

Agenda Item 9(e)

SMMC

5/22/2017

Staff-Proposed Changes to Draft Letter on Los Angeles County Significant Ecological Areas Ordinance

Note: staff-proposed changes in red.

*Add to Comment (1) - **Need for exemption for habitat restoration and enhancement on park and open space lands.** We strongly recommend that the following underlined text be added to the Exemptions (Section 22.52.2920 Applicability. E. Exemptions):

Habitat restoration and enhancement on land owned and/or managed by a public park or conservation agency, where the goal is intended to protect and/or improve the habitat values, and where activities are in compliance with other laws and regulations (e.g., Migratory Bird Treaty Act), and where permitted by California Department of Fish and Wildlife...

*Add to end of Comment (3) - **Need to include standard open space management and recreation uses in exemptions** (Section 22.52.2920 Applicability)...

The following exemptions should be added to Section 22.52.2920. E. Exemptions:

Construction or demolition of trails proposed by, and on land owned or managed by, a public park or open space agency, including stream crossings as approved by California Department of Fish and Wildlife;

Any project proposed by, and on land owned or managed by, a public park or open space agency under the following circumstances:

(a) there is no removal of native vegetation;

(b) there is no planting of non-native vegetation;

(b) there would be no new habitable structures;

(c) any construction, modification, expansion or demolition of any structure would be less than 1,000 square feet;

(d) if solar panels are proposed, they would encompass less than 1,000 square feet.

*Delete the following sentence at the end of letter (end of Page 5):

~~We will provide additional specifics regarding what additional uses should be exempt.~~

*Add new Comment (10):

- (10) **Need to limit exemptions for “completed” applications.** Based on communications between County staff and our staff, it appears that County staff will add an exemption to the SEA Ordinance for projects that have completed applications at the County prior to the effective date of the SEA Ordinance. If that exemption is added, we recommend that the following text be added:

However, this exemption is only valid for projects with applications that have been deemed complete for 10 years or less.

*Add new Comment (11):

- (11) **Need to clarify regulations for new crops in Development Standards.** The regulatory intent for crops is unclear. As Section 22.52.2930 Development Standards.B. Crops is written, it appears that all crops and invasive species are allowed outside of the irrigated fuel modification zone. That language is too permissive in an SEA. Please clarify this section. In addition, at a minimum, we recommend the following additional Development Standard for crops:

Crops shall only be located on natural slopes of 3:1 or less steep.

*Add new Comment (12):

- (12) **Need to limit extensive removal of SEA habitats for crops.** New crops are proposed to be subject only to a ministerial site plan review, regardless of the area of the crops and the ecological sensitivity of the land (Section 22.52.2940 When SEA Review is Required. A.) We recommend that new crop areas greater than 0.5 acre be subject to a conditional use permit. We recommend the following text be added:

...A. A ministerial site plan review will be required for the following:

1. New crops on less than 0.5 acre...