



OWNER'S DECLARATION OF NO HABITAT

Senate Bill 9 (SB 9) of 2021 and SB 35 of 2017 both require that a development or subdivision proposed under the law satisfy the requirement of Government Code Section (GCS) 65913.4(a)(6)(J), that the site not be located on any parcel that is:

Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

The preceding text refers to “**Habitat**” as used herein. This form is intended to confirm that a development and/or subdivision being proposed under this law is not located on a parcel containing any Habitat. If at any point, it is determined by a biologist that a parcel contains Habitat, it is **not eligible** for SB 9 or SB 35. If no Habitat exists on a parcel, then the parcel **may be eligible** for SB 9 or SB 35, assuming all other criteria are met. Failure by an applicant to disclose known Habitat may disqualify a project from SB 9 or SB 35 consideration.

ZIMAS includes eligibility checklists for both SB 9 and SB 35, and both checklists include a question on whether the subject parcel contains Habitat for sensitive species, as defined above. If a parcel’s Eligibility Checklist Result for Habitat is “**No**”, then the parcel(s) are presumed to not contain any Habitat, unless known otherwise. The owner shall sign and submit this **Owner’s Declaration of No Habitat** to the Los Angeles Department of Building and Safety for an SB 9 Two Unit Development or Los Angeles City Planning at the time of filing for an SB 9 Urban Lot Split application. This declaration maintains the parcel’s eligibility for SB 9 or SB 35.

If at a future date the City becomes aware of potential Habitat on a parcel, or the Habitat Eligibility Checklist Result is revised, a Biologist’s Statement may be required.

Owner’s Declaration of No Habitat

I own the property located at _____ . I have read the above definition of “Habitat.” I acknowledge and understand that should the City determine that the project site contains evidence of any Habitat, the City may require a qualified biologist to determine if Habitat occurs on the project site. I certify that, to the best of my knowledge, the project site does not contain any Habitat.

Name of the Owner (Print) _____

Owner’s Signature _____

Date _____