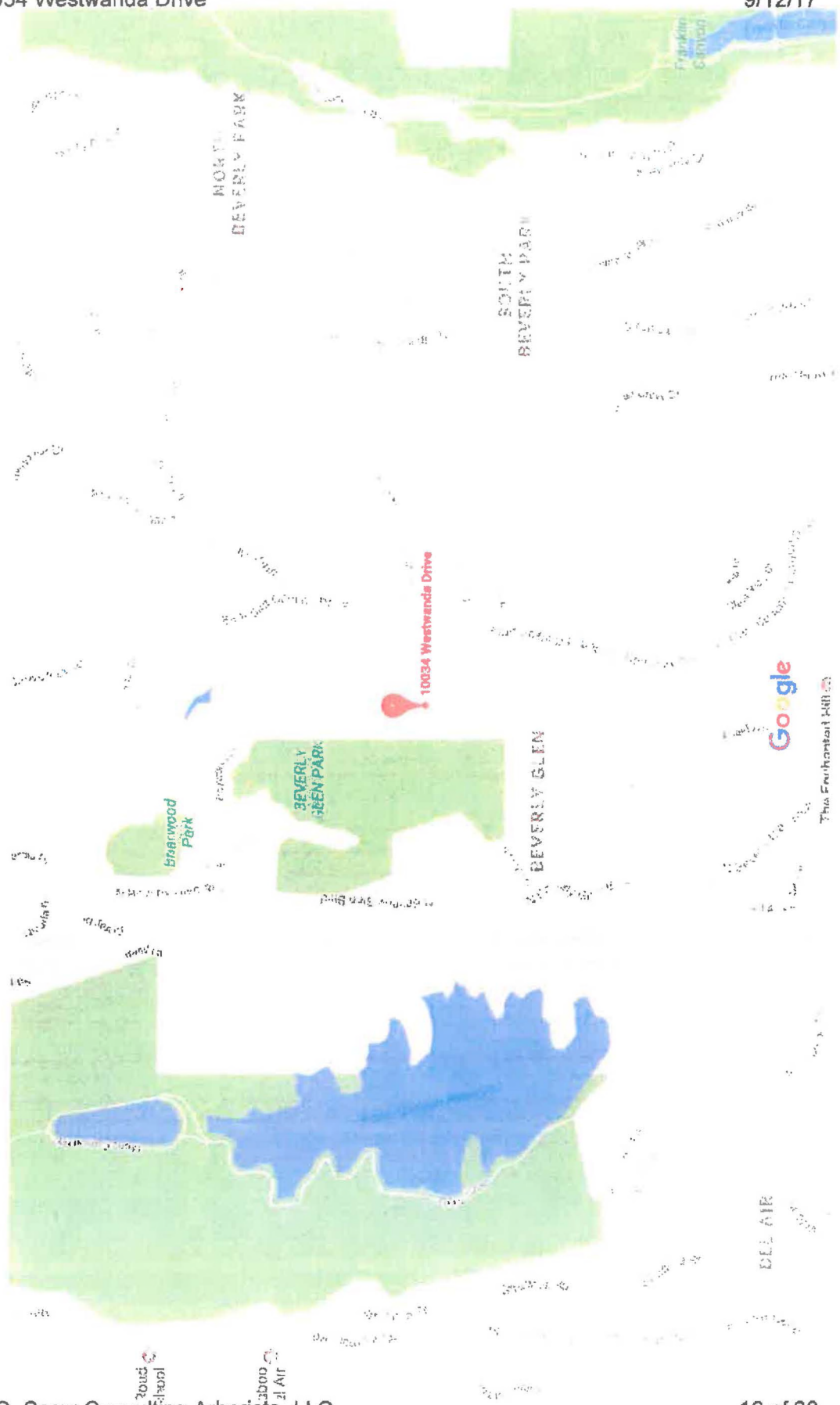
10034 Westwanda Drive

9/12/17

Google Maps 10034 Westwanda Dr

Jan C. Scow Consulting Arborists, LLC

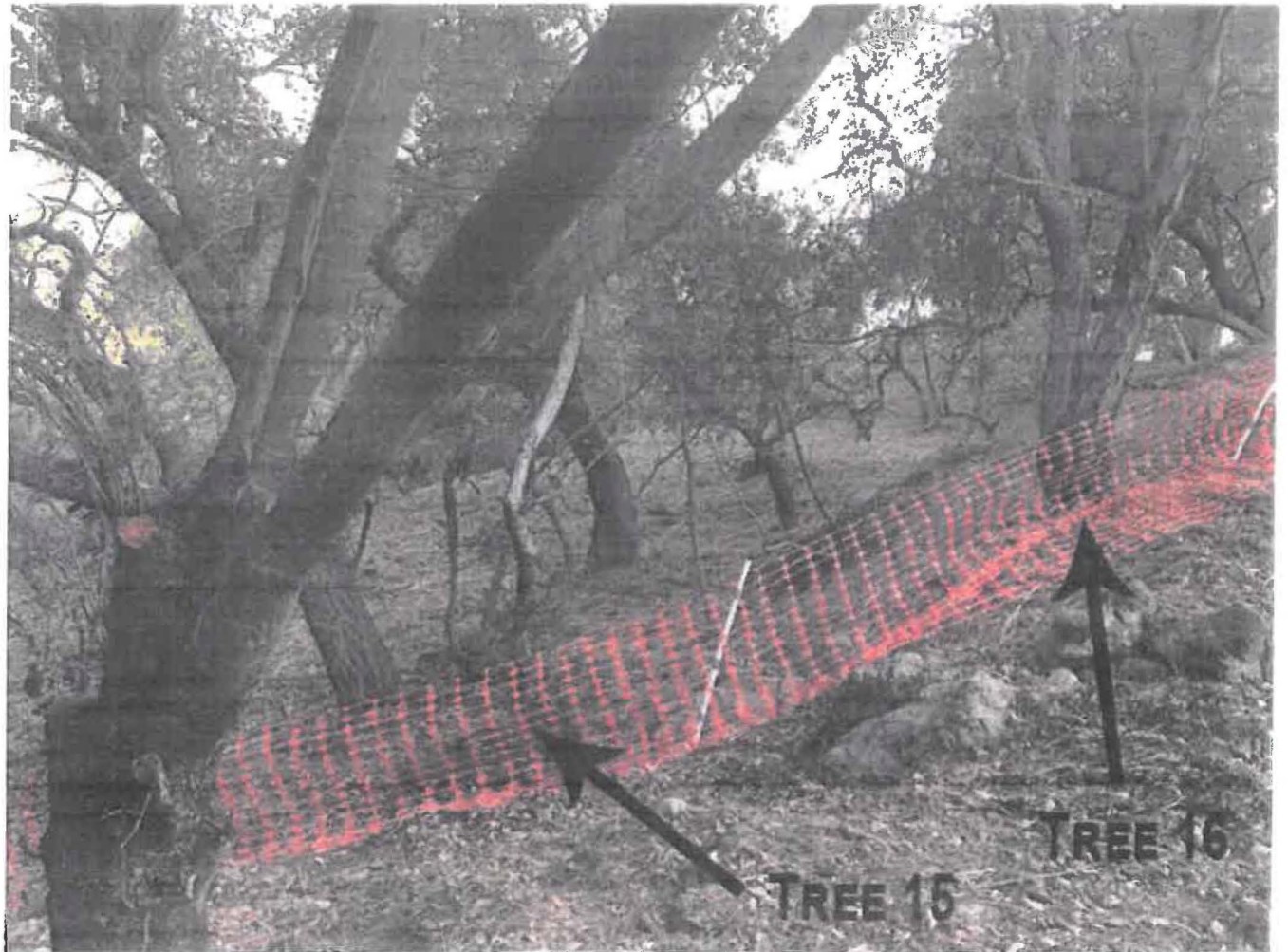
18 of 20



Tree Protective Fencing



PROTECTIVE FENCING IN PLACE



PROTECTIVE FENCING IN PLACE



PROTECTIVE FENCING IN PLACE

FREE LOCATIONS ARE

Fencing was not initially recommended due to the "lay of the land" and steepness of the site. However, since the City is requiring fencing, it is our opinion that in this case, orange plastic fencing will be adequate. Fencing must be installed and photographed before the City will approve the Protected Tree Report.

Fencing was not initially recommended due to the "lay of the land" and steepness of the site. However since the City is requiring fencing, it is our opinion that in this case, orange plastic fencing will be adequate. Fencing must be installed and photographed before the City will approve the Protected Tree Report.

Plot 10 Area = 1.238 sq. ft.
 Plot 11 Area = 1.109 sq. ft.
 Plot 12 Area = 1.108 sq. ft.

Jan C. Scow Consulting Arborists, LLC

Disease and Pest Diagnosis, Hazard Evaluation, Restorative Pruning Advice, Value Assessment

1744 Franklin Street Unit B
Santa Monica, CA 90404
(818) 789-9127

ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, landlord-tenant matters, etc. Arborists cannot take such issues into account unless complete and accurate information is given to the arborist. The person hiring the arborist accepts full responsibility for authorizing the recommended treatment or remedial measures.

Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate all risks is to eliminate all trees.

Please note the following important considerations:

- You should never authorize or do any work on any tree unless you are certain of that tree's ownership, and you have confirmed that you solely own the tree, or that anyone else having a claim to the tree has given you permission in writing authorizing your proposed action.
- Before removing a tree, be sure it is your tree to remove.
- Trees on property lines belong to both properties.
- Working on trees hanging into or over your yard that belong to a neighbor may result in "unreasonable damage" to their tree and could expose you to litigation.

The American Society of Consulting Arborists

*upon recommendation of the Membership Committee, and in recognition of professional
qualifications in the field of Arboricultural Consultation,
confers upon*

Jan C. Scow

Registered Membership

*with all the rights, privileges, and responsibilities provided
by the Bylaws and Standards of Professional Practice of the Society.*

Registered Member #382



Registered Member Since July 14, 1999

John T. Moser

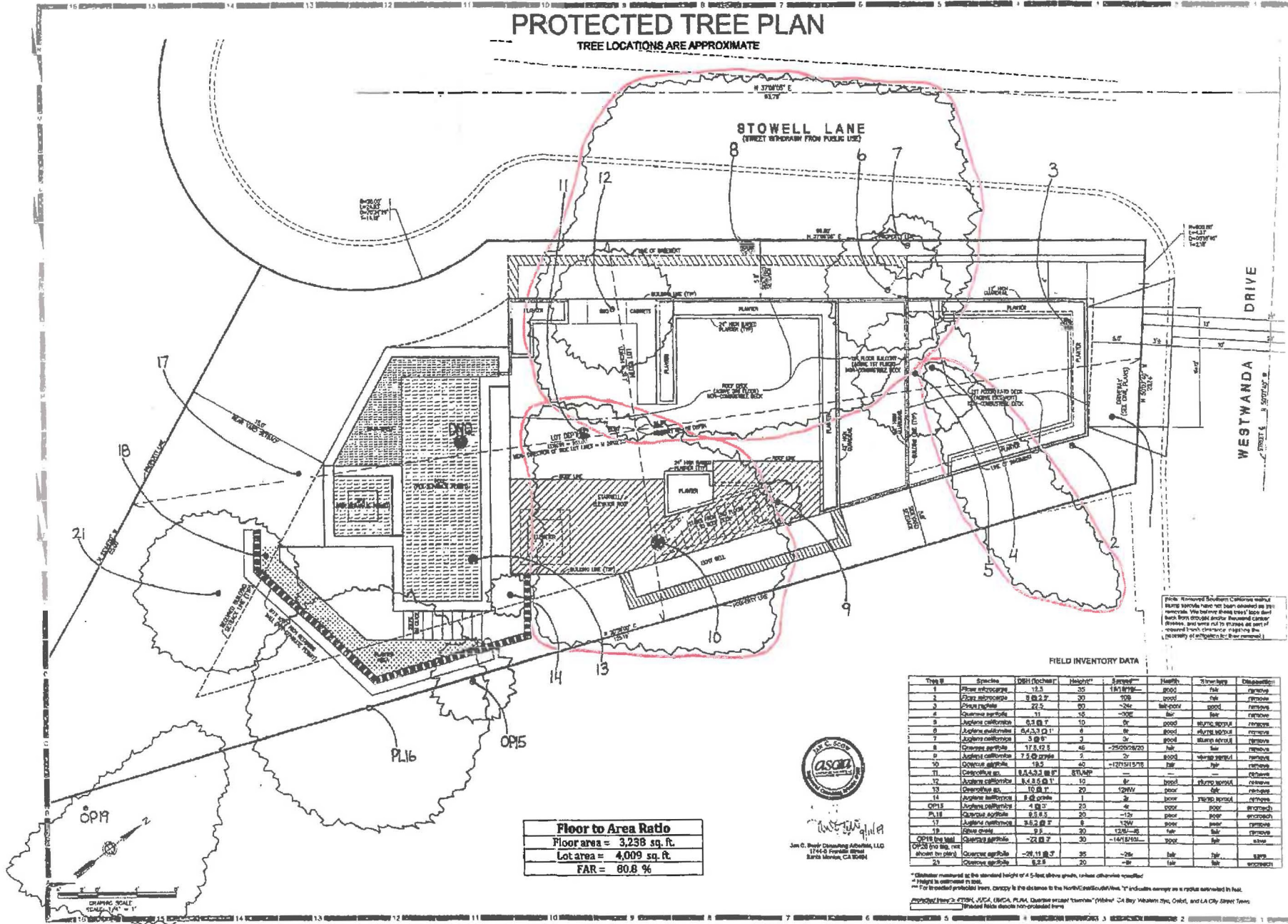
President

Patricia P. Pappas

Executive Director

PROTECTED TREE PLAN

TREE LOCATIONS ARE APPROXIMATE



Floor to Area Ratio
Floor area = 3,238 sq. ft.
Lot area = 4,009 sq. ft.
FAR = 80.8 %

FIELD INVENTORY DATA

Tree #	Species	DBH (inches)	Height	Sample	Health	Structure	Observations
1	Platanus racemosa	12.5	35	1818/1819	good	fair	remove
2	Quercus agrifolia	8.5 x 2.2	30	108	good	fair	remove
3	Quercus agrifolia	22.5	80	104	fair	good	remove
4	Quercus agrifolia	11	15	105	fair	fair	remove
5	Asplenium californicum	0.5 @ 7'	10	8	good	excellent	remove
6	Asplenium californicum	0.5 @ 12'	8	8	good	excellent	remove
7	Asplenium californicum	0.5 @ 7'	3	8	good	excellent	remove
8	Quercus agrifolia	17.8 x 2.8	46	1500/1501	fair	fair	remove
9	Asplenium californicum	7.5 @ 12'	2	2	good	excellent	remove
10	Quercus agrifolia	15.5	40	1701/1715	fair	fair	remove
11	Asplenium californicum	0.5 @ 3.3 @ 8'	8	8	good	excellent	remove
12	Asplenium californicum	0.5 @ 12'	10	8	good	excellent	remove
13	Quercus agrifolia	10 @ 12'	20	1240/1241	good	fair	remove
14	Asplenium californicum	0.5 @ 12'	1	8	good	excellent	remove
OP15	Asplenium californicum	0.5 @ 12'	20	4	good	excellent	remove
OP16	Asplenium californicum	0.5 @ 12'	20	12	good	excellent	remove
17	Asplenium californicum	0.5 @ 12'	8	12	good	excellent	remove
18	Quercus agrifolia	22.5 @ 12'	30	1240/1241	good	fair	remove
19	Quercus agrifolia	22.5 @ 12'	30	1240/1241	good	fair	remove
OP20	Quercus agrifolia	22.5 @ 12'	30	1240/1241	good	fair	remove
21	Quercus agrifolia	22.5 @ 12'	30	1240/1241	good	fair	remove



Jon C. Boyd Consulting Architects, LLC
1744 S. Grand Ave.
Santa Monica, CA 90404

* Diameter measured at the standard height of 4.5 feet above ground, unless otherwise specified.
* Height is estimated to 100 feet.
* For threatened/prevalent trees, canopy is the distance to the North-Central/White, Y includes canopy as a riparian watershed in fact.
* Projected tree canopy area, canopy is the distance to the North-Central/White, Y includes canopy as a riparian watershed in fact.
* Projected tree canopy area, canopy is the distance to the North-Central/White, Y includes canopy as a riparian watershed in fact.

10034 WESTWANDA DRIVE
LOS ANGELES, CA 90020

PROTECTED TREE PLAN

A1.01

AMEC, Inc.
10034 Westwanda Drive
Los Angeles, CA 90020
Phone: (310) 247-0000
Fax: (310) 247-0001
www.amecinc.com

DATE: 08/08/2017

Project: 10034 Westwanda Drive
Client: AMEC
Drawn: JCB
Checked: JCB
Reviewed: JCB
Approved: JCB

TREE LOCATIONS ARE APPROXIMATE

12 Mitogenogen coat live cells to be plarified on after
(24'-box *Quercus agrifolia*)

STOWELL LANE
(STREET NUMBER FROM PLATE USE)

11/20/05
9379

WESTWANDA DRIVE

FIELD INVENTORY DATA

Item #	Item Name	Open Period	Hours	Days	Season	Time Span	Day of Week
1	Open Period	1/25	95	1	Good	1/25-2/1	Monday
2	Open Period	1/26	95	1	Good	2/2-2/8	Monday
3	Open Period	1/27	95	1	Good	2/9-2/15	Monday
4	Open Period	1/28	95	1	Good	2/16-2/22	Monday
5	Open Period	1/29	95	1	Good	2/23-2/29	Monday
6	Open Period	1/30	95	1	Good	3/1-3/7	Monday
7	Open Period	1/31	95	1	Good	3/8-3/14	Monday
8	Open Period	2/1	95	1	Good	3/15-3/21	Monday
9	Open Period	2/2	95	1	Good	3/22-3/28	Monday
10	Open Period	2/3	95	1	Good	3/29-4/4	Monday
11	Open Period	2/4	95	1	Good	4/5-4/11	Monday
12	Open Period	2/5	95	1	Good	4/12-4/18	Monday
13	Open Period	2/6	95	1	Good	4/19-4/25	Monday
14	Open Period	2/7	95	1	Good	4/26-5/2	Monday
15	Open Period	2/8	95	1	Good	5/3-5/9	Monday
16	Open Period	2/9	95	1	Good	5/10-5/16	Monday
17	Open Period	2/10	95	1	Good	5/17-5/23	Monday
18	Open Period	2/11	95	1	Good	5/24-5/30	Monday
19	Open Period	2/12	95	1	Good	5/31-6/6	Monday
20	Open Period	2/13	95	1	Good	6/7-6/13	Monday
21	Open Period	2/14	95	1	Good	6/14-6/20	Monday
22	Open Period	2/15	95	1	Good	6/21-6/27	Monday
23	Open Period	2/16	95	1	Good	6/28-7/4	Monday
24	Open Period	2/17	95	1	Good	7/5-7/11	Monday
25	Open Period	2/18	95	1	Good	7/12-7/18	Monday
26	Open Period	2/19	95	1	Good	7/19-7/25	Monday
27	Open Period	2/20	95	1	Good	7/26-8/1	Monday
28	Open Period	2/21	95	1	Good	8/2-8/8	Monday
29	Open Period	2/22	95	1	Good	8/9-8/15	Monday
30	Open Period	2/23	95	1	Good	8/16-8/22	Monday
31	Open Period	2/24	95	1	Good	8/23-8/29	Monday
32	Open Period	2/25	95	1	Good	8/30-9/5	Monday
33	Open Period	2/26	95	1	Good	9/6-9/12	Monday
34	Open Period	2/27	95	1	Good	9/13-9/19	Monday
35	Open Period	2/28	95	1	Good	9/20-9/26	Monday
36	Open Period	2/29	95	1	Good	9/27-10/3	Monday
37	Open Period	2/30	95	1	Good	10/4-10/10	Monday
38	Open Period	3/1	95	1	Good	10/11-10/17	Monday
39	Open Period	3/2	95	1	Good	10/18-10/24	Monday
40	Open Period	3/3	95	1	Good	10/25-10/31	Monday
41	Open Period	3/4	95	1	Good	11/1-11/7	Monday
42	Open Period	3/5	95	1	Good	11/8-11/14	Monday
43	Open Period	3/6	95	1	Good	11/15-11/21	Monday
44	Open Period	3/7	95	1	Good	11/22-11/28	Monday
45	Open Period	3/8	95	1	Good	11/29-12/5	Monday
46	Open Period	3/9	95	1	Good	12/6-12/12	Monday
47	Open Period	3/10	95	1	Good	12/13-12/19	Monday
48	Open Period	3/11	95	1	Good	12/20-12/26	Monday
49	Open Period	3/12	95	1	Good	12/27-1/2	Monday
50	Open Period	3/13	95	1	Good	1/3-1/9	Monday
51	Open Period	3/14	95	1	Good	1/10-1/16	Monday
52	Open Period	3/15	95	1	Good	1/17-1/23	Monday
53	Open Period	3/16	95	1	Good	1/24-1/30	Monday
54	Open Period	3/17	95	1	Good	1/31-2/6	Monday
55	Open Period	3/18	95	1	Good	2/7-2/13	Monday
56	Open Period	3/19	95	1	Good	2/14-2/20	Monday
57	Open Period	3/20	95	1	Good	2/21-2/27	Monday
58	Open Period	3/21	95	1	Good	2/28-3/5	Monday
59	Open Period	3/22	95	1	Good	3/6-3/12	Monday
60	Open Period	3/23	95	1	Good	3/13-3/19	Monday
61	Open Period	3/24	95	1	Good	3/20-3/26	Monday
62	Open Period	3/25	95	1	Good	3/27-4/2	Monday
63	Open Period	3/26	95	1	Good	4/3-4/9	Monday
64	Open Period	3/27	95	1	Good	4/10-4/16	Monday
65	Open Period	3/28	95	1	Good	4/17-4/23	Monday
66	Open Period	3/29	95	1	Good	4/24-4/30	Monday
67	Open Period	3/30	95	1	Good	4/31-5/7	Monday
68	Open Period	3/31	95	1	Good	5/8-5/14	Monday
69	Open Period	4/1	95	1	Good	5/15-5/21	Monday
70	Open Period	4/2	95	1	Good	5/22-5/28	Monday
71	Open Period	4/3	95	1	Good	5/29-6/4	Monday
72	Open Period	4/4	95	1	Good	6/5-6/11	Monday
73	Open Period	4/5	95	1	Good	6/12-6/18	Monday
74	Open Period	4/6	95	1	Good	6/19-6/25	Monday
75	Open Period	4/7	95	1	Good	6/26-7/2	Monday
76	Open Period	4/8	95	1	Good	7/3-7/9	Monday
77	Open Period	4/9	95	1	Good	7/10-7/16	Monday
78	Open Period	4/10	95	1	Good	7/17-7/23	Monday
79	Open Period	4/11	95	1	Good	7/24-7/30	Monday
80	Open Period	4/12	95	1	Good	7/31-8/6	Monday
81	Open Period	4/13	95	1	Good	8/7-8/13	Monday
82	Open Period	4/14	95	1	Good	8/14-8/20	Monday
83	Open Period	4/15	95	1	Good	8/21-8/27	Monday
84	Open Period	4/16	95	1	Good	8/28-9/3	Monday
85	Open Period	4/17	95	1	Good	9/4-9/10	Monday
86	Open Period	4/18	95	1	Good	9/11-9/17	Monday
87	Open Period	4/19	95	1	Good	9/18-9/24	Monday
88	Open Period	4/20	95	1	Good	9/25-10/1	Monday
89	Open Period	4/21	95	1	Good	10/2-10/8	Monday
90	Open Period	4/22	95	1	Good	10/9-10/15	Monday
91	Open Period	4/23	95	1	Good	10/16-10/22	Monday
92	Open Period	4/24	95	1	Good	10/23-10/29	Monday
93	Open Period	4/25	95	1	Good	10/30-11/5	Monday
94	Open Period	4/26	95	1	Good	11/6-11/12	Monday
95	Open Period	4/27	95	1	Good	11/13-11/19	Monday
96	Open Period	4/28	95	1	Good	11/20-11/26	Monday
97	Open Period	4/29	95	1	Good	11/27-12/3	Monday
98	Open Period	4/30	95	1	Good	12/4-12/10	Monday
99	Open Period	4/31	95	1	Good	12/11-12/17	Monday
100	Open Period	5/1	95	1	Good	12/18-12/24	Monday
101	Open Period	5/2	95	1	Good	12/25-12/31	Monday
102	Open Period	5/3	95	1	Good	1/1-1/7	Monday
103	Open Period	5/4	95	1	Good	1/8-1/14	Monday
104	Open Period	5/5	95	1	Good	1/15-1/21	Monday
105	Open Period	5/6	95	1	Good	1/22-1/28	Monday
106	Open Period	5/7	95	1	Good	1/29-2/4	Monday
107	Open Period	5/8	95	1	Good	2/5-2/11	Monday
108	Open Period	5/9	95	1	Good	2/12-2/18	Monday
109	Open Period	5/10	95	1	Good	2/19-2/25	Monday
110	Open Period	5/11	95	1	Good	2/26-3/1	Monday
111	Open Period	5/12	95	1	Good	3/2-3/8	Monday
112	Open Period	5/13	95	1	Good	3/9-3/15	Monday
113	Open Period	5/14	95	1	Good	3/16-3/22	Monday
114	Open Period	5/15	95	1	Good	3/23-3/29	Monday
115	Open Period	5/16	95	1	Good	3/30-4/5	Monday
116	Open Period	5/17	95	1	Good	4/6-4/12	Monday
117	Open Period	5/18	95	1	Good	4/13-4/19	Monday
118	Open Period	5/19	95	1	Good	4/20-4/26	Monday
119	Open Period	5/20	95	1	Good	4/27-5/3	Monday
120	Open Period	5/21	95	1	Good	5/4-5/10	Monday
121	Open Period	5/22	95	1	Good	5/11-5/17	Monday
122	Open Period	5/23	95	1	Good	5/18-5/24	Monday
123	Open Period	5/24	95	1	Good	5/25-5/31	Monday
124	Open Period	5/25	95	1	Good	6/1-6/7	Monday
125	Open Period	5/26	95	1	Good	6/8-6/14	Monday
126	Open Period	5/27	95	1	Good	6/15-6/21	Monday
127	Open Period	5/28	95	1	Good	6/22-6/28	Monday
128	Open Period	5/29	95	1	Good	6/29-7/5	Monday
129	Open Period	5/30	95	1	Good	7/6-7/12	Monday
130	Open Period	5/31	95	1	Good	7/13-7/19	Monday
131	Open Period	6/1	95	1	Good	7/20-7/26	Monday
132	Open Period	6/2	95	1	Good	7/27-8/2	Monday
133	Open Period	6/3	95	1	Good	8/3-8/9	Monday
134	Open Period	6/4	95	1	Good	8/10-8/16	Monday
135	Open Period	6/5	95	1	Good	8/17-8/23	Monday
136	Open Period	6/6	95	1	Good	8/24-8/30	Monday
137	Open Period	6/7	95	1	Good	8/31-9/6	Monday
138	Open Period	6/8	95	1	Good	9/7-9/13	Monday
139	Open Period	6/9	95	1	Good	9/14-9/20	Monday
140	Open Period	6/10	95	1	Good	9/21-9/27	Monday
141	Open Period	6/11	95	1	Good	9/28-10/4	Monday
142	Open Period	6/12	95	1	Good	10/5-10/11	Monday
143	Open Period	6/13	95	1	Good	10/12-10/18	Monday
144	Open Period	6/14	95	1	Good	10/19-10/25	Monday
145	Open Period	6/15	95	1	Good	10/26-11/1	Monday
146	Open Period	6/16	95	1	Good	11/2-11/8	Monday
147	Open Period	6/17	95	1	Good	11/9-11/15	Monday
148	Open Period	6/18	95	1	Good	11/16-11/22	Monday
149	Open Period	6/19	95	1	Good	11/23-11/29	Monday
150	Open Period	6/20	95	1	Good	11/30-12/6	Monday
151	Open Period	6/21	95	1	Good	12/7-12/13	Monday
152	Open Period	6/22	95	1	Good	12/14-12/20	Monday
153	Open Period	6/23	95	1	Good	12/21-12/27	Monday
154	Open Period	6/24	95	1	Good	12/28-1/3	Monday
155	Open Period	6/25	95	1	Good	1/4-1/10	Monday
156	Open Period	6/26	95	1	Good	1/11-1/17	Monday
157	Open Period	6/27	95	1	Good	1/18-1/24	Monday
158	Open Period	6/28	95	1	Good	1/25-1/31	Monday
159	Open Period	6/29	95	1	Good	2/1-2/7	Monday
160	Open Period	6/30	95	1	Good	2/8-2/14	Monday
161	Open Period	7/1	95	1	Good	2/15-2/21	Monday
162	Open Period	7/2	95	1	Good	2/22-2/28	Monday
163	Open Period	7/3	95	1	Good	2/29-3/5	Monday
164	Open Period	7/4	95	1	Good	3/6-3/12	Monday
165	Open Period	7/5	95	1	Good	3/13-3/19	Monday
166	Open Period	7/6	95	1	Good	3/20-3/26	Monday
167	Open Period	7/7	95	1	Good	3/27-4/2	Monday
168	Open Period	7/8	95	1	Good	4/3-4/9	Monday
169	Open Period	7/9	95	1	Good	4/10-4/16	Monday
170	Open Period	7/10	95	1	Good	4/17-4/23	Monday
171	Open Period	7/11	95	1	Good	4/24-4/30	Monday
172	Open Period	7/12	95	1	Good	4/31-5/7	Monday
173	Open Period	7/13	95	1	Good	5/8-5/14	Monday
174	Open Period	7/14	95	1	Good	5/15-5/21	Monday
175	Open Period	7/15	95	1	Good	5/22-5/28	Monday
176	Open Period	7/16	95	1	Good	5/29-6/4	Monday
177	Open Period	7/17	95	1	Good	6/5-6/11	Monday
178	Open Period	7/18	95	1	Good	6/12-6/18	Monday
179	Open Period	7/19	95	1	Good	6/19-6/25	Monday
180	Open Period	7/20	95	1	Good	6/26-7/2	Monday
181	Open Period	7/21	95	1	Good	7/3-7/9	Monday
182	Open Period	7/22	95	1	Good	7/10-7/16	Monday
183	Open Period	7/23	95	1	Good	7/17-7/23	Monday
184	Open Period	7/24	95	1	Good	7/24-7/30	Monday
185	Open Period	7/25	95	1	Good	7/31-8/6	Monday
186	Open Period	7/26	95	1	Good	8/7-8/13	Monday
187	Open Period	7/27	95	1	Good	8/14-8	

Editor: I am writing to request a withdrawal of the article by Smith et al. published in the 1998 issue of the Journal of the American Academy of Child and Adolescent Psychiatry. The article contains several errors of fact and omission, and the authors have refused to correct them. The article is a review of the literature on the treatment of childhood depression, and it contains several errors of fact and omission. The authors have refused to correct these errors, and the article is therefore misleading and inaccurate. I request that the article be withdrawn from the journal.

10034 WESTWANDA DRIVE
LOS ANGELES, CA 90210

MITIGATION PLAN

AMEC, Inc.

Phone: (513) 267-0874
 E-mail: art@brilliance-cd.com
 Web: www.AMC-CONCEPTS-LLC.COM

DATE:	8-06-2017
SCALE:	AS NOTED
PROJECT NO:	SHAH0101

EXAM BY	AMEC
DESIGNED BY	AMEC
CHECKED BY	AMEC



The first triangle is at the top, followed by four more triangles below it. Each triangle contains a small circle in its center.

1. $\log_2 2 = 1$
 2. $\log_2 4 = 2$
 3. $\log_2 8 = 3$
 4. $\log_2 16 = 4$
 5. $\log_2 32 = 5$
 6. $\log_2 64 = 6$
 7. $\log_2 128 = 7$
 8. $\log_2 256 = 8$
 9. $\log_2 512 = 9$
 10. $\log_2 1024 = 10$
 11. $\log_2 2048 = 11$
 12. $\log_2 4096 = 12$
 13. $\log_2 8192 = 13$
 14. $\log_2 16384 = 14$
 15. $\log_2 32768 = 15$
 16. $\log_2 65536 = 16$
 17. $\log_2 131072 = 17$
 18. $\log_2 262144 = 18$
 19. $\log_2 524288 = 19$
 20. $\log_2 1048576 = 20$
 21. $\log_2 2097152 = 21$
 22. $\log_2 4194304 = 22$
 23. $\log_2 8388608 = 23$
 24. $\log_2 16777216 = 24$
 25. $\log_2 33554432 = 25$
 26. $\log_2 67108864 = 26$
 27. $\log_2 134217728 = 27$
 28. $\log_2 268435456 = 28$
 29. $\log_2 536870912 = 29$
 30. $\log_2 1073741824 = 30$
 31. $\log_2 2147483648 = 31$
 32. $\log_2 4294967296 = 32$
 33. $\log_2 8589934592 = 33$
 34. $\log_2 17179869184 = 34$
 35. $\log_2 34359738368 = 35$
 36. $\log_2 68719476736 = 36$
 37. $\log_2 137438953472 = 37$
 38. $\log_2 274877906944 = 38$
 39. $\log_2 549755813888 = 39$
 40. $\log_2 1099511627776 = 40$
 41. $\log_2 2199023255552 = 41$
 42. $\log_2 4398046511104 = 42$
 43. $\log_2 8796093022208 = 43$
 44. $\log_2 17592186044416 = 44$
 45. $\log_2 35184372088832 = 45$
 46. $\log_2 70368744177664 = 46$
 47. $\log_2 140737488355328 = 47$
 48. $\log_2 281474976710656 = 48$
 49. $\log_2 562949953421312 = 49$
 50. $\log_2 1125899906842624 = 50$
 51. $\log_2 2251799813685248 = 51$
 52. $\log_2 4503599627370496 = 52$
 53. $\log_2 9007199254740992 = 53$
 54. $\log_2 18014398509481984 = 54$
 55. $\log_2 36028797018963968 = 55$
 56. $\log_2 72057594037927936 = 56$
 57. $\log_2 144115188075855872 = 57$
 58. $\log_2 288230376151711744 = 58$
 59. $\log_2 576460752303423488 = 59$
 60. $\log_2 1152921504606846976 = 60$
 61. $\log_2 2305843009213693952 = 61$
 62. $\log_2 4611686018427387904 = 62$
 63. $\log_2 9223372036854775808 = 63$
 64. $\log_2 18446744073709551616 = 64$
 65. $\log_2 36893488147419103232 = 65$
 66. $\log_2 73786976294838206464 = 66$
 67. $\log_2 147573952589676412928 = 67$
 68. $\log_2 295147905179352825856 = 68$
 69. $\log_2 590295810358705651712 = 69$
 70. $\log_2 1180591620717411303424 = 70$
 71. $\log_2 2361183241434822606848 = 71$
 72. $\log_2 4722366482869645213696 = 72$
 73. $\log_2 9444732965739290427392 = 73$
 74. $\log_2 18889465931478580854784 = 74$
 75. $\log_2 37778931862957161709568 = 75$
 76. $\log_2 75557863725914323419136 = 76$
 77. $\log_2 151115727451828646838272 = 77$
 78. $\log_2 302231454903657293676544 = 78$
 79. $\log_2 604462909807314587353088 = 79$
 80. $\log_2 1208925819614629174706176 = 80$
 81. $\log_2 2417851639229258349412352 = 81$
 82. $\log_2 4835703278458516698824704 = 82$
 83. $\log_2 9671406556917033397649408 = 83$
 84. $\log_2 19342813113834066795298816 = 84$
 85. $\log_2 38685626227668133590597632 = 85$
 86. $\log_2 77371252455336267181195264 = 86$
 87. $\log_2 154742504910672534362390528 = 87$
 88. $\log_2 309485009821345068724781056 = 88$
 89. $\log_2 618970019642690137449562112 = 89$
 90. $\log_2 1237940039285380274899124224 = 90$
 91. $\log_2 2475880078570760549798248448 = 91$
 92. $\log_2 4951760157141521099596496896 = 92$
 93. $\log_2 9903520314283042199192993792 = 93$
 94. $\log_2 19807040628566084398385987584 = 94$
 95. $\log_2 39614081257132168796771975168 = 95$
 96. $\log_2 79228162514264337593543950336 = 96$
 97. $\log_2 158456325028528675187087900672 = 97$
 98. $\log_2 316912650057057350374175801344 = 98$
 99. $\log_2 633825300114114700748351602688 = 99$
 100. $\log_2 1267650600228229401496703205376 = 100$

1. The first step is to identify the problem.

MITIGATION

The applicant is proposing the removal of three protected trees from the site. The standard mitigation required by the City is 4:1, meaning that for every tree removed, four trees must be planted on the site.

We recommend that the twelve mitigation trees be planted as shown on the attached Mitigation Plan, and that they all be coast live oaks (*Quercus agrifolia*). We have placed some mitigation trees in the southeast corner of the site, where the trees are closest to the street. However, this is often the worst property line and StreetView Lane. Therefore, we have placed the remaining nine trees in the northwest corner of the site, where the trees could be viewed from the street.

12-24-2014 Quercus agrifolia to be planted on site as shown in the attached Mitigation Plan

RETRACTION
of the removal of
tion required. T
ions.

We recommend that the twelve mitigation trees be planted as shown on the enclosed Mitigation Plan, and that they all be coast live oaks (*Quercus agrifolia*). We have placed some mitigation trees in the statement area between the west property line and Stonewall Lane. However, this is only one possible option, and the trees could be arranged differently if approved by the City.

12 - 24" oaks *Quercus agrifolia* to be planted on site as shown in the Mitigation Plan

John C. Shover Consulting Architects, LLC
11645 Foothill Blvd
Suite 1000, CA 92604



١٠٠٠

A1.01

RA 3. June 8, 2018, Building Permit No. 16010-10000-06248

10034 W Westwanda Dr



Permit #:
Plan Check #: B16LA20622
Event Code:

16010 - 10000 - 06248

Printed: 06/08/18 04:16 PM

Bldg-New GREEN - MANDATORY

1 or 2 Family Dwelling
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety
**APPLICATION FOR BUILDING PERMIT
AND CERTIFICATE OF OCCUPANCY**

Issued on: 06/08/2018

Last Status: Issued

Status Date: 06/08/2018

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF#	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL#
TR 4311	BLK 9	9		M B 89-62/69 (SHTS 3/10)	150B153 52	4383 - 019 - 009

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles
LADBS Branch Office - WLA
Baseline Hillside Ordinance - Yes
Council District - 5
Certified Neighborhood Council - Bel Air - Beverly Crest

Community Plan Area - Bel Air - Beverly Crest
Census Tract - 2612.00
District Map - 150B153
Energy Zone - 9
Fire District - VHFHSZ

Hillside Grading Area - YES
Hillside Ordinance - YES
Earthquake-Induced Landslide Area - Yes
Near Source Zone Distance - .6
School Within 500 Foot Radius - YES

ZONES(S): RE15-1-H

4. DOCUMENTS

ZI - ZI-2443 Neighborhood Conservation ICO ORD - ORD-183497 BHO - Yes
ORD - ORD-128730 ICO - Neighborhood Conservation ICO - Bel
ORD - ORD-129279 HLSAREA - Yes
ORD - ORD-132416 CPC - CPC-18760

5. CHECKLIST ITEMS

Special Inspect - Anchor Bolts Special Inspect - Structural Observation Permit Flag - Not a Fire Life Safety Project
Special Inspect - Concrete > 2.5ksi Special Inspect - Structural Wood (periodic) Permit Flag - Rec and Parks Fee Memo Req'd
Special Inspect - Grade Beam/Caisson Storm Water - LID Project Std. Work Descr - Seismic Gas Shut Off Valve

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
SHAHIN, KARLA
435 BEVERLY DR STE 208, BEVERLY HILLS CA 90210 -
Tenant:

Applicant: (Relationship: Other)
ARMEN MELFONIANS -
435 N. BEVERLY DR. 208, BEVERLY HILLS, CA 90210 -- (310) 247-0834

7. EXISTING USE**PROPOSED USE**

(01) Dwelling - Single Family
(07) Garage - Private

For Cashier's Use Only

W/O #: 61006248

8. DESCRIPTION OF WORK

2 STORY SFD WITH ATTACHED GARAGE OVER BASEMENT.

2. # Bldgs on Site # Uses 1 OF 4

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Manuel Garcia DAS PC By:
OK for Cashier: Somkiat Supanyachotskul Coord. OK:
Signature: Date: 06/08/2018

11. PROJECT VALUATION

Final Fee Period

Permit Valuation: \$443,606 PC Valuation:

Sewer Cap ID: Total Bond(s) Due:

12. ATTACHMENTS

Owner-Builder Declaration
Plot Plan

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.



* P 1 6 0 1 0 1 0 0 0 0 6 2 4 8 F N *

WL MAGD 301031000 6/8/2018 4:15:14 PM
BUILDING PERMIT-RES \$2,338.80
ELECTRICAL PERMIT RES \$608.09
HTG/REF PMT RES \$304.04
PLUMBING PERMIT RES \$608.09
BUILDING PLAN CHECK \$430.92
BUILDING PLAN CHECK \$215.46
PLAN MAINTENANCE \$46.78
EI RESIDENTIAL \$57.67
DEV SERV CENTER SURCH \$138.30
SYSTEMS DEVT FEE \$276.59
CITY PLANNING SURCH \$181.92
MISCELLANEOUS \$10.00
PLANNING GEN PLAN MAINT SURCH \$212.24
SCHOOL DEV RES \$11,546.64
DWELLING UNIT \$200.00
RES DEVT TAX \$300.00
CA BLDG STD COMMISSION SURCHARGE \$18.00
BUILDING PLAN CHECK \$0.00

Sub Total: \$17,493.54

Permit #: 160101000006248
Building Card #: 2018WL90662
Receipt #: 0301128379

1050622201858417

12. STRUCTURE INVENTORY

(Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

16010 - 10000 - 06248

(P) Basement (BC): +1 Levels / 1 Levels
(P) Basement (ZC): +1 Levels / 1 Levels
(P) Floor Area (ZC): +1989 Sqft / 1989 Sqft
(P) Height (BC): +30 Feet / 30 Feet
(P) Height (ZC): +30 Feet / 30 Feet
(P) Length: +58.76 Feet / 58.76 Feet
(P) Residential Floor Area: +1299 Sqft / 1299 Sqft
(P) Stories: +2 Stories / 2 Stories
(P) Width: +27.5 Feet / 27.5 Feet
(P) Dwelling Unit: +1 Units / 1 Units
(P) NFPA-13D Fire Sprinklers Thru-out
(P) Wood (Plywood, OSB, etc.) Shearwall
(P) R3 Occ. Group: +1989 Sqft / 1989 Sqft
(P) U Occ. Group: +489 Sqft / 489 Sqft
(P) Parking Req'd for Site (Auto+Bicycle): +2 Stalls / 2 Stalls
(P) Type V-B Construction
(P) Floor Construction - Concrete Slab on Grade
(P) Foundation - Steel Pile
(P) Roof Construction - Wood Frame/Sheathing
(P) Wall Construction - Wood Stud

14. APPLICATION COMMENTS:

** Approved Seismic Gas Shut-Off Valve may be required. ** [1] Max RFA = 1,000 (Guaranteed min) + 300 (Bonus of 30%, commulative side yard setback) = 1,300 [2] RFA = 734 (1st floor) + 565 (2nd floor) + 0 (690 (basement) + 489 (garage) - 1179 (exemption)) = 1299 [3] Per 12.22.C.18 lot area may be less than the minimum lot area required.

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:**16. CONTRACTOR, ARCHITECT & ENGINEER NAME****ADDRESS****CLASS****LICENSE #****PHONE #**

(O) OWNER-BUILDER

0

(310) 804-3755

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the following reason (Section 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

☒ I, as the owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year from completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale).

OR

☐ I, as the owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law.)

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

☒ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: _____ Policy Number: _____

☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

- (1) I accept all the declarations above namely the Owner-Builder Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, and Final Declaration; and
- (2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: KARLA SHAHIN

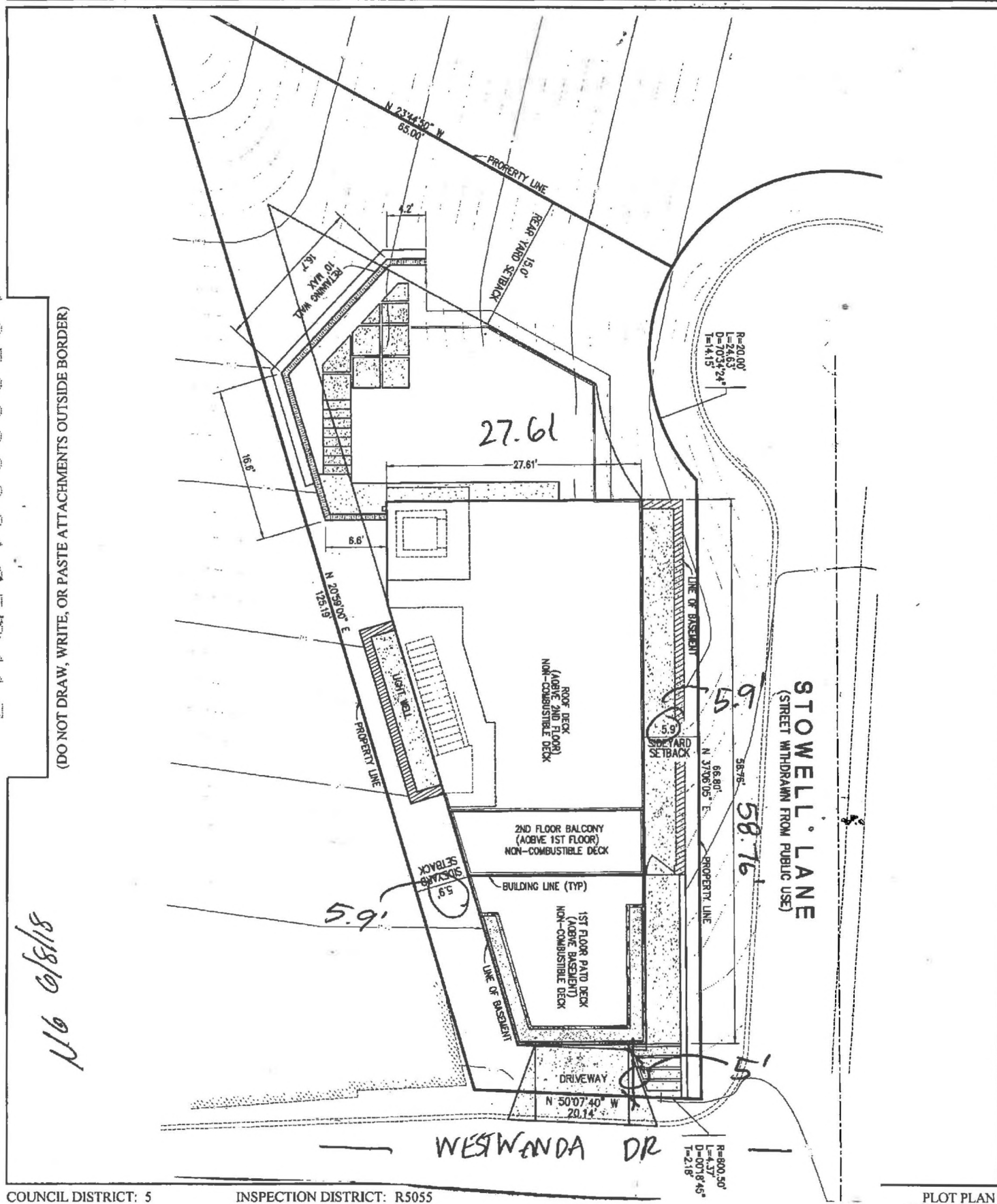
Sign: 

Date: 06/08/2018

☒ Owner☐ Authorized Agent

Permit Application #: **16010 - 10000 - 06248**

Printed on: 02/13/17 09:59:29

PLOT PLAN ATTACHMENT:

INSPECTION DISTRICT: R5055

PLOT PLAN



OWNER'S ACKNOWLEDGMENT AND VERIFICATION OF
INFORMATION

(OWNER-BUILDER DECLARATION)

Application Number: 16210-10000-06248

Project Address: 10034 Westwinds Dr.

DIRECTIONS: Read and initial each statement below to signify you understand or verify this information.

✓ S. 1. I understand a frequent practice of unlicensed persons is to have the property owner obtain an "Owner-Builder" building permit that erroneously implies that the property owner is providing his or her own labor and material personally. I, as an Owner-Builder, may be held liable and subject to serious financial risk for any injuries sustained by an unlicensed person and his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an Owner-Builder and am aware of the limits of my insurance coverage for injuries to workers on my property.

✓ S. 2. I understand building permits are not required to be signed by property owners unless they are responsible for the construction and are not hiring a licensed Contractor to assume this responsibility.

✓ S. 3. I understand as an "Owner-Builder" I am the responsible party of record on the permit. I understand that I may protect myself from potential financial risk by hiring a licensed Contractor and having the permit filed in his or her name instead of my own.

✓ S. 4. I understand Contractors are required by law to be licensed and bonded in California and to list their license numbers on permits and contracts.

✓ S. 5. I understand if I employ or otherwise engage any persons, other than California licensed Contractors, and the total value of my construction is at least five hundred dollars (\$500), including labor and materials, I may be considered an "employer" under state and federal law.

✓ S. 6. I understand if I am considered an "employer" under state and federal law, I must register with the state and federal government, withhold payroll taxes, provide workers' compensation disability insurance, and contribute to unemployment compensation for each "employee." I also understand my failure to abide by these laws may subject me to serious financial risk.

✓ S. 7. I understand under California Contractors' State License Law, an Owner-Builder who builds single-family residential structures cannot legally build them with the intent to offer them for sale, unless all work is performed by licensed subcontractors and the number of structures does not exceed four within any calendar year, or all of the work is performed under contract with a licensed general building Contractor.

✓ S. 8. I understand as an Owner-Builder if I sell the property for which this permit is issued, I may be held liable for any financial or personal injuries sustained by any subsequent owner(s) that result from any latent construction defects in the workmanship or materials.

✓ S. 9. I understand I may obtain more information regarding my obligations as an "employer" from the Internal Revenue Service, the United States Small Business Administration, the California Department of Benefit Payments, and the California Division of Industrial Accidents. I also understand I may contact the California Contractors' State License Board (CSLB) at 1-800-321-CSLB (2752) or www.cslb.ca.gov for more information about licensed contractors.



OWNER'S ACKNOWLEDGMENT AND VERIFICATION
OF INFORMATION

(OWNER-BUILDER DECLARATION, cont.)

Application Number: _____

Project Address: 10034 Westwanda Dr.

X 5.10. I am aware of and consent to an Owner-Builder building permit applied for in my name, and understand that I am the party legally and financially responsible for proposed construction activity at the following address: 10034 Westwanda Dr.

X 5.11. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern Owner-Builders as well as employers.

X 5.12. I agree to notify the issuer of this form immediately of any additions, deletions, or changes to any of the information I have provided on this form. Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license, the Contractors' State License Board may be unable to assist you with any financial loss you may sustain as a result of a complaint. Your only remedy against unlicensed Contractors may be in civil court. It is also important for you to understand that if an unlicensed Contractor or employee of that individual or firm is injured while working on your property, you may be held liable for damages. If you obtain a permit as Owner-Builder and wish to hire Contractors, you will be responsible for verifying whether or not those Contractors are properly licensed and the status of their workers' compensation insurance coverage. Before a building permit can be issued, this form must be completed and signed by the property owner and returned to the agency responsible for issuing the permit.

Note: A copy of the property owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature.

Owner's Name: KARLA SHAHIN

Signature of property owner [Signature] Date: 6/8/2018

SEC. 3. Section 19830 of the Health and Safety Code is repealed.

SEC. 4. Section 19831 of the Health and Safety Code is repealed.

SEC. 5. Section 19832 of the Health and Safety Code is repealed.

RA 4. January 10, 2018, Notice of Exemption

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
 ROOM 395, CITY HALL
 LOS ANGELES, CALIFORNIA 90012
 CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION
 (Articles II and III – City CEQA Guidelines)

CITY CLERK'S USE

BPW-2018-0192

Submission of this form is optional. The form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, California, 90650, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21167(d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project.

LEAD CITY AGENCY AND ADDRESS:	City of Los Angeles Bureau of Street Services Urban Forestry Division 1149 S. Broadway, Suite 400 Los Angeles, CA 90015	COUNCIL DISTRICT 5
--------------------------------------	---	----------------------------------

PROJECT TITLE: 10034 Westwanda Drive**LOG RE1-745954991****PROJECT LOCATION:** 10034 Westwanda Drive

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: The lot is approximately 4,009 square feet with a first floor foot print of approximately 3,238 square feet. There are Thirteen protected trees on site The owner is proposing to construct a new residence. Due to the required grading to build the new home. Three Coast Live Oaks (Quercus agrifolia) trees will need to be removed and six California Black Walnut Stumps (Juglans californica). The remaining four protected trees on site shall be protected during the course of construction. Protective fencing has been installed. Mitigation shall be planting twelve 24 inch box Coast Live Oaks and shall be Bonded for period of three years to insure the survivability of the trees.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD AGENCY:
 Armen Melkonians

CONTACT PERSON : Armen Melkonians

TELEPHONE NUMBER
 310 247-0834

EXEMPT STATUS: (Check One)

- ☐ MINISTERIAL
☐ DECLARED EMERGENCY
☐ EMERGENCY PROJECT
☐ GENERAL EXEMPTION
☒ CATEGORICAL EXEMPTION*
☐ STATUTORY*

CITY CEQA
GUIDELINES

Art. II, Sec. 2.b
 Art. II, Sec. 2.a(1)
 Art. II, Sec. 2.a(2)(3)
 Art. II, Sec. 1
 Art. III, Sec. 1 Class 3 Cat. 1
 Art. _____, Sec. _____ Class _____ Cat _____

STATE CEQA
GUIDELINES

Sec. 15268
 Sec. 15269(a)
 Sec. 15269(b)(c)
 Sec. 15061(b)(3)
 Sec. 15300.2
 Sec. _____

* See Public Resources Code Sec. 21080 and set forth state and city guidelines provisions.

JUSTIFICATION FOR PROJECT EXEMPTION:

The tree removals and replacement plantings are exempt under Article III, Section 1, Class 3, Category 1 (new construction of small structures – single family residence not in conjunction with the building of two or more units) of the City of Los Angeles Environmental Quality Act Guidelines (2002) it may be possible that the removal of protected trees may be exempt when part of the construction of a single family home.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING

SIGNATURE:		TITLE: Superintendent	DATE: 1/10/18
FEE: \$	RECEIPT NO.	REC'D BY	DATE

DISTRIBUTION: (1) County Clerk (2) City Clerk (3) Agency Record

TRANSMITTAL NO. 4

RA 5. March 14, 2018, Protected Trees and Replant Permit (No. 1-745954991)



PERMIT TO REMOVE PROTECTED TREES AND REPLANT

City of Los Angeles
DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET SERVICES
URBAN FORESTRY DIVISION
1149 S. BROADWAY, SUITE 400, LOS ANGELES 90015
(213) 847-3077

Permission is hereby Granted to:

Karla Shahin
435 N Beverly Dr
208 Beverly Hills, CA 90210
Attn: Armen Melkonians

*Issued @ counter
3/14/18 dgm*

Permit No. : 1-745954991

Date: 3/14/2018

Expiration: 9/14/2018

to remove 3 at the following location(s)*: 10034 W Westwanda Dr Los Angeles, CA 90210

*Trees to be removed are marked with a
white line on the curb

Kind of Tree(s)

Coast Live Oak (Quercus agrifolia)

Reason for Removal

Construction of single-family residence

Approved by the Board of Public Works on:

Wednesday, March 07, 2018

You are hereby notified to plant and care for the following tree(s). See reverse side (page2) for care instructions:

(12) 24-inch box size Coast Live Oak (Quercus agrifolia) on site to replace the removed trees. The survival of the tree replacements shall be guaranteed for a period of three years by Bond.

The property requires the removal of three (3) trees . Tree #'s 4, 8 & 10 are Coast Live Oak as noted in the Protected Tree Schedule contained in the PTR.

Upon issuance of the Protected Tree removal permit, the Bureau shall be notified a minimum of ten days prior to the day the Protected Tree removals shall occur. The applicant's Tree Expert shall be on-site the day of the tree removal to ensure the proper trees are removed. A Bureau arborist will arrange an onsite meeting with the applicant or their Tree Expert the day following the Protected Tree removal.

The applicant, in conjunction with the project's Tree Expert, shall be responsible to ensure the Tree Removal Permit tree replacement conditions are in compliance. Replacement tree planting shall follow the Landscape plan to the fullest extent possible. The Bureau shall be notified no later than five days after the completion of the tree replacements. A Bureau arborist will make arrangements to visit the site and approve the tree replacements as being in compliance with the permit conditions within five working days of the notification of planting completion.

The Bureau shall be notified immediately if any permit conditions have been violated or cannot be fulfilled. Failure to comply with this requirement may result in fines or legal actions.

Contact Dig-Alert at (800) 227-2600 at least two (2) days prior to digging.

*****KEEP THIS PERMIT AT THE SUBJECT LOCATION DURING THE REMOVAL/RELOCATION OF ANY TREES*****

Federal and State law prohibit destruction of raptor, migratory, and song birds. It is the contractor's or permittee's responsibility to ensure these laws are not violated during the execution of this contract or permit.

The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers or employees relating to or to attack, set aside, void or annul this approval.

When trees are removed, the roots must be removed, the holes must be filled and settled to Normal grade. When replanting, no tree may be planted within 45 feet of an intersection, as defined in Section 62.200 of the Los Angeles Municipal Code. This permit is void if not complied by the above expiration date. Section 62.163 - 62.176, Los Angeles Municipal Code. Linear root control barriers required with tree replacements.

Receipt is hereby acknowledged of

\$1,084 (One thousand eighty-four dollars and zero cents)

In payment of fee required by Los Angeles Code Sec. 63.37.

SIGNATURE OF PROPERTY OWNER

DATE

Permit Application No.

Karla Shahin

3-14-2018

1-745954991

City of Los Angeles
DEPARTMENT OF PUBLIC
Bureau of Street Services
URBAN FORESTRY DIVISION
1149 S. Broadway, 4th Floor
Los Angeles, CA 90015
Phone (213) 847-3077

Form 1284 (Rev. 12/)

FEE / TREE REPLACEMENT NOTICE
(THIS IS NOT A PERMIT)

Applicant Name and Address:

Karla Shahin
435 N Beverly Dr
208 Beverly Hills, CA 90210
Attn: Armen Melkonians

EMAILED
3/9/18

Application No.
1-745954991

Date
3/9/2018

Status regarding your permit application for the following tree removal(s):

No. of Trees: 3 Location: 10034 W Westwanda Dr Los Angeles, CA 90210

The Board of Public Works has approved your request. However, the tree removal permit shall not be issued until completion of the following:

☒ **Fee: \$1,084 (One thousand eighty-four dollars and zero cents)**
Make check payable to the City of Los Angeles and remit with this signed notice to the Urban Forestry Division at 1149 S. Broadway, Suite 400, Los Angeles, CA 90015. (Cash and credit cards not accepted)

☐ **Tree Delivery Requirement**
You are required to deliver the following trees to the Urban Forestry Division prior to receiving the tree removal permit in accordance with Los Angeles Municipal Code, Section 63.36.1 and Section 63.37.
See reverse side (page two) for delivery instructions.
Not Applicable

Federal and State law prohibit destruction the of raptor, migratory, and song birds. It is the property owner's and permittee's responsibility to ensure these laws are not violated during the execution of this permit.

Tree Planting Condition

As a condition for obtaining a tree removal permit the Permittee/Owner is required to plant and care for the following:

(12) 24-inch box size Coast Live Oak (Quercus agrifolia) on site to replace the removed trees. The survival of the tree replacements shall be guaranteed for a period of three years by Bond.

Upon issuance of the Protected Tree removal permit, the Bureau shall be notified a minimum of ten days prior to the day the Protected Tree removals shall occur. The applicant's Tree Expert shall be on-site the day of the tree removal to ensure the proper trees are removed. A Bureau arborist will arrange an onsite meeting with the applicant or their Tree Expert the day following the Protected Tree removal.

The applicant, in conjunction with the project's Tree Expert, shall be responsible to ensure the Tree Removal Permit tree replacement conditions are in compliance. Replacement tree planting shall follow the Landscape plan to the fullest extent possible. The Bureau shall be notified no later than five days after the completion of the tree replacements. A Bureau arborist will make arrangements to visit the site and approve the tree replacements as being in compliance with the permit conditions within five working days of the notification of planting completion.

I hereby agree to the above conditions upon which the permit to remove private protected or street tree(s) is to be granted.
to be granted.


Signature – Property Owner
(THIS MUST BE SIGNED BEFORE PERMIT WILL BE GRANTED)

Violations of the provisions of Los Angeles Municipal Code are punishable by a fine of not more than five hundred dollars (\$500.00) or more than (6) months imprisonment or by both fine and imprisonment.

AMEC LLC
435 N BEVERLY DRIVE STE 208
BEVERLY HILLS, CA 90210
310-247-0834

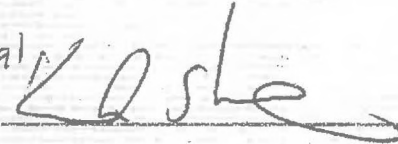
1546
15-24/1220

3-14-2018
Date

Pay to the
Order of CITY OF L.A. \$1,084⁰⁰
ONE THOUSAND / EIGHTY FIVE + 0/100 Dollars  Security
Features
Details on
Back

WELLS FARGO BANK
CALIFORNIA
wellsfargo.com

10034 Westwood Dr.
For TREE REMOVAL PERMIT # 1-745954991



⑆122000247⑆ 3879839680⑈ 1546

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: March 09, 2018

TO: BUREAU OF ENGINEERING, BOND/CONTROL SECTION
6262 Van Nuys Blvd, Suite 251, Van Nuys, CA 91401

FROM: TIMOTHY TYSON, CHIEF FORESTER
BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION
1149 S. Broadway, 4th floor Los Angeles STOP #550

SUBJECT: PROTECTED TREE BOND For:10034 West Westwanda Drive.

In accordance with the conditions of this project which require posting of Bond or other assurances acceptable to the Bureau of Engineering,

- ☒ The Bond Estimate is \$19,798.00 for (12) 24 inch box size Coast Live Oaks (Quercus agrilolia). Replacement Trees to be maintained and watered for the survival of a period of three years after planting.
- ☐ The trees were planted on _____.
- ☐ The trees were inspected by a representative of this Division on and have survived the 3 year period.
- ☐ This is your written notice to release the Bond.

Application No. 1-745954991

TT/HB/RT/KL:sd
A:BONDMEMO.SHL

DEPARTMENT OF PUBLIC WORKS
City of Los Angeles
Bureau of Engineering
IMPROVEMENT CASH BOND RECEIPT

N^o 66863PERMIT COUNTER: CENTRAL ☐ WLA ☒ HAR ☐ VALLEY ☐ LD & M ☐

\$ 19,798.00	30497	3/14/2018	574208
AMOUNT	MISCELLANEOUS CASH BOND NO.	DATE	FUND TYPE

Tract/Parcel Map No. _____ R3 (Highway Dedication) ☐Zone Case No. CPC ☐ CUZ ☐ ZY ☐ YV ☐ _____

Building Permit App. No. (R3/Sewer Avail.) _____

Project Location (Title) 10034 W. WESTWANDA DRIVE.

PROTECTED TREE BOND

Cash Payment Only ☐ Cond. Nos. _____Street ☐ Sewer ☐ Stm. Drn. ☐ Trees ☒ St. Lts. ☐ Curb/Gutter/Sidewalk ☐LM ☐ Future Street/Alley ☐ Other 1-745954991

Subdivision Imp. Bond \$ _____ Subdivision L & M Bonds \$ _____

All work shall be accomplished under permit issued by the Board of Public Works pursuant to Chapter 1, Article 2 (R3, Highway Dedication, Zoning Cases/Chapter 1, Article 7 (Subdivisions)/Chapter 6, Article 2 (General Improvements) A.W.C. and shall be completed on or before one year from this date, or two years from the date the final subdivision map is filed for record with the County Recorder.

KARLA SHAHIN		\$19,798.00	
PARTY TO WHOM REFUND IS TO BE MADE (INDIV., CORP., ETC.)		BOND REF # 17098	
435 N. BEVERLY DR. #208		Total Due:	\$19,798.00
BEVERLY HILLS CA 90210		check:	\$19,798.00
CITY	STATE	ZIP CODE	TELEPHONE
			(310) 247-0834

NOTE: COMPLETE THE FOLLOWING:

COUNCIL DIST. NO. _____

CHECK # 6582563309

BOND REF # 17098

Received by SUSAN SUBAY

DISTRIBUTION:
White—Office File
Blue—Bureau of Accounting
Pink—Bond Section
Yellow—Depositor

NOTICE: Any change in the above party entitled to a refund will require execution of an assignment of funds by the above party in triplicate with notarized signature.

RA 6. August 31, 2018, Appeal Letter

Channel Law Group, LLP

8200 Wilshire Blvd.
Suite 300
Beverly Hills, CA 90211

Phone: (310) 347-0050
Fax: (323) 723-3960
www.channellawgroup.com

RECEIVED
City Attorney
Land Use/Real Property
SEP 05 2018

JULIAN K. QUATTLEBAUM, III *
JAMIE T. HALL **
CHARLES J. McLURKIN

Writer's Direct Line: (310) 982-1760
jamie.hall@channellawgroup.com

*ALSO Admitted in Colorado
**ALSO Admitted in Texas

August 31, 2018

VIA PERSONAL DELIVERY

Members of City Council
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

REFERRED TO CITY ATTORNEY
FOR DISPOSITION
SEP 05 2018

2018 AUG 31 PM 3:01
CITY CLERK
MAY

**Re: CEQA Appeal of Environmental Determination for Tree Removal Permit
Issued for 10034 Westwanda Drive Pursuant to Public Resources Code Section
21151(c); RE1-745954991**

Honorable Members of the Los Angeles City Council:

This firm represents the Friends of Westwanda Drive ("FWD" or "Appellant"). On or about March 7, 2018, the Board of Public Works ("Board") approved a tree removal permit for the removal of six Southern California Black Walnut (*Juglans californica*) tree and three Coast Live Oak (*Quercus agrifolia*) trees to facilitate a proposed new single-family home located at 100345 Westwanda Drive, Los Angeles, CA (the "Project"). The Board also determined that the Project was exempt from the California Environmental Quality Act ("CEQA")

Pursuant to Public Resources Code Section 21151(c), FWD hereby appeals the determination that the Project is exempt from CEQA. This section of the Public Resources Code allows any interested party to file an appeal of a CEQA determination to the public agency's elected decision-making body. PRA Section 21151(c) states as follows:

"If a nonelected decisionmaking body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decisionmaking body, if any."

The Board's determination was made on March 7, 2018. A Notice of Exemption ("NOE") was not filed with the Los Angeles County Recorder. Therefore, this appeal is timely pursuant to Public Resources Code Section 21167(d).

Appellant respectfully request that the City of Los Angeles City Council ("Council"), after reviewing this appeal and its records, revoke and set-aside the approval of the tree removal permit on the basis that either a Mitigated Negative Declaration ("MND") or Environmental Impact Report ("EIR") is required under CEQA. While this appeal is pending, appellants further request that all construction activities related to the Project be immediately and temporarily stayed.

I. APPELLANT'S STANDING

Appellant Friends of Westwanda Drive is a community organization composed of residents of Westwanda Drive concerned who live, work and recreate in the area surrounding the Project and would be negatively impacted if the Project was to move forward.

II. PROJECT BACKGROUND

The Project contemplates the removal of 954 cubic yards of soil for the construction of a 3,238 single-family dwelling on approximately 4,009 square foot never-before developed steep hillside site. The Project is located on a hillside parcel at 10034 Westwanda Drive in Benedict Canyon (which is within the Santa Monica Mountains). Westwanda Drive is less than 20 feet in width in at least four separate locations (otherwise known as a "substandard" street). The vacant site is a beautiful, hillside untouched adjacent to a large habitat block officially mapped by the Santa Monica Mountain Conservancy ("SMMC"). At the time that the Board of Public Works considered the Tree Removal Permit, there were thirteen protected trees on the property. Six Southern California Black Walnuts Trees were cut to their stumps in the recent past without required permits, but have begun to grow back.

III. THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

CEQA requires that an agency analyze the potential environmental impacts of its proposed actions in an environmental impact report except in very limited circumstances. See, e.g., Cal. Pub. Res. Code § 21100. The EIR is the very heart of CEQA. *Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652. "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal. App. 4th 98, 109. CEQA applies to agency projects that may have an adverse environmental impact. *Friends of Mammoth v. Board of Supervisors*, 8 Cal.3d 247, 259 (1972); *Friends of B Street v. City of Hayward*, 106 Cal.App.3d 988, 1003 (1980) (project that included removal of trees caused significant effect on environment). CEQA has two broad purposes: 1) avoiding, reducing or preventing environmental damage by requiring alternatives and mitigation measures (14 Cal. Code Regs. § 15002(a)(2)-(3) (hereinafter "CEQA Guidelines")); and 2) providing information to decision makers and the public concerning the environmental effects of the proposed project. CEQA Guidelines § 15002(a)(1).

To achieve its objectives of environmental protection, CEQA has a three-tiered structure. CEQA Guidelines § 15002(k); *Comm. to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, 1185 – 86. First, if a project falls into an exempt category, or it can be seen with certainty that the activity in question will not have a significant effect on the environment, no further agency evaluation is required. *Id.* Second, if there is a possibility the project will have a significant effect on the environment, the agency must perform a threshold initial study. *Id.*; CEQA Guidelines § 15063(a). If the study indicates that there is no substantial evidence that the project may cause a significant effect on the environment the agency may issue a negative declaration. *Id.*, CEQA Guidelines §§ 15063(b)(2), 15070. Finally, if the project will have a significant effect on the environment, an environmental impact report (“EIR”) is required. *Id.* Here, since the City proposes to exempt the Project from CEQA entirely, we are at the first step of the CEQA process.

A strong presumption in favor of requiring preparation of an Environmental Impact Report (“EIR”) is built into CEQA which is reflected in what is known as the “fair argument” standard, under which an agency must prepare an EIR whenever substantial evidence in the record supports a fair argument that a project may have a significant effect on the environment. *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 82; *Friends of “B” St. v. City of Haywood* (1980) 106 Cal.App.3d 988, 1002.

“The EIR is the primary means of achieving the Legislature’s considered declaration that it is the policy of this state to ‘take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.’ [Citation.] The EIR is therefore ‘the heart of CEQA.’ [Citations.] An EIR is an ‘environmental “alarm bell” whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.’” *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392.

Under CEQA and the CEQA Guidelines, if a project is not exempt and *may* cause a significant effect on the environment, the agency *must* prepare an EIR. PRC §§ 21100, 21151; 14 Cal. Code Regs. §15064(a)(1), (f)(1). “Significant effect upon the environment” is defined as “a substantial or potentially substantial adverse change in the environment.” PRC §21068; 14 Cal Code Regs §15382. A project “may” have a significant effect on the environment if there is a “reasonable probability” that it will result in a significant impact. *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 83 n.16; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 309, 248 CR 352. This standard sets a “low threshold” for preparation of an EIR. *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App. 4th 903, 928; *Bowman v. City of Berkeley* (2004) 122 CA4th 572, 580; *Citizen Action to Serve All Students v. Thornley* (1990) 222 CA3d 748, 754; *Sundstrom v. County of Mendocino* (1988) 202 CA3d 296, 310.

IV. ENVIRONMENTAL DETERMINATION OF CITY

The Notice of Exemption (“NOE”) issued for 10034 Westwanda Drive asserts that the Project is categorically exempt from CEQA under Article III, Section 1, Class 3, Category 1 (new construction of small structures – single family residences not in conjunction with the building of two or more units). However, as explained below, the Project is not eligible for the “single family home” exemption because of the removal of locally protected native tree species.

V. NON-COMPLIANCE WITH CEQA

a. Unusual Circumstances Pertaining to Biological Resources Renders CEQA Exemption Unavailable

The Class 3 exemption is not available due to “unusual circumstances.” Application of the so-called “single family home exemption” is limited by the factors described in section 15300.2.” An exemption should be denied if one of the exceptions listed in section 15300.2 of the Guidelines applies. Section 15300.2, subdivision (c), of the Guidelines provides for one such exception and states that if there is a “reasonable possibility” of a “significant effect on the environment due to unusual circumstances,” then the categorical exception cannot apply. A “circumstance is ‘unusual’ . . . judged relative to the typical circumstances related to an otherwise typically exempt project.” *Voices for Rural Living v. El Dorado Irr. Dist.* (2012) 209 Cal.App.4th 1096, 1108–09.

Furthermore, as pointed out by the California Supreme Court in the *Berkeley Hillside Preservation* case,

A party invoking the exception may establish an unusual circumstance without evidence of an environmental effect, by showing that the project has some feature that distinguishes it from others in the exempt class, such as its size or location. In such a case, to render the exception applicable, the party need only show a reasonable possibility of a significant effect due to that unusual circumstance.

Berkeley Hillside Pres., *supra*, 60 Cal.4th at p. 1105. The California Supreme Court, in *Berkeley Hillside Preservation*, continued its analysis:

Alternatively, under our reading of the guideline, a party may establish an unusual circumstance with evidence that the project will have a significant environmental effect. That evidence, if convincing, necessarily also establishes “a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.”

Berkeley Hillside Pres., *supra*, 60 Cal.4th at p. 1105. Thus, if it can be shown, as is the case here, that the Project *will* have a significant effect on the environment, that alone is sufficient to eliminate the applicability of the categorical exemption.

Southern California Black Walnut trees are included in the City CEQA Thresholds Guide’s¹ “Sensitive Species Compendium.”

¹ The Threshold Guide may be accessed at <http://www.environmentla.org/programs/Thresholds/Complete%20Threshold%20Guide%202006.pdf>

Exhibit C-7, continued

SENSITIVE SPECIES COMPENDIUM - CITY OF LOS ANGELES

SCIENTIFIC NAME	COMMON NAME	STATUS	ZONE *	HABITAT
Plants (Con't)				
<i>Delnandra mlinthornii</i> (<i>Hemizonia parryi australis</i>)	southern tarplant	1B	Unknown	ET, GL, VP
<i>Dichondra occidentalis</i>	western dichondra	4	4	CH,OW,CS, GL
<i>Dilkyrea maritima</i>	beach spectacled pod	ST, 1B	4	CD,CS
<i>Dodecatheema leptoceras</i>	slender-horned spinyflower	SE, FE, 1B	1	AF,CH
<i>Dudleya b. blackmaniae</i>			3	CS,CH,CH, GL
<i>Dudleya cymosa marcescens</i>		1B	3	CH
<i>Dudleya cymosa ovatifolia</i>			3,4	CH,CS
<i>Dudleya multicaulis</i>			2	CH,CS,GL
<i>Dudleya vires</i>			4	CH,CS
<i>Erysimum insulare suffrutescens</i>	suffrutescent wallflower	4	unknown	CB,CD,CS
<i>Fremontodendron mexicanum</i>	Mexican funnelbush	SR, FE, 1B	1,2,3	MF,CH,OW
<i>Galium angustifolium gabrielense</i>	San Antonio Canyon bedstraw	4	1	MF
<i>Galium cliffortioides</i>	Santa Barbara bedstraw	4	2,4	OW
<i>Galium johnstonii</i>	Johnston's bedstraw	4	unknown	MF
<i>Goodmania hucula</i>	golden goodmania	4	Unknown	DW,PL,GL
<i>Helianthus nuttallii parishii</i>	Los Angeles sunflower	1A	3	CM,FM
<i>Heuchera abramsii</i>	Abram's alumroot	4	Unknown	MF
<i>Heuchera elegans</i>	urn-flowered alumroot		Unknown	MF
<i>Hulsea vestita gabrielensis</i>	San Gabriel Mtns. sunflower	4	1	MF
<i>Juglans c. v. californica</i>	So. Cal. black walnut	4	1,2,3	CH,OW,AF
<i>Juncus acutus leopoldii</i>	southwestern spiny rush	4	4	CD,CM
<i>Juncus duranii</i>	Duran's rush	4	Unknown	MF
<i>Lasthenia glabraia coulteri</i>	Coulter's goldfields	1B	Unknown	CM,PL,VP
<i>Lepechinia fragrans</i>	fragrant pitcher sage	4	3	CH
<i>Lilium humboldtii ocellatum</i>	occelated Humboldt lily	4	1,2,3	CH,OW,CO
<i>Linanthus orcuttii</i>	Orcutt's linanthus	1B	Unknown	CH,MP
<i>Lupinus elatus</i>	silly lupine	4	Unknown	MF
<i>Lupinus excubitus v. johnstonii</i>	interior bush lupine	4	Unknown	MF
<i>Lupinus peirsonii</i>	Peirson's lupine	1B	Unknown	CH,CS,RW
<i>Malacothamnus davidsonii</i>	Davidson's bush mallow	1B	1,3	CS,RW
<i>Microseris douglasii v. platycarpa</i>	small-flowered microseris	4	Unknown	OW,CS,GL
<i>Monardella cinerea</i>	gray monardella	4	Unknown	MF

Refer to Exhibit C-1

The status of this tree is listed as "4" – which means "Plants of limited distribution - a watch list." A footnote describing this species category is included that states "Very few of the plants constituting List 4 meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and few, if any, are eligible for listing. Nevertheless, many of them are significant locally, and the [Department of Fish and Game] recommends that List 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA. This may be particularly appropriate for the type locality of a List 4 plant, for populations at the periphery of a species' range or in areas where

the taxon is especially uncommon or has sustained heavy losses, or for populations exhibiting unusual morphology or occurring on unusual substrates.” A marked-up screenshot of the Sensitive Species Compendium Key Chart from the Thresholds Guide is shown below:

C. Biological Resources

Exhibit C-7, continued
SENSITIVE SPECIES COMPENDIUM - CITY OF LOS ANGELES

KEY (continued)

California Native Plant Society (CNPS)	
1A	Plants presumed extinct in California ³
1B	Plants that are rare, threatened, or endangered in California or elsewhere ³
2	Plants that are rare, threatened, or endangered in California, but more common elsewhere ³
3	Plants about which more information is needed - a review list ⁴
4	Plants of limited distribution - a watch list ⁵

Habitat Code Designations - California Natural Diversity Database (CNDD)	
AF	Alluvial Fan Sage Scrub
BW	Brackish Water
CB	Coastal Bluff Scrub
CD	Coastal Dunes
CH	Chaparral
CL	Coastal Lagoon

³ All of the plants constituting Lists 1A, 1B, and 2 meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for listing. According to the DFG, if the taxa on List 1A are rediscovered, they should be fully considered during preparation of environmental documents relating to CEQA. List 1B and 2 plants should be fully considered during preparation of environmental documents relating to CEQA.

⁴ Some of the plants constituting List 3 meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for listing. The DFG recommends that List 3 plants be evaluated for consideration during preparation of environmental documents relating to CEQA.

⁵ Very few of the plants constituting List 4 meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and few, if any, are eligible for listing. Nevertheless, many of them are significant locally, and the DFG recommends that List 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA. This may be particularly appropriate for the type locality of a List 4 plant, for populations at the periphery of a species' range or in areas where the taxon is especially uncommon or has sustained heavy losses, or for populations exhibiting unusual morphology or occurring on unusual substrates.

The Southern California Black Walnut is a "plant of limited distribution" that "should be evaluated under CEQA."

L.A. CEQA Thresholds Guide
Page C-26

Based on the threat to this native tree, in 2006 the City adopted Ordinance 177404 to amend its Protected Tree Ordinance. The Southern California Black Walnut was added to the list of protected trees and their removal was prohibited without the issuance of a tree removal permit and a determination from the Board of Public Works that removal was “necessary” in order to allow for “reasonable development.”

Notably, the City Planning Commission made the following finding when it recommended approval to the City Council for the amended Protected Tree Ordinance:

“In accordance with Charter Section 556, the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent, and provisions of the General Plan. It implements Policy 3 of Section 6: Endangered Species of the Conservation Element² of the General Plan by *revising regulations concerning endangered species*; and Policy 4 of Section 10³: Habitats of the Conservation Element of the General Plan by creating legislation that encourages and facilitates protection of local native plant and animal habitats. It also implements the California Environmental Quality Act by designating *Juglans californica var. californica* as a protected species, consistent with the recommendations of the California Native Plant Society (6th. Inventory of Endangered Species, RED Code 4-4-4) that this “locally significant” species be “evaluated for consideration during the preparation of environmental documents relating to CEQA.”

The City Council adopted the Planning Commission’s findings. Policy 3 of Section 6: Endangered Species of the Conservation Element of the General Plan states:

“Policy 3: continue to support legislation that encourages and facilitates protection of endangered, threatened, sensitive and rare species and their habitats and habitat corridors.”

Policy 4 of the Habitats portion of the Conservation Element of the General Plan states:

“Policy 4: continue to support legislation that encourages and facilitates protection of local native plant and animal habitats.

Here, the unusual circumstances are the existence of *juglans californica var. californica* species individuals and Coast Live Oak (*Qeurecus agrifolia*) species individuals on the Project site which the Project would negatively impact. Both of these trees are locally protected species. The City Council’s findings and the implementing City’s official CEQA Thresholds Guide quoted above constitute an authorized and definitive legislative finding that this particular project’s special circumstances would have a significant impact on biological resources.

² The Conservation Element clearly lays out the rationale for regulation and protection: “Without protection of habitats suitable for species propagation, entire species of native plants and animals gradually will decline or become extinct. A couple of hundred plants and animals that live in Los Angeles habitats are listed on the federal and/or state endangered, threatened or species of special concern lists. Within the Santa Monica Mountains National Recreation Area alone 26 plants and animals are classified as rare, threatened or endangered and 58 more have been placed on the list of species of special concern by the National Park Service. Within the city more than 180 plant and animal species are listed by the Environmental Affairs Department for the city as a whole.”

³ It appears that the original source document incorrectly states the section number where the “Habitats” portion of the Conservation Element is found. The “Habitats” section is located in Section 12 (not Section 10).

The City's official CEQA Thresholds Guide states:

A project would normally have a significant impact on biological resources if it could result in:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;
- The loss of individuals or the reduction of existing habitat of a **locally designated species** or a reduction in a locally designated natural habitat or plant community;

It is clear that this is a parallel to the definition of a "sensitive biological resource" found in that same document:

For the purposes of the Thresholds Guide, a sensitive biological resource is defined as follows:

- A plant or animal that is currently listed by a state or federal agency(ies) as endangered, threatened, rare, protected, sensitive or a Species of Special Concern or federally listed critical habitat;
- A plant or animal that is currently listed by a state or federal agency(ies) as a candidate species or proposed for state or federal listing; or
- A locally designated or recognized species or habitat.

The quoted statement from the CEQA Thresholds Guide above, in combination with the definition of a sensitive biological resource and the requirement that the description of the environmental setting include a "statement of the potential for existing sensitive resources, *based upon review of Exhibit C-7*" make it clear that California Black Walnut trees are a sensitive resource in the City of Los Angeles and that, therefore, the presumption is that the Project will have a significant impact on biological resources. This certainly meets the required showing that there is "a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances" as required by *Berkeley Hillside Pres.*, *supra*, 60 Cal.4th at p. 1105.

b. **Project is Not Exempt from CEQA Because the City Has Proposed Mitigation Measures in the Form of Specialized Conditions of Approval for the Project**

Significantly, in evaluating whether a categorical exemption may apply, a public agency may not rely on mitigation measures as a basis for concluding that a project is categorically exempt, or as a basis for determining that one of the significant effects exceptions does not apply. *Salmon Prot. & Watershed Network v. Cnty. of Marin* (2004) 125 Cal.App.4th

1098. As held in *Salmon*, if a project requires mitigation measures it cannot be approved via categorical exemption:

Only those projects having no significant effect on the environment are categorically exempt from CEQA review. (Pub. Resources Code, §§ 21080, subd.(b)(9), 21084, subd. (a).) If a project may have a significant effect on the environment, CEQA review must occur and only then are mitigation measures relevant. (*Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1199–2000.) Mitigation measures may support a negative declaration but not a categorical exemption.

Salmon Prot. & Watershed Network v. Cnty. of Marin, supra, 125 Cal.App.4th at p. 1102. A City may condition a project on compliance with regulations of general application, but a City may not apply site specific environmental mitigation measures in order to reach an exemption determination. *San Francisco Beautiful v. City & Cnty. of San Francisco* (2014) 226 Cal.App.4th 1012, 1032. The City sought to deem this project “exempt” from City by relying of an environmental mitigation measure namely, the planting of replacement trees on the property. The City has previously claimed that tree replanting is a “Regulatory Compliance Measure.” But, the tree replanting measure does not even appear in the City’s published list of Regulatory Compliance Measures. The Staff Report to the City Planning Commission for the amended Protected Tree Ordinance affirms that the City views replanting as an environmental mitigation measure. In response to a paragraph labeled “Oversight of the regulations and enforcement of the regulations” the Staff Report states as follows: “The Street Tree Division of the Board of Public Works is responsible for oversight of the regulations. Enforcement comes in several ways. One, applicants for building permits are required to list protected trees on their site plans. Two, as part of any required environmental review, a plot plan of the site showing all trees must be submitted, and a mitigation for removal of any protected trees is required, in accordance with Code requirements.” Even the City’s CEQA Threshold Guide lists “revegetation” after project construction as a “sample mitigation measure.” CEQA Threshold Guide, Page C-8. Even the developer’s own arborist referred to the replacement trees as “mitigation” in the Protected Tree Report (“PTR”) prepared for the Project. The arborist also prepared a “Mitigation Plan” for the Project. There is no absolute requirement to plant mitigation trees under the Los Angeles Municipal Code. The Board of Public Works is merely authorized to condition a tree removal permit on the replacement of the tree. The City’s Protected Tree Ordinance states as follows:

The Board of Public Works or its authorized officer or employee *may* [r]equire as a condition of a grant of permit for the relocation or removal of a protected tree, that the permittee replace the tree within the same property boundaries by at least two trees of a protected variety included within the definition set forth in Section 46.01 of this Code, in a manner acceptable to the Board.

LAMC § 46.02(c). The Protected Tree Ordinance uses the word “may” – not “shall.” This is significant. The tree replacements that are traditionally conditioned by the Board of Public Works are discretionary environmental mitigation measures. They are not mandatory “regulatory compliance measures” of general application. Again, under *Salmon*, the City cannot use a mitigation measure to reach a determination that a project is exempt from CEQA⁴.

This is fundamental black letter CEQA law.

c. **The Mitigation Measures Mandated by the City Are Inadequate Because the Tree Replanting Plan is Horticulturally Unsound**

Moreover, the environmental mitigation measures mandated by the Board of Public Works – the planting of 12 mitigation trees is inadequate. The trees are proposed to be planted around the perimeter of the property in close proximity to one another. This is horticulturally unsound. The replacement trees are planted far too close to each other. They will not be able to grow to full maturity as currently proposed. The “mitigation” is therefore illusory.

d. **The Applicant Failed to Disclose Impacts to Additional Protected Trees Caused by Project**

The Project’s retaining walls and other grading activity may cause harm and damage to other protected trees as acknowledged in the Protected Tree Report. As a result, the applicant is required to obtain a Tree Removal Permit from the Board of Public Works – even if the death of the tree remains unknown. The Board issued the Tree Removal permit in error when it failed to recognize the full scope of the project’s impacts.

e. **The Project is Located Within the Santa Monica Mountains Zone and Therefore Cannot be Exempted from CEQA**

CEQA Guidelines Section 15300.2 - labeled “Exceptions” - outlines six situations where an exemption may not be used. The Project is not eligible for an exemption due to its location.

“(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a *particularly sensitive environment* be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an *environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies*.

CEQA Guidelines Section 15300.2.

As explained in the CEQA Guidelines, “a project that is ordinarily insignificant in its impact on the environment may in a *particularly sensitive environment* be significant.” CEQA Guidelines Section 15300.2(a). An exemption does not apply where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

⁴ Further, the Grading Division has issued a Geology and Soils Report Approval Letter for the Project. This letter contains numerous conditions of approval. Many of these conditions are not simply applications of the California Building Code or existing City of Los Angeles regulations. The fact that the Geology Report contains specialized mitigation measures renders the application of a categorical exemption inappropriate and unlawful.

In this case, the Class 3 single family home exemption cannot be used because the Project is located within the Santa Monica Mountains Zone ("Zone"). The Zone was established by the Legislature via the Santa Monica Mountains Conservancy Act, which is codified at Section 33001 of the Public Resources Code. The Act states as follows:

"The Legislature hereby finds and declares that the **Santa Monica Mountains Zone**, as defined in Section 33105, **is a unique and valuable** economic, **environmental**, agricultural, scientific, educational, and recreational **resource** that should be held in trust for present and future generations; that, as the last large undeveloped area contiguous to the shoreline within the greater Los Angeles metropolitan region, comprised of Los Angeles and Ventura Counties, it provides **essential relief from the urban environment**; that it exists as a single ecosystem in which changes that affect one part may also affect all other parts; and that the preservation and protection of this resource is in the public interest."

The Legislature itself declared that the Santa Monica Mountains Zone is a unique and valuable environmental resource that provided essential relief from the urban environment. Notwithstanding the habitat maps, all of the Santa Monica Mountains comprise an environmental resource of critical concern. The Santa Monica Mountains Conservancy Act goes on to say the following:

"in the absence of a governmental mechanism to perform such evaluations, piecemeal development projects were occurring within the zone which resulted in the irreplaceable loss of open space and recreational resources, in the physical and biological deterioration of air, land, and water systems within the zone, and adversely affected regional life-support systems, including fish and wildlife, therefore being harmful to the needs of the present and future population of the region."

The Legislature further declared at PRC Section 33008 that:

"there are existing problems of substandard lots, incompatible land uses, conflicts with recreational use, and inadequate resource protection which, in some cases, cannot be addressed in a feasible manner by local government exercise of the police power or federal land acquisition as part of the Santa Monica Mountains National Recreation Area, and that it is necessary to enact the provisions of this division as a complement to the full exercise of the police power by local governments . . ."

The Legislature also stated that "the people of the State of California have an interest in the protection of resources and the use of lands acquired or managed by the conservancy pursuant to this division, and that the conservancy in carrying out its duties pursuant to this division acts on behalf of the State of California."

In sum, the use of the Class 3 single-family home exemption cannot be used for this project because it is located within the Santa Monica Mountains Zone. Environmental review pursuant to CEQA is required because the mountains are an *environmental resource of critical concern* that have been designed and precisely mapped pursuant to state law.

f. The Project is Located Within Mapped Hazardous Zones

CEQA Guidelines Section 15300.2(a) specifically excepts a project such as this from the single-family home exemption “where the project may impact on an environmental resource of hazardous or critical concern” where officially designated. Here, the property has been officially mapped in a “Very High Fire Hazard Severity Zone” due to its location in a fire-prone hillside area of the City.

The City has defined the “Very High Fire Hazard Severity Zone” as follows:

“Any area within the City of Los Angeles that poses a significant threat of fire from adjoining natural brush hillside areas and which is determined by the following factors: topography, infrastructure, fire protection, population density, types of construction, weather, existing fire codes and ordinances, and fire history.”

LAMC Section 57.202. The City’s Zone Information and Map Access System (“ZIMAS”) describes the Very High Fire Hazard Severity Zone as follows:

“Lands designated by the City of Los Angeles Fire Department pursuant to Government Code 51178 that were identified and recommended to local agencies by the Director of Forestry and Fire Protection based on criteria that includes fuel loading, slope, fire weather, and other relevant factors. These areas must comply with the Brush Clearance Requirements of the Fire Code. The Very High Fire Hazard Severity Zone (VHFHSZ) was first established in the City of Los Angeles in 1999 and replaced the older ‘Mountain Fire District’ and ‘Buffer Zone.’”

Further, the property has been officially mapped in a liquefaction zone as evidence by the City’s ZIMAS.

It simply cannot be disputed that these zones have been officially designated pursuant to law and that they represent an “environmental resource of hazardous concern.” Therefore, the Project cannot be exempted from CEQA.

g. Unusual Circumstances Related to Noise and Geology and Soils Remove the Ability of the City to Use a CEQA Exemption for the Project

Further, the Project will have significant environmental impacts with regard to noise and geology and soils. The City has acknowledged these potentially foreseeable impacts unique to hillside communities when they analyzed a proposal to grade a similar amount of dirt for a nearby project at 8426 W Brier Drive in Laurel Canyon in November of 2017. See ENV-2015-2587-MND.

The MND for the Brier Project with regard to noise said,

“Construction activities can generate varying degrees of vibration depending on the construction procedures and they type of equipment used. High levels of vibration may cause physical personal injury or damage to buildings. The operation of construction equipment generates vibrations that spread through the ground...With mitigation measures a less than significant environmental impact may result for the project”

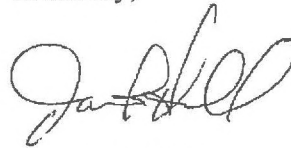
Mitigation measure 12-20 was then adopted for the Brier Project – which went above and beyond what the municipal code required. The City also concluded that the Brier Drive project would have a potentially significant impact on geology and soils. These are unusual circumstances that warrant an MND or EIR for the Project.

VI. REQUEST FOR RELIEF

Appellant respectfully request that the City of Los Angeles City Council (“Council”), after reviewing this appeal and its records, revoke and set-aside the approval of the tree removal permit on the basis that environmental review is required under CEQA. While this appeal is pending, appellants further request that all permit and tree removal activities related to the Project be immediately and temporarily stayed.

Finally, this appeal is made to exhaust administrative remedies concerning the tree removal permit and incorporates by reference all objections made by residents to the Board of Public Works. Please note that Appellant reserves the right to supplement the justifications for appeal presented. I trust the City will agendaize this appeal promptly so that it can be reviewed by the Public Works and Gang Reduction Committee (and thereafter the City Council).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jamie T. Hall', written in a cursive style.

Jamie T. Hall

RA 7. March 7, 2018, Board of Public Works Agenda Report

DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET SERVICES
REPORT NO. 1
Page 1 of 5
Date: March 7, 2018

SUBJECT TO THE
CONDITIONS CONTAINED
IN THE REPORT

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California

MAR 07 2018

CD # 5

Honorable Board of Public Works
of the City of Los Angeles


Executive Officer
Board of Public Works

Commissioners:

10034 WESTWANDA DRIVE – REQUEST BOARD APPROVAL FOR A FEE PERMIT TO REMOVE THREE COAST LIVE OAK (QUERCUS AGRIFOLIA) AND SIX CALIFORNIA BLACK WALNUT (JUGLANS CALIFORNICA) STUMPS DUE THE NEW CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE. TREE REPLACEMENTS ARE REQUIRED.

RECOMMENDATION:

1. Find that this project is categorically exempt under Article III, Section 1, Class 3, Category 1 of the City's Environmental Quality act Guidelines and there is no substantial evidence the proposed project will have significant effect on the environment and is in compliance with the California environmental Quality Act (CEQA).
2. Find that none of the exceptions to the use of categorical exemption as set forth in Section 15300.2 of State CEQA Guidelines apply.
3. Specify that the Bureau of Street Services (Bureau), Urban Forestry Division, located at 1149 South Broadway, is custodian of the documents of other material that constitute the record of proceedings upon which the Board's decision is based.
4. Review and approve the request for a fee permit to remove three Coast Live Oak (Quercus agrifolia) tree and six Southern California Black Walnut (Juglans californica) stumps. Tree replacements are required.

TRANSMITTALS:

1. Copy of fax sheet sent to Council office.
2. Application for a tree removal permit.
3. Service Request No. 1-745954991.
4. Notice of Exemption.
5. Geology and Soils Report Approval Letter, dated May 16, 2016.
6. Photographs of trees to be removed.
7. Protected Tree Report (PTR) from Jan C. Scow, Registered Consulting Arborist.

CONDITION:

The applicant shall plant twelve, 24-inch box size Coast Live Oak (*Quercus agrifolia*) trees on site to replace the removed trees. The survival of the tree replacements shall be guaranteed for a period of three years by Bond. If the Board approves the Protected Tree Removal, the Tree Removal Permit shall be issued by BSS upon notification by the Bureau of Engineering that the Bond has been posted.

Upon issuance of the Protected Tree removal permit, the Bureau shall be notified a minimum of ten days prior to the day the Protected Tree removals shall occur. The applicant's Tree Expert shall be on-site the day of the tree removal to ensure the proper trees are removed. A Bureau arborist will arrange an onsite meeting with the applicant or their Tree Expert the day following the Protected Tree removal.

The applicant, in conjunction with the project's Landscape Architect or Tree Expert, shall be responsible to ensure the Tree Removal Permit tree replacement conditions are in compliance. Replacement tree planting shall follow the Landscape plan to the fullest extent possible. The Bureau shall be notified no later than five days after the completion of the tree replacements. A Bureau arborist will make arrangements to visit the site and approve the tree replacements as being in compliance with the permit conditions within five working days of the notification of planting completion.

The Bureau shall be notified immediately if any permit conditions have been violated or cannot be fulfilled. Failure to comply with this requirement may result in fines or legal actions.

The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval.

ALTERNATIVE METHODS AND OPTIONS EXPLORED:

The location, size, and condition of the tree negate the possibility of tree preservation or relocation.

DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET SERVICES
REPORT NO. 1

Page 3 of 5

Date: March 7, 2018

RECITAL:

Karla Shahin, property owner, is proposing to construct a single-family two story residence with basement at 10034 Westwanda Drive. The proposed home will have a footprint of approximately 3,238 square feet on a vacant lot measuring approximately 4,009 square feet. The lot has moderate to steep topography with downward slopes as much as 1:1 ratio. The proposed project will include major excavation and grading in order to construct the residence. Armen Melkonians, owner's representative, contacted the Bureau regarding construction and in response to his inquiry, Armen Melkonians was directed to obtain services of a Los Angeles Municipal Code-defined tree expert to evaluate the subject trees.

Armen Melkonians, acquired the services of Mr. Jan C. Scow, Registered Consulting Arborist to provide an assessment of the property and to address the project's impact to Protected Trees. Mr. Scow prepared a Protected Tree report (PTR) in response to the request and submitted the PTR for the Bureau's review.

Mr. Scow's site assessment reveals a total of thirteen protected trees on the subject property including six (# 5, # 6, # 7, # 9, # 12, and # 14) stumps from old and previously removed Southern California Black Walnut (*Juglans californica*) trees. The Black Walnut trees believed to have died during the drought or from disease several years ago and were cut to stumps as part of the required brush clearance. Mr. Scow determined that three of seven remaining protected trees on the property are located in and directly adjacent to the building footprint and will be severely impacted and require removal. The trees identified for removal are three (#4, # 8 and # 10) Coast Live Oak (*Quercus agrifolia*) trees. The three Oak trees identified for removal measure approximately eleven to twenty inches in cumulative diameter by approximately fifteen to forty-five feet in height and are in fair health.

The subject trees will require removal for construction of the new residence; therefore, Jan C. Scow recommends that the three subject Oak trees and Black Walnut stumps be removed. The remaining four protected trees will be minimally impacted and are to be preserved in place during the course of the construction and protective fencing has been installed.

A Bureau Arborist inspected the location on January 8, 2018. The arborist agrees with Jan C. Scow's tree assessment and recommendation that the removal of the three subject Protected trees and six Southern California Black Walnut stumps will be required.

DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET SERVICES
REPORT NO. 1
Page 4 of 5
Date: March 7, 2018

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This project is categorically exempt under Article III, Section 1, Class 3, Category 1 of the City's Environmental Quality act Guidelines and there is no substantial evidence the proposed project will have significant effect on the environment and is in compliance with the California environmental Quality Act (CEQA).

None of the exceptions to the use of categorical exemption as set forth in Section 15300.2 of State CEQA Guidelines apply

Section 46.02(b) of the LAMC states, "the Board may grant a permit for removal or relocation of a protected tree...if it is necessary to remove the protected trees because its continued existence at the location prevents the reasonable development of the subject property" or "because of an existing and irreversible adverse condition." Therefore to allow reasonable repairs to the property and to mitigate the moderately high failure potential of the tree. BSS recommends the Board approve the request for a fee tree removal permit.

CONCLUSION:

Joan Pelico, Deputy District Director, Fifth Council District was informed of the tree removal request on January 11, 2018. The Council office will notify the Bureau of any objections to the proposed Protected Tree removals prior to the Board hearing this matter.

The applicant shall plant twelve, 24-inch box size Coast Live Oak (*Quercus agrifolia*) trees on site to replace the removed trees. The survival of the tree replacements shall be guaranteed for a period of three years by Bond. If the Board approves the Protected Tree Removal, the Tree Removal Permit shall be issued by BSS upon notification by the Bureau of Engineering that the Bond has been posted.

Upon issuance of the Protected Tree removal permit, the Bureau shall be notified a minimum of ten days prior to the day the Protected Tree removals shall occur. The applicant's Tree Expert shall be on-site the day of the tree removal to ensure the proper trees are removed. A Bureau arborist will arrange an onsite meeting with the applicant or their Tree Expert the day following the Protected Tree removal.

DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET SERVICES
REPORT NO. 1

Page 5 of 5

Date: March 7, 2018

The applicant, in conjunction with the project's Landscape Architect or Tree Expert, shall be responsible to ensure the Tree Removal Permit tree replacement conditions are in compliance. Replacement tree planting shall follow the Landscape plan to the fullest extent possible. The Bureau shall be notified no later than five days after the completion of the tree replacements. A Bureau arborist will make arrangements to visit the site and approve the tree replacements as being in compliance with the permit conditions within five working days of the notification of planting completion.


The Bureau shall be notified immediately if any permit conditions have been violated or cannot be fulfilled. Failure to comply with this requirement may result in fines or legal actions.

The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval.

The applicant has been advised of the recommendations contained within this report.

(NS-----GS-----TT)

Respectfully submitted,


For _____
NAZARIO SAUCEDA, DIRECTOR
BUREAU OF STREET SERVICES

Prepared by:
Urban Forestry Division
Ext. 7-3077

NS/GS/TT/HB:rt
S:\Board Reports\2018 Board Reports\10034 Westwanda Dr

RA 8. Draft Notice of Exemption to be filed with County Clerk

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT

CITY CLERK'S USE

NOTICE OF EXEMPTION
(Articles II and III – City CEQA Guidelines)

Submission of this form is optional. The form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, California, 90650, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21167(d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project.

LEAD CITY AGENCY AND ADDRESS:	City of Los Angeles Bureau of Street Services Urban Forestry Division 1149 S. Broadway, Suite 400 Los Angeles, CA 90015	COUNCIL DISTRICT 5
PROJECT TITLE: 10034 Westwanda Drive	LOG REFERENCE 1-745954991	

PROJECT LOCATION: 10034 Westwanda Drive

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: The lot is approximately 4,009 square feet with a first-floor foot print of approximately 3,238 square feet. The owner is proposing to construct a new residence. Due to the required grading to build the new home. Three Coast Live Oaks (*Quercus agrifolia*) trees will need to be removed and six California Black Walnut stumps (*Juglans californica*). The remaining four protected trees on site shall be protected during the course of construction. Protective fencing has been installed. The project will include planting twelve 24-inch box Coast Live Oaks and shall be bonded for a period of three years to insure the survivability of the trees.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD AGENCY:

Karla Shahin

CONTACT PERSON

Armen Melkonians

TELEPHONE NUMBER

(310) 247-0834

EXEMPT STATUS: (Check One)

- ☐ MINISTERIAL
☐ DECLARED EMERGENCY
☐ EMERGENCY PROJECT
☐ GENERAL EXEMPTION
☒ CATEGORICAL EXEMPTION*
☐ STATUTORY*

CITY CEQA
GUIDELINES

Art. II, Sec. 2.b
Art. II, Sec. 2.a(1)
Art. II, Sec. 2.a(2)(3)
Art. II, Sec. 1
Art. III, Sec. 1 Class 3 Cat. 1
Art. ____, Sec. ____ Class ____ Cat ____

STATE CEQA
GUIDELINES

Sec. 15268
Sec. 15269(a)
Sec. 15269(b)(c)
Sec. 15061(b)(3)
Sec. 15303 and Sec.15332
Sec.

* See Public Resources Code Sec. 21080 and set forth state and city guidelines provisions.

JUSTIFICATION FOR PROJECT EXEMPTION:

The project involves the construction of a single-family home qualifying for the categorical exemption for construction of new small structures, which includes single-family structures. The project is also an infill project meeting the conditions in State CEQA Guidelines Section 15332. None of the exemptions stated in State CEQA Guidelines Section 15300.2 apply. See the City's supplemental Recommendation Report attached hereto and accompanying the project approval.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING

SIGNATURE:		TITLE:	DATE:
FEE: \$	RECEIPT NO.	REC'D BY	DATE

DISTRIBUTION: (1) County Clerk (2) City Clerk (3) Agency Record

RA 9. June 11, 2018, Grading Permit No. 16030-10000-09597

10034 W Westwanda Dr



Permit #:

16030 - 10000 - 09597

Plan Check #: B16LA20622

Printed: 06/11/18 08:17 AM

Event Code:

Grading

1 or 2 Family Dwelling

Regular Plan Check

Plan Check

City of Los Angeles - Department of Building and Safety

Issued on: 06/11/2018

APPLICATION FOR GRADING PERMIT

Last Status: Issued

AND GRADING CERTIFICATE

Status Date: 06/11/2018

1. TRACT	BLOCK	LOT(s)	ARR	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
TR 4311	BLK 9	9		M B 89-62/69 (SHTS 3/10)	150B153 57	4383 - 019 - 009

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles

LADBS Branch Office - WLA

Baseline Hillside Ordinance - Yes

Council District - 5

Certified Neighborhood Council - Bel Air - Beverly Crest

Community Plan Area - Bel Air - Beverly Crest

Census Tract - 2612.00

District Map - 150B153

Energy Zone - 9

Fire District - VHFHSZ

Hillside Grading Area - YES

Hillside Ordinance - YES

Earthquake-Induced Landslide Area - Yes

Near Source Zone Distance - .6

School Within 500 Foot Radius - YES

ZONES(S): RE15-1-H

4. DOCUMENTS

Z1 - Z1-2443 Neighborhood Conservation ICO ORD - ORD-183497

BHO - Yes

ORD - ORD-128730

ICO - Neighborhood Conservation ICO - Bel

ORD - ORD-129279

HLSAREA - Yes

ORD - ORD-132416

CPC - CPC-18760

5. CHECKLIST ITEMS

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):

SHAHIN, KARLA

435 BEVERLY DR STE 208, BEVERLY HILLS CA 90210 --

Tenant:

Applicant: (Relationship: Other)

ARMEN MELFONIAN -

435 N. BEVERLY DR. 208, BEVERLY HILLS, CA 90210 -- (310) 247-0834

For Cashier's Use Only

W/O #: 63009597

7. EXISTING USE

PROPOSED USE

(70) Grading - Hillside

8. DESCRIPTION OF WORK

GRADING FOR 2 STORY SFD OVER BASEMENT AND RETAINING WALL.

9. # Bldgs on Site & Use: 2 OF 4

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Manuel Garcia

DAS PC By:

OK for Cashier: Somkiat Supanyachotskul

Coord. OK:

Signature:

Date: 06/11/2018

11. PROJECT VALUATION

Final Fee Period

Permit Valuation: 956 cu yd

PC Valuation:

Sewer Cap ID:

Total Bond(s) Due: \$6,700

12. ATTACHMENTS

Owner-Builder Declaration

Plot Plan

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.

WL MARI 302066754 6/11/2018 8:17:19 AM

GRADING PERMIT	\$1,375.00
GRADING PLAN CHECK	\$243.00
GRADING PLAN CHECK	\$121.50
DEV SERV CENTER SURCH	\$52.19
SYSTEMS DEVT FEE	\$104.37
CITY PLANNING SURCH	\$104.37
MISCELLANEOUS	\$10.00
PLANNING GEN PLAN MAINT SURCH	\$121.77
GRADING PLAN CHECK	\$0.00

Sub Total:

\$2,132.20

Permit #: 160301000009597

Building Card #: 2018WL90665

Receipt #: 0302128392



* P 1 6 0 3 0 1 0 0 0 0 9 5 9 7 F N *

1050622201858445

13. STRUCTURE INVENTORY

(Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

16030 - 10000 -

(P) Cut: 956 Cuyd
(P) Export: 954 Cuyd
(P) Fill: 2 Cuyd
(P) Import: 0 Cuyd

14. APPLICATION COMMENTS:

[1] BHO Exempted: 928 (cut), 2 (fill) [2] BHO Non- Exempted: 28(cut), (fill)

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:**16. CONTRACTOR, ARCHITECT & ENGINEER NAME****ADDRESS****CLASS****LICENSE #****PHONE #**

(O) OWNER-BUILDER

0

(310) 804-3755

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the following reason (Section 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

☒ I, as the owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code). The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year from completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale).

OR

☐ I, as the owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code). The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law.)

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

☒ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: _____ Policy Number: _____

☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

- (1) I accept all the declarations above namely the Owner-Builder Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, and Final Declaration; and
- (2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: KARLA SHAHIN

Sign: _____

Date: 06/11/2018

☒ Owner

☐ Authorized Agent

Grading
1 or 2 Family Dwelling
Plan Check

City of Los Angeles - Department of Building and Safety

Plan Check #: B16LA20622FO

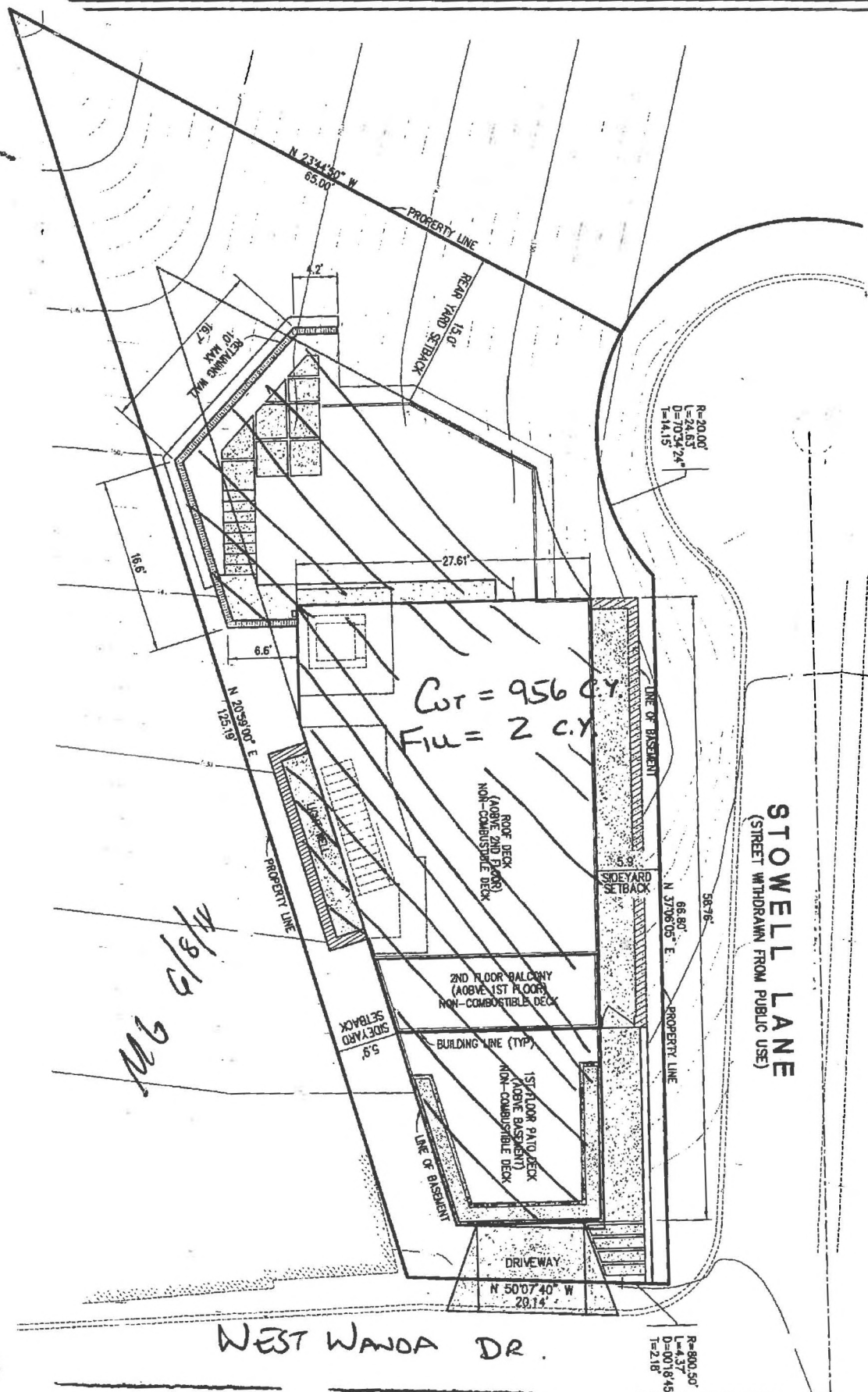
Initiating Office: METRO

Printed on: 02/13/17 10:13:33

PLOT PLAN ATTACHMENT

(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER.)

1 0 5 0 6 2 2 2 0 4 3 5 8 4 4 5



COUNCIL DISTRICT

PLOT PLAN



OWNER'S ACKNOWLEDGMENT AND VERIFICATION
OF INFORMATION

(OWNER-BUILDER DECLARATION, cont.)

Application Number:

16030-10000-09597

Project Address:

10034 Westwanda Dr.

✓ 5.10. I am aware of and consent to an Owner-Builder building permit applied for in my name, and understand that I am the party legally and financially responsible for proposed construction activity at the following address: 10034 Westwanda Dr.

✓ 5.11. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern Owner-Builders as well as employers.

✓ 5.12. I agree to notify the issuer of this form immediately of any additions, deletions, or changes to any of the information I have provided on this form. Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license, the Contractors' State License Board may be unable to assist you with any financial loss you may sustain as a result of a complaint. Your only remedy against unlicensed Contractors may be in civil court. It is also important for you to understand that if an unlicensed Contractor or employee of that individual or firm is injured while working on your property, you may be held liable for damages. If you obtain a permit as Owner-Builder and wish to hire Contractors, you will be responsible for verifying whether or not those Contractors are properly licensed and the status of their workers' compensation insurance coverage. Before a building permit can be issued, this form must be completed and signed by the property owner and returned to the agency responsible for issuing the permit.

Note: A copy of the property owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature.

Owner's Name: KARLA SHAHIN

Signature of property owner

[Signature]

Date: 6/8/2018

SEC. 3. Section 19830 of the Health and Safety Code is repealed.

SEC. 4. Section 19831 of the Health and Safety Code is repealed.

SEC. 5. Section 19832 of the Health and Safety Code is repealed.

1050622201858445



OWNER'S ACKNOWLEDGMENT AND VERIFICATION OF
INFORMATION

(OWNER-BUILDER DECLARATION)

Application Number: 16030-10000-09597

Project Address: 10034 Westwinds Dr.

DIRECTIONS: Read and initial each statement below to signify you understand or verify this information.

- ☒ S.1. I understand a frequent practice of unlicensed persons is to have the property owner obtain an "Owner-Builder" building permit that erroneously implies that the property owner is providing his or her own labor and material personally. I, as an Owner-Builder, may be held liable and subject to serious financial risk for any injuries sustained by an unlicensed person and his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an Owner-Builder and am aware of the limits of my insurance coverage for injuries to workers on my property.
- ☒ S.2. I understand building permits are not required to be signed by property owners unless they are responsible for the construction and are not hiring a licensed Contractor to assume this responsibility.
- ☒ S.3. I understand as an "Owner-Builder" I am the responsible party of record on the permit. I understand that I may protect myself from potential financial risk by hiring a licensed Contractor and having the permit filed in his or her name instead of my own.
- ☒ S.4. I understand Contractors are required by law to be licensed and bonded in California and to list their license numbers on permits and contracts.
- ☒ S.5. I understand if I employ or otherwise engage any persons, other than California licensed Contractors, and the total value of my construction is at least five hundred dollars (\$500), including labor and materials, I may be considered an "employer" under state and federal law.
- ☒ S.6. I understand if I am considered an "employer" under state and federal law, I must register with the state and federal government, withhold payroll taxes, provide workers' compensation disability insurance, and contribute to unemployment compensation for each "employee." I also understand my failure to abide by these laws may subject me to serious financial risk.
- ☒ S.7. I understand under California Contractors' State License Law, an Owner-Builder who builds single-family residential structures cannot legally build them with the intent to offer them for sale, unless all work is performed by licensed subcontractors and the number of structures does not exceed four within any calendar year, or all of the work is performed under contract with a licensed general building Contractor.
- ☒ S.8. I understand as an Owner-Builder if I sell the property for which this permit is issued, I may be held liable for any financial or personal injuries sustained by any subsequent owner(s) that result from any latent construction defects in the workmanship or materials.
- ☒ S.9. I understand I may obtain more information regarding my obligations as an "employer" from the Internal Revenue Service, the United States Small Business Administration, the California Department of Benefit Payments, and the California Division of Industrial Accidents. I also understand I may contact the California Contractors' State License Board (CSLB) at 1-800-321-CSLB (2752) or www.cslb.ca.gov for more information about licensed contractors.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. For efficient handling of information internally and in the internet, conversion to this new format of code related and administrative information bulletins including MGD and RGA that were previously issued will allow flexibility and timely distribution of information to the public.

RA 10. June 8, 2018 Building Permit No. 16020-10000-04056

10034 W Westwanda Dr



Permit #:

16020 - 10000 - 0405

Plan Check #: B16LA20622

Printed: 06/08/18 04:15 P.

Event Code:

Nonbldg-New 1 or 2 Family Dwelling Regular Plan Check Plan Check	City of Los Angeles - Department of Building and Safety APPLICATION FOR BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY	Issued on: 06/08/2018 Last Status: Issued Status Date: 06/08/2018
1. TRACT TR 4311	BLOCK BLK 9	LOT 9
ARE M B 89-62/69 (SHTS 3/10)	COUNTY/MAP REF # 150B153 57	PARCEL ID # (PIN #) 4383 - 019 - 009

3. PARCEL INFORMATION Area Planning Commission - West Los Angeles LADBS Branch Office - WLA Baseline Hillside Ordinance - Yes Council District - 5 Certified Neighborhood Council - Bel Air - Beverly Crest	Community Plan Area - Bel Air - Beverly Crest Census Tract - 2612.00 District Map - 150B153 Energy Zone - 9 Fire District - VHFHSZ	Hillside Grading Area - YES Hillside Ordinance - YES Earthquake-Induced Landslide Area - Yes Near Source Zone Distance - .6 School Within 500 Foot Radius - YES
ZONES(S): RE15-1-H		

4. DOCUMENTS Z1 - ZI-2443 Neighborhood Conservation ICO ORD - ORD-183497 ORD - ORD-128730 ORD - ORD-129279 ORD - ORD-132416	ICO - Neighborhood Conservation ICO - Bel HLSAREA - Yes CPC - CPC-18760	BHO - Yes
--	---	-----------

5. CHECKLIST ITEMS**6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION**

Owner(s):
SHAHIN, KARLA
435 BEVERLY DR STE 208, BEVERLY HILLS CA 90210 --
Tenant:

Applicant: (Relationship: Other)
ARMEN MELFONIAN -
435 N. BEVERLY DR. 208, BEVERLY HILLS, CA 90210 -- (310) 247-0834

7. EXISTING USE	PROPOSED USE (23) Retaining Wall
------------------------	--

8. DESCRIPTION OF WORK
NEW RETAINING WALL.

9. # Bldgs on Site & Use: 3 OF 4

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Manuel Garcia	DAS PC By:
OK for Cashier: Somkiat Supanyachotskul	Coord. OK:
Signature:	Date: 06/08/2018

11. PROJECT VALUATION Final Fee Period

Permit Valuation: \$1,970	PC Valuation:
Sewer Cap ID:	Total Bond(s) Due:

12. ATTACHMENTS

Owner-Builder Declaration
Plot Plan

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.

For Cashier's Use Only

W/O #: 62004056

WL MAGD 301031000 6/8/2018 4:14:42 PM	
BUILDING PERMIT-RES	\$130.00
BUILDING PLAN CHECK	\$58.50
BUILDING PLAN CHECK	\$29.25
EI RESIDENTIAL	\$0.50
DEV SERV CENTER SURCH	\$6.55
SYSTEMS DEVT FEE	\$13.10
CITY PLANNING SURCH	\$13.07
MISCELLANEOUS	\$10.00
PLANNING GEN PLAN MAINT SURCH	\$15.24
CA BLDG STD COMMISSION SURCHARGE	\$1.00
BUILDING PLAN CHECK	\$0.00

Sub Total: \$277.21

Permit #: 160201000004056

Building Card #: 2018WL90661

Receipt #: 0301128378



* P 1 6 0 2 0 1 0 0 0 0 4 0 5 6 F N *

1050622201858417

13. STRUCTURE INVENTORY

(Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

16020 - 10000 - 040

(P) Retaining Wall Height: 10 Feet
(P) Retaining Wall Length: 44 Feet

14. APPLICATION COMMENTS:

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS	CLASS	LICENSE #	PHONE #
(O) OWNER-BUILDER			0	(310) 804-3755

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the following reason (Section 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

☒ I, as the owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code). The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year from completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale).

OR

☐ I, as the owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code; The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors' License Law.)

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

☒ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: _____ Policy Number: _____

☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

- (1) I accept all the declarations above namely the Owner-Builder Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, and Final Declaration; and
- (2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: KARLA SHAHIN

Sign: 

Date: 06/08/2018

☒ Owner☐ Authorized Agent

10034 W Westwanda Dr

Permit Application #: 16020 - 10000 - 040

Nonbldg-New
1 or 2 Family Dwelling
Plan Check

City of Los Angeles - Department of Building and Safety

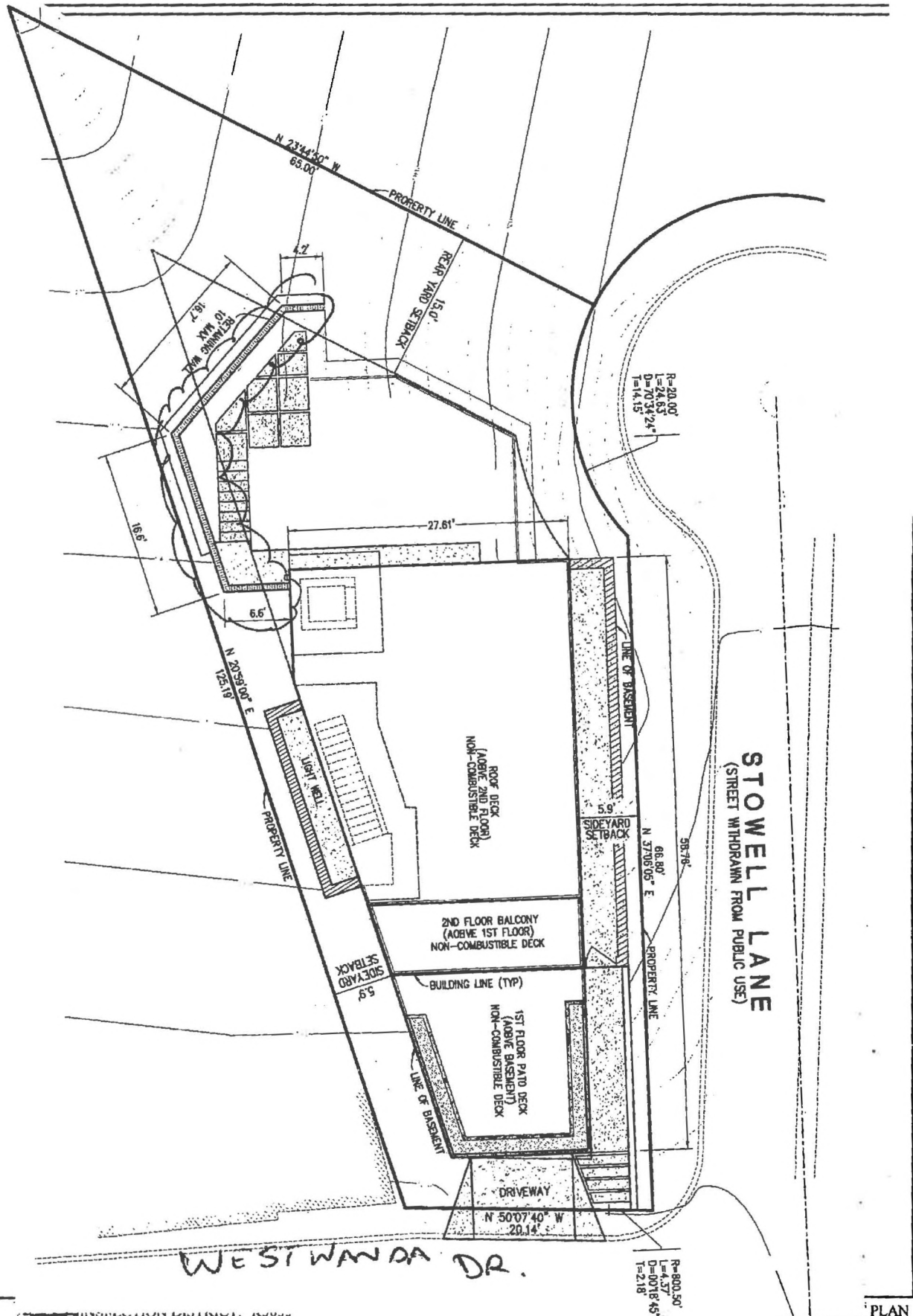
Plan Check #: B16LA20622F
Initiating Office: METRO
Printed on: 02/13/17 10:10:19

PLOT PLAN ATTACHMENT

1050622201858417

(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER)

8/8/10 m



COUNCIL DISTRICT: 5

PLAN



OWNER'S ACKNOWLEDGMENT AND VERIFICATION OF
INFORMATION

(OWNER-BUILDER DECLARATION)

Application Number: 16020-10000-04056

Project Address: 10034 Westwinds Dr.

DIRECTIONS: Read and initial each statement below to signify you understand or verify this information.

- 1050622201858417
- ☒ 1. I understand a frequent practice of unlicensed persons is to have the property owner obtain an "Owner-Builder" building permit that erroneously implies that the property owner is providing his or her own labor and material personally. I, as an Owner-Builder, may be held liable and subject to serious financial risk for any injuries sustained by an unlicensed person and his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an Owner-Builder and am aware of the limits of my insurance coverage for injuries to workers on my property.
- ☒ 2. I understand building permits are not required to be signed by property owners unless they are responsible for the construction and are not hiring a licensed Contractor to assume this responsibility.
- ☒ 3. I understand as an "Owner-Builder" I am the responsible party of record on the permit. I understand that I may protect myself from potential financial risk by hiring a licensed Contractor and having the permit filed in his or her name instead of my own.
- ☒ 4. I understand Contractors are required by law to be licensed and bonded in California and to list their license numbers on permits and contracts.
- ☒ 5. I understand if I employ or otherwise engage any persons, other than California licensed Contractors, and the total value of my construction is at least five hundred dollars (\$500), including labor and materials, I may be considered an "employer" under state and federal law.
- ☒ 6. I understand if I am considered an "employer" under state and federal law, I must register with the state and federal government, withhold payroll taxes, provide workers' compensation disability insurance, and contribute to unemployment compensation for each "employee." I also understand my failure to abide by these laws may subject me to serious financial risk.
- ☒ 7. I understand under California Contractors' State License Law, an Owner-Builder who builds single-family residential structures cannot legally build them with the intent to offer them for sale, unless all work is performed by licensed subcontractors and the number of structures does not exceed four within any calendar year, or all of the work is performed under contract with a licensed general building Contractor.
- ☒ 8. I understand as an Owner-Builder if I sell the property for which this permit is issued, I may be held liable for any financial or personal injuries sustained by any subsequent owner(s) that result from any latent construction defects in the workmanship or materials.
- ☒ 9. I understand I may obtain more information regarding my obligations as an "employer" from the Internal Revenue Service, the United States Small Business Administration, the California Department of Benefit Payments, and the California Division of Industrial Accidents. I also understand I may contact the California Contractors' State License Board (CSLB) at 1-800-321-CSLB (2752) or www.cslb.ca.gov for more information about licensed contractors.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. For efficient handling of information internally and in the Internet, conversion to this new format of code related and administrative information bulletins including MGD and RGA that were previously issued will allow flexibility and timely distribution of information to the public.



OWNER'S ACKNOWLEDGMENT AND VERIFICATION
OF INFORMATION

(OWNER-BUILDER DECLARATION, cont.)

Application Number: 16020-10000-04656

Project Address: 10034 Westwanda Dr.

X.S. 10. I am aware of and consent to an Owner-Builder building permit applied for in my name, and understand that I am the party legally and financially responsible for proposed construction activity at the following address: 10034 Westwanda Dr.

X.S. 11. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern Owner-Builders as well as employers.

X.S. 12. I agree to notify the issuer of this form immediately of any additions, deletions, or changes to any of the information I have provided on this form. Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license, the Contractors' State License Board may be unable to assist you with any financial loss you may sustain as a result of a complaint. Your only remedy against unlicensed Contractors may be in civil court. It is also important for you to understand that if an unlicensed Contractor or employee of that individual or firm is injured while working on your property, you may be held liable for damages. If you obtain a permit as Owner-Builder and wish to hire Contractors, you will be responsible for verifying whether or not those Contractors are properly licensed and the status of their workers' compensation insurance coverage. Before a building permit can be issued, this form must be completed and signed by the property owner and returned to the agency responsible for issuing the permit.

Note: A copy of the property owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature.

Owner's Name: KARLA SHAHIN

Signature of property owner [Signature] Date: 6/8/2018

SEC. 3. Section 19830 of the Health and Safety Code is repealed.

SEC. 4. Section 19831 of the Health and Safety Code is repealed.

SEC. 5. Section 19832 of the Health and Safety Code is repealed.

RA 11. Santa Monica Mountains Conservancy, Agenda Item 13, Resolution 17-1 (January 23, 2017) and Santa Monica Mountains Conservancy, Memorandum from Joseph T. Edmiston, Executive Director, Re: Agenda Item 13 (January 23, 2017) pp. 1-2

DECLARATION OF BONNIE THORNE

I, Bonnie Thorne, declare as follows:

1. I am a Paralegal employed at the law firm of Remy Moose Manley, LLP ("RMM"), attorneys of record for the City of Los Angeles. The statements set forth in this declaration are within my personal knowledge, except as to those matters which are stated on information and belief, and, as to those matters, I believe them to be true. If called upon to testify as to these statements, I could and would so competently testify.

2. On May 18, 2018, at the request of its client the City of Los Angeles, RMM sent a California Public Records Act request ("PRA request"), via e-mail and regular mail, to the Santa Monica Mountains Conservancy under Government Code section 6250 *et seq.*, with respect to the Eastern Santa Monica Mountains Habitat Linkage Planning Map, adopted on January 23, 2017, through Resolution 17-01, and updated periodically thereafter. Attached hereto as **Exhibit A** (Pages SMMCPRA_001 through 003) is a true and correct copy of the PRA request contained in the regularly-maintained files of RMM to which I have access.

3. On May 23, 2018, Staff Counsel, Spencer Eldred, e-mailed our office on behalf of the Santa Monica Mountains Conservancy ("SMMC") in response to the PRA request. A true and correct copy of Mr. Eldred's e-mail addressed to me at my e-mail address is attached hereto as **Exhibit B** (Page SMMCPRA_004). In his e-mail, Mr. Eldred indicated that some responsive documents are publically available and directed our office to SMMC's webpage (<http://smmc.ca.gov/attachment.asp?agendaaid=549>) to access the January 23, 2017 agenda attachments for item no. 13. I personally opened the link provided in Mr. Eldred's email, downloaded the four documents pertaining to the January 23, 2017 agenda, item no. 13, and saved them in RMM's files. True and correct copies of the documents I downloaded as directed, are attached hereto as **Exhibit C** (Pages SMMCPRA_005 through 010).

4. On May 24, 2018, Mr. Eldred provided our office with additional documents responsive to the PRA request. The files were provided in shapefile format requiring ESRI software to open and

view the files. A true and correct copy of Mr. Eldred's e-mail, without the attachments, is attached hereto as **Exhibit D** (Page SMMCPRA_011).

5. On May 30, 2018, Mr. Eldred provided our office with a formal written response to the PRA request via e-mail on which I was copied; a true and correct copy of that email and e-mail attachment is attached hereto as **Exhibit E** (Pages SMMCPRA_012 through 013).

6. On June 4, 2018, Mr. Eldred e-mailed our office indicating that SMMC had found additional documents to supplement their prior responses, and that the documents would follow separately. Attached hereto as **Exhibit F** (Page SMMCPRA_014) is a true and correct copy of Mr. Eldred's e-mail of which I was copied on.

7. On June 4, 2018, Andrea Leisy, attorney of record for the City of Los Angeles, received seven e-mails from Mr. Eldred, collectively containing fourteen additional documents to supplement SMMC's prior response to the PRA request. Ms. Leisy forwarded those e-mails to me upon receipt. I then saved those documents in RMM's files. Attached hereto as **Exhibit G** (Pages SMMCPRA_015 through 041) are true and correct copies of those documents.

8. The documents provided by the SMMC in response to the PRA request, and attached as exhibits hereto, are in the format provided to our office by the SMMC, and have not been altered in any way.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct to the best of my knowledge, and this declaration was executed on June 18, 2018, at Sacramento, California.



BONNIE THORNE

EXHIBIT A



Andrea K. Leisy
aleisy@rmmenvirolaw.com

May 18, 2018

VIA ELECTRONIC & U.S. MAIL
dash.stolarz@mrca.ca.gov

Rorie A. Skei
Chief Deputy Director
Santa Monica Mountains Conservancy
Ramirez Canyon Park
5750 Ramirez Canyon Road
Malibu, California 90265

Dash Stolarz
Public Affairs & Media Inquiries
Santa Monica Mountains Conservancy
Ramirez Canyon Park
5750 Ramirez Canyon Road
Malibu, California 90265

**Re: California Public Records Act Request - Eastern Santa Monica
Mountains Habitat Linkage Planning Map**

Dear Ms. Skei and Ms. Stolarz,

I am writing on behalf of the City of Los Angeles (City) to make a request under the California Public Records Act (Gov. Code, § 6250 et seq.), and Article One, section 3(b) of the California Constitution (constitutional right to public records), directed at the Santa Monica Mountains Conservancy (SMMC) with respect to the Eastern Santa Monica Mountains Habitat Linkage Planning Map, adopted on January 23, 2017 through Resolution 17-01, and updated periodically thereafter (the Map). Specifically, the City requests copies of the following public record documents:

1. All records that constitute, refer, pertain or relate to the determination and drawing of the delineations of the Map, including, but not limited to, the categories of input data used for the linkage design, if any, and updates thereto.
2. All records that constitute, refer, pertain or relate to defining and drawing "Habitat Blocks" and "Wildlife Corridors" on the Map, including, but not limited to, the species and ecological community types considered, if any, and updates thereto.

Rorie A. Skei
Dash Stolarz
May 18, 2018
Page 2

3. All records that constitute, refer, pertain or relate to the areas of the Map delineations that are not definitive, including updates thereto.
4. All records that constitute, refer, pertain or relate to efforts to “ground-truth” and verify the “habitat block boundaries and connections” depicted on the Map, including updates thereto.
5. All records that constitute, refer, pertain or relate to the “accumulated staff knowledge” upon which the delineations of the Map are based, including updates thereto.
6. All records that constitute, refer, pertain or relate to the purpose and intended use, including future use, of the Map by the SMMC, the City of Los Angeles, private entities, member of the public, or other government agencies.
7. All records that constitute, refer, pertain or relate to evidentiary support for the Map delineations, including any habitat connectivity studies, biological resource surveys or similar evidence, if any, and updates thereto.

The CPRA broadly defines “public record” as any “writing” that contains “information relating to the conduct of the public’s business that is prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.” (Gov. Code, § 6252, subd. (d).) A “writing” means “any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.” (*Ibid.* subd. (g).) Public records include “communications related to the conduct of public business ... sent or received using a personal account.” (*City of San Jose v. Superior Court* (2017) 2 Cal.5th 608, 625.)

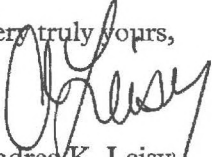
If, for some reason, the SMMC withholds any documents responsive to the City’s request the City asks that the SMMC separately identify the record(s) withheld and provide the City with a written explanation of the claimed justification for withholding the record(s), as required by section 6255 of the Government Code. (See Gov. Code, § 6255, subd. (a); *International Federation of Professional & Technical Engineers, Local 21, AFL-CIO v. Super. Ct.* (2007) 42 Cal. 4th 319, 329.) Please include a factual basis for asserting the exemption. If a court finds that public records have been improperly withheld, the City will seek attorney fees pursuant to Government Code section 6259. (See Gov. Code, § 6259, subd. (d).)

The City will reimburse SMMC for all reasonable copying and printing costs, including the “direct costs of duplication.” (*North County Parents v. Department of Education*

Rorie A. Skei
Dash Stolarz
May 18, 2018
Page 3

(1994) 23 Cal.App.4th 144, 148 [direct cost "does not include the ancillary tasks necessarily associated with the retrieval, inspection and handling of the file from which the copy is extracted"].) The City is also agreeable to accepting copies of documents via email, on a thumb/jump drive, or by CD. Please provide me with a quote of any charges prior to providing the copies.

I look forward to receiving your initial response within 10 days as required by section 6253, subdivision (c) of the Government Code. Thank you in advance for your cooperation and please contact me if you have any questions.

Very truly yours,

Andrea K. Leisy

cc: Robert Mahlowitz

SMMCPRA_003

EXHIBIT B

From: Spencer Eldred
To: Bonnie Thorne; Andee Leisy
Cc: Kathryn A. Ramirez
Subject: Re: EASTERN SANTA MONICA MOUNTAINS HABITAT LINKAGE PLANNING MAP
Date: Wednesday, May 23, 2018 10:51:23 AM

Dear Ms. Leisy and Ms. Thorne:

The Santa Monica Mountains Conservancy (SMMC) is in receipt of your public records act request.

A few items are publically available on the SMMC website. Please see item 13 from this agenda: <http://smmc.ca.gov/attachment.asp?agendaaid=549>. However, there are a few other documents not posted on the website. I would like to ask you a few follow-up questions on how best to deliver the documents in your request.

Do one of you have time this week or next for a quick call? I will be sending a formal letter later this week.

Thank you.

Sincerely,
Spencer Eldred

*Spencer Eldred, Staff Counsel
Mountains Recreation and Conservation Authority
570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944, ext. 181*

EXHIBIT C

Memorandum

To : The Conservancy
The Advisory Committee

Date: January 23, 2017

From :  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 13: Consideration of resolution adopting Eastern Santa Monica Mountains Habitat Linkage Planning Map, City of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution adopting an Eastern Santa Monica Mountains Habitat Linkage Planning Map (Version January 2017).

Legislative Authority: Public Resources Code Section 33211(c)

Background: The importance of the habitat linkage or wildlife corridor system that provides for animal movement between the 405 and 101 freeways leading to Griffith Park has long been recognized. The Conservancy and other agencies have acquired land and commented on development projects to protect distinct sections of the habitat linkage system for over 30 years. Tens of millions of public dollars have been invested in this effort. That effort to date has been successful enough to bring mountain lions into the area and to progressively increase the sightings of bobcats until the last few drought years. Many unprotected gaps remain. However, the bulk of the current protection effort is solely reactive to development threats because record high land values make it impossible to complete many fee simple acquisitions of parcels. Better planning tools are needed if the wildlife corridor system is to remain intact and be less subject to hit or miss protection objectives. Conservation easements, deed restrictions, and no fencing conditions are the only other means to permanently protect pieces of the habitat linkage system.

The City of Los Angeles Planning Department does not conduct independent research on habitat connectivity and relies on public agency and citizen comments for input on potential wildlife corridor impacts. The Department staff has long requested a comprehensive map of known and potential wildlife corridors in the eastern Santa Monica Mountains. The subject Eastern Santa Monica Mountains Habitat Linkage Planning Map proposed for adoption by the Conservancy provides that tool to the City Planning Department, developers, and homeowners.

The subject map covers the area between the 405 and 101 freeways comprehensively, with the exception of smaller peripheral habitat patches. Those patches can be mapped and integrated into the next adopted version of the Eastern Santa Monica Mountains Habitat Linkage Planning Map. The map delineations are not definitive in all areas. The mapping consists of

SMMCPRA_005

Agenda Item 13
January 23, 2017
Page 2

outlined habitat blocks and lines depicting both known, and potentially functional, wildlife corridors between them. Many habitat block boundaries and connections located on difficult to reach private lands were not ground-truthed. The map delineations are based on the best available Google Earth aerial and street view photography combined with accumulated staff knowledge. The map is meant to be instructive to clue all parties into potential constraints and opportunities both to protect habitat connections and land within all sized habitat blocks. On the ground conditions are fluid because fences can come and go and new construction occurs in almost every neighborhood. Available no-cost aerial photography is always a portion of a year behind conditions. However, most projects that potentially affect either habitat linkages or habitat blocks can now be well known to all concerned parties and most importantly the Planning Department staff. Each distinct habitat block polygon will be sequentially numbered to establish baseline nomenclature for easy reference to all parties. More precise resolution and mapped lines can be available if LARIAC aerial photography data is purchased by the City of Los Angeles.

The attached Resolution calls for the map to be updated and re-adopted no less than annually. It is impossible to provide a perfect map and hence this mapping effort is meant to be an iterative process that includes input from all available sources.

The PDF map file attached to this staff report item is based on and shown on Google Earth photography dated October 2016. The best available Google Earth street view data was October 2015. The line data will in many places be skewed when applied to earlier photography. To really use the line data for fine analysis, users will need to import a KMZ file to use within the Google Earth program and the most recent aerial photography. Large maps can also be plotted from the PDF. The line data is in a GIS shape file format used by all public agencies.

The key factor is that now there is a baseline map adopted by the most pertinent State planning agency available to guide impact analysis by the City and to give landowners (existing and prospective) a heads up about sensitive wildlife corridor areas and the location of habitat blocks and patches that are all integral to a functional habitat linkage system.

Staff intends for the next version of the map to include all private property between the 101 freeway and Griffith Park and between the 405 freeway and Topanga State Park. All of that area is still within the City of Los Angeles boundary.

January 23, 2017; Agenda Item No. 13

Resolution No. 17-01

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY ADOPTING
EASTERN SANTA MONICA MOUNTAINS HABITAT LINKAGE PLANNING MAP,
CITY OF LOS ANGELES

WHEREAS, the eastern Santa Monica Mountains habitat linkage between the San Diego (405) freeway and Griffith Park is of regional scientific significance; and

WHEREAS, the subject habitat linkage system and the Mulholland Drive Scenic Corridor are a cultural treasure for the City of Los Angeles; and

WHEREAS, the efficacy of the subject habitat linkage system could be severed by new fencing on just one or two residential parcels; and

WHEREAS, the subject habitat linkage system has never been comprehensively mapped and such mapping is essential to adequately assess the impacts of proposed development projects; and

WHEREAS, a Habitat Linkage Planning Map for the Eastern Santa Monica Mountains adopted by the Santa Monica Mountains Conservancy as the principal State planning agency for the area is beneficial to the City of Los Angeles Department of Planning's efforts to maintain habitat connectivity; and

WHEREAS, the Los Angeles City Council (Koretz) adopted a motion to designate the subject area as a Regional Wildlife Habitat Linkage Zone in the Municipal Code and for the Planning Department to work in consultation with the Santa Monica Mountains Conservancy, the Mulholland Design Review Board, and Citizens for Los Angeles Wildlife (CLAW) to prepare an ordinance to create a Wildlife Corridor in the eastern area of the Santa Monica Mountains; and

WHEREAS, the proposed Eastern Santa Monica Mountains Habitat Linkage Planning Map represents an initial comprehensive step to delineate the majority of habitat blocks and connecting wildlife corridors between the 405 and 101 freeways for planning, conservation, and environmental impact analysis purposes; and

WHEREAS, the aerial photography and conditions that provide background for the habitat linkage mapping represent a slice in time and limited ground truthing, hence the subject map is an iterative work that is designed to be shaped, corrected, and modified at least annually to provide the most accurate and up to date information possible; and

Agenda Item 13
January 23, 2017
Page 2

WHEREAS, the staff report dated January 23, 2017 further describes the project; and

WHEREAS, The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA); Now

Therefore Be It Resolved, That the Santa Monica Mountains Conservancy hereby:

1. FINDS that the proposed action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. ADOPTS the staff report and recommendation dated January 23, 2017.
3. FINDS that the proposed action is consistent with the *Santa Monica Mountains Comprehensive Plan*.
4. ADOPTS the proposed Eastern Santa Monica Mountains Habitat Linkage Planning Map (Version January 2017).
5. FURTHER AUTHORIZES the Executive Director, or his assignee, to perform any and all acts necessary to carry out this resolution.

~ End of Resolution ~

I HEREBY CERTIFY that the foregoing resolution was adopted at a meeting of the Santa Monica Mountains Conservancy, duly noticed and held according to law, on the 23rd day of January, 2017 at Los Angeles, California.

Dated: 1/23/17

Executive Director

SMMCPRA_008

14-0518

Agenda Item 13
SMMC
1/23/17

APR 23 2014

PLANNING & LAND USE MANAGEMENT

MOTION

There are various communities throughout the city that are the location of natural lands and low density residential neighborhoods where wildlife exist— under the jurisdiction of the hillside ordinance. Unfortunately in these and other communities in the city, development activities often involve actions that detrimentally impact wildlife movements.

Without doubt private property interests and environmental considerations benefit by definite and consistent guidance on the environmental regulatory controls needed in any proposed land use development project.

The Santa Monica Mountains Conservancy have begun looking into wildlife corridors within its territories, which will prevent further injuries and deaths to wildlife, and protect the remaining open spaces and wildlife linkages that exist. Incursions into the habitat of wildlife in the city is counter to the intent and protections offered under the California Environmental Quality Act (CEQA).

The city needs to preserve the wildlife corridors in the eastern area of the Santa Monica Mountains(Hillside Ordinance zone), and to designate this area as a Regional Wildlife Habitat Linkage Zone, and to develop the necessary land use guidelines and measurable metrics to protect this region and dwindling habitat areas citywide.

I THEREFORE MOVE that the Council instruct the Planning Department, with the assistance of the City Attorney, and in consultation with the Santa Monica Mountains Conservancy, and citizen advocates such as, but not limited to Citizens for Los Angeles Wildlife (CLAW) and the Mulholland Design Review Board (MDRB), to prepare and present an ordinance to create a Wildlife Corridor in the eastern area of the Santa Monica Mountains(Hillside Ordinance zone) that requires the following:

1. Do not issue any building or grading permits until project applicants ensure that they will permanently accommodate wildlife habitat connectivity as part of their development projects.
2. Require easements and deed restrictions in perpetuity to protect wildlife habitat connectivity.
3. Formally designate the area as a Regional Wildlife Habitat Linkage Zone in the Municipal Code, in as much as just one single family residential project can cause adverse impacts to the existing and threatened wildlife populations.
4. Require a Biological Constraints Checklist as part of every new building project will undergo a 'habitat connectivity and wildlife permeability review' within areas of concern.

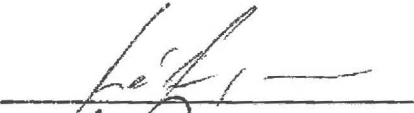
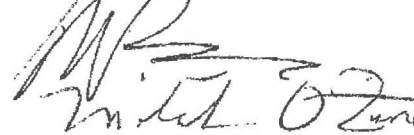
PRESENTED BY:



PAUL KORETZ

Councilmember, 5th District

SECONDED BY:

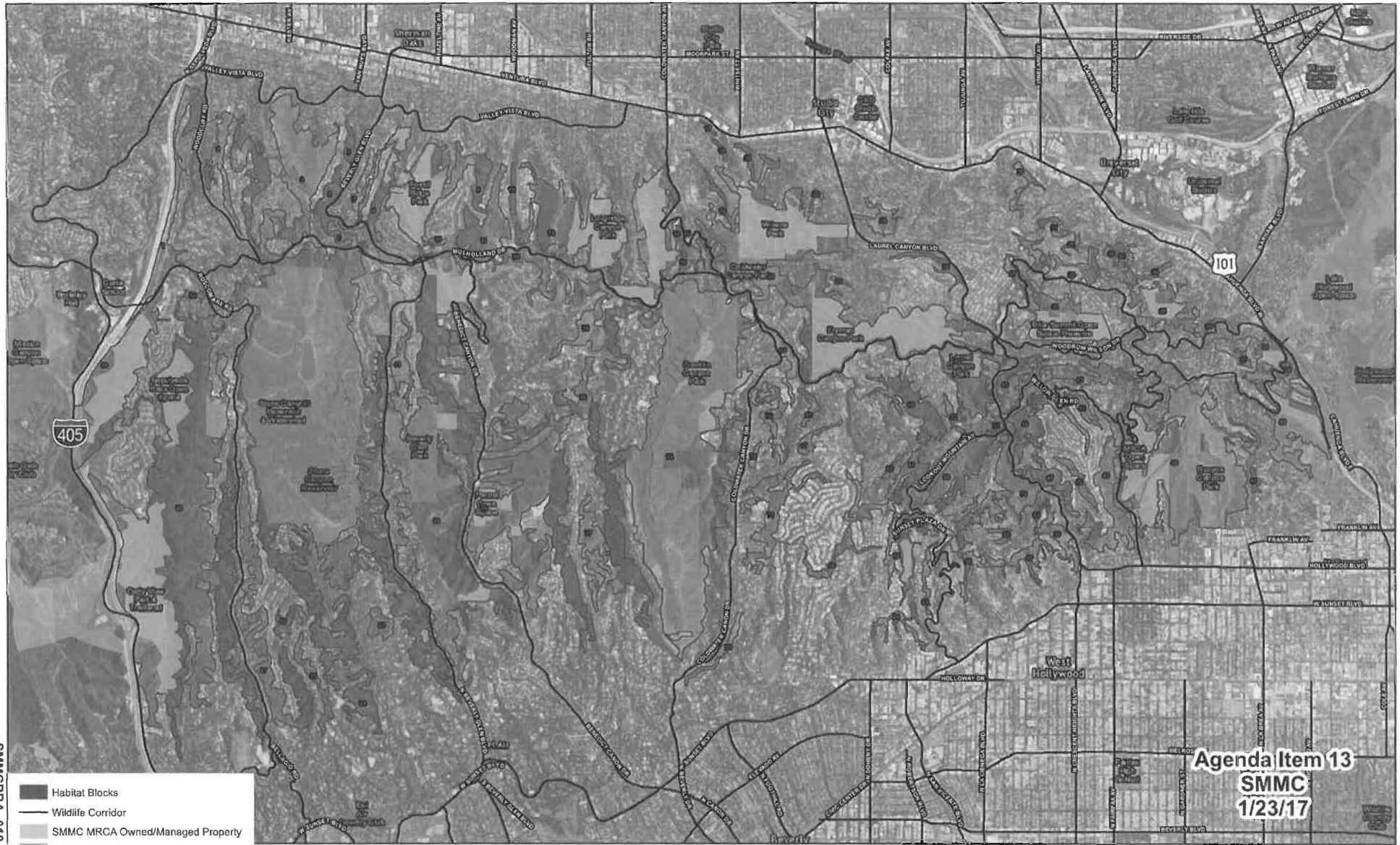

SMMCPRA_009

ORIGINAL



APR 23 2014

SMMC/PRA_010



Eastern Santa Monica Mountains Habitat Linkage Planning Map

Agenda Item 13
SMMC
1/23/17

EXHIBIT D

From: Spencer Eldred
To: Bonnie Thorne
Cc: Andee Leisy
Subject: ESSM
Date: Thursday, May 24, 2018 11:05:55 AM
Attachments: ESSM_Habitat_Blocks.zip
ESSM_wildlife_corridors.zip

Good morning,

Attached is the spatial data in shapefile format that was used for our adopted January 2017 ESSM map. Our staff believe you will likely need ESRI software to use.

Warm regards,
Spencer Eldred

*Spencer Eldred, Staff Counsel
Mountains Recreation and Conservation Authority
570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944, ext. 181*

EXHIBIT E

From: Spencer Eldred
To: Andee Leisy
Cc: Kathryn A. Ramirez; Nathan George; Bonnie Thorne; Michele L. Nickell; robert.mahlowitz@lacity.org
Subject: Public Records Request Response
Date: Wednesday, May 30, 2018 12:25:59 PM
Attachments: PRA Response Eastern Santa Monica Mountains Habitat Linkage Planning Map.pdf

Dear Mr. Leisy:

The Mountains Recreation and Conservation Authority (MRCA) and the Santa Monica Mountains Conservancy (SMMC) are in receipt of your request for public records, dated May 18, 2018 and received May 21, 2018. Please see the attached response. Thank you.

Sincerely,

Spencer Eldred

*Spencer Eldred, Staff Counsel
Mountains Recreation and Conservation Authority
570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944, ext. 181*

SMMCPRA_012



MOUNTAINS RECREATION & CONSERVATION AUTHORITY
Los Angeles River Center and Gardens
570 West Avenue Twenty-six, Suite 100
Los Angeles, California 90065
Phone (323) 221-9944 Fax (323) 221-9934

May 30, 2018

To: Andee Leisy

CC: Kathryn A. Ramirez, Nathan George, Bonnie Thorne, Michele Nickell, and Robert Mahlowitz

Via electronic mail

Public Records Request

Dear Mr. Leisy:

The Mountains Recreation and Conservation Authority (MRCA) and the Santa Monica Mountains Conservancy (SMMC) are in receipt of your request for public records, dated May 18, 2018 and received May 21, 2018.

MRCA and SMMC have provided to you all our responsive records in my earlier email from May 24, 2018. As we discussed earlier, if you need technical assistance to help view the files, please let me know. This is a follow-up letter to confirm my belief that we have fulfilled your request. If you need additional information or records, feel free to reach out to me again.

If you would like physical copies of documents, please note that there is a \$0.25 per page reproduction fee for all printed records. Each side of a card or paper is considered a separate sheet for the cost and fee computation purposes. The fee for certification of each copy is one dollar. Postage must also be paid if you would like the records mailed to you. The fee for duplication of an electronic file on a compact disc is one dollar per disc. All payment must be received in advance of any reproduction or mailing.

If you have any questions, please feel free to contact me at 323-221-9944, ext. 181 or via email at spencer.eldred@mrca.ca.gov.

Sincerely,

Spencer Eldred,
Staff Counsel

A local agency exercising joint powers of the Santa Monica Mountains Conservancy, the Conejo Recreation and Park District, and the Rancho Simi Recreation and Park District pursuant to Government Code Sec. 6500 et seq.

SMMCPRA_013

EXHIBIT F

From: Spencer Eldred
To: Andee Leisy
Cc: Kathryn A. Ramirez; Nathan George; Bonnie Thorne; Michele L. Nickell; robert.mahlowitz@lacity.org
Subject: RE: Public Records Request Response
Date: Monday, June 04, 2018 1:43:30 PM

Dear Mr. Leisy:

The Mountains Recreation and Conservation Authority (MRCA) and the Santa Monica Mountains Conservancy (SMMC) have found additional records and would like to supplement our earlier response. Due to the size of attachments, I will only be forwarding them to you instead of copying the whole group. If you additionally prefer another method of delivery, please let me know. Charges described in my earlier response will apply for physical copies and postage. If anyone at your office would also like to be sent copies directly, please let me know. Thank you.

Sincerely,

Spencer Eldred

*Spencer Eldred, Staff Counsel
Mountains Recreation and Conservation Authority
570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944, ext. 181*

From: Spencer Eldred
Sent: Wednesday, May 30, 2018 12:26 PM
To: Andee Leisy
Cc: KRamirez@rmmenvirolaw.com; NGeorge@rmmenvirolaw.com; BThorne@rmmenvirolaw.com; MNickell@rmmenvirolaw.com; robert.mahlowitz@lacity.org
Subject: Public Records Request Response

Dear Mr. Leisy:

The Mountains Recreation and Conservation Authority (MRCA) and the Santa Monica Mountains Conservancy (SMMC) are in receipt of your request for public records, dated May 18, 2018 and received May 21, 2018. Please see the attached response. Thank you.

Sincerely,

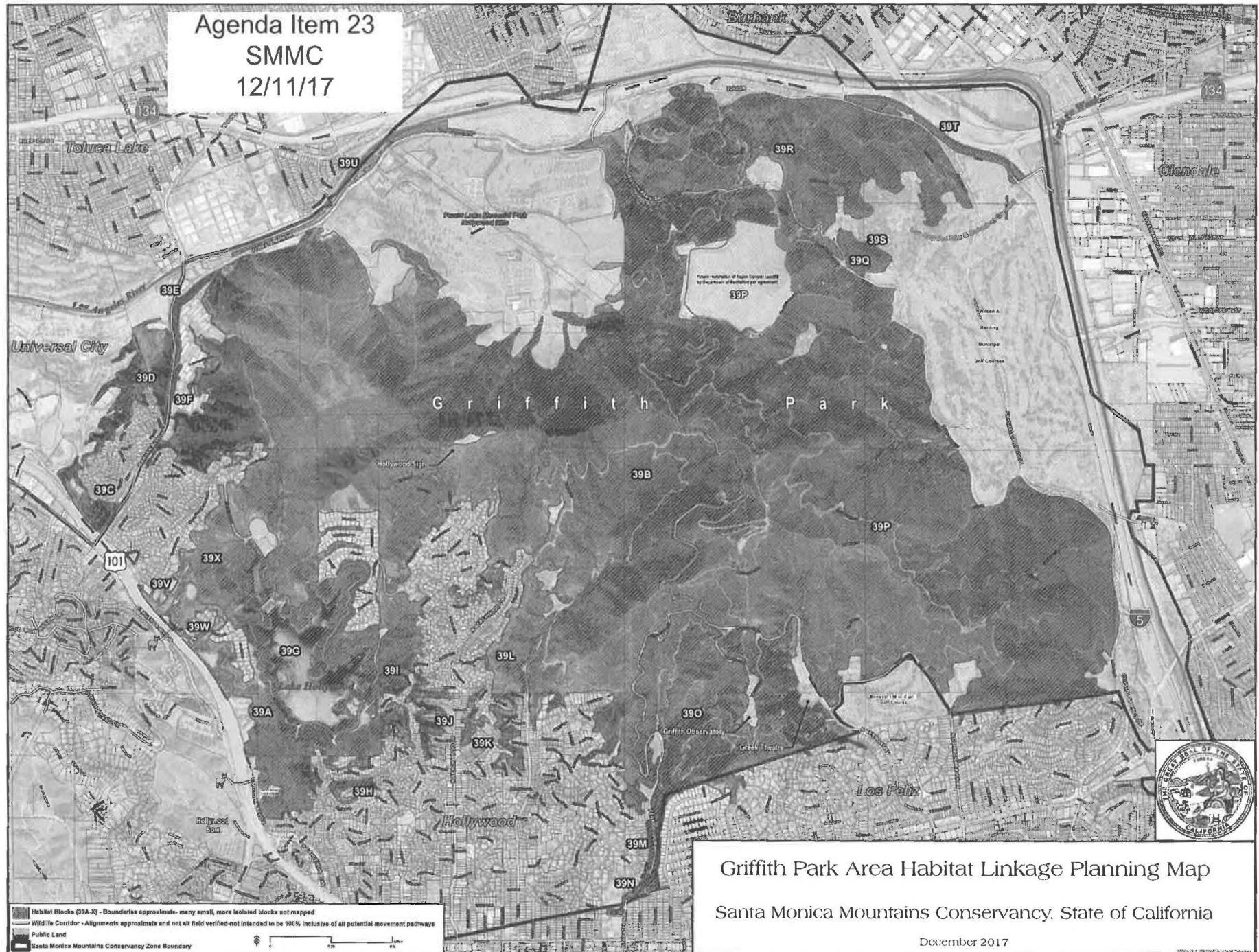
Spencer Eldred

*Spencer Eldred, Staff Counsel
Mountains Recreation and Conservation Authority
570 West Avenue 26, Suite 100
Los Angeles, CA 90065*

SMMCPRA_014

EXHIBIT G

Agenda Item 23
SMMC
12/11/17



SMMCPR_015

December 11, 2017; Agenda Item No. 23

Resolution No. 17-79

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY ADOPTING
GRIFFITH PARK AREA HABITAT LINKAGE PLANNING MAP,
CITY OF LOS ANGELES

WHEREAS, the eastern Santa Monica Mountains habitat linkage between the San Diego (405) freeway and Griffith Park is of regional scientific and cultural significance; and

WHEREAS, the habitat linkage systems that connects Griffith Park to natural lands west of the 101 freeway and surrounding the park are of regional significance; and

WHEREAS, the efficacy of the subject habitat linkage system could be severed by new fencing on just one or two residential parcels; and

WHEREAS, the subject Griffith Park area habitat linkage system has never been comprehensively mapped and such mapping is essential to adequately assess the impacts of proposed development projects of all scales; and

WHEREAS, a Griffith Park Area Habitat Linkage Planning Map adopted by the Santa Monica Mountains Conservancy as the principal State planning agency for the area is beneficial to the City of Los Angeles Department of Planning's efforts to maintain habitat connectivity and core habitat resources; and

WHEREAS, the staff report dated December 11, 2017 further describes the project; and

WHEREAS, The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA); Now

Therefore Be It Resolved, That the Santa Monica Mountains Conservancy hereby:

1. FINDS that the proposed action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. ADOPTS the staff report and recommendation dated December 11, 2017.
3. FINDS that the proposed action is consistent with the *Santa Monica Mountains Comprehensive Plan*.
4. ADOPTS the proposed Griffith Park Area Habitat Linkage Planning Map.

Agenda Item 23
December 11, 2017
Page 2

5. FURTHER AUTHORIZES the Executive Director, or his assignee, to perform any and all acts necessary to carry out this resolution.

~ End of Resolution ~

I HEREBY CERTIFY that the foregoing resolution was adopted at a meeting of the Santa Monica Mountains Conservancy, duly noticed and held according to law, on the 11th day of December, 2017 at Beverly Hills, California.

Dated: 12/11/17


Executive Director

Memorandum

To : The Conservancy
The Advisory Committee

Date: December 11, 2017

From :  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 23: Consideration of resolution adopting Griffith Park Area Habitat Linkage Planning Map, City of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution adopting a Griffith Park Area Habitat Linkage Planning Map, City of Los Angeles.

Legislative Authority: Public Resources Code Section 33211(c)

Background: At its January 2017 meeting the Conservancy adopted an Eastern Santa Monica Mountains Habitat Linkage Planning Map for the area just west of the 405 freeway in the Sepulveda Pass to just east of 101 freeway in the Cahuenga Pass. That map shows sequentially numbered habitat blocks and identified habitat linkages. The proposed Griffith Park Area Habitat Linkage Planning Map extends this habitat block and linkage mapping resource to 15 at the eastern edge of Griffith Park and into the Los Angeles River. The City of Los Angeles Planning Department requested this expansion of the mapping.

The City of Los Angeles Planning Department does not conduct independent research for any proposed development projects on habitat connectivity, and it relies on public agency and citizen comments for input on potential wildlife corridor impacts from development. The Department staff has long requested comprehensive maps of known and potential wildlife corridors in the eastern Santa Monica Mountains and other parts of the City. The adopted Eastern Santa Monica Mountains Habitat Linkage Planning Map and proposed Griffith Park Area Habitat Linkage Planning Map do, and will, provide that tool to the City Planning Department, other public agencies, developers, and homeowners.

The mapping model includes outlined habitat blocks and lines depicting both known, and potentially functional, wildlife corridors between them. Many habitat block boundaries and connections located on difficult to reach private lands were not ground-truthed. The map delineations are based on the best available Google Earth aerial and street view photography combined with accumulated staff knowledge. The map is meant to be instructive to clue all parties into potential constraints and opportunities both to protect habitat connections and land within all sized habitat blocks. On the ground conditions are fluid because fences can come and go and new construction occurs in almost every neighborhood. Each distinct habitat

Agenda Item 23
December 11, 2017
Page 2

block polygon is sequentially numbered to establish baseline nomenclature for easy reference to all parties.

It is impossible to provide a perfect map in time and hence this mapping effort is meant to be an iterative process that includes input from all available sources. The attached Resolution calls for the map to be updated no less than annually.

The key factor is to provide a timely baseline habitat linkage map adopted for the Griffith Park Area by the most pertinent State planning agency available to guide environmental impact analysis by the City and to give landowners (existing and prospective) a heads up about sensitive wildlife corridor areas and the location of habitat blocks and patches that are all integral to a functional habitat linkage system.



**CITIZENS FOR
LOS ANGELES
WILDLIFE**

PO Box 50003 Studio City, CA 91614
805-225-5766 info@clawonline.org www.clawonline.org

January 20, 2017

Santa Monica Mountains Conservancy
5750 Ramirez Canyon Road
Malibu, CA 90265

RE: Eastern Santa Monica Mountains Habitat Linkage Planning Maps (Agenda Item 13, January 23rd, 2017)

Dear Conservancy and Advisory Committee Members,

Citizens for Los Angeles Wildlife (CLAW) is a non-profit advocacy environmental organization concerned with the well being of wildlife and wildlife open space habitat for the City of Los Angeles and beyond. A citizenry of more 3000 individuals now supports our organization's multiple calls for biodiverse practices and policy to benefit LA City, County, California and beyond.

In 2016, CLAW was delighted to become part of a working group with Santa Monica Mountains Conservancy and the Los Angeles Department of City Planning to establish and implement a wildlife habitat linkage zone to ensure the ongoing wildlife connectivity in Los Angeles hillsides, beginning with the eastern Santa Monica Mountains (I-405 to Griffith Park.) We are thrilled to witness the creation and anticipated adoption of the Eastern Santa Monica Mountains Habitat Linkage Planning Map as it is a phenomenally vital document to move forward -- a scientific reference document to mark the current and future connectivity of open space. This comprehensive map will certainly be an iterative document for the conservancy to use and reflect changes over time.

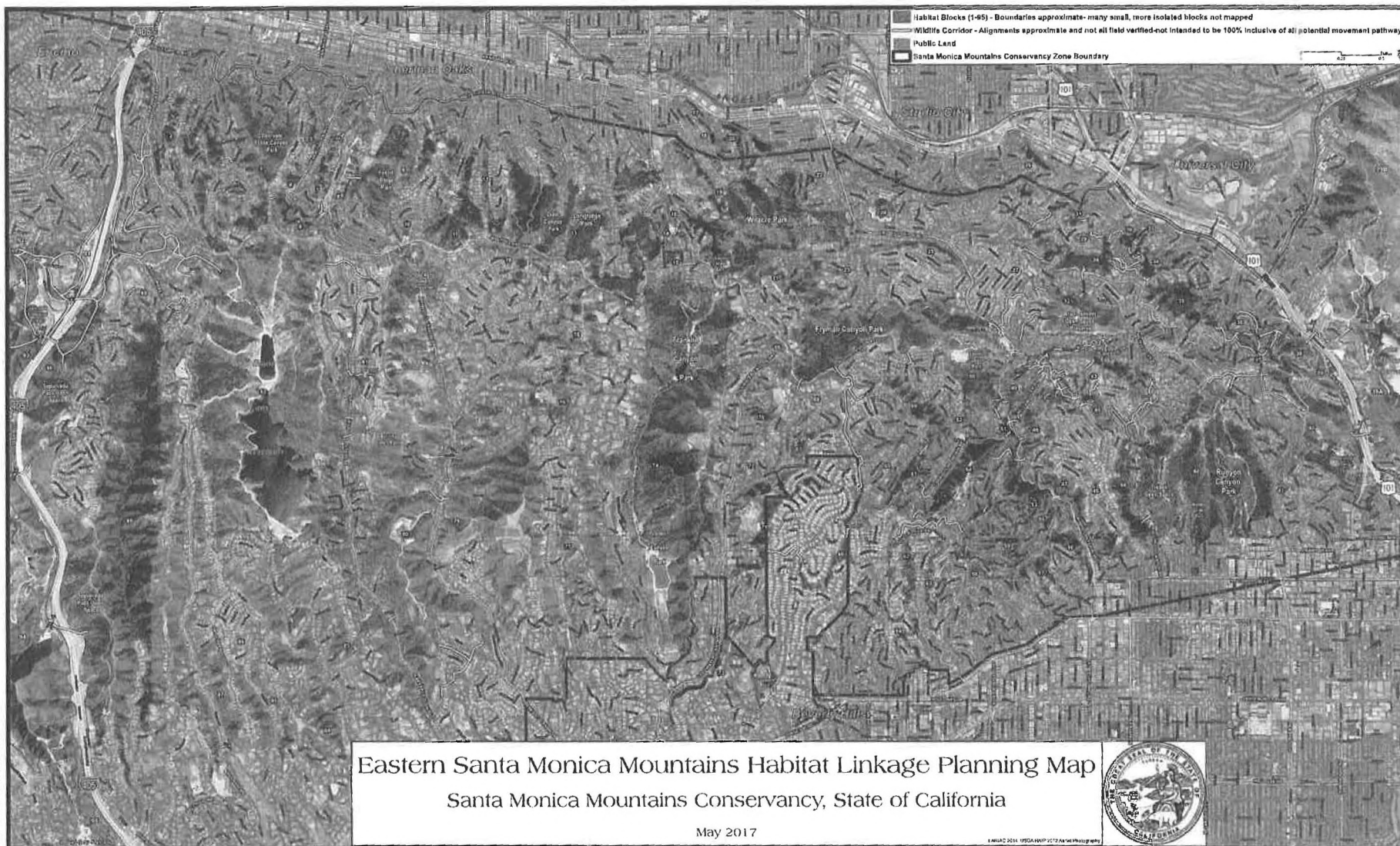
We implore you to adopt this baseline mapping as soon as possible. The timing of this adoption couldn't be more important as Los Angeles open space and wildlife connectivity are facing very dangerous bottlenecks and blockages all along the wildlife corridor and every day new construction is a potential death knell for the well-being of Los Angeles ecosystems. Without this document one single family house can completely and permanently block the wildlife corridor between the 405 and Griffith Park creating corrals that would create ecosystem islands and ultimate microclimate destruction. This map displays a holistic view of connectivity and provides a most critical conservation tool (that has been missing from LA City planning) bringing together an important visual relationship between our open space, our wildlife, our human activity, and our overall environmental well-being.

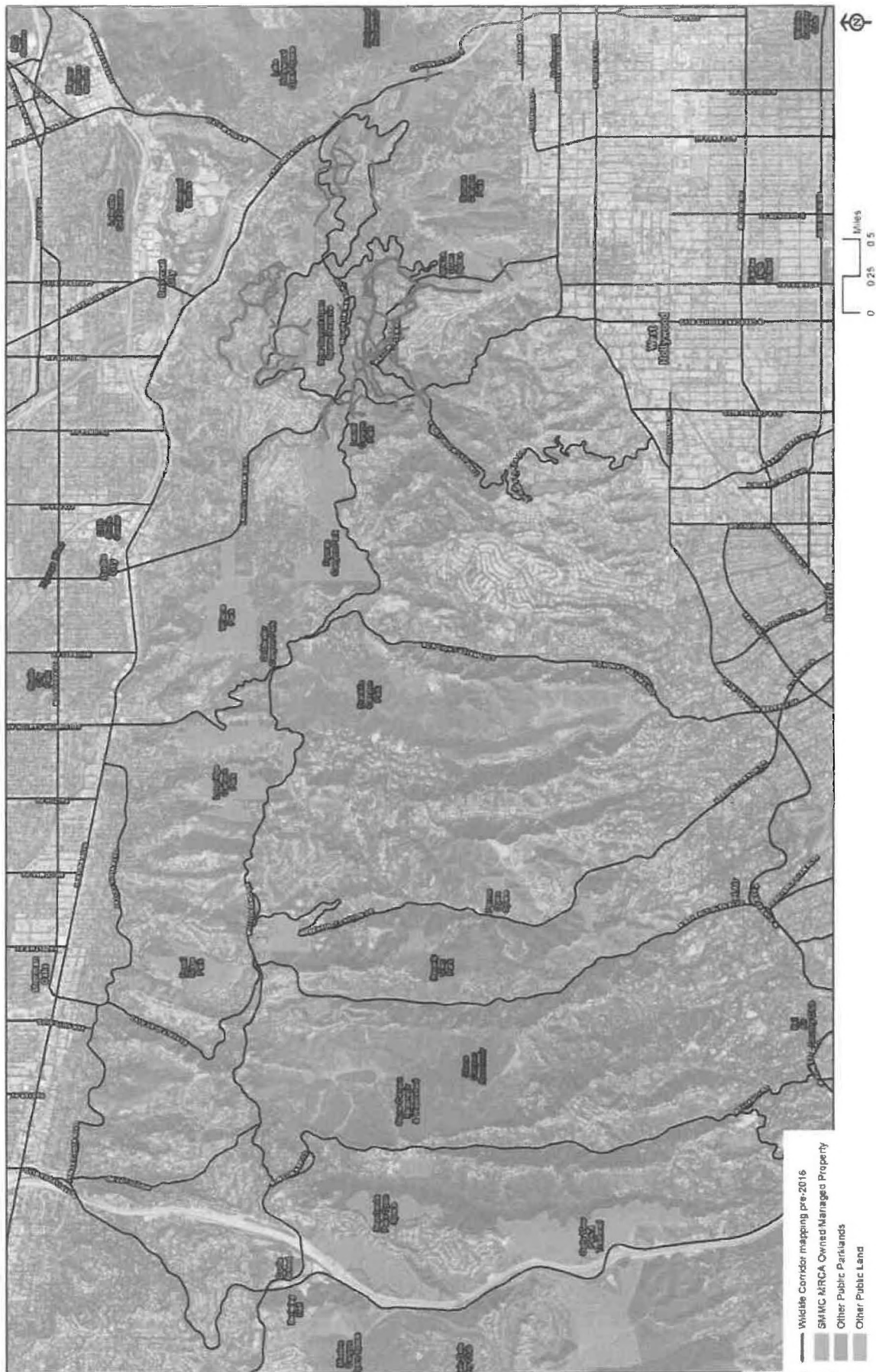
Sincerely,

Alison Simard
Chairperson

CLAW is a public benefit non-profit 501(c)(3) environmental organization that works to protect and restore the environments of wildlife of Los Angeles and California from dwindling open spaces. Our mission is to promote, educate and protect the fundamental importance of wildlife, wildlife habitats and wildlife corridors everywhere.

SMMCPRA_020





14-0518

Agenda Item 13
SMMC
1/23/17

APR 23 2014

PLANNING & LAND USE MANAGEMENT

MOTION

There are various communities throughout the city that are the location of natural lands and low density residential neighborhoods where wildlife exist—under the jurisdiction of the hillside ordinance. Unfortunately in these and other communities in the city, development activities often involve actions that detrimentally impact wildlife movements.

Without doubt private property interests and environmental considerations benefit by definite and consistent guidance on the environmental regulatory controls needed in any proposed land use development project.

The Santa Monica Mountains Conservancy have begun looking into wildlife corridors within its territories, which will prevent further injuries and deaths to wildlife, and protect the remaining open spaces and wildlife linkages that exist. Incursions into the habitat of wildlife in the city is counter to the intent and protections offered under the California Environmental Quality Act (CEQA).

The city needs to preserve the wildlife corridors in the eastern area of the Santa Monica Mountains(Hillside Ordinance zone), and to designate this area as a Regional Wildlife Habitat Linkage Zone, and to develop the necessary land use guidelines and measurable metrics to protect this region and dwindling habitat areas citywide.

I THEREFORE MOVE that the Council instruct the Planning Department, with the assistance of the City Attorney, and in consultation with the Santa Monica Mountains Conservancy, and citizen advocates such as, but not limited to Citizens for Los Angeles Wildlife (CLAW) and the Mulholland Design Review Board (MDRB), to prepare and present an ordinance to create a Wildlife Corridor in the eastern area of the Santa Monica Mountains(Hillside Ordinance zone) that requires the following:

1. Do not issue any building or grading permits until project applicants ensure that they will permanently accommodate wildlife habitat connectivity as part of their development projects.
2. Require easements and deed restrictions in perpetuity to protect wildlife habitat connectivity.
3. Formally designate the area as a Regional Wildlife Habitat Linkage Zone in the Municipal Code, in as much as just one single family residential project can cause adverse impacts to the existing and threatened wildlife populations.
4. Require a Biological Constraints Checklist as part of every new building project will undergo a 'habitat connectivity and wildlife permeability review' within areas of concern.

PRESENTED BY:

Paul Koretz

PAUL KORETZ
Councilmember, 5th District

SECONDED BY:

[Signature]
[Signature]
[Signature]

ORIGINAL



Eastern Santa Monica Mountains Habitat Linkage Planning Map



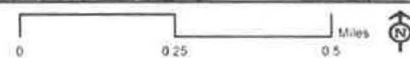




Eastern Santa Monica Mountains Habitat Linkage Planning Map

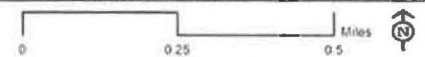


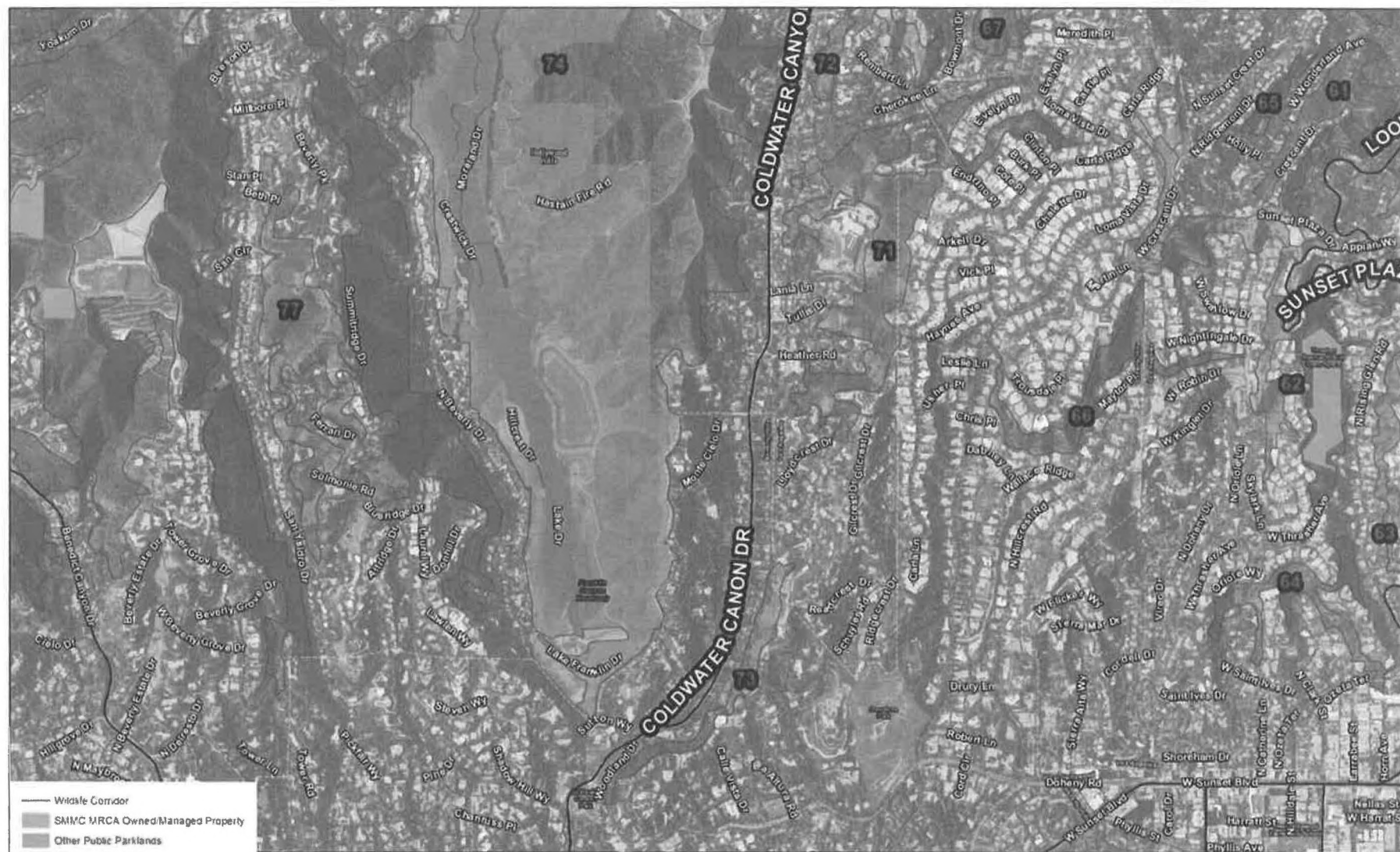
Eastern Santa Monica Mountains Habitat Linkage Planning Map



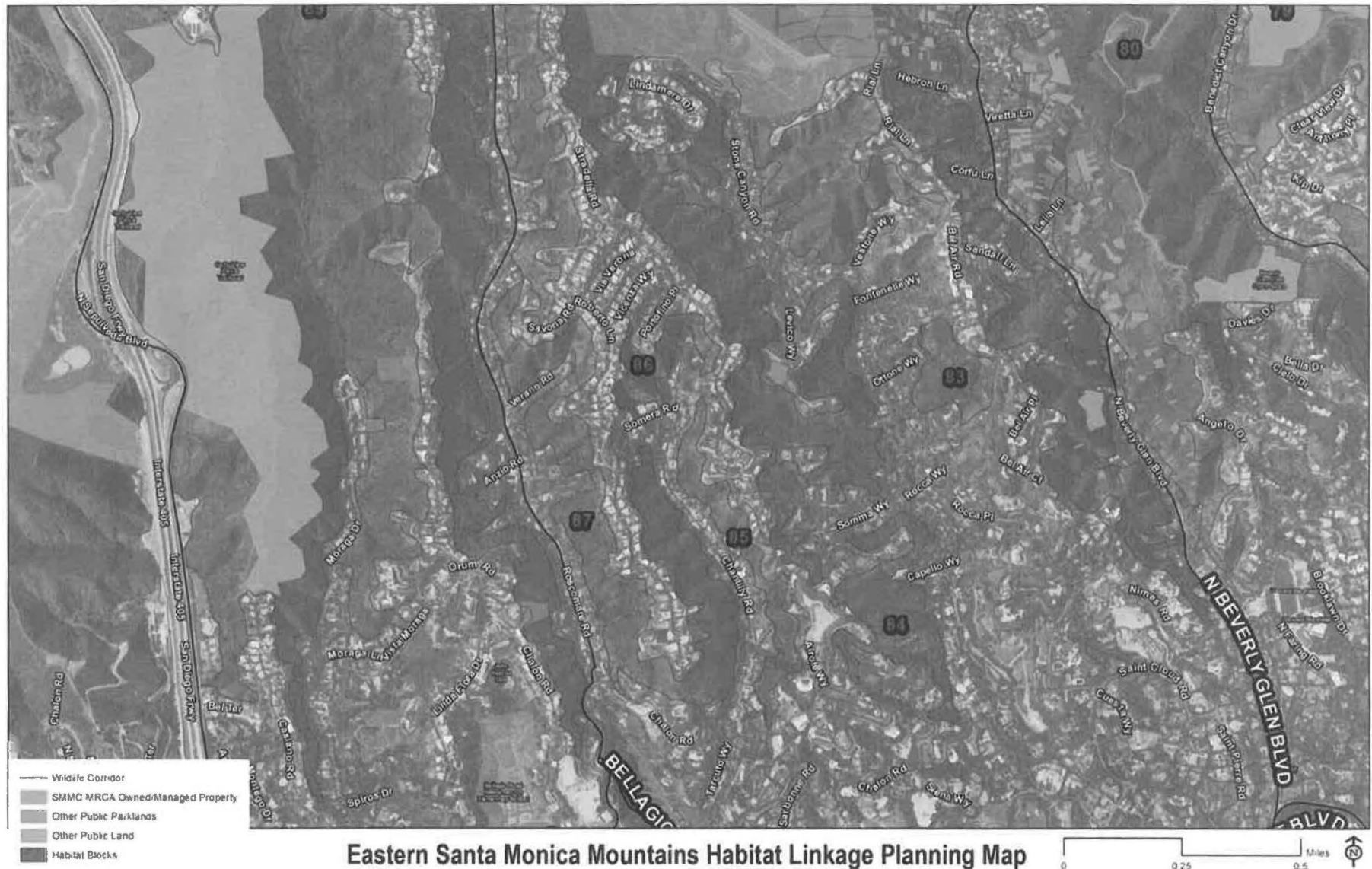


Eastern Santa Monica Mountains Habitat Linkage Planning Map





Eastern Santa Monica Mountains Habitat Linkage Planning Map



Studio City

Eastern Laurel Canyon Wildlife Corridor Mapping 2000

Universal City

- Wildlife Corridors
- Laurel Canyon Watershed
- Public Land

MULHOLLAND

Oakshire
Open Space

Lake Hollywood
Open Space

Briar Summit
Open Space Preserve

Laurel
Canyon
Park

WOODROW WILSON

NICHOLS CANYON

WILLOW GLEN

WILLOW GLEN

Mount
Olympus

Runyon
Canyon
Park

Hollywood Bowl
Open Space

LOOKOUT MOUNTAIN

Miles

0

0.5

1



SMMCPRRA_031

From: Marc Shores
To: [Paul Edelman](#)
Subject: RE: Are you still making the Nichols ESMM 2251 two versions map from earlier email today?
Date: Thursday, April 19, 2018 8:01:20 AM
Attachments: [2251 nichols wlc.pdf](#)

From: Paul Edelman [mailto:edelman@smmc.ca.gov]
Sent: Wednesday, April 18, 2018 10:12 PM
To: Marc Shores
Subject: RE: Are you still making the Nichols ESMM 2251 two versions map from earlier email today?

If you have time in AM please more or less make one even more zoomed out with the ESMM WLC habitat blocks and linkages adopted. I can print it at 10:10

From: Marc Shores [mailto:marc.shores@mrca.ca.gov]
Sent: Wednesday, April 18, 2018 5:20 PM
To: Paul Edelman <edelman@smmc.ca.gov>
Subject: RE: Are you still making the Nichols ESMM 2251 two versions map from earlier email today?

Or not... sorry.

From: Marc Shores
Sent: Wednesday, April 18, 2018 5:17 PM
To: Paul Edelman
Subject: Re: Are you still making the Nichols ESMM 2251 two versions map from earlier email today?

No, you should have both.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Paul Edelman <edelman@smmc.ca.gov>
Date: 4/18/18 4:48 PM (GMT-08:00)
To: Marc Shores <marc.shores@mrca.ca.gov>
Subject: Are you still making the Nichols ESMM 2251 two versions map from earlier email today?



From: Marc Shores
To: [Paul Edelman](#)
Subject: RE: Maps
Date: Thursday, July 27, 2017 6:26:42 PM

We created wildlife habitat polygons using Google Earth (GE) standalone software. The software allows for multi-year interpretation of aerial imagery displaying different times/seasons of the year. The purpose of using one or more years of aerial photography was to utilize the highest resolution imagery to determine urban/wildland interface, and locate/avoid obstacles to wildlife movement (fencelines, impervious surface, etc). We also tried to use aerial years in the winter/early spring so as to avoid deciduous tree canopy for better understory analysis. Wildlife corridor lines were created in similar fashion, utilizing the GE "street view" tool and physical ground truthing. Much of the mapping was performed at a relatively large scale, trying to keep under a GE "eye altitude" of 700' or less. All polygons were then assigned a number.

From: Paul Edelman [<mailto:edelman@smmc.ca.gov>]
Sent: Thursday, July 27, 2017 4:38 PM
To: Marc Shores
Subject: FW: Maps

Marc please write a paragraph of how the ESMM WLC map was prepared

From: Diana Kitching [<mailto:diana.kitching@lacity.org>]
Sent: Thursday, July 27, 2017 3:02 PM
To: Paul Edelman
Subject: Maps

Hi Paul,

Just to follow up on a previous e-mail, we have some projects that appear to be in areas on the map. I'd like to provide the potential applicants with some guidance, and also let them know how these maps were determined and what the basis was for determining if their property was in this area. Any information you or your staff have to back up the lines would be much appreciated.

Also, do you have data showing easements and ownership beyond this initial maps in the Santa Monica Mountains?

I'm out tomorrow but would love to chat next week.

Kind regards,

Diana



Diana Kitching, City Planner
Department of City Planning

Citywide Policy Planning

(213) 978-1308

200 N. Spring St., Room 278

Los Angeles, CA. 90012

Los Angeles Department of City Planning

Please note I am out of the office every other Friday

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207
WWW.SMMC.CA.GOV



May 8, 2017

Vince Bertoni
Director of Planning
City Planning Department
200 North Spring Street, 5th Floor
Los Angeles, California 90012-2601

**Conservancy Adoption and Distribution of
Eastern Santa Monica Mountains Habitat Linkage Planning Map**

Dear Mr. Bertoni:

At its January 23, 2017 meeting the Santa Monica Mountains Conservancy adopted the attached Eastern Santa Monica Mountains Habitat Linkage Planning Map. This map defines known habitat blocks and habitat linkages in this highly fragmented area of the Santa Monica Mountains Zone. These identified landscape features are critical to maintain habitat connectivity in the natural lands between the 405 and 101 freeways and into Griffith Park. This planning map is an official resource tool for both government and public use to understand, assess, and protect habitat and wildlife corridors. The Conservancy is the principal State planning agency in the Santa Monica Mountains Zone. The information was compiled using all publically available digital aerial photography and ground truthing where public access was permissible.

The map is intended to be updated as often as time and resources permit. We welcome input from the City to refine the map as time goes on. This first May 2017 version uses two aerial photography bases. The outlined habitat blocks reveal USDA NAIP 2012 aerial photography for clarity. All of the area outside of the habitat blocks is LARIAC 2014 aerial photography chosen to maximize development detail both adjacent to and between habitat blocks. If updated versions (with superior resolution) of either of these data sets become publically available, they will be integrated into the next version of the map. The parcel data and public lands layers are from Los Angeles County. Any revised versions of this adopted map will be sent expeditiously to your department. This PDF of the map will soon be posted to our website smmc.ca.gov.

Vince Bertoni
City Planning Department
Eastern Santa Monica Mountains Habitat Linkage Planning Map
May 8, 2017
Page 2

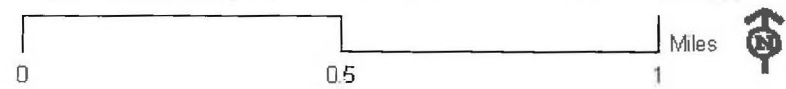
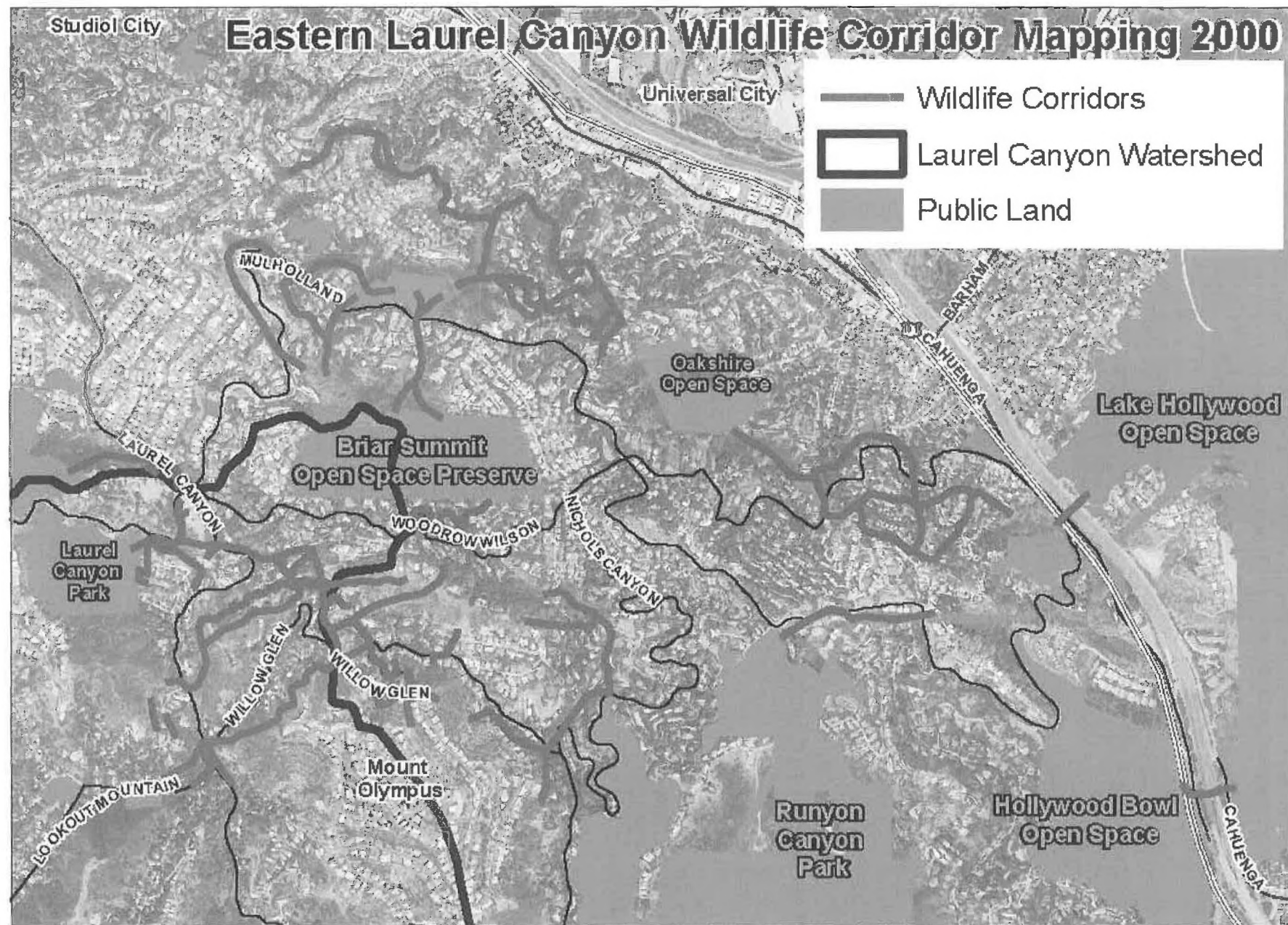
Please distribute the map widely and incorporate the information into the City's environmental review and planning processes without delay. The GIS shape files are available on request; however, it is important to note that the layers project slightly differently between the various years and aerial photography platforms. We hope your staff embraces this new and long overdue tool to protect key natural resources in the Santa Monica Mountains. Plotter sized prints for your department are available upon request.

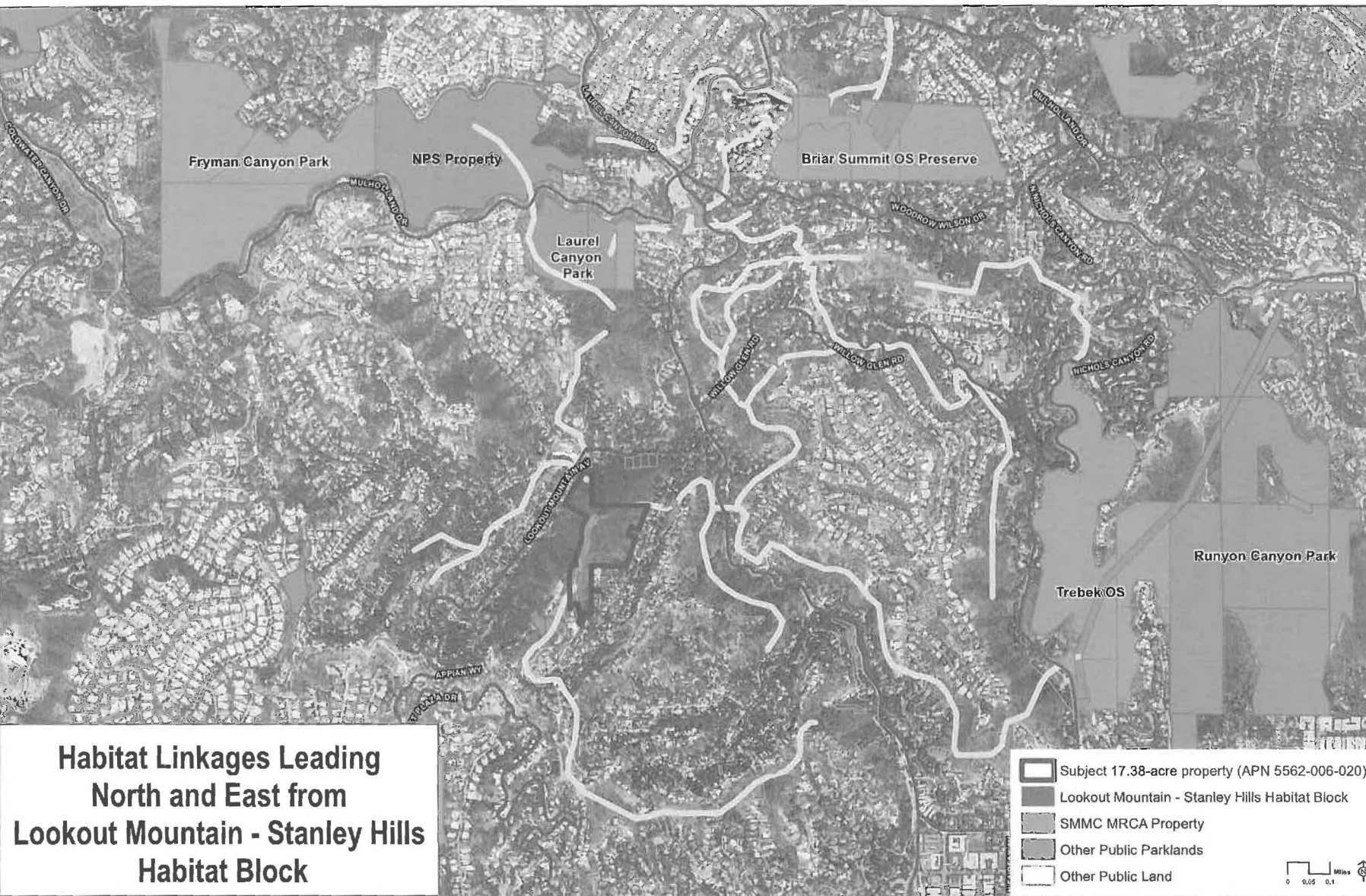
Please address all questions and inquiries to my attention at the above letterhead address, edelman@smmc.ca.gov, and 310-589-3200 ext. 128.

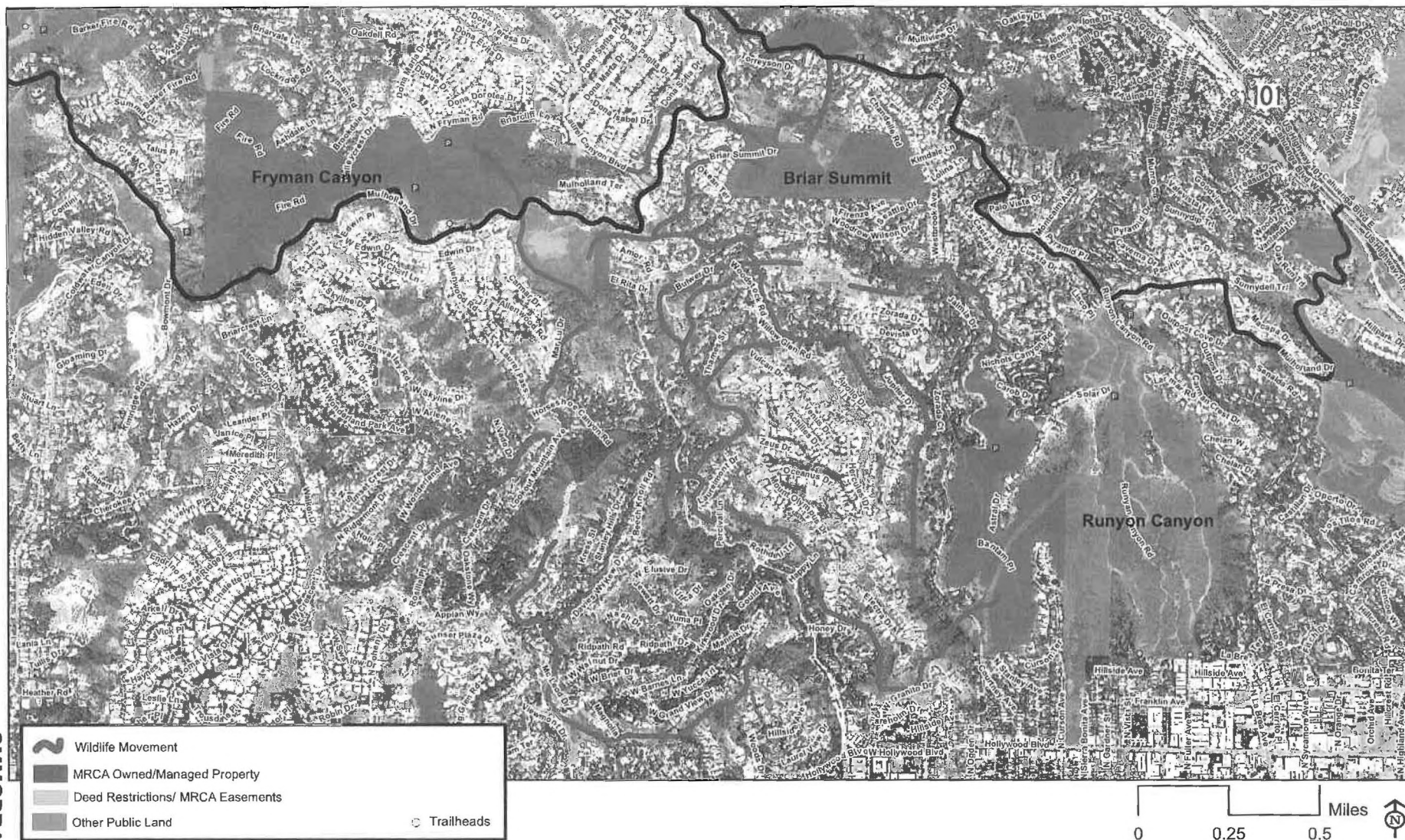
Sincerely,

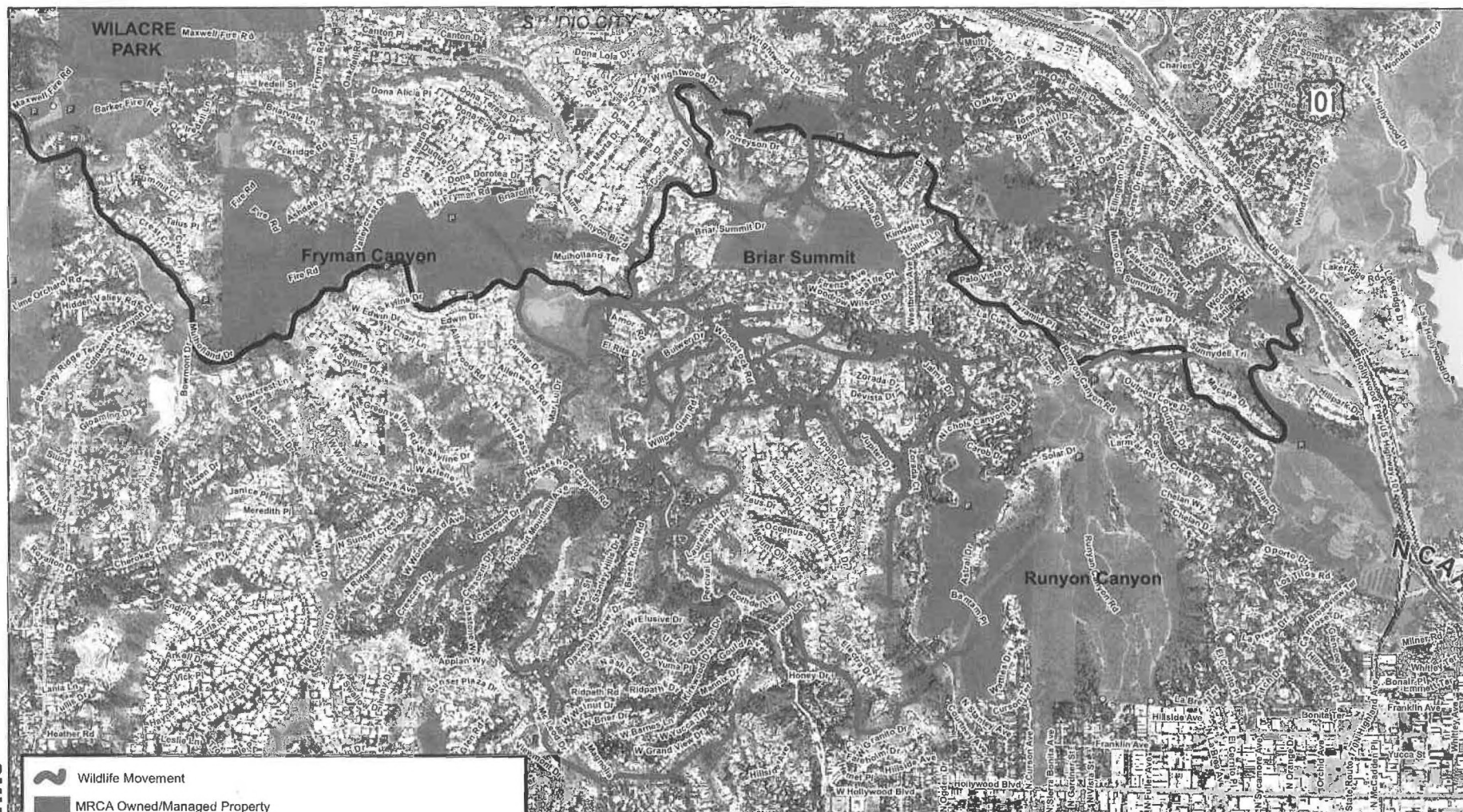
A handwritten signature in black ink, appearing to read 'Paul Edelman', with a long horizontal flourish extending to the right.

PAUL EDELMAN
Deputy Director
Natural Resources and Planning









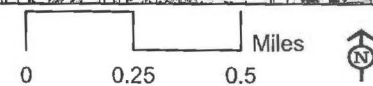
Wildlife Movement

MRCA Owned/Managed Property

Deed Restrictions/ MRCA Easements

Other Public Land

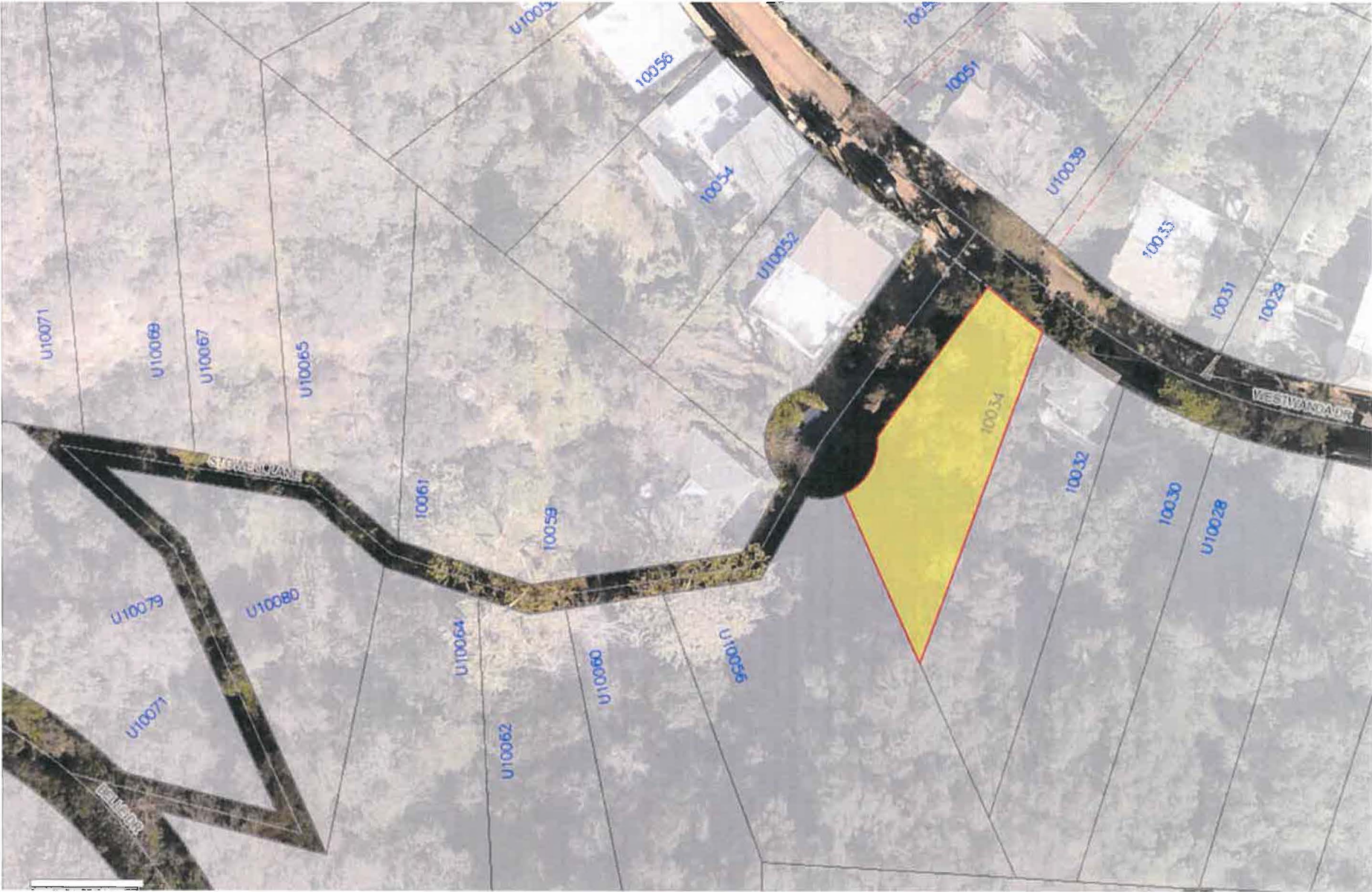
Trailheads



RA 12. Aerial photo



10034 westwanda



RA 13. September 26, 2017, Application for a Tree Removal Permit; Service Request; Notice



Quality • Timeliness • Efficiency

**APPLICATION FOR A
TREE REMOVAL PERMIT**
CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

TRANSMITTAL NO. 2
BPW-2018-0192
BUREAU OF STREET SERVICES
URBAN FORESTRY DIVISION
1149 S. BROADWAY, SUITE 400, LOS ANGELES, CA 90015
TEL: 213.847.3077

You **MUST** first call (800) 996-2489 to obtain a Service Request Number (Application #):
(AVERAGE PROCESSING TIME IS 90-120 DAYS)

1745954991

Application Number

Property Address: 10034 WESTWANDA DR LOS ANGELES CA 90210
(Print Clearly) Number Street Name City State Zip Code

Property Owner's Name: KARLA SHAHIN
First Last

Property Owner's Contact Information: 310-247-0834 ARMEN@AMEC-CE.COM
Tel. No. Including Area Code Email Address

Total number of tree(s): 39 and specific reason for tree removal NEW SINGLE FAMILY RESIDENCE
(Damaged sidewalk, driveway installation, street widening, City Planning condition,

tree in proposed foot print of the structure or dead tree. If it is a sewer line replacement issue, a sewer connection permit from the Bureau of Public Works Engineering is required.)

Property Owner's Representative/Agent: ARMEN MELKONIAN
First Last

Company Name: AMEC, LLC

Address: 435 N. BEVERLY DR #208 BEVERLY HILLS CA 90210
Number Street Name City State Zip Code

Contact Information: 310-247-0834 ARMEN@AMEC-CE.COM
Tel. No. Including Area Code Email Address

If the tree removal is approved and any fees due have been paid, the permit should be made out to:

Name: KARLA SHAHIN
Email or Mailing Address: ARMEN@AMEC-CE.COM 435 N. BEVERLY DR #208 BEVERLY HILLS, CA 90210



☐ This is a standard application for street trees. Please complete the attached check list.

☒ This is a standard application for protected trees. Please complete the attached checklist. If mailing PTR documents, you **MUST** include a self-addressed stamped envelope for returns.

☐ This application pertains to a Subdivision/Land Development case. Please complete the checklist and attach the following:

1. B-permit number, plot plans, conditions of approval and final version of CEQA Documents. All documents **MUST** be attached to this application. If mailing documents, you **MUST** include a self-addressed stamped envelope for returns.
2. Project title and case number: _____

(ZA, TR, CPC, DIR, VAC, PM, DOT, APC)

I am submitting this application along with the attached checklist (as indicated above) and required documents to the above address. I understand that submittal of this application does not guarantee an approval for a tree removal permit. If the tree removal permit is granted, I understand I will be required to replace the removed tree(s) at a ratio provided by the Urban Forestry Division and pay any outstanding planting, removal and/or permit fees.

9/26/2017 _____ KARLA SHAHIN
Date Property Owner's Signature Print Name

STANDARD TREE REMOVAL APPLICATION CHECKLIST

(The following items must be attached to the application)

Rev. 07/2016

FOR STREET TREES

<input type="checkbox"/>	1.	Bureau of Engineering A-permit (All driveway A-permits must include the notation "Driveway cannot be relocated").
<input type="checkbox"/>	2.	Plot Plans – Trees to be removed MUST be highlighted.
<input type="checkbox"/>	3.	Clear color photos of entire tree and/or damaged sidewalk (if repairing the sidewalk).
<input type="checkbox"/>	4.	Any further information that preparer of the City opines is pertinent to the project.

FOR PROTECTED PRIVATE PROPERTY TREES

Three (3) hard copies of the Protected Tree Report (PTR) shall be submitted and reviewed at the counter containing the following required information. (Los Angeles Municipal Code (LAMC) Section 17.02)

<input checked="" type="checkbox"/>	1.	"Tree Expert" A person with at least four (4) years of experience in the business of transplanting, moving, caring for and maintaining trees and who is (a) a certified Arborist with the International Society of Arboriculture and who holds a valid California license as an Agricultural Pest Control Advisor or (b) a Landscape Architect or (c) a registered consulting Arborist with the American Society of Consulting Arborists. (Amended by Ord. No. 177, 404 Effective 04/23/06)	
<input checked="" type="checkbox"/>	2.	By whom the PTR is prepared.	<input type="checkbox"/> 3. For whom the PTR is prepared.
<input checked="" type="checkbox"/>	4.	PTR location address with short with short geographic description.	<input type="checkbox"/> 5. Date PTR is prepared.
<input checked="" type="checkbox"/>	6.	Date PTR field inspection.	<input type="checkbox"/> 7. PTR purpose.
<input checked="" type="checkbox"/>	8.	Table of Contents.	<input type="checkbox"/> 9. Project Description and background.
<input checked="" type="checkbox"/>	10.	Square footage of the entire property and footprint square footage of the existing and proposed new structures.	
<input checked="" type="checkbox"/>	11.	Field observations.	
<input checked="" type="checkbox"/>	12.	Findings.	
<input checked="" type="checkbox"/>	13.	Recommendations.	
<input checked="" type="checkbox"/>	14.	Trees tagged and numbered.	
<input checked="" type="checkbox"/>	15.	Mitigation (optional, City of Los Angeles proscribes mitigation for any protected tree removal approval). The ordinance states the mitigation shall "approximate the value" of the removed trees. The current Board of Public Works policy has increased the minimum requirements for protected tree replacement to 4:1. The Bureau determines tree value or a group of trees in context with their environment.	
<input checked="" type="checkbox"/>	16.	Protected tree construction impact guidelines.	
<input checked="" type="checkbox"/>	17.	Matrix (spreadsheet) summarizing field observations of all protected tree(s) on subject property and any offsite protected trees that may be impacted by project number (trees to be field tagged, provide code for offsite trees, i.e. OS#1), tree species, tree height, diameter, spread, physical condition, (i.e. declining, drought stressed, twig dieback, etc.), suggested treatment, tree rating, any other related information.	
<input checked="" type="checkbox"/>	18.	Matrix of proposed protected tree removals.	
<input checked="" type="checkbox"/>	19.	Matrix of proposed protected trees to remain.	
<input checked="" type="checkbox"/>	20.	Color photographs of all protected tree(s) (multiple trees may be shown on a photo if there is some method to differentiate between individual trees).	
<input checked="" type="checkbox"/>	21.	24-inches by 36-inches Topographical map (Construction drawing) with all protected trees plotted (as close to real positions as possible, survey not required). Trees shall be color-coded, either highlighted or CAD as follows: Quercus spp (yellow), Platanus racemose (blue), Umbellularia californica (green), Juglans californica (orange). All proposed protected tree removals shall be circled in red. Approximate canopy spread should also be included. Included on the plan shall be the footprint of any proposed buildings, walls, patios, pools, etc. Also, to be included on plan is lot and proposed building(s) square footage.	
<input checked="" type="checkbox"/>	22.	Landscape plan showing locations of all replacement trees on a 4:1 basis with the tree stock size to be determined by the City. This plan shall be species color coded as per item 21.	
<input checked="" type="checkbox"/>	23.	Verification of current licenses and certifications.	
<input checked="" type="checkbox"/>	24.	Any further information that preparer or the City opines is pertinent to the project.	
<input checked="" type="checkbox"/>	25.	Arborist's opinion whether naturally occurring or planted.	
<input checked="" type="checkbox"/>	26.	Pictures of protective fencing around the trees to be protected in place.	
<input checked="" type="checkbox"/>	27.	Reason for removal include pictures of damaged parts of tree if applicable.	
<input checked="" type="checkbox"/>	28.	Must be in a 3-ring binder if large amount of pages.	
<input checked="" type="checkbox"/>	29.	Final version of CEQA documents (CE, ND, MND, EIR) in electronic format if lengthy/large size.	
<input checked="" type="checkbox"/>	30.	Digital copy of all submissions.	

1/8/2018

S12th

1-745954991

Advance Search SR

BPW-2018-0192

TRANSMITTAL NO. 3

Service Type: Tree Permits

Contact: karla shahin
310-247-0834 [Edit](#)
armen@amec-ce.com

Location: 10034 W WESTWANDA DR,
90210

Council District: 5

Thomas Bros: 592-B3

Maintenance Area: East Valley

Maintenance District: 214

Source of Request: Call [Edit](#)

Language: English [Edit](#)

Work Order Number: N/A [Edit](#)

Claim Number: N/A [Edit](#)

Submitted By: Dolores Llamas 09/26/2017 01:48 PM

Last Updated By: DARRYL WILLIAMS 01/08/2018 01:49 PM

Ticket Owner: BSS

Assigned To: 214, UFD

Assignee: N/A

Priority Level: Normal [Edit Priority](#)

Service Date: N/A

Action Taken: SR Created [Edit](#)

Optional Tracking Code: N/A [Edit](#)

Attachments: [Edit](#)

Internal: DARRYL WILLIAMS
on 01/08/2018 02:32:41 PM



External: Dolores Llamas on
09/26/2017 01:48 PM



Internal: April Barry on
11/14/2017 09:02 AM



Internal: April Barry on
11/14/2017 09:02 AM



Internal: DARRYL WILLIAMS
on 01/08/2018 01:49 PM



Internal: DARRYL WILLIAMS
on 01/08/2018 01:49 PM



Internal: DARRYL WILLIAMS
on 01/08/2018 01:49 PM



Internal: DARRYL WILLIAMS
on 01/08/2018 01:49 PM



Internal: DARRYL WILLIAMS
on 01/08/2018 01:49 PM



Internal: DARRYL WILLIAMS
on 01/08/2018 01:49 PM



Internal: DARRYL WILLIAMS
on 01/08/2018 01:49 PM

SR Details

1/8/2018

Advance Search SR

Permit Type: Tree Removal
Does Constituent need an application mailed?: No

[EDIT SR DETAILS](#)

Additional Location Info:

Comments

Comment	Internal or External	Created By	Created Date
According to propose plans (3) Protected trees and (6) stumps that appear to have been cut at least 4 years ago will need to be removed to facilitate new construction. Mitigation: (12) 24" boxed Oaks to be planted on site.	Internal	DARRYL WILLIAMS	01/08/2018 11:18 AM
out for inspection to Darryl Williams of Mountain Area. (YD)	Internal	April Barry	11/14/2017 09:02 AM
Under review by Ron Tull.	Internal	Dante Henderson	09/26/2017 02:00 PM
Application and PTR received at the counter by KL.	Internal	Dante Henderson	09/26/2017 01:56 PM
requesting permit to remove (3) p/p protected trees for new home construction	Internal	Dolores Llamas	09/26/2017 01:48 PM

[ADD COMMENTS](#)

SR Reassignment

Referred From	Referred To	Notes	Initiator	Date
No Reassignments				

[REASSIGN TICKET](#)[CLONE TICKET](#)[GAVE CALLER INFO](#)

Parent SR(s)

SR#	SR Type	Link Initiator	Status	Linked Date	Action
No Data Found					

Child SR(s)

SR#	SR Type	Link Initiator	Status	Linked Date	Action
No Data Found					


BSS Inspection

1/8/2018

Advance Search SR

Inspected/Reviewed By:	Darryl Williams	Inspection/Review Date:	11/14/2017 09:01 AM
Contact:	Yes <input checked="" type="radio"/> No <input type="radio"/>		
Inspection Crew:	021		
Work Required (Reason):	I - Inspected ▼		

BSS Closeout

Completed By:	
Crew:	
Approved By:	
Work Completed (Resolution):	Select.. ▼
Date Completed:	mm/dd/yyyy 

SUBMIT

TREE REMOVAL REQUEST NOTIFICATION SHEET

DATE: January 10, 2018
OF PAGES: 1

TRANSMITTAL NO. 1

SEND TO:

COUNCIL DISTRICT: 5
ATTENTION: Joan Pelico
PHONE NUMBER: 213-473-7005
FAX NUMBER: 213-978-2250 / 323-852-1129
EMAIL: joan.pelico@lacity.org

SENT FROM: URBAN FORESTRY DIVISION

Mail Stop #550
1149 S. Broadway, 4th Floor
Los Angeles, CA 90015
PHONE #: (213) 847-3077
FAX: (213) 847-3033

MESSAGE: The Urban Forestry Division received the following permit request to remove trees.

REQUESTER'S INFO: Armen Melkonians
435 N. Beverly Dr. # 208 Beverly Hills Ca. 90210
310 247-0834 / ARMEN@AMEC-CE.com

PERMIT TYPE: Fee \$ 1,084.00

TREE LOCATION: 10034 Westwanda DR.

TREE SPECIES & QUANTITY: (3) Coast Live oak (Quercus agrifolia)

REASON FOR TREE REMOVAL: ☐ A-PERMIT ☐ B-PERMIT #: A/B Permit No. Goes Here

☐ Structural damage by tree roots:

- | | | |
|--|---|--|
| <input type="checkbox"/> street | <input type="checkbox"/> sidewalk | <input type="checkbox"/> water meter |
| <input type="checkbox"/> curb | <input type="checkbox"/> sewer lateral | <input type="checkbox"/> water/main line |
| <input type="checkbox"/> gutter | <input type="checkbox"/> driveway apron | <input type="checkbox"/> private property driveway |
| <input type="checkbox"/> sprinkler/plumbing system | <input type="checkbox"/> parkway lawn/private property lawn | |

☒ Construction of single-family home / private property protected species

TREE REPLACEMENTS WILL BE REQUIRED-----
FOR BUREAU OF STREET SERVICES USE ONLY

- ☐ The above request has been reviewed and approved
- ☐ The above request is denied.

APPROVED BY: City of Los Angeles Board of Public Works

DATE APPROVED: Board hearing date to be determined

1/11/2018

City of Los Angeles Mail - CD 5 Request for Tree Removal RE: 10034 W Westwanda Dr

BPW-2018-0192



bss urbanforestry <bss.urbanforestry@lacity.org>

CD 5 Request for Tree Removal RE: 10034 W Westwanda Dr

1 message

Urban Forestry Division <bss.urbanforestry@lacity.org>

Thu, Jan 11, 2018 at 9:17 AM

To: Joan Pelico <joan.pelico@lacity.org>

Good morning,

Please see attached request to remove three (3) protected trees at 10034 W Westwanda Dr. This application will be sent to Board for approval.

--

URBAN FORESTRY DIVISION HEADQUARTERS

1149 SOUTH BROADWAY ST, 4TH FLOOR LOS ANGELES, CA 90015

OFFICE HOURS: 7:00AM - 3:00PM, MONDAY - FRIDAY • (213) 847-3077 • UFD WEBSITE

****PLEASE BE ADVISED THAT ALL TREE REMOVAL PERMIT APPLICATIONS REQUIRE A MINIMUM OF 60 TO 120 DAYS TO PROCESS****



 **10034 W Westwanda Dr.pdf**
40K

RA 14. March 5, 2018, Letter from Applicant

"DO NOT REMOVE"

BPW-2018 -0192

Karla Shahin
435 N. Beverly Drive, #308
Beverly Hills, CA 90210

Item # 2 Date 3-7-18

March 5, 2018

**RE: City of Los Angeles Board of Public Works Hearing Agenda Item BPW-2018-0192
Hearing Date March 7, 2018 at 10:00 am**

To Whom it may concern:

I am the current owner of 10034 Westwanda Drive in Los Angeles, CA 90210 (APN 4383-019-009.) I purchased this property on 09/22/2015 with the intent to build a single-family residence for myself.

The vacant parcel of land consists of 4,009 square feet and is zoned for single family residential development. I am proposing to build a 2-story single family residence with basement on this upslope parcel of land and I have submitted building plans to the City of Los Angeles Building Department for the proposed project. The geology and soils report for the project was approved on April 12, 2016 by the City of Los Angeles Building and Safety Grading division.

I understand that a total of six tree stumps (California Walnuts) were identified on the vacant parcel by my project arborist Jan C Scow Consulting Arborists, LLC who I retained to prepare a Tree Inventory and Protected Tree Report for my proposed project.

This letter is to certify that to the best of my knowledge, these trees were cut prior to my purchase of the property on 09/22/2015. I have not cut nor authorized anyone else to cut any trees of a protected nature on the subject property.

I am a California licensed civil engineer, I am self-employed, and I specialize in providing grading and drainage design for hillside residential development projects in the Los Angeles area. Prior to starting my own civil engineering consulting business, I worked for the City of Los Angeles, Department of Public Works as a civil engineer in the West Los Angeles Office as well as in the Construction Management Division. I provide this information as background information to let the reader of this letter know that I am familiar with the nature of protected trees as well as the requirements to obtain approvals from the Board of Public Works prior to cutting such trees.

If you have any questions, I can be reached at 310-804-3755.

Thank You,



Karla Shahin
RCE, 67022

SEE ATTACHED INITIAL AA
NOTARIZED CERTIFICATE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

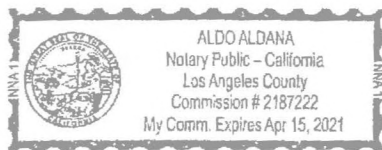
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Los Angeles)
 On March 5, 2018 before me, Aldo Aldana, Notary Public
 Date Here Insert Name and Title of the Officer
 personally appeared Karla Shahin
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RA 15. List of projects

Similar prior projects showing the Board of Public Works' regular implementation of a 4:1 replacement ratio.

<u>Address</u>	<u>Permit Date</u>
3997 N. Glenalbyn Drive.	11/30/2015
14 N. Oakmont Dr.	5/9/2017
8162 W. Kirkwood Dr.	5/2/2018

RA 16. Tree Photos

TRANSMITTAL NO. 6

Tree 4

STUMP
5

BPW-2018-0192





2 # 1
pines

2 # 1
pines

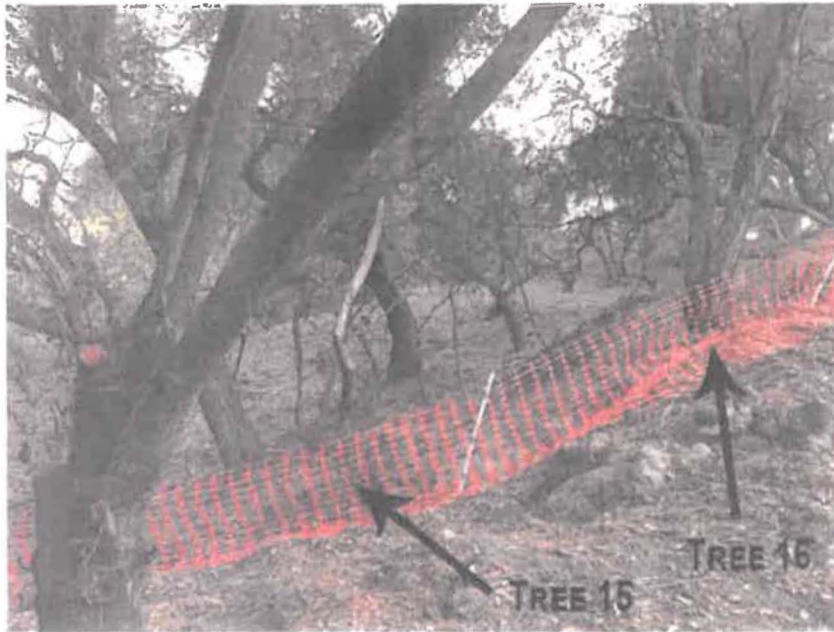




PROTECTIVE FENCING IN PLACE



PROTECTIVE FENCING IN PLACE



PROTECTIVE FENCING IN PLACE