City of Agoura Hills

Agoura Equestrian Estates Project

Draft Environmental Impact Report

January 2015

rincon

Environmental Scientists Planners Engineers

DRAFT
ENVIRONMENTAL IMPACT REPORT

AGOURA EQUESTRIAN ESTATES

Prepared by:

City of Agoura Hills
Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, California 91301
Contact: Allison Cook, Principal Planner

Prepared with the assistance of:

Rincon Consultants, Inc.
180 N. Ashwood Avenue
Ventura, California 93003

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AGOURA EQUESTRIAN ESTATES
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EXECUTIVE SUMMARY

This section summarizes the characteristics of the proposed project, the environmental impacts associated with the project, and mitigation measures recommended to mitigate identified significant impacts.

PROJECT SYNOPSIS

PROJECT APPLICANT

Equine Estates LLC (Applicant)
Fortune Realty (Manager)
Benjamin Efraim (contact)

PROJECT DESCRIPTION

The project would involve the annexation of an approximately 71-acre site into the City of Agoura Hills and subdivision of the site into 17 lots, including 15 residential single-family lots, and two lots for permanent preservation of open space. The project would also include the partial relocation and improvement of an existing informal multi-use trail and development of an equestrian trail. This EIR assesses both the near-term impacts of the currently proposed project (subdivision; annexation; grading of Lot 1; and construction of a private road, drainage and basins, trails, and utilities) referred to as Phase 1, and the long-term construction of 15 single family homes on the 15 single-family lots under Phase 2. As each single-family residence is proposed for development in the future as part of Phase 2, the individual development would require an individual permit process, such as Site Plan Review, which would include separate application review. About 22 acres of the approximately 71-acre project site would ultimately be developed at buildout of Phase 2 and the remaining 49 acres would be preserved as permanent open space.

The following are the project objectives, as required by Section 15124(b) of the *CEQA Guidelines*:

- Develop a project that is aesthetically and functionally compatible with adjacent uses and the environment.
- Provide a recreational trails area for the Agoura Hills equestrian community.
- Conserve open space in compliance with the Agoura Hills General Plan.
- Provide the framework for large lot future home development with freeway access consistent with the character of Old Agoura.
- Create a financially viable project for the City of Agoura Hills.
- Annex the project site into the City of Agoura Hills to ensure that any development would be consistent with the City's General Plan and Municipal Code, and that enforcement of building, planning and environmental standards will be handled by the City's staff.
- Sell individual residential lots to residential developers and assure the site would not be developed as a school.

The approvals requested from the City include:

- Vesting Tentative Tract Map (TR 72316) to:
  - Divide approximately 71 acres (APN 2052-009-270) into sixteen lots: (1) open space, (2) fifteen residential lots
  - Retain the one parcel (about 0.25 acre) across Chesebro Road (APN 2055-010-270) as a separate open space lot.
- Development Agreement (13-DA-001)
- Annexation and Sphere of Influence Change (13-ANX-001) for the two project parcels plus a state-owned parcel (APN 2055-010-901) and a portion of the Caltrans right-of-way along US Highway 101
- General Plan Amendment (13-GPA-002) (for the annexation)
- Oak Tree Permit (13-OTP-021)
- Conditional Use Permit (13-CUP-005) for the overall project, given that the approximately 71-acre parcel is hillside, and that trails are proposed in the OS-DR zone
- Pre-Zoning and Zone Change (13-ZC-001 and 13-ZOA-001) from County zoning to Residential Very Low (RV)-Old Agoura Overlay (OA)-Equestrian Overlay (EQ) for fifteen residential lots and Open Space – Deed Restricted (OS-DR)-OA-EQ for the two open space lots.

ALTERNATIVES

As required by CEQA, the EIR examines a range of alternatives to the proposed project. Studied alternatives include the following:

- **No Project (Alternative 1) –** This alternative assumes that the proposed project would not be developed and that the site would remain in its current vacant condition. The No Project alternative would avoid the proposed project's environmental impacts in every issue area studied in the EIR. Therefore, no impact would occur under this alternative and overall environmental impacts would be lower than those of the proposed project. However, this alternative does not meet any of the project objectives except for potentially conserving open space, nor would it preclude the site from future development under a different proposal.

- **Reduced Residential Alternative (Alternative 2)** - Under the Reduced Residential Alternative, the residential component of the subdivision would be reduced to approximately 50 percent of the proposed project size with eight single-family residential lots on approximately 12.5 acres. Under this alternative the eight single-family lots would be zone Residential Very Low Density (RV) (<2 DU/acre), which is the same as under the proposed project. Additionally, under the Reduced Residential Alternative, the remaining portion of the site (about 58.5 acres) would be zoned for permanent preservation of open space.

- **North Area Plan Buildout Alternative (Alternative 3)** - Under the North Area Plan Buildout Alternative, development on the project site would be consistent with what is designated for the site under Los Angeles County's Santa Monica Mountains North

Area Plan. This would allow for 14 single-family residential lots at a density of 5 acres/1 dwelling unit (Mountain Lands, N5) over the entire site. This could result in a more dispersed development over the site with no designated open space. Building footprints for individual residences could be similar to those of the proposed project. All other components of the project would be similar, including trails, fencing, drainage improvements, and extension of utilities under the proposed road. However, given the dispersed nature of the development in this alternative, substantially larger facilities would be needed, including additional roads, drainage swales, debris detention basins, and utility extensions.

- **Clustered Development Alternative (Alternative 4) -** Under the Clustered Development Alternative, the single family residential lots would be located in a cluster on the project site near the entrance under the proposed project. The residential component would have the same number of single-family residential lots as the proposed project, but at a higher density with lots at 1-2 dwelling units per acre with 15 single family lots developed on 13 acres. Under this alternative the residential component would be zoned Low Density-Residential (20,000 square feet minimum lot size per dwelling unit) (RL). The remainder of the project site, approximately 58 acres, would be zoned for permanent preservation of open space. All other components of this alternative would be the same as those of the proposed project, including trails, fencing, drainage improvements, and extension of utilities under the proposed road.

Based on the discussion in Section 6.0, Alternatives, and the information summarized in Table 6-2, Alternatives 2 and 4 would reduce impacts to biological resources, geology and soils, and hydrology and water quality due to the fact that these two alternatives would reduce the impacted area to approximately 13 acres. Under these two alternatives, the remaining project area would become part of the open space area and would not be impacted. Alternative 3 would be inferior to the proposed project as the aesthetic, biological, geological, and hydrologic/water quality impacts of spreading the development over a larger area would be greater than those of the proposed project.

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
AESTHETICS		
Impact AES 1 Phase 1 of the project could potentially be visible from scenic vistas. Adverse effects on scenic views would be minimized by the nature of the project, the location of the development, and the height of any structures. Nonetheless, Phase 1 impacts on scenic vistas would be Class II, less than significant after mitigation.	**AES-1 Fencing Materials.** If required for safety purposes, the applicant shall construct a fence around the perimeter of the proposed debris retention basins. The fencing shall be compatible in materials, design and height with the surrounding natural environment and as outlined in the City's Architectural Design Standards & Guidelines, as feasible; if the fencing cannot be made visually compatible due to safety requirements, landscaping that is compatible with the natural environment may be used as screening for the fence. The applicant shall submit a plan and drawings with sufficient detail of the proposed fence and any landscaping, along with specifications for both, to the City Planning and Community Development Department for review and approval prior to issuance of a Building Permit or Grading Permit, or start of construction activities, whichever comes first.	Less than significant
Impact AES 2 Phase 2 of the project could potentially be visible from scenic vistas. Adverse effects on scenic views would be minimized by the nature of the project, the location of the development, and the height of any structures. Phase 2 impacts on scenic vistas would be Class III, less than significant.	None necessary	Less than significant
Impact AES-3 Phase 1 of the project would incrementally alter the existing visual character of the site and its surroundings, and could have substantial adverse effects on the visual character/quality of the site or its surroundings. Impacts would be Class II, less than significant with mitigation.	**AES-3 Drainage Outlet.** The storm water drainage outlet at Chesebro Canyon Creek, including headwall and apron, shall be designed to be compatible with the natural creek environment with regard to use of natural materials and colors. In particular, rock rip-rap shall be used on the apron. The applicant shall submit a plan and drawings with sufficient detail of the proposed outlet, along with specifications, to the City Planning and Community Development Department for review and approval prior to issuance of a Building Permit or Grading Permit, or start of construction activities, whichever comes first.	Less than significant
Impact AES-4 Phase 2 of the project would incrementally alter the existing visual character of the site and its surroundings. However, Phase 2 would not have substantial adverse effects on the visual character/quality of the site or its surroundings. Impacts would be Class III, less than significant.	None necessary	Less than significant
Impact AES 5 Phase 2 of the proposed project would introduce lighting and glare in an area that	None necessary	Less than significant

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
currently contains vacant land. However, new sources of lighting and glare would be required to comply with City standards, which would ensure that impacts would be Class III, less than significant.		
BIOLOGICAL RESOURCES		
Impact BIO-1 Neither phase of the project would result in the reduction of a CDFW or USFW listed wildlife species habitat or population, or restrict a reproductive capacity. Either phase of the project may, however, reduce the species population, reduce habitat, and restrict reproductive capacity of other special status wildlife species. This impact is Class II, less than significant with mitigation.	**BIO-1(a) Pre-Construction Sensitive Wildlife Survey and Impact Avoidance.** Not more than two weeks prior to ground disturbing construction for Phase 1 and Phase 2, as well as ground disturbing fuel modification activities, would remove native landscaping, a preconstruction survey for sensitive wildlife species shall be conducted by a qualified biologist satisfactory to the City Environmental Analyst and submitted to the City Environmental Analyst prior to beginning construction and/or commencement of any disturbance. If a sensitive species is found, avoidance is the preferred mitigation option. If avoidance is not feasible, the species, shall be captured, when possible, and transferred to adjacent appropriate habitat within the open space on-site or directly adjacent to the project site, at least 300 feet from the disturbance area, or an adequate distance to account for indirect impacts as determined by the approved biologist. This shall be performed only by a biologist approved by the City Environmental Analyst. The CDFW and City Environmental Analyst shall be formally notified and consulted regarding the presence of this species on-site. If a federally listed species is found prior to grading of the site, the USFWS shall also be notified and appropriate "take" permits acquired prior to any relocation activity. **BIO-1(b) Bird Nesting Surveys and Nest Avoidance.** No earlier than 14 days prior to Phase 1 and 2construction or site preparation activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically February 1 through August 31), the applicant shall have a field survey conducted by a qualified biologist satisfactory to the City's Environmental Analyst to determine if active nests of any bird species protected by the state or federal Endangered Species Acts, Migratory Bird Treaty Act, and/or the California Fish and Wildlife Code Sections 3503, 3503.5, or 3511 are present in the construction zone or within 300 feet of the construction zone. If active nests are found within the survey area, construction activities shall stop until consultation with the	Less than significant

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
	City Environmental Analyst, CDFW, and USFWS (when applicable) is conducted and an appropriate setback can be established commensurate with the species involved (25 feet for urban-adapted species such as Anna's hummingbird and California towhee and up to 300 feet for certain raptors). A temporary construction fence barrier shall be erected around the buffer and clearing and construction within the fenced area shall be postponed or halted, at the discretion of a biological monitor, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The applicant shall record the results of the survey(s) and recommended protective measures described above to document compliance with applicable state and federal laws pertaining to the protection of native birds, and provide such report to the City Environmental Analyst. **BIO-1(c)Lighting Requirements.** Phase 2 of the project shall incorporate lighting design features that will reduce the amount and intensity of night lighting in open space areas adjacent to the development. This would involve using lighting only to the extent necessary, using low intensity lights, placing lighting close to the ground when possible, using shields to reduce glare and direct lighting downward, and pointing lights away from open space areas. Security lighting from the site should not exceed 1 foot-candles at the edge of the fuel modification zone.	
Impact BIO-2 Implementation of both phases of the proposed project would not reduce species' population, reduce habitat, or restrict reproductive capacity of endangered, threatened, or rare plant species. Implementation of the proposed project could result in reduction in the number and habitat of a CNPS rare species. This impact is Class II, less than significant with mitigation.	**BIO-2(a)Pre-construction Botanical Survey.** Prior to construction of Phase 1 and development of and initial fuel clearance for individual homes in Phase 2 of the project, spring and summer seasonal botanical surveys for special status plants, including round leaved filaree, shall be conducted within the impact area by a qualified botanist satisfactory to the City Environmental Analyst. A summary of the survey shall be provided to the City Environmental Analyst for approval. Impacts from fuel modification requirements shall be considered. If any special status species are observed, avoidance, minimization, and/or mitigation shall be performed to reduce effects. If the species cannot be fully avoided, then the applicant shall draft a restoration/preservation plan to offset impacts to the species as discussed in Mitigation Measure BIO-2(b). **BIO-2(b) Mitigation Plan.** In the event that round-leaved filaree populations cannot be fully	Less than significant

Table ES-1
Summary of Environmental Impacts,
Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
	avoided, a Mitigation Plan shall be submitted to the City Environmental Analyst for approval prior to issuance of a grading permit or building permit, whichever occurs first. The mitigation shall be installed by one (1) year after completion of work acceptable to the City. The applicant shall secure a bond for an amount equal to the cost of the mitigation effort. The bond shall be released by the City upon satisfaction of the approved performance criteria after the monitoring period has expired. The following methods may be implemented individually, or in conjunction with each other. *On-site or Off-site Restoration (Salvage and Replanting).* Restoration shall involve the collection of seed from within the development footprint or nearby areas, if necessary, and replanting the seed in a suitable area outside the development footprint but elsewhere on the project site that is set aside for preservation. If infeasible, an off-site location as close to the impact area as possible, but at least within the local watershed, may be used. The Restoration Plan, prepared by a qualified plant ecologist satisfactory to the City Environmental Analyst, shall include, but not be limited to, the following to achieve a performance standard of a 2:1 replacement, or as dictated by a regulatory agency with permitting authority over the species: • Location of the mitigation/restoration and map; • Performance criteria (i.e., what is an acceptable success level of re-vegetation to mitigate impacts); • Plant species, container sizes, and seeding rates; • Planting schedule; • Monitoring effort (i.e., who is to check on the success of the re-vegetation plan, and how frequently); • Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken); • Irrigation method/schedule (i.e., how much water if needed, where and for how long); • Means to control exotic vegetation; and • Identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.	

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
	The Applicant shall maintain and monitor the plants for a minimum of five years. *Off-Site Preservation.* Off-site preservation shall consist of locating a population of the impacted special status plant species containing at least two-times the number of individuals impacted by the project, and preserving the population in perpetuity via placement of a permanent conservation easement or purchase of the land and dedication to the City or an approved conservation organization acceptable to the City. The preserved population shall be located on an area of sufficient size to create a preserve core and be located, as feasible, at least 350 feet away from existing or proposed development, paved roads, v-ditches and irrigated areas. Additionally, the preserve population shall exhibit connectivity to other protected open space or hillside areas. The Preservation Plan shall at least identify the specific location of the preservation site and size; number of individuals preserved; ownership of the land; parties involved; and the preservation methodology (i.e., permanent conservation easement or dedication to an approved conservation organization, etc.).	
Impact BIO-3 Implementation of Phase 2 of the project could result in the disturbance or reduction in extent of onsite and off-site sensitive plant communities. This is a Class II, less than significant with mitigation incorporated impact.	**BIO-3 Fuel Modification Plan.** Prepare a Fuel Modification Plan to address Los Angeles County required fuel modification impacts to offsite sensitive communities. The purpose of this plan is to mitigate potentially significant impacts to sensitive communities (e.g., coastal sage scrub, riparian habitat) from fuel modification activities on lots 1, 5, 6, 15, 14, 18. Off-site sensitive vegetation clearance should be avoided. A biologist approved by the City's Environmental Analyst (biologist) shall prepare a Fuel Modification Plan for County Planning review and approval that minimizes impacts to sensitive communities and meets the Los Angeles Fire Departments requirements and consistent with Fuel Modification Plan Guidelines (2011, or its successor). The Fuel Modification Plan shall: 1. Include options to avoid offsite sensitive vegetation removal and meet the Fire Department requirements (e.g., masonry wall); and 2. Specify the methods of modifying vegetation in the fuel management zone that will avoid impacts to sensitive communities (e.g., specifying removal requirements in each zone,	Less than significant

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
	using hand tools to prune vegetation, avoiding sensitive communities). A biologist shall monitor all fuel modification activities in sensitive communities. Offsite vegetation removal requires the consent of the property owner. Following all fuel modification activities, a biologist shall submit to the Planning Division an annual report that confirms that vegetation modification activities avoided disturbance to sensitive communities. The Applicant shall submit a Fuel Modification Plan prior to recordation of the Final Map. A biologist shall submit annual reports on fuel modification activities for the first year of the development of each individual lot to the Planning and Community Development Department by July 1 of each year (June 1 is generally the deadline for fuel modification).	
Impact BIO-4 Implementation of Phase 1 and 2 of the proposed project would result in the direct reduction of jurisdictional drainages. This impact is considered a Class II, less than significant with mitigation.	**BIO-4 Re-vegetation Plan.** If impacts to Chesebro Canyon Creek and the ephemeral stream cannot be avoided, the Applicant shall consult with the CDFW, USACE, and the RWQCB and obtain applicable permits for the proposed impacts to jurisdictional waters, or obtain confirmation that permits are not needed. This includes a Clean Water Act Section 404 permit from the USACE for the discharge of fill to any of USACE non-wetland waters of the U. S. onsite, a Section 401 water quality certification or Waste Discharge Requirements from the RWQCB, and a Streambed Alteration Agreement from CDFW. These permits typically require mitigation to reduce impacts to water quality and quantity, vegetation, and wildlife. The project Applicant shall demonstrate to the City of Agoura Hills that the requirements of agencies with jurisdiction over waters onsite can be met prior to obtaining Phase 1 grading permits or building permits, whichever occurs first. This may include, but not be limited to, consultation with those agencies, securing the appropriate permits, waivers or agreements, and arrangements for re-vegetation mitigation as needed. If mitigation is required, areas of temporary disturbance shall be enhanced (weeds removed) and re-seeded or planted with a palette of native species at a 1:1 ratio for temporary impacts and 2:1 ratio for permanent impacts, or as required by the regulatory agencies having permitting jurisdiction over the resources, as appropriate. Revegetation for Chesebro Canyon Creek shall consist of	

Table ES-1
Summary of Environmental Impacts,
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Impact	Mitigation Measures	Residual Impact
	appropriate willow scrub species and that of the ephemeral stream shall consist of California Coastal Scrub and grassland species, unless otherwise specified by the regulatory agencies. Re-vegetation shall occur as close to the impact area as possible, and in the same creek/stream to be disturbed, as feasible. If infeasible, another similar location may be acceptable, and shall be as close to the area disturbed as possible, and at least within the local watershed. An in-lieu fee to a conservation organization approved by the City (and acceptable to the regulatory agencies, as appropriate) to conduct the mitigation may be accepted if no other locations are feasible, as confirmed by the City Environmental Analyst. The project Applicant shall submit a re-vegetation plan prepared by a qualified restoration biologist for review and approval by the City Environmental Analyst , prior to issuance of a grading permit or building permit, whichever comes first, for Phase 1.The plan shall include, but not be limited to, the following components: • Location of the mitigation/re-vegetation and map; • Performance criteria (i.e., what is an acceptable success level of re-vegetation to mitigate impacts); • Plant species, container sizes, and seeding rates; • Planting schedule; • Monitoring effort (i.e., who is to check on the success of the re-vegetation plan, and how frequently); • Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken); • Irrigation method/schedule (i.e., how much water if needed, where and for how long); • Means to control exotic vegetation; and • Identification of the party responsible for meeting the success criteria. The revegetation shall be completed within one (1) year of completion of Phase 1 improvements, acceptable to the City of Agoura Hills. The Applicant shall maintain and monitor the plants for a minimum of five years.	
Impact BIO-5 The site is within a mapped migration corridor, but the proposed project (Phases 1 and 2)	None necessary	Less than significant

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
would not substantially affect local wildlife movement. This is considered a Class III, less than significant impact.		
Impact BIO-6 Implementation of Phase 1 of the proposed project would result in minor to moderate disturbance to protected oak trees, while implementation of Phase 2, including fuel modification, may result in disturbance to, or removal of, oak trees. This impact is Class II, less than significant with mitigation.	**BIO-6(a) Oak Trees – Phase 1.** For Phase 1, the project shall comply with all conditions listed in the City Oak Tree Consultant memorandum (September 23, 2014) regarding the oak trees on the property, and with the Oak Tree Preservation Program stipulated in the Oak Tree Report (Newman, July 2013, rev. August 2014). These items include acceptable work methods near the oak trees, protective fencing, standards for pruning and watering, and proper notification of the City's Oak Tree Consultant etc. **BIO-6(b) Oak Trees – Phase 2.** As each individual residential lot is proposed for development, the Planning and Community Development Department shall determine if an Oak Tree Permit, Oak Tree Report, or similar study is required based on the location of the specific development in relation to protected oak trees, including fuel modification measures as necessary. An Oak Tree Report or similar study shall be prepared by a qualified oak tree specialist and submitted to the Planning and Community Development Department for review and acceptance. The oak tree protection, preservation and mitigation requirements of such a report/study and any requirements of the Planning and Community Development Department, including the City Oak Tree Consultant, shall be implemented. The loss of any oak trees shall be compensated and mitigated pursuant to the City's Oak Tree Ordinance and Oak Tree Preservation and Protection Guidelines in Article IX of the Municipal Code. Such compensation shall occur prior to issuance of Certificate of Occupancy of the development on the individual residential lot, and, for each oak tree, shall be at a ratio of no fewer than 4:1, with at least two (2) 24-inch box specimens and one (1) 36-inch box specimen, with the remaining tree diameter dependent on the size of the individual tree to be removed. Mitigation shall occur on the same lot as the oak tree to be affected; however, if this is determined by the Planning and Community Development Department to be infeasible, an additional site as close as possible to the area of oak removal may be acceptable. If on-site or off-site planting locations are found infeasible, the applicant/ developer may provide an in-lieu fee mitigation to the City's Oak Tree Mitigation Fund. A	Less than significant

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
	determination of infeasibility shall be made by the Director of Planning and Community Development.	
GEOLOGY AND SOILS		
Impact GEO-1 Seismically induced ground shaking could destroy or damage structures in both phases of the project, resulting in loss of property or risk to human safety. This impact is Class II, less than significant with mitigation incorporated.	**GEO-1 (a) Geotechnical Site Evaluation Requirements/Recommendations.** The project design and construction shall incorporate and implement all of the requirements/recommendations as applicable, in the Gorian & Associates Geotechnical Site Evaluation dated July 24, 2013, as well as in the responses to City comments from Gorian dated November 12, 2013 and December 23, 2013, and the City Geotechnical Review Sheet prepared by Geodynamics, Inc. dated January 29, 2014. Compliance with the requirements/ recommendations shall be demonstrated and incorporated into the plans prior to issuance of a grading permit or building permit, whichever occurs first. **GEO -1(b) Additional Geotechnical Review.** Final development plans for Phase 1, shall be reviewed and approved by a geotechnical professional and the City Building Department and Planning and City Community Development Department prior to issuance of a grading permit or building permit, whichever comes first. For Phase 2, an individual grading plan and geotechnical analysis shall be prepared as part of the application for each residence proposed in the future, and should be subject to the review and approval of the City. All recommendations/requirements of the geotechnical analysis, and those of the City, shall be followed. Compliance with the requirements/recommendations shall be demonstrated and incorporated into the plans prior to issuance of a grading permit or building permit, whichever occurs first.	Less than significant
Impact GEO-2 The area of proposed development in either phase of the project is not susceptible to fault rupture, and so would not expose people or structures to risk of loss or harm due to fault rupture. This is a Class III, less than significant impact.	None necessary	Less than significant
Impact GEO-3 The area of proposed development in either phase of the project is not susceptible to liquefaction, and so would not expose people or structures to risk of loss or harm due to liquefaction. This is a Class III,	None necessary	Less than significant

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
less than significant impact.		
Impact GEO-4 The slope stability analysis prepared for the project site concluded that remedial grading is necessary to stabilize an existing landslide and prepare the site for the proposed development. Therefore, landslide impacts would be Class II, less than significant with mitigation incorporated.	GEO-1(a) and GEO-2(b)	Less than significant
Impact GEO-5 The upper soil zone overlying the entire site is highly weathered and desiccated to a depth of approximately three (3) feet. Impacts related to the differential settlement of soils would be Class II, less than significant with mitigation.	GEO-1(a) and GEO-2(b)	Less than significant
Impact GEO-6 The proposed project would utilize fill material classified as moderately expansive. Impacts related to expansive soils during Phases 1 and 2 activities would be Class II, less than significant with mitigation incorporated.	GEO-1(a) and GEO-1(b) **GEO-6 Infiltration Study.** A professional geotechnical consultant shall prepare an analysis of the impact of the debris detention basin system proposed in Phase 1 on the proposed development, and perform an infiltration study per the current Los Angeles County guidelines and requirements. All recommendations/requirements of the analysis and study, and those of the County and City, shall be followed. Compliance with the requirements/recommendations shall be demonstrated and incorporated into the plans prior to issuance of a grading permit or building permit for Phase 1, whichever occurs first.	Less than significant
Hazards/Hazardous Materials		
Impact HAZ-1 Four listed LUST sites are located within one-half mile of the project site. Due to the case closed status of three of these sites and distance of the open LUST site to the project site, impacts during Phase 1 and 2 from listed environmental sites would be Class III, less than significant.	None necessary	Less than significant
Impact HAZ-2 The Calabasas Landfill is located approximately 0.75 miles northeast of the project site. Based on the results of the Phase II ESA conducted on the project site, and the environmental control systems currently in place at the landfill impacts from this listed environmental site on the development would be Class III, less than significant.	None necessary	Less than significant
HYDROLOGY AND WATER QUALITY		

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
Impact HWQ-1 During project grading and construction and long-term operation of the project for both Phases 1 and 2, the soil surface would be subject to erosion and the downstream watershed could be subject to temporary sedimentation and discharges of various pollutants. However, measures have been incorporated into the project to minimize these effects and the project would be required to comply with the NPDES General Construction Permit, which would result in a Class III, less than significant impact.	None necessary	Less than significant
Impact HWQ-2 Both Phases 1 and 2 of the proposed project would alter the existing drainage pattern on the project site. However, drainage on the project site would not exceed the capacity of the off-site storm drain system. Therefore, impacts would be Class III, less than significant.	None necessary	Less than significant
Impact HWQ-3 Pollutants associated with operation of the project in Phases 1 and 2 could be discharged into the storm drain system. However, the project includes filtering systems. In addition, the project would be required to comply with NPDES permit regarding runoff from the site. Impacts would be Class III, less than significant.	None necessary	Less than significant
Impact HWQ-4 Both phases of the project would increase impervious surfaces on the site and could interfere with groundwater recharge. However the majority of the site would remain unpaved. Impacts would be Class III, less than significant.	None necessary	Less than significant
Impact HWQ-5 A portion of the project site is located within the 100-year flood plain, including a portion in the floodway. Development of structures on Lots 1, 2 and 15 as part of Phase 2 could result in flood hazards. Impacts would be Class II, less than significant with mitigation incorporated.	**HWQ-5(a)Floodplain.** Prior to development of Lots 1, 2, or 15 as part of Phase 2, the applicant shall be responsible for preparing documents required to conduct work in the FEMA floodplain, such as a Conditional Letter of Map Revision (CLOMR), and other items required by the City Public Works Director/City Engineer. Such documents shall be submitted to the City Public Works Department for review and acceptance prior to issuance of a building permit or grading permit, whichever occurs first.	Less than significant

Table ES-1
Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Mitigation Measures	Residual Impact
	HWQ-5(b)Access. Prior to development of any Phase 2 homes, the applicant must submit for review and approval an access plan for the site detailing how access would be maintained under flood conditions. This could include sand bags or berms along the northern side of the road or a hydrology study proving that the road is not in the 100 year floodplain.	

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1.0 INTRODUCTION

This document is a Draft Environmental Impact Report (EIR) that evaluates the environmental effects of implementation of the Agoura Equestrian Estates Project. The project would involve the annexation of an approximately 71-acre site into the City of Agoura Hills, subdivision of the site into 17 lots, including 15 residential single-family lots, and two lots for permanent preservation of open space. The project would also include the partial relocation and improvement of an existing informal multi-use trail and development of an equestrian trail.

This section describes the purpose and legal authority of the EIR, the scope and content of the document, agencies with approval authority over the project, and the intended uses of the EIR. It also provides an overview of the environmental review process under CEQA. Section 2.0, *Project Description,* describes the proposed project in detail.

1.1 ENVIRONMENTAL IMPACT REPORT BACKGROUND

A Notice of Preparation (NOP) of an EIR was prepared for the proposed project and distributed on May 30, 2014 for agency and public review. Agencies and the public were given 30 days to provide responses to the NOP. The NOP and responses are presented in Appendix A, along with the Initial Study that was prepared for the project and that accompanied the NOP. Section 1.3 discusses the comments received in response to the NOP and where they are addressed in the EIR.

The project site is located on the previously proposed Heschel West Day School site in unincorporated Los Angeles County. A Final Environmental Impact Report (Final EIR) was prepared for the Heschel West Day School project in 2006. The Final EIR was certified by the County and the project was approved in 2007. The adequacy of the Final EIR was challenged; however, that legal challenge has not been pursued. Although the CEQA documentation for the currently proposed project will not tier off of the earlier EIR, technical data from the Heschel West Day School EIR has been independently analyzed by the City and utilized as appropriate in the preparation of this EIR.

1.2 PURPOSE AND LEGAL AUTHORITY

In order to implement the project, discretionary approval of the City of Agoura Hills is required. This renders the project subject to the requirements of the California Environmental Quality Act (CEQA). In accordance with Section 15121 of the *CEQA Guidelines*, the purpose of an EIR is to serve as an informational document that:

> *"...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project..."*

This EIR has been prepared as a Project EIR pursuant to Section 15161 of the *CEQA Guidelines.* A Project EIR is appropriate for a specific development project. As stated in the *CEQA Guidelines:*

> *This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project, including planning, construction, and operation.*

This EIR is to serve as an informational document for the public and City of Agoura Hills decision makers. The process will culminate with a Planning Commission hearing and then a City Council hearing to consider certification of a Final EIR and approval of the project, including annexation of land to the City of Agoura Hills.

1.3 SCOPE AND CONTENT

The Initial Study prepared for the project and contained in Appendix A identified the following issues as requiring further study in an EIR:

- Aesthetics
- Biological Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality

The City received twelve responses to the NOP. Issues identified for study by responding agencies and how the EIR and Initial Study addressed these comments are indicated in Table 1-1.

Table 1-1
NOP Comments and EIR Response

Commenter	***Comment/Request***	***How and Where it was Addressed***
California Department of Fish and Wildlife	Include baseline biological surveys, complete assessment of flora/fauna, and thorough discussion of biological impacts and mitigation measures	Section 4.2 *Biological Resources*, and Appendices B and C include baseline biological information, assessment, and discussion of impacts and mitigation measures
	Address the Liberty Canyon Wildlife Corridor	Section 4.2 *Biological Resources* addresses wildlife corridors
	Address the effects of fuel modification requirements	Section 4.2 *Biological Resources* addresses fuel modification requirements
	Evaluate the creeks and riparian habitats	Section 4.2 *Biological Resources* includes a jurisdictional evaluation and analysis of the project's effects on riparian habitat
	List proposed staging areas and access routes during construction	Staging areas and the route are discussed in Section s 2.0 *Project Description* and 4.2 *Biological Resources*
	Address alternatives that would avoid or minimize impacts to sensitive biological resources	Alternatives are discussed in Section 6.0 *Alternatives*
County of Los Angeles Fire Department	States the project would be required to comply with the County of Los Angeles Fire Code for building and road design.	The Initial Study Section XIV (Appendix A) addresses the fire department requirements for the project.
	Recommends that a vapor intrusion study be completed.	This was completed and is addressed in Section 4.4 *Hazards and Hazardous Materials*

Table 1-1
NOP Comments and EIR Response

Commenter	*Comment/Request*	*How and Where it was Addressed*
City of Calabasas	The individual homes should be included and discussed in the EIR	The individual homes are addressed throughout the EIR
	Grading impacts should be analyzed in the EIR	Grading and associated impacts are addressed throughout the EIR
	Biological Resources should be evaluated in the EIR	Biological Resources are analyzed in Section 4.2 *Biological Resources*
	The emissions from construction of the homes should be analyzed	Air Quality impacts from construction of all parts of the project is analyzed in the Initial Study Section III (Appendix A)
	Wildlife corridors should be analyzed	Wildlife corridors are analyzed in Section 4.2 *Biological Resources*
	Cumulative impacts should be discussed	Cumulative impacts are discussed throughout the EIR
South Coast Air Quality Management District	Air Quality impacts from construction and operation should be analyzed and mitigated to the extent feasible	Air Quality impacts are discussed in the Initial Study Section III (Appendix A)
Governor's Office of Planning and Research, State Clearinghouse	The NOP was received and posted	Not required
Los Angeles County Metropolitan Transportation Authority	A CMP analysis should be performed	A CMP analysis is not required since the project will not generate sufficient trips to meet the threshold
National Park Service	The site is bordered by the Santa Monica Mountain National Recreation Area (SMMNRA)	Surrounding land uses are discussed in Section 3.0 *Environmental Setting*
	Aesthetics impacts should be analyzed	Aesthetics impacts are addressed in Section 4.1 *Aesthetics*
	Impacts to the existing wildlife corridors in the area should be addressed	Wildlife corridors are analyzed in Section 4.2 *Biological Resources*
	The "edge effect" the project could have on surrounding habitat should be analyzed	Biological impacts including "edge effect" are examined in Section 4.2 *Biological Resources*
	The effect of the project on special status plan communities and wetland habitat should be analyzed	Effect on biological resources are analyzed in Section 4.2 *Biological Resources*
	The effect on the neighboring SMMNRA should be analyzed	The project's effect on surrounding land uses is analyzed throughout the EIR
	The project should not place homes so that fuel modification requirements would encroach on public lands	The effect of fuel modification on the surrounding area is analyzed in Section 4.2 *Biological Resources*
	Limit direct access to public trail network from homes	The site plan indicates that "Access to open space trail shall be from public entrances and not from this home site" for Lots 9-15
	The proposed trail should connect with the existing trail that heads east	The site plan shows the two trails connecting
	Consider offering a public trail easement across Lot 16	The applicant intends to transfer the lot to another entity for permanent preservation. The trail easement is to be placed on the property by the new owner.

Table 1-1
NOP Comments and EIR Response

Commenter	*Comment/Request*	*How and Where it was Addressed*
Los Angeles Department of Public Works	Cut and fill amounts must be disclosed	Cut and fill amounts are discussed in Section 2.0 *Project Description*
	Haul routes must be discussed	Section XVI, Transportation and Traffic, of the Initial Study (Appendix A) has been updated to include this information
	Grading limits must be clearly defined	The grading figure is included in Section 2.0 *Project Description*
	The rupture of a known earthquake fault determination should be changed in the Initial Study	The Initial Study (Appendix A) has been updated to include this information
	All geological and geotechnical hazards should be included in the DEIR	Geological and geotechnical hazards are discussed in Section 4.3 *Geology and Soils*
	Any dedication and road improvements should be discussed in the EIR	All dedications are included in Section 2.0 *Project Description*
	Review the previous geotechnical report	The previous geotechnical report, along with the entire Heschel School EIR, has been reviewed and has been incorporated by reference into this EIR.
California Department of Transportation	Truck trips should be limited to off-peak hours	The Initial Study (Appendix A), Section XVI, Transportation/Traffic has been amended to include this mitigation measure
Los Angeles County Department of Regional Planning	The County's General Plan and Zoning designations for the site should be cited	The General Plan and Zoning designations are noted in Section 2.0 *Project Description*
	Any oak woodlands on the site should be analyzed and mitigated if necessary	Oak woodlands are addressed in Section 4.1 *Aesthetics* and Section 4.2 *Biology*
Los Angeles County Department of Parks and Recreation	If the project is not annexed to the city, Quimby fees would need to be paid to the County	There would no longer be a project if the site is not annexed to the City
	The applicant should delineate a trail easement dedication on Lot 16	The Applicant intends to transfer lot to another entity for permanent preservation and easement to be placed on the property by the new owner.
Los Angeles County Library	If the site is annexed to the City, the library will receive a portion of property tax revenue, but will not receive special tax revenue.	Library services are addressed in the Initial Study (Appendix A) Section XIV Public Services.

This EIR addresses the issues referenced above and identifies potentially significant environmental impacts of the project and cumulative development in the City in accordance with provisions set forth in the *CEQA Guidelines.* The EIR also recommends feasible mitigation measures, where needed and possible, that would reduce or eliminate adverse environmental effects. In preparing the EIR, pertinent City policies and guidelines, existing EIRs, and other background documents were used. A full reference list is contained in Section 7.0, *References and Preparers.*

The Alternatives section of the EIR was prepared in accordance with Section 15126.6 of the *CEQA Guidelines* and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the basic project objectives. In addition, the Alternatives section identifies the "environmentally superior"

alternative among the alternatives assessed. The alternatives evaluated include the CEQA-required "No Project" Alternative and four alternative development scenarios for the project area.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. The *Guidelines* state:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but, the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.*

1.4 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

The *CEQA Guidelines* define "lead," "responsible" and "trustee" agencies. The City of Agoura Hills is the lead agency for the project because it has principal responsibility for approving the project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project, and a trustee agency refers to a state agency having jurisdiction by law over natural resources affected by a project. The Los Angeles County Local Agency Formation Commission (LAFCO) is a responsible agency for the project. LAFCO has discretionary approval over the proposed annexation of the project site into the City limits. The California Department of Fish and Wildlife (CDFW) is a trustee and responsible agency for the project.

1.5 ENVIRONMENTAL REVIEW PROCESS

The environmental impact review process, as required under CEQA, is summarized below and illustrated on Figure 1-1. The steps are presented in sequential order.

1 . **Notice of Preparation (NOP) Distributed.** Immediately after deciding that an EIR is required, the lead agency must file a NOP soliciting input on the EIR scope to "responsible," "trustee," and involved federal agencies; to the State Clearinghouse, if one or more state agencies is a responsible or trustee agency; and to parties previously requesting notice in writing. The NOP must be posted in the County Clerk's office for 30 days. A scoping meeting to solicit public input on the issues to be assessed in the EIR is not required, but may be conducted by the lead agency.

2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) significant impacts

(direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) alternatives; g) mitigation measures; and h) irreversible changes.

3. **Public Notice and Review.** A lead agency must prepare a Public Notice of Availability of an EIR. The Notice must be placed in the County Clerk's office for 30 days (Public Resources Code Section 21092) and sent to anyone requesting it. Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must consult with and request comments on the Draft EIR from responsible and trustee agencies, and adjacent cities and counties. The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days, unless a shorter period is approved by the Clearinghouse (Public Resources Code 21091). Distribution of the Draft EIR may be required through the State Clearinghouse.

4. **Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse as soon as it completes a Draft EIR.

5. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.

6. **Certification of Final EIR.** The lead agency shall certify: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project.

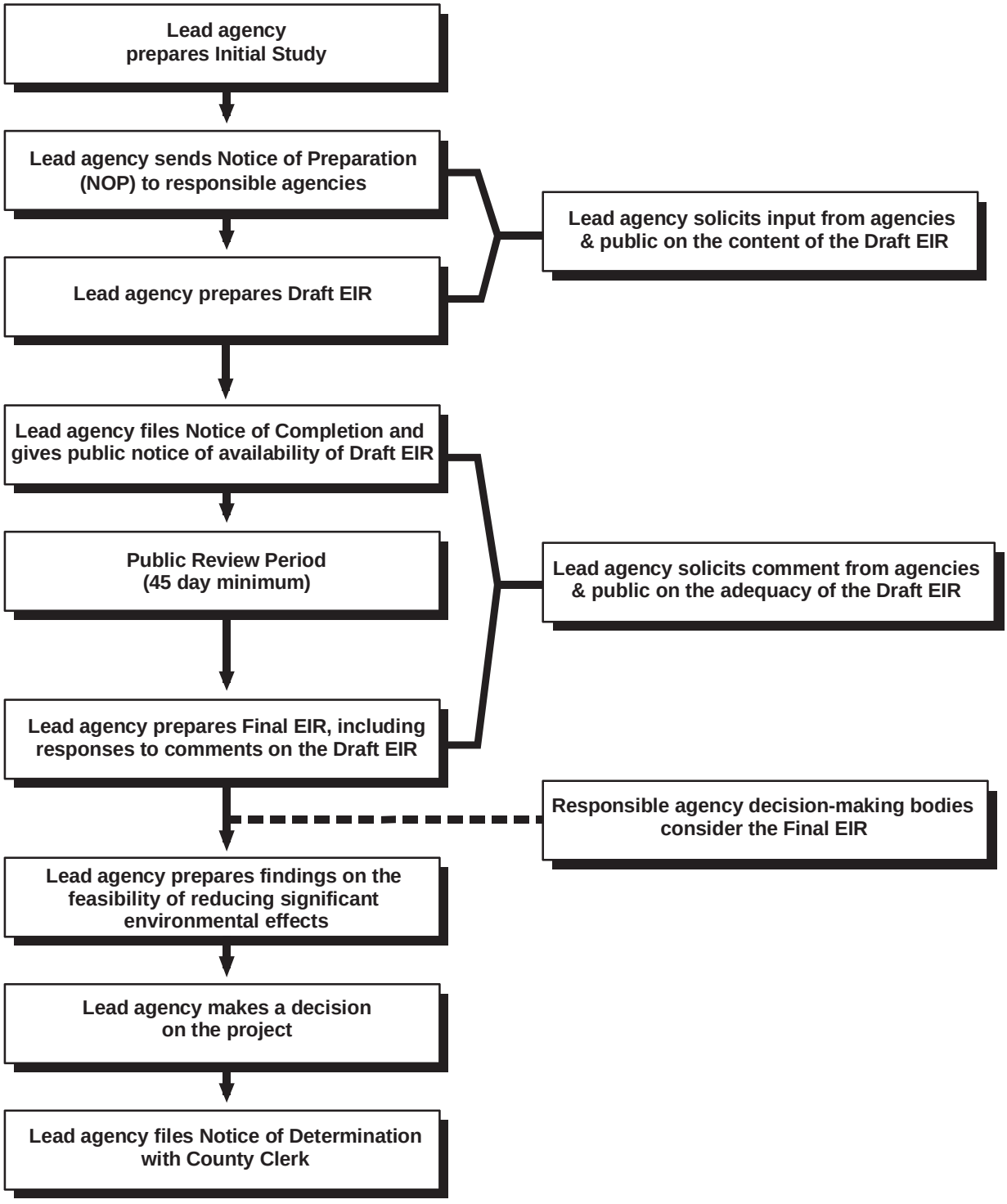
7. **Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted.

8. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible. If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that set forth the specific social, economic or other reasons supporting the agency's decision.

9. **Mitigation Monitoring/Reporting Program.** When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.

10. **Notice of Determination.** An agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared. A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA challenges.

THE EIR PROCESS



CEQA Environmental Review Process Figure 1-1

2.0 PROJECT DESCRIPTION

2.1 PROJECT APPLICANT

Equine Estates LLC (Applicant)
Fortune Realty (Manager)
Benjamin Efraim (Contact)

2.2 PROJECT LOCATION

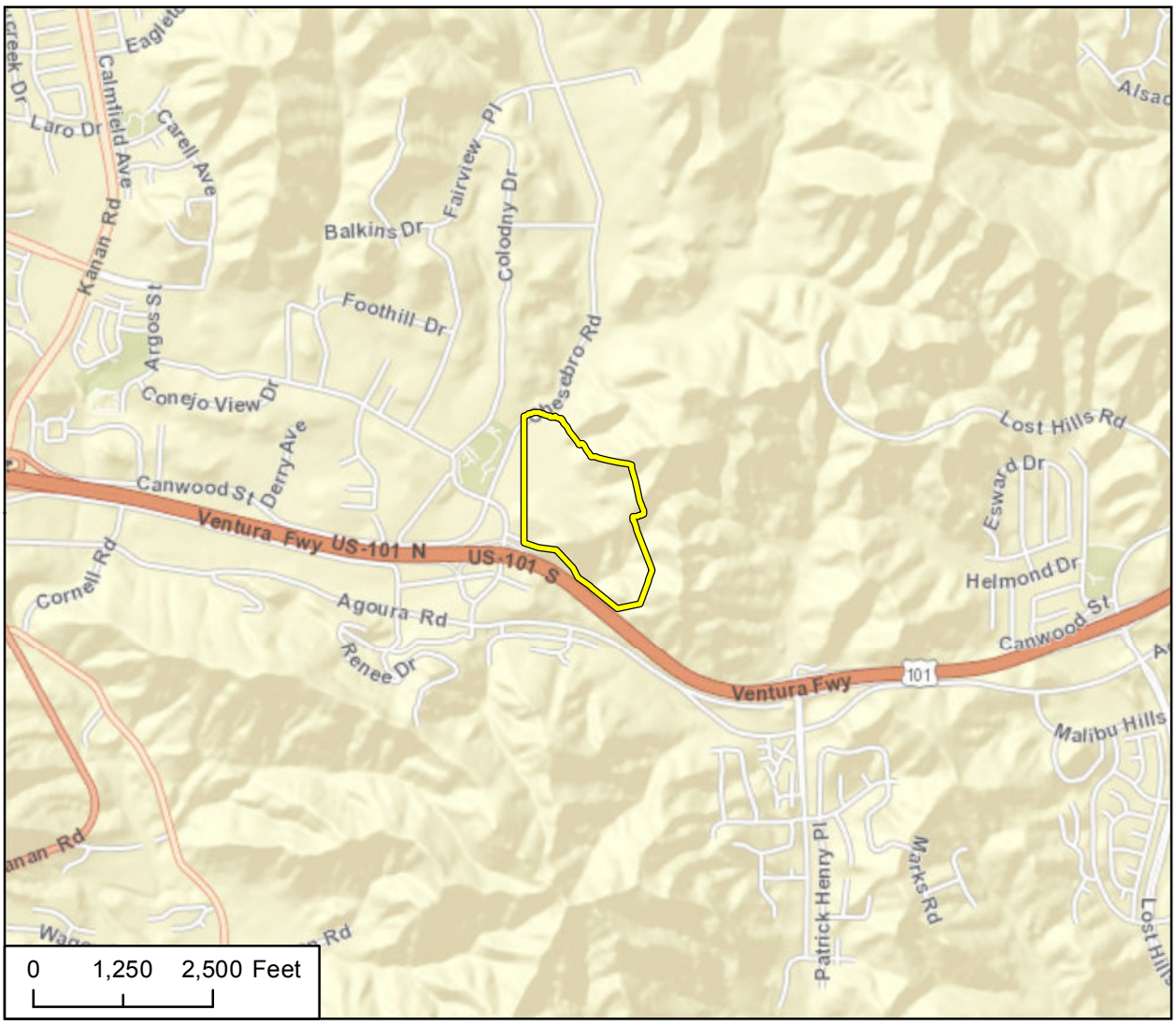
The project site is located within the County of Los Angeles on the north side of the U.S. 101 freeway, adjacent to the eastern boundary of the City of Agoura Hills. Specifically, the site is located east of Chesebro Road, in a canyon formed by a series of ridgelines that bound the proposed development on the north, east and southern borders. Figure 2-1 illustrates the location of the project site in its regional context and Figure 2-2 shows the location of the project site adjacent to the City of Agoura Hills.

2.3 EXISTING SITE CHARACTERISTICS

The project site encompasses just over 71 acres on two parcels, including Assessor Parcel Numbers (APNs) 2052-009-270 (71.14 acres) and 2055-010-270 (0.25 acre). The two parcels are covered by the Los Angeles County Santa Monica Mountains North Area Plan (NAP) (2000), and designated Mountain Lands (N5) and Open Space, respectively. APN 2052-010-270 is zoned by the County as A-1-5 (Light Agricultural, maximum residential density of 1 dwelling unit/5 acres), and APN 2055-010-270 is zoned Open Space – Parks (OS-P).

The site is located in a hilly area in the eastern portion of Agoura Hills. The site is vacant and is characterized by natural vegetation, including grasses and trees, including oaks. An existing multi-use trail runs along the western boundary of the site.

The project site is bordered on the west by low density residential single family homes in the Old Agoura community and a gas station, with some commercial services and high density residential adjacent to the U.S. 101 freeway corridor further west, all of which are located in the City of Agoura Hills. To the north and the east, the project site is surrounded by the Santa Monica Mountains open space owned by the State of California. The southern portion of the project site is bounded by the U.S. 101 freeway. Figure 2-3 shows photographs of the project site.



Imagery provided by ESRI and its licensors © 2014.

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Project Boundary

Regional Location

Figure 2-1

Imagery provided by Google and its licensors © 2014.

Project Location

Figure 2-2

Site Photographs

Figure 2-3

2.4 SITE HISTORY

The project site is located on the previously proposed Heschel West Day School site in unincorporated Los Angeles County. A Final Environmental Impact Report (Final EIR) was prepared for the Heschel West Day School project in 2006, and certified by the County in 2007. The project was approved in 2007. The adequacy of the Final EIR was challenged; however, that legal challenge has not been pursued. Although the CEQA documentation for the currently proposed project will not tier off of the earlier EIR, technical data from the Heschel West Day School EIR has been independently analyzed by the City and utilized as appropriate in the preparation of this EIR.

2.5 PROJECT CHARACTERISTICS

2.5.1 Subdivision and Physical Development

The proposed Agoura Equestrian Estates project involves subdivision of the approximately 71-acre project site into seventeen lots, including fifteen residential single-family lots; and two lots for permanent preservation of open space (APN 2052-010-270 and a portion of 2055-009-270) (to be zoned OS-DR-OA-EQ). The proposed subdivision also includes the following:

- Construction of a private access road through the site, including rolled curb
- Trails, fencing and drainage improvements within the private road right-of-way
- Relocation/construction of an existing multi-use informal trail located partially within and partially outside of the site boundaries to the east
- Earthen and rock drainage swale improvements, debris/detention basins, and underground pipe for runoff
- An equestrian trail and fence along the western side of the site, adjacent to existing homes
- Extension of utilities under the proposed private road from existing water and sewer lines south of site under Chesebro Road
- Grading of Lot 1 only in order to ensure that the grading in Phase 1 can be balanced onsite (no export/import of soil)

Figure 2-4 shows the proposed subdivision map with the equestrian trails. Figure 2-5 shows the trail details.

No residences or landscaping are proposed as part of the subdivision. However, it is anticipated that the 15 residential single-family lots will ultimately be developed with individual homes and associated landscaping.

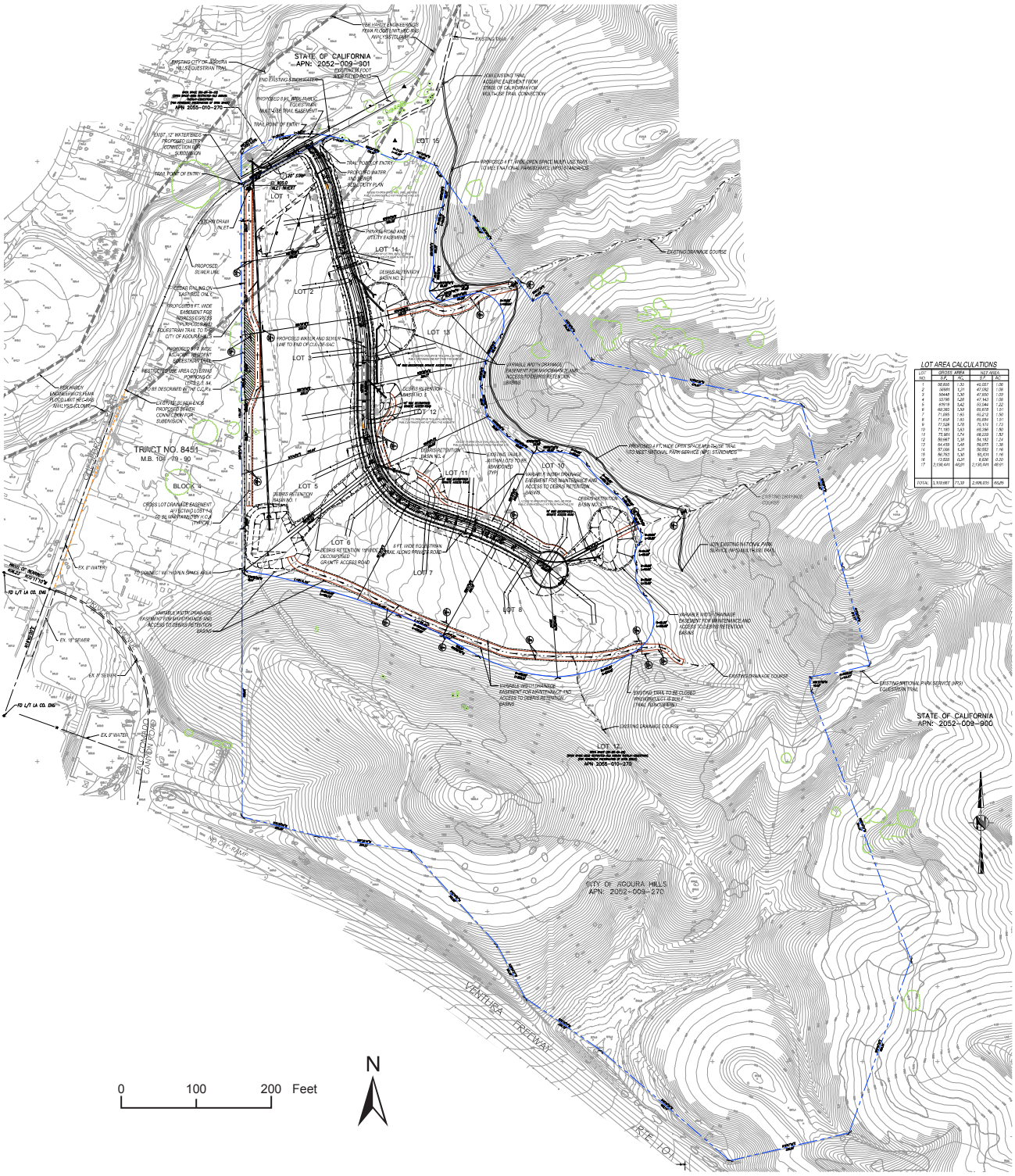
This EIR assesses both the near-term impacts of the currently proposed project (subdivision; annexation; grading of Lot 1; and construction of a private road, drainage and basins, trails, and utilities) referred to as Phase 1, and the long-term construction of 15 single family homes on the 15 single-family lots under Phase 2 (See Figure 2-4). As each single-family residence is proposed for development in the future as part of Phase 2, the development would require an individual permit process, such as Site Plan Review, which would include separate application review. All

development, including the residential construction, would be required to be compliant with the Agoura Hills Municipal Code.

About 22 acres of the approximately 71-acre project site would ultimately be developed at buildout of Phase 2 and the remaining 49 acres would be preserved as permanent open space.

The project proposed at this time (Phase 1) includes grading for construction of the infrastructure components, but not for residential pads or residences, with the exception of the pad grading for Lot 1. Lot 1 is within a Federal Emergency Management Agency (FEMA) floodplain, and excess dirt from the project grading would be used to elevate Lot 1 so that there would be no net export or import of soil from the Agoura Equestrian Estates Project site. However, no residence on Lot 1 would be constructed as part of the currently proposed project. Construction is proposed to begin within one year of entitlement and to take a total of two years. During project construction, staging and equipment storage areas would be located at Lot 15 of the proposed subdivision, and outside of the protected zones of the existing on- and off-site oak trees. Access to and from the site would be via Chesebro Road, Palo Comado Canyon Road and U.S. 101.

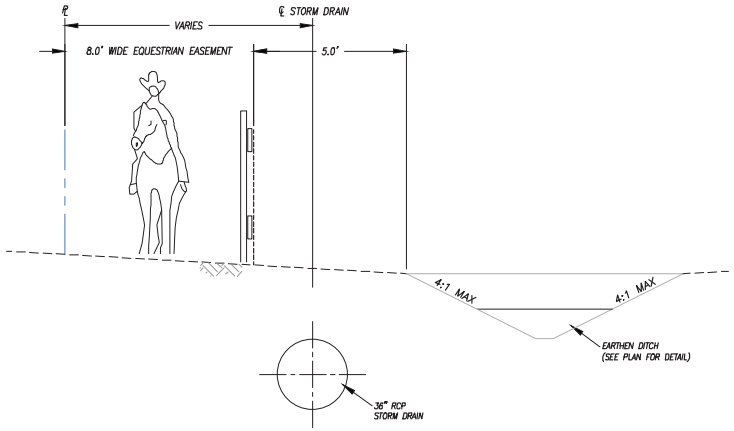
Figures 2-6 and 2-7 show the proposed grading plan and details for Phase 1. An additional grading plan, "Concept Grading for Residential Lots" (See Appendix B) is provided for environmental and information purposes only. This figure shows a probable grading scenario for Phase 2 that would balance cut and fill onsite. Nonetheless, as each residential lot would be developed in the future and an individual grading plan would be required for review and approval. The individual grading plan would need to be generally consistent with the quantity of grading identified on the "Concept Grading for Residential Lots" or additional CEQA review would be required. The areas on each lot shown for grading may vary, and the location of the grading and the precise building pad would be determined at the time each residential application is submitted. Total grading for Phase 1 is 2,506 cubic yards of cut and 2,506 cubic yards of fill, with no net import or export of soil. The conceptual estimate for grading of Phase 2 is a total 13,445 cubic yards of cut and 9,715 cubic yards of fill, with a shrinkage of 2,020 cubic yards and a subsidence of 1,710 cubic yards, resulting in a net balance on the site and no import/export of soil.



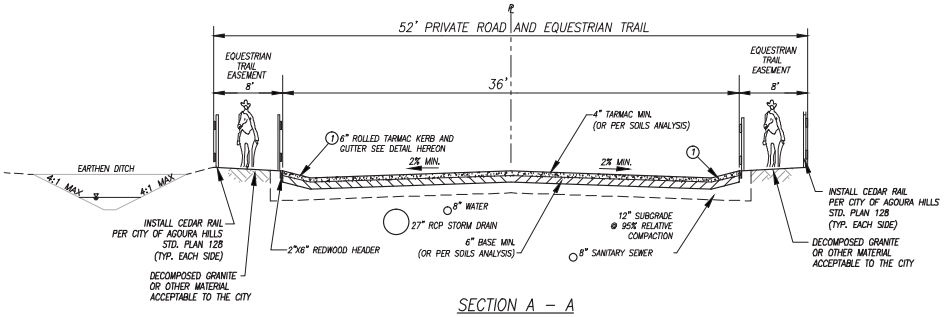
Source: Equine Estates, LLC

Subdivision Map with Equestrian Trails

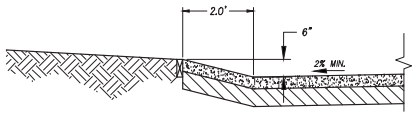
Figure 2-4



H EQUESTRIAN TRAIL, DRAINAGE SWALE, AND STORM DRAIN PIPE
N.T.S.



SECTION A – A
52 FOOT PRIVATE ROAD AND EQUESTRIAN TRAIL AND UTILITY EASEMENT
N.T.S.

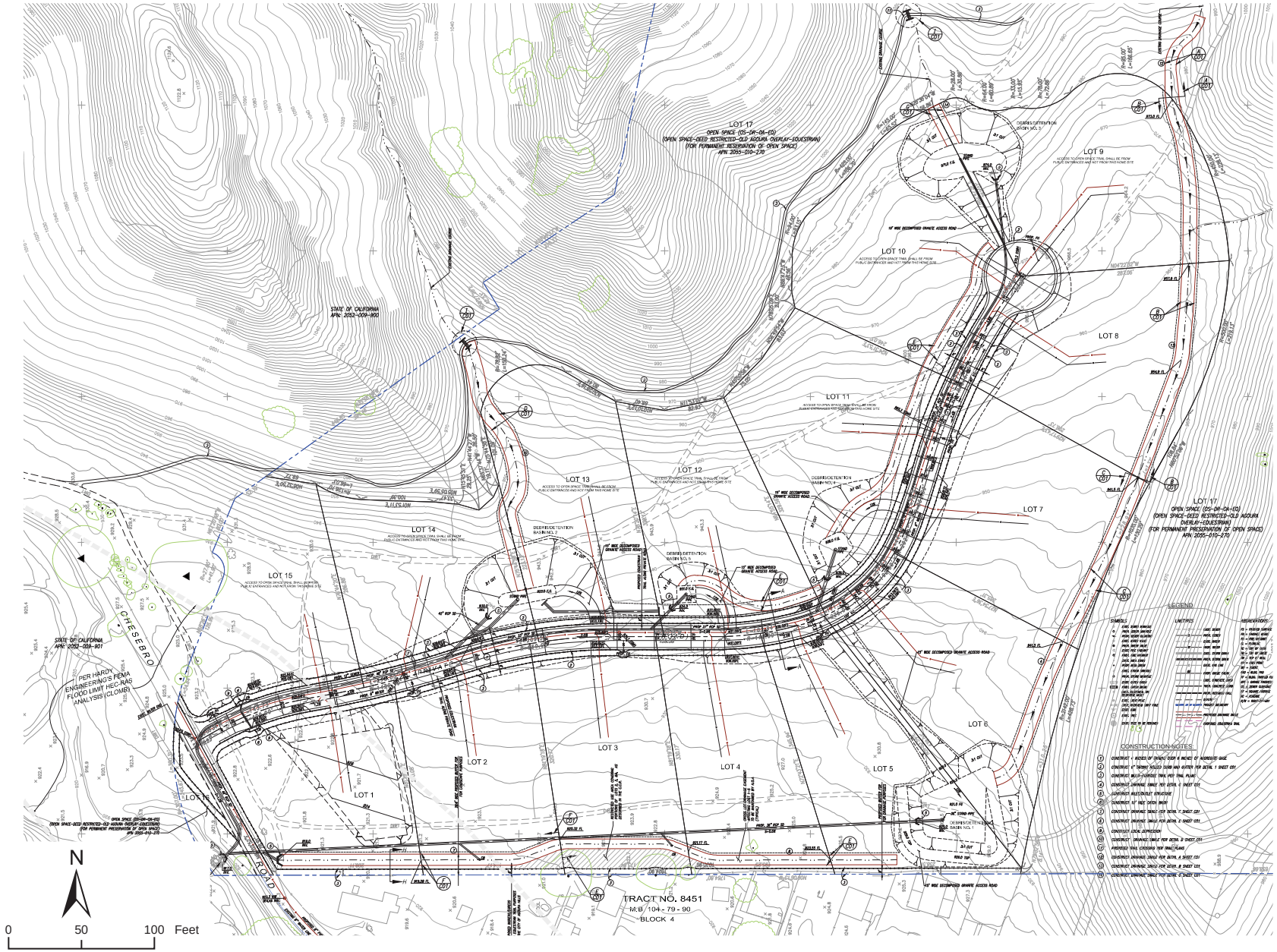


1 6" ROLLED TARMAC CURB AND GUTTER
N.T.S.

Source: Equine Estates, LLC

Trail Details

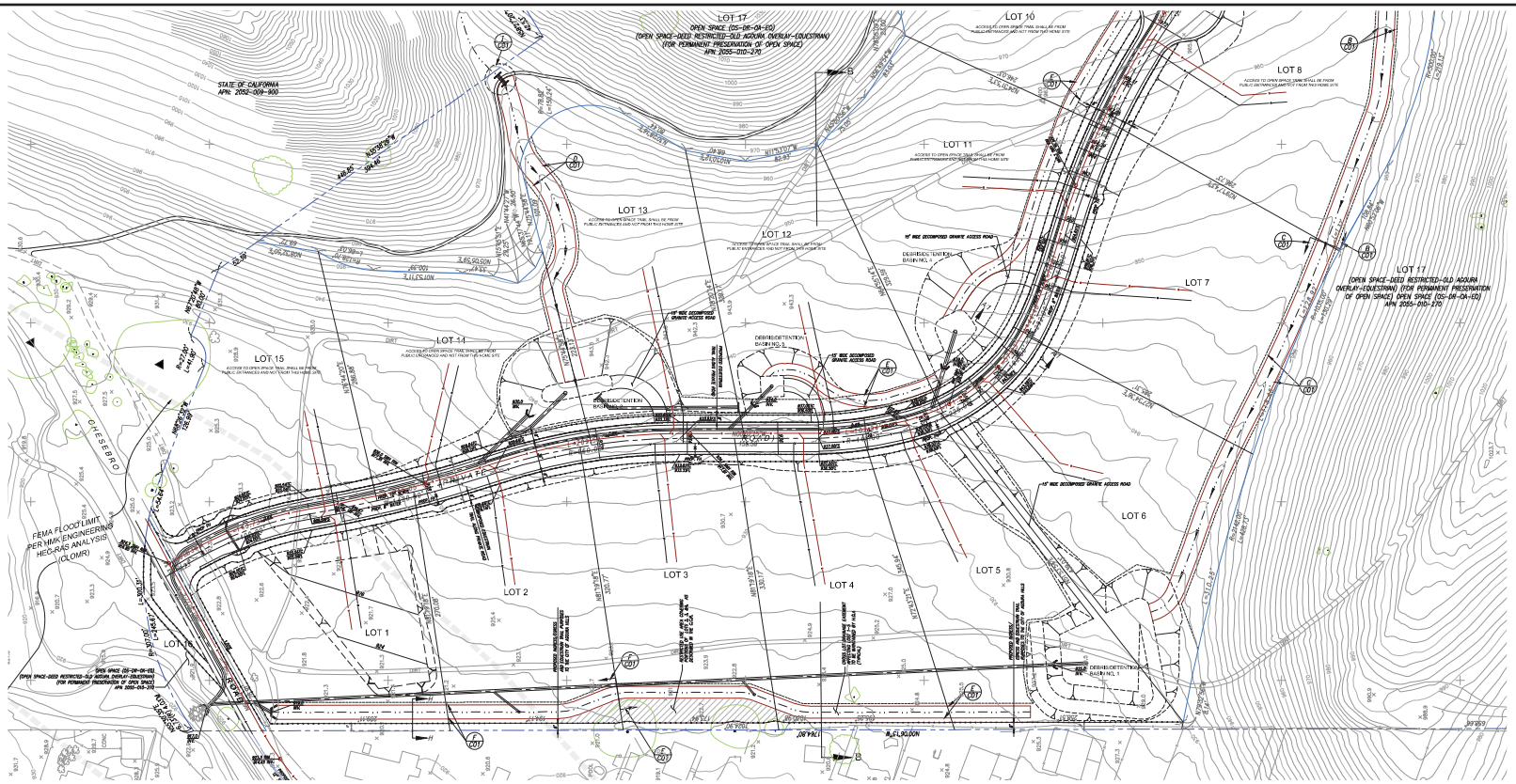
Figure 2-5



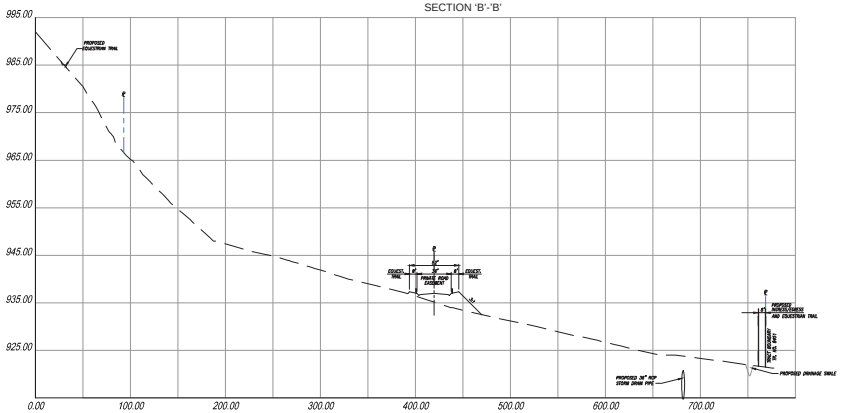
Proposed Grading Plan

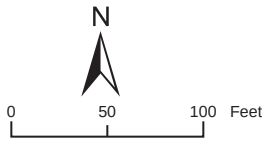
Figure 2-6

Source: Equine Estates, LLC



PLAN VIEW





Proposed Grading Plan with Private Road

Figure 2-7

Source: Equine Estates, LLC

2.4.2 Annexation and General Plan/Zoning Designations

The project applicant is proposing to buy the project site (APNs 2052-009-270 and 2055-010-270) from the City to subdivide and annex it into the City, along with the state-owned (Mountains Restoration and Conservation Authority) APN 2055-010-901 and a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along U.S. 101 (see Figure 2-8). These latter two areas are outside of the proposed project area and are proposed for annexation per initial discussion with the Los Angeles County Local Area Formation Commission (LAFCO) regarding the proper borders of the land annexation. Annexation of APNs 2052-009-270 and 2055-010-270 into the City will allow the site to be developed under the applicable provisions and restrictions of the Agoura Hills General Plan and Zoning Code, and the residents of the future homes on the project would have access to the amenities and services provided to residents of the City. No changes are proposed for the Caltrans ROW and APN 2055-010-901 would remain as open space. The total acreage to be annexed is 117 acres.

The proposed General Plan designations and zoning for the 71-acre project site and the other lots proposed to be annexed to the City (APN 2055-010-901 and the portion of the Caltrans ROW) are shown in Table 2-1. The residential lots are to be designated/zoned for very low density residential development. The other lots, both onsite and offsite, are proposed to be designated/zoned for open space preservation.

Table 2-1
Proposed General Plan Designations and Zoning

Lots	General Plan Designation	Zoning
Project Site		
Fifteen Residential Lots	Residential Very Low Density (RV) (0.2 – 1.0 DU/acre)	Very Low Density Residential (RV) (20,000 sf minimum lot per dwelling unit)-Old Agoura Overlay (OA)-Equestrian Overlay (EQ)
Remaining Onsite Parcels (remainder of 2052-009-270 and all of 2055-010-270)	Open Space – Deed Restricted (OS-DR)	Open Space – Deed Restricted (OS-DR)-OA-EQ
Other Lots		
APN 2055-010-901	OS-DR	OS-DR-OA-EQ
Caltrans Right-of-Way	OS-DR	OS-DR-OA-EQ

Imagery provided by ESRI and its licensors © 2014.

Areas to be Annexed

Figure 2-8

2.6 PROJECT OBJECTIVES

The following are the project objectives, as required by Section 15124(b) of the *CEQA Guidelines*:

- Develop a project that is aesthetically and functionally compatible with adjacent uses and the environment.
- Provide a recreational trails area for the Agoura Hills equestrian community.
- Conserve open space in compliance with the Agoura Hills General Plan.
- Provide the framework for large lot future home development with freeway access consistent with the character of Old Agoura.
- Create a financially viable project for the City of Agoura Hills.
- Annex the project site into the City of Agoura Hills to ensure that any development would be consistent with the City's General Plan and Municipal Code, and that enforcement of building, planning and environmental standards will be handled by the City's staff.
- Sell individual residential lots to residential developers and assure the site would not be developed as a school.

2.7 REQUIRED APPROVALS

The proposed project would require the discretionary approval of the City of Agoura Hills. The project would be reviewed by the Planning Commission, which will make a recommendation to the City Council. The City Council will make decisions related to certification of the EIR and approval of the project.

The approvals requested from the City include:

- Vesting Tentative Tract Map (TR 72316) to:
  - Divide approximately 71 acres (APN 2052-009-270) into sixteen lots: (1) open space, (2) fifteen residential lots
  - Retain the one parcel (about 0.25 acre) across Chesebro Road (APN 2055-010-270) as a separate open space lot.
- Development Agreement (13-DA-001) (see below)
- Annexation and Sphere of Influence Change (13-ANX-001) for the two project parcels plus a state-owned parcel (APN 2055-010-901) and a portion of the Caltrans right-of-way along US Highway 101
- General Plan Amendment (13-GPA-002) (for the annexation)
- Oak Tree Permit (13-OTP-021)
- Conditional Use Permit (13-CUP-005) for the overall project, given that the approximately 71-acre parcel is hillside, and that trails are proposed in the OS-DR zone)
- Pre-Zoning and Zone Change (13-ZC-001 and 13-ZOA-001) from County zoning to Residential Very Low (RV)-Old Agoura Overlay (OA)-Equestrian Overlay (EQ) for fifteen residential lots and Open Space – Deed Restricted (OS-DR)-OA-EQ for the two open space lots.

As part of the project entitlements, the applicant has requested that the City approve a Development Agreement, as authorized by the Development Agreement Act (Cal. Gov't Code Section 65864, *et seq.*). A Development Agreement would provide for the development of the project site in phases and grant the applicant a vested right to develop the project site over time consistent with the terms of the project approvals. To create certainty over time, a Development Agreement freezes the development standards and laws in effect as of the date the project entitlements are approved. Although a Development Agreement would restrain the City's power to change land use powers applicable to the project, the Development Agreement provides the City with sufficient reserved powers during its term to respond to health and safety-related changes and other specified City-wide situations. As proposed consideration for the rights granted under a Development Agreement, the Applicant offers substantial public benefits to the City by providing, without limitation, permanent dedication of nearly 50 acres of open space land, annexation of the development into the City of Agoura Hills and City control, an equestrian path and the preservation of an existing informal trail on state land managed by the National Park Service; and a covenant recorded against the property that will prohibit development of the property for any school purposes. In exchange for these and other benefits to the City, the applicant would receive assurances that the project may be developed during the term of the Development Agreement, subject to the terms and conditions of the Development Agreement and any conditions of approval.

The initial term of the Development Agreement is proposed to be ten (10) years, and may be extended by five (5) years so long as the applicant retains ownership of the project site and is proceeding with development of the project site, for a potential total term of no longer than 15 years. The rights granted by a Development Agreement would run with the land, and be transferrable to the subsequent owners of each of the proposed 15 individual residential lots. Development Agreements are standard land use planning tools in California, and have been successfully implemented in Agoura Hills for other projects. Approval of a Development Agreement is considered a legislative act, which must be accomplished through the City Council's adoption of an ordinance by the City Council.

It is anticipated that the subsequent permitting process for individual residences on the newly subdivided residential lots that comply with applicable provisions of the Municipal Code will not require further CEQA analysis.

In addition to the above City approvals, the project would require Los Angeles County Local Agency Formation Commission (LAFCO) approval of the proposed annexation. The City entitlement process would follow the LAFCO annexation. The project would also require County of Los Angeles dedication of the portion of Chesebro Road within the properties to be annexed to the City.

3.0 ENVIRONMENTAL SETTING

This section describes the regional and project site setting, as well as the planned and pending development upon which the analysis of cumulative impacts is based.

3.1 REGIONAL SETTING

The project site is currently located in unincorporated Los Angeles County immediately adjacent to the City of Agoura Hills, but is proposed for annexation to Agoura Hills.

Agoura Hills is located in the eastern portion of the Conejo Valley. The City is bordered on the north by an unincorporated area of Ventura County and on the south by an unincorporated area of Los Angeles County. The City of Calabasas and the County of Los Angeles is located immediately to the east and the city of Westlake Village is immediately to the west.

Agoura Hills is located between the urban areas of Los Angeles to the east and south and Ventura County to the west and north. U.S. Highway 101 bisects Agoura Hills and connects the City to these two urban areas. In addition to U.S. 101, four main arterial roads provide circulation throughout the City. Reyes Adobe Road and Kanan Road both run north-south through Agoura Hills and provide access to U.S. 101 via their on- and off-ramps. Reyes Adobe Road is a four-lane secondary arterial road for the majority of its length, while Kanan Road is a six-lane major arterial road. Kanan Road also provides a regional linkage to Malibu and other coastal areas via its connection with Highway 1 (Pacific Coast Highway) to the south. Thousand Oaks Boulevard and Agoura Road run east-west and are both four-lane primary roads.

Land use patterns in Agoura Hills, with a few exceptions, have focused commercial development around U.S. 101. Most of the residential areas consist of single-family neighborhoods, while the "Old Agoura" area provides a more rural setting for residents. The majority of existing residential development in the City is located on the north side of the freeway. The outlying, unincorporated areas consist of open space and low density residential uses.

The City's topography is hilly, with some major ridgelines within the jurisdiction of the City. The slopes of the ridgelines limit the density of development in these hillside areas. The Santa Monica Mountains Recreation Area, which is adjacent to the City, contains other major ridgelines, as well as valuable wildlife habitat, canyons, and riparian areas. Oak woodland and riparian habitats are also present to some extent along the waterways located within the City.

Agoura Hills generally has a mild climate. Summer high temperatures tend to be in the 90s (F) while the high winter temperatures are typically in the 60s. The area receives approximately 15 inches of rainfall per year, with the majority of the rainfall concentrated between the months of October and April.

3.2 PROJECT SITE SETTING

The project site is located north of U.S. 101, east of Chesebro Road. The site is situated east of low density residential homes and a gas station in the Old Agoura community, with some commercial services and higher density residential development located further east and south, adjacent to U.S. 101. Lands to the north and east of the project site are Santa Monica Mountains open space owned by the State of California, and managed by the National Park Service as part of the Santa Monica Mountains National Recreation Area. The site is regionally accessible from U.S. 101.

The project site consists of just over 71 undeveloped acres, comprising Assessor Parcel Numbers (APNs) 2052-009-270 (71.14 acres) and 2055-010-270 (0.25 acres). The project site's vegetation communities include native and non-native grasslands, chaparral, coastal scrub, and scattered oak trees.

The site is located within the jurisdiction of the County of Los Angeles. It is within the County's Santa Monica Mountains North Area Plan (NAP) (2000), and designated "Mountain Lands" (N5) (maximum 1 dwelling unit per 5 acres).

3.3 CUMULATIVE DEVELOPMENT

Cumulative impacts are defined as two or more individual events that, when evaluated together, are significant or would compound other environmental impacts. Cumulative impacts are changes in the environment that result from the incremental impact of development of the proposed project and other nearby or related projects. For example, traffic impacts of two nearby projects may be inconsequential when analyzed separately, but could have a substantial impact when analyzed together.

Section 15130 of the *CEQA Guidelines* requires a discussion of cumulative impacts. The discussion of related or cumulative projects may be drawn from either a "list of past, present, and probable future projects producing related or cumulative impacts" or a "summary of projections contained in an adopted general plan or related planning document or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact."

Planned and pending developments in the site vicinity are listed in Table 3-1 and the overall amount of planned and pending development is summarized in Table 3-2.

Table 3-1
Cumulative Projects List

Project No.	Project Name/Applicant	Project Location	Description
1	Whizin Market	28888 through 28914 Roadside Drive	14,900 square foot specialty retail center and sit down restaurant
2	Utopia Hills	Agoura Road	9-unit apartment complex, 1,290 square feet of restaurant/retail and 11 work/live units
3	Shirvanian Family Investment	Lots between 28700 and 28811 Canwood Street	103,000 square foot industrial park
4	Ware Malcomb for Agoura Business Center West	Northwest corner of Canwood Street and Derry Avenue	21,800 square foot retail center
5	Riopharm USA, Inc.	27650 Agoura Road	24 single family residential units
6	Aitan Hillel	6021 Colodny Drive	18-unit condominiums/townhomes
7	Tracy Hrach	5310 Colodny Drive	5-unit apartment complex
8	Cornerstone	Southeast corner of Agoura Road and Cornell Road	35 apartments, 25,017 square feet of retail/restaurant, and 17,017 square feet of office space
9	Khantzis Senior Housing	30800 Agoura Road	46 senior condominiums, 2,786 square foot common area, and 3,004 square foot senior recreation center

Source: City of Agoura Hills, 2014.

Table 3-2
Cumulative Projects Summary

Land Use	Development
Single Family Residential	24 du
Multi-Family Residential	124 du
Commercial/Retail	151,107 sf
Office	17,017 sf

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4.0 ENVIRONMENTAL IMPACT ANALYSIS

This section discusses the possible environmental effects of the proposed project for the issue areas that were identified as having the potential to experience significant impacts. "Significant effect" is defined by the *State CEQA Guidelines §15382* as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant."

The assessment of each issue area begins with a discussion of the setting relevant to that issue area. Following the setting is a discussion of the project's impacts relative to the issue area. Within the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by the City, other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded impact listing also contains a statement of the significance determination for the environmental impact as follows:

> ***Class I, Unavoidably Significant:*** *An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved.*
>
> ***Class II, Significant but Mitigable:*** *An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings to be made.*
>
> ***Class III, Not Significant:*** *An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.*
>
> ***Class IV, No Impact or Beneficial:*** *Either the project would not alter environmental conditions or would reduce existing environmental problems or hazards.*

Following each environmental impact discussion is a listing of recommended mitigation measures (if required) and the residual effects or level of significance remaining after the implementation of the measures. In those cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed as a residual effect under the "Significance After Mitigation" heading.

The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other future development in the area.

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4.1 AESTHETICS

This section analyzes the proposed project's impacts relating to aesthetics, including effects on scenic vistas; scenic resources; the visual character and quality of the site and its surroundings; and light and glare. This analysis is based in part on the visual simulations created for the project by Clive Dawson A.I.A. Architecture and Planning. The visual simulations provide a graphical representation of pre-construction and post-construction project conditions for the proposed Phase 1 components, including trails and drainage improvements, from three vantage points which offer the greatest visibility of the site.

4.1.1 Setting

a. Existing Conditions. The 71-acre project site is located east of the City of Agoura Hills, in unincorporated Los Angeles County. The project site is undeveloped. Given the site's location and undeveloped condition, its existing visual character is defined primarily by its topography, landforms, and natural vegetation, which are described below. The U.S. 101 runs east and west directly south of the project site. Figure 2-2 in Section 2, *Project Description*, shows an aerial view of the project site. Figure 2-3 in Section 2, *Project Description,* shows photos of the site.

Land uses in the vicinity of the project site include single family residences, a gas station, and open space, including portions of the Santa Monica Mountains National Recreation Area. Development immediately adjacent to the site on the west consists of single family residences and a gas station while development further south of the site across U.S. 101 consists of vacant land and commercial buildings. Immediately to the north and east of the project site is vacant land possessing similar visual qualities as the project site. These areas are characterized by curving ridgelines with a peak elevation of 1,232 feet located just to the northeast of the site.

The project site's terrain contains a variety of topographic features consisting of a series of east/west trending, gently sloping hills and ridges that steepen to the north. Current elevations range from 920 feet to 1,150 feet. Palo Comado and Chesebro Canyons are north/south trending canyons that bisect the aforementioned hills and ridges. An east/west ridge that has a peak height of 1,083 feet dominates the southern boundary of the site. The site contains natural vegetation including oak trees, native and non-native grasses, and chaparral.

b. Viewsheds. The most prominent views of the project site are from the adjacent single family residences on Chesebro Road, from U.S. 101, and from the recreational trails to the north and east of the site. Descriptions of viewing locations and site visibility follow.

- **U.S. 101 Freeway Corridor –** The southern portion of the project site can be seen from U.S. 101. There is no vegetation or construction currently in place that would block views of the site from the freeway. However, the southern portion of the site is hilly and these elevation changes block views of the more northern portion of the site from the freeway.

- **Residential Neighborhood –** Limited and restricted project site views are available from the backyards of residences on the east side of Chesebro Road adjacent to the project

site. Chesebro Road tends to have limited views of the site because of the presence of structures and landscaping along the roadway that block views.

- **Recreational Trails –** Limited and restricted project site views are available from the recreational trails around Chesebro Canyon in the Santa Monica Mountains National Recreational Area. These trails have limited site views since they are generally located in vegetated areas and the terrain varies throughout the area blocking views of the site. Additionally, users of the trails would see the site on their way to and from the trail head while travelling along Chesebro Road.

c. Light and Glare. The project site is currently undeveloped and does not contain sources of artificial night lighting. Properties to the immediate west are developed with single family residences and a gas station adjacent to U.S. 101. Immediately to the south is the U.S. 101. Properties to the north and east are undeveloped. Existing sources of nighttime lighting in the immediate vicinity of the project include lighting on the U.S. 101 and security lighting associated with residential and commercial uses to the west. Light-sensitive land uses include residences; commercial or institutional uses that require minimal nighttime illumination for proper function, physical comfort, or commerce; and natural areas. Light-sensitive areas adjacent to the project site include surrounding natural habitat and the single family residences located west of the site. Section 4.2, *Biological Resources,* analyzes impacts of the proposed project lighting on habitat areas.

d. Regulatory Setting. The topics of aesthetics and neighborhood character are addressed in the following documents:

California Scenic Highway Program. The California Scenic Highway System was created in 1963 for the purpose of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. The California Scenic Highway System includes a list of highways that are either eligible for designation or have been officially designated by the California Department of Transportation (Caltrans). In the project area, U.S. 101 is considered an eligible scenic highway, but has not received an official scenic highway designation from Caltrans (Caltrans website, 2014). The status of a proposed scenic highway changes from eligible to officially designated when the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated a Scenic Highway.

City of Agoura Hills General Plan. The City of Agoura Hills General Plan Natural Resources Element, Scenic Roads section provides Citywide guidance regarding visual resources. The General Plan lists segments along Agoura Road, Kanan Road, Thousand Oaks Boulevard, and Reyes Adobe Road as valuable scenic resources in the community, providing scenic views of the Santa Monica Mountains. However, none of these road segments are within the vicinity of the project site.

The Visual Resources section of the Natural Resources Element contains the following applicable goal and policies:

Goal NR-2: Visual Resources. Preservation of significant visual resources as important quality of life amenities for residents, and as assets for commerce, recreation, and tourism.

Policy NR-2.1 Maintenance of Natural Topography. Require development to be located and designed to maintain the visual quality of hills, ridgelines, canyons, significant rock outcroppings, and open space areas surrounding the City and locate and design buildings to minimize alteration of natural topography.

Policy NR-2.2 Trails, Recreation Areas, and Viewing Areas. Provide public trails, recreation areas, and viewing areas near significant visual resources, where appropriate.

The Natural Resources Element and Community Conservation and Development Element contain the following goals and policies that apply to hillsides:

Goal NR-1: Open Space System. Preservation of open space to sustain natural ecosystems and visual resources that contribute to the quality of life and character of Agoura Hills.

Policy NR-1.3 Slope Preservation. Require that uses involving grading or other alteration of land maintain the natural topographic character and ensure that downstream properties and watercourses are not adversely affected by siltation or runoff.

Goal LU-3: City of Open Spaces. Open space lands that are preserved to maintain the visual quality of the City and provide recreational opportunities, protect the public from safety hazards, and conserve natural resources.

Policy LU-3.2. Hillsides. Preserve ridgelines, natural slopes, and bluffs as open space, minimize hillside erosion, and complement natural landforms through sensitive grading techniques in hillside areas.

City of Agoura Hills Architectural Design Standards and Guidelines. The City of Agoura Hills Architectural Design Standards and Guidelines provide Citywide guidance regarding the design of commercial, residential, and industrial buildings within the City limits. The Standards and Guidelines applicable to this project include those in Section II. Site Design, subsections A, B, and C for Phases 1 and 2; and Section VI. Old Agoura Design Guidelines and Section III. Building Design for Phase 2. They address open space, grading, sightline preservation, use of materials, building scale, and architectural style.

City of Agoura Hills Zoning Ordinance. The City of Agoura Hills Zoning Ordinance regulates development within the City limits. Specifically, the Zoning Ordinance restricts building height, distance between structures, and the density of development within zoning districts. Should the project be annexed into the City, the zoning districts for the site would be Residential Very Low Density (RV) for the residential lots and Open Space-Deed Restricted (OS-DR) for the open space lots.

4.1.2 Impact Analysis

a. Methodology and Significance Thresholds. The visual simulations were modeled based on existing topography (one-foot contour resolution), and show the project area with the Phase 1 improvements, including infrastructure such as a road, utilities, drainage facilities, trails and fencing. To prepare the simulations, Clive Dawson A.I.A. took photographs of the existing conditions of the site. These photograph locations were chosen based on the highest visibility of the proposed development.

The residential development component of the project is not currently proposed. The residences would be constructed at a later date as part of separate applications and review. As such, no plans for the homes are available and no photosimulations of the homes were prepared. The residential component, however, is analyzed in this section.

An impact is considered significant if it can be illustrated that the project would conflict with City policies discussed under *Regulatory Setting,* above. In addition, according to Appendix G of the CEQA Guidelines, the project would result in a significant impact if it would:

- Have a substantial adverse effect on a scenic vista;
- Substantially degrade the existing visual character or quality of the site and its surroundings;
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

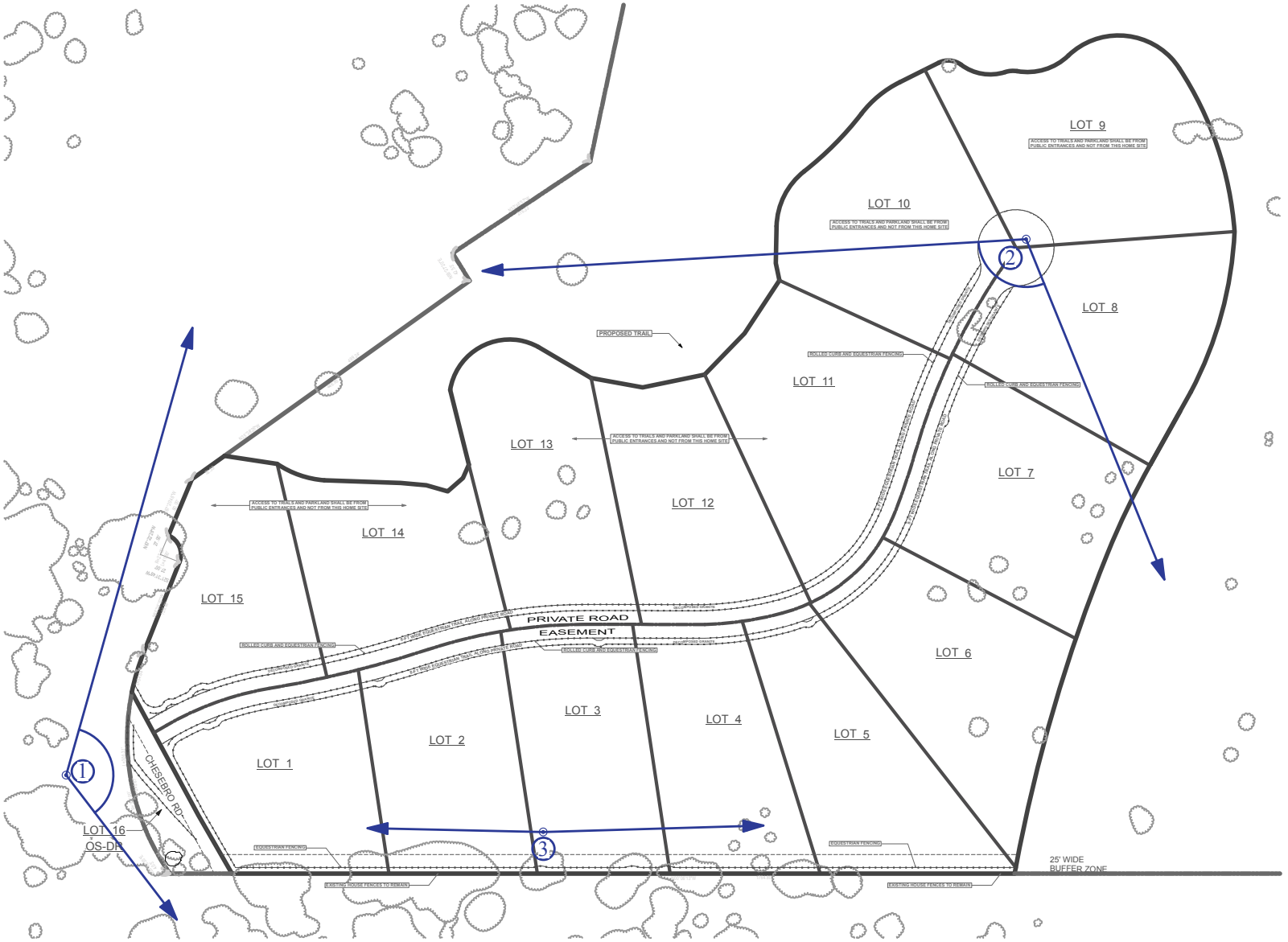
The following topics were determined to be less than significant or have no impact. These are discussed in the Initial Study prepared for this project (see Appendix A).

- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

b. Project Impacts and Mitigation Measures.

Impact AES-1 **Phase 1 of the project could potentially be visible from scenic vistas. Adverse effects on scenic views would be minimized by the nature of the project, the location of the development, and the height of any structures. Nonetheless, Phase 1 impacts on scenic vistas would be Class II, *less than significant after mitigation.***

Scenic vistas and corridors are typically considered scenic views from public spaces. Scenic views of and through the project site are available from Chesebro Road to the west, although this view is obscured by existing homes, and from portions of Chesebro Canyon in the Santa Monica Mountains National Recreation Area to the north and east. Additionally, the site would be visible from U.S. 101 which Caltrans lists as eligible for designation as a scenic highways. No City or County-designated scenic corridors are located in proximity to the project site.



Photosimulation Key

Photo Simulations

Figure 4.1-1a

Source: Clive Dawson AIA 2014

Existing View 1

Proposed View 1

Source: Clive Dawson AIA 2014

Photo Simulations

Figure 4.1-1b

Existing View 2

Proposed View 2

Source: Clive Dawson AIA 2014

Photo Simulations

Figure 4.1-1c

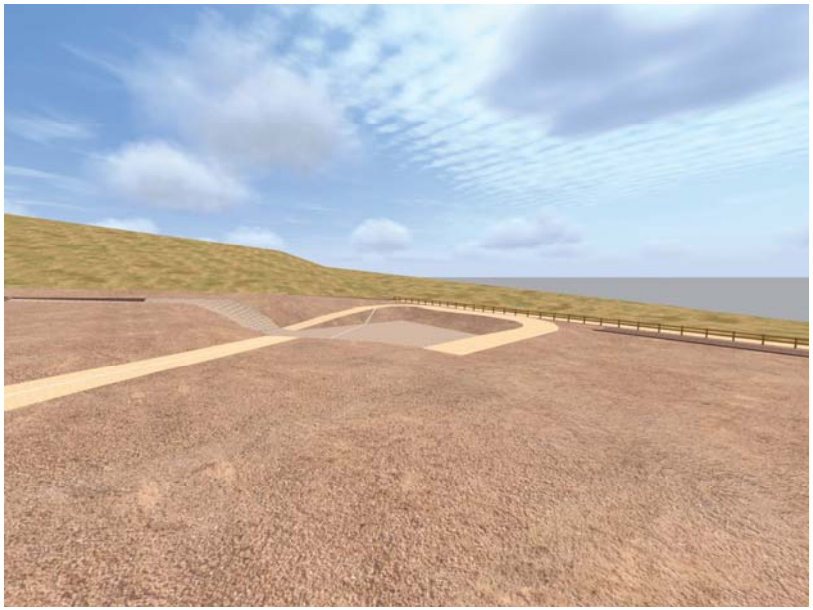
Existing View 3

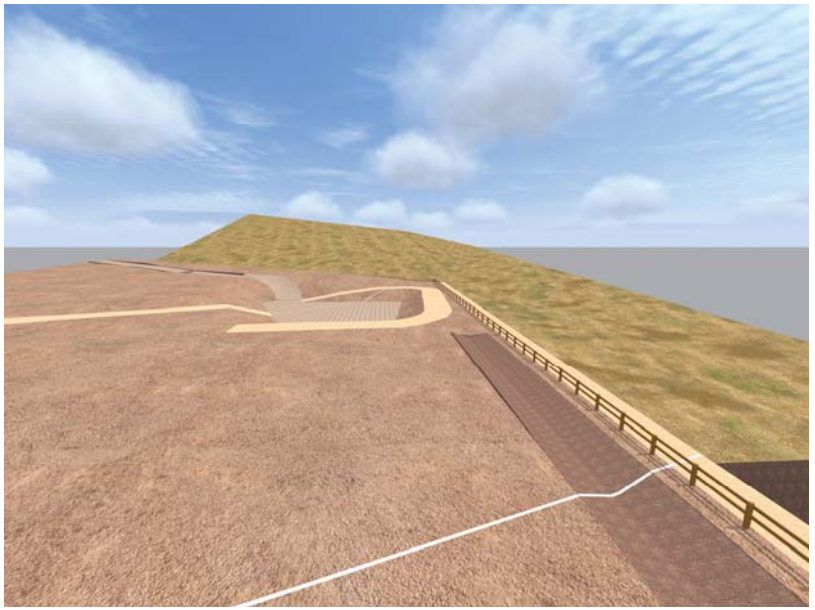
Proposed View 3

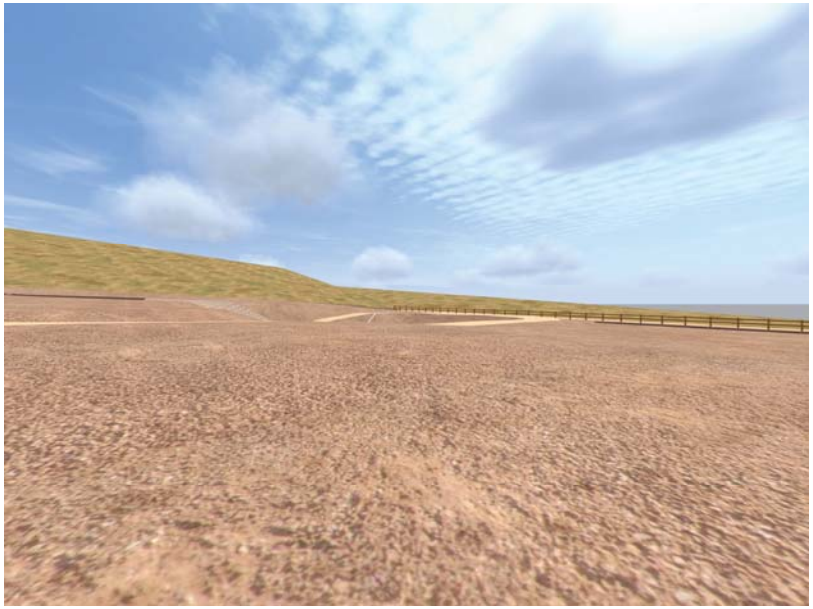
Source: Clive Dawson AIA 2014

Photo Simulations

Figure 4.1-1d



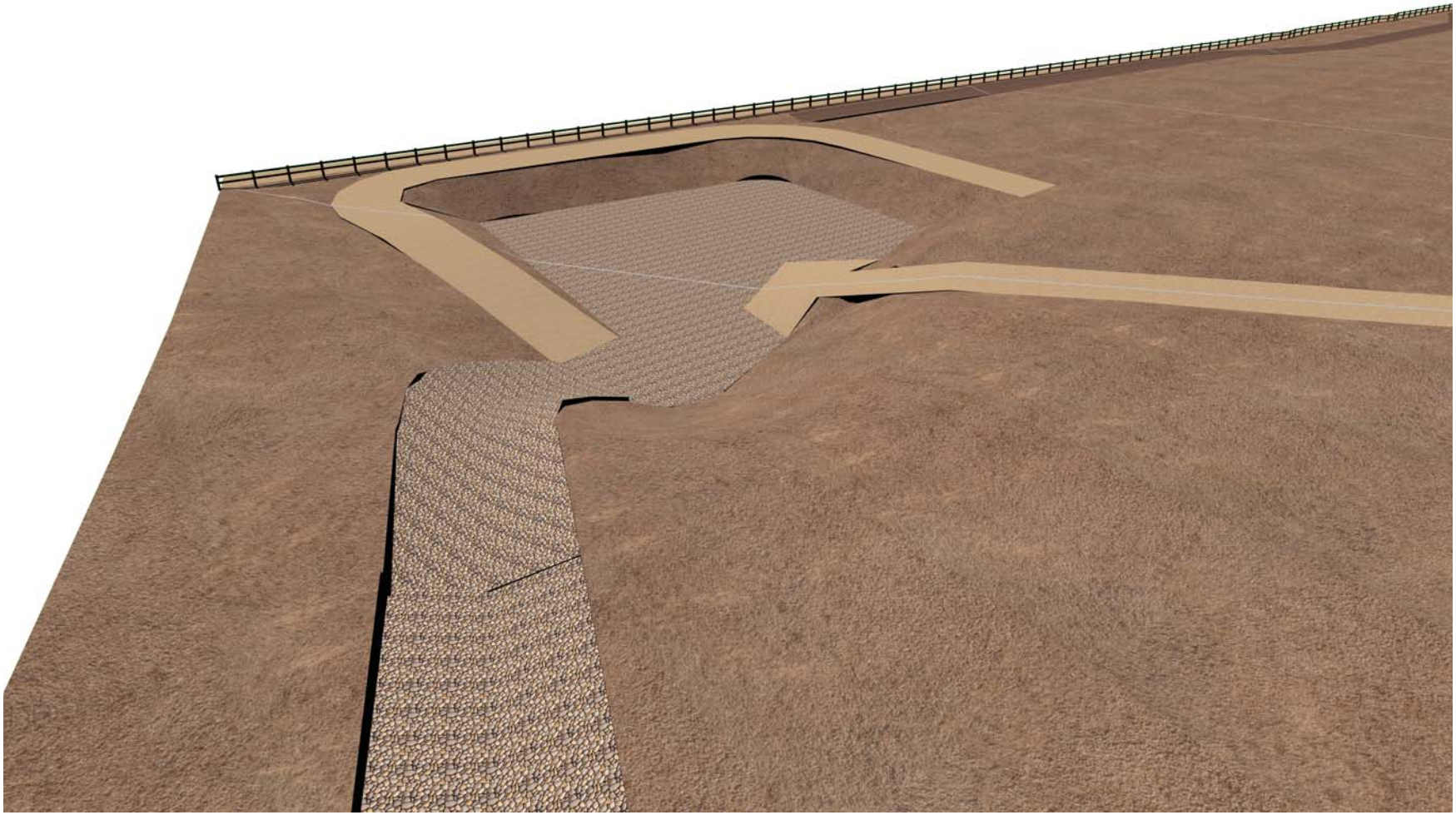




Proposed Typical Debris Detention Basin

Figure 4.1-2

Source: Clive Dawson AIA 2014



Source: Clive Dawson AIA 2014

Proposed Typical Debris Detention Basin

Figure 4.1-3

Phase 1 includes the construction of infrastructure, such as the proposed private road and drainage improvements (including five debris detention basins – three permanent and two temporary), the grading of Lot 1, fencing and the construction of the equestrian and multi-use trails. Visual simulations (Figures 4.1-1(a-d)) were prepared for the project showing what the construction of the Phase 1 improvements would look like once completed. These simulations demonstrate that the Phase 1 site improvements would consist of small graded areas, below grade debris detention basins, fences, trails, drainage swales, and road pavement. Given the location of the development area in the northern portion of the site, views to the Phase 1 improvements from U.S. 101 would be obscured by the hillside on the south. Phase 1 would not involve the construction of any structures that would block views from the National Recreation Area or Chesebro Road.

Figures 4.1-1(b-d) show views of the project site under existing and proposed Phase 1 conditions from three locations on the project site. These simulations only show the development of Phase 1, which includes the construction of infrastructure such as the proposed private road and drainage improvements, the grading of Lot 1, and the construction of the equestrian and multi-use trails with fencing. Figure 4.1-1(a) shows views of Phase 1 of the proposed project under existing and proposed conditions from Chesebro Road looking south into the project site. As shown on Figure 4.1-1(b), Phase 1 of the project would slightly alter views for motorists on Chesebro Road because the proposed private road and trails would be visible. Views looking south from Chesebro Road would include the addition of a trail and fence along the boundary of the project site. None of the trees visible from this location would be removed. The views of the hills in the distance would be partially obscured by the proposed residences.

Figure 4.1-1(c) shows views from what would be the southern end of the proposed private road facing northwest. The proposed private road and fencing would be visible from this location. Some of the natural vegetation would be removed in order to pave the road. This phase of development would not block the views of the residences and trees in the distance. Phase 2 of development would add single family residences on either side of the road. This would block views of the residences and trees in the distance and would remove some of the natural vegetation. This view is from the middle of the project site. This location would only affect residents of the site and users of the trails.

Figure 4.1-1(d) shows views from the existing multi-use trail on the western boundary of the project site looking east. The view shows the Santa Monica Mountains in the distance with natural vegetation in the foreground. Phase 1 of the project would not involve the construction of any structures that would obscure or block the view from this location. This view would be seen by users of the existing trail and the residents in the existing homes west of the project site.

Figures 4.1-2 and 4.1-3 show a three dimensional view and a drawing of a typical debris detention basin. These improvements would generally be below the grade of the surrounding area. However, each basin may require a fence around its perimeter to ensure the safety of the residents on the property and users of the trails. The fencing would have the potential to obscure views of and through the site from scenic vistas along the National Recreation Area and Chesebro Road. This is a potentially significant impact.

Mitigation Measures. The applicant shall implement the following mitigation measure during Phase 1 for impacts associated with scenic resources.

AES-1 **Fencing Materials.** If required for safety purposes, the applicant shall construct a fence around the perimeter of the proposed debris retention basins. The fencing shall be compatible in materials, design and height with the surrounding natural environment and as outlined in the City's Architectural Design Standards & Guidelines, as feasible; if the fencing cannot be made visually compatible due to safety requirements, landscaping that is compatible with the natural environment may be used as screening for the fence. The applicant shall submit a plan and drawings with sufficient detail of the proposed fence and any landscaping, along with specifications for both, to the City Planning and Community Development Department for review and approval prior to issuance of a Building Permit or Grading Permit, or start of construction activities, whichever comes first.

Significance After Mitigation. Impacts would be less than significant with mitigation incorporated.

Impact AES-2 Phase 2 of the project could potentially be visible from scenic vistas. Adverse effects on scenic views would be minimized by the nature of the project, the location of the development, and the height of any structures. Phase 2 impacts on scenic vistas would be Class III, *less than significant*.

Scenic views of and through the project site are available from Chesebro Road to the west, although this view is obscured by existing homes, and from portions of Chesebro Canyon in the Santa Monica Mountains National Recreation Area to the north and east. Additionally, the site would be visible from U.S. 101 which Caltrans lists as eligible for designation as a scenic highway. No City or County-designated scenic corridors are located in proximity to the project site.

Phase 2 would involve the construction of the single family residences at some point in the future. The residences are not proposed for development at this time. Consequently, no plans have been submitted for the residences and the specific residential lot site design and building architectural style, size and height are not known. These residences would have to comply with the City of Agoura Hills Architectural Design Standards, as well as the Zoning Ordinance. In particular, the residences would need to comply with the height restrictions of the Residential Very Low Density (RV) zone district, which restricts height to two stories or 35 feet, whichever is lower.

The residential lots are proposed to be clustered within the northern portion of the project site. The topography of the site puts the residential lots at a lower elevation than the Santa Monica Mountains National Recreation Area to the east. Onsite residences would be visible from portions of the National Recreation Area, but would be below the elevation of nearby trails and would not block views of identified scenic resources, including the Santa Monica Mountains.

The hills in the southern portion of the site would block views of onsite residences from U.S. 101.

Pursuant to Section 9223.4 (RV zoning district) of the City of Agoura Hills Municipal Code, the proposed buildings could be a maximum height of 35 feet or two stories, whichever is less, above ground surface. This would limit the visibility of the residences from surrounding properties. The hills along the southern portion of the site reach a maximum height of 1,083 feet. The area that would house the residences is approximately 950 feet above mean sea level (msl). Since the residences could only be a maximum of 35 feet tall, the hills would block the residences from views to the south of the site. Additionally, while the future residences would obstruct a portion of the mountain view for existing residences to the west, the mountains would still be visible above the rooflines of the homes.

The Phase 2 residences would be visible from the existing residences directly west of the site along the east side of Chesebro Road. The 15 residences would be similar in height to the existing residences and, therefore, could obscure portions of the view of the Santa Monica Mountains from these existing residences; however the ridgelines would still be visible. Approximately 11 residences along Chesebro Road would be affected. Although views from 11 residences would be altered, the construction of new buildings would not significantly affect views from identified scenic vistas and the alteration of views from private residences is not considered a significant impact under CEQA.

Views from Chesebro Road directly adjacent to the Phase 2 development would be limited, as the existing homes mostly block such views. Users of this road mostly consist of people going to and from their homes and the National Recreation Area north of the project site. Due to the curve of the road and the placement of existing homes, the project site is visible from a car in the northbound lane of Chesebro Road once it reaches the western site boundary, and then for approximately 225 feet (approximately six seconds) until reaching the eastern site boundary. The site is visible from a car on the southbound side of Chesebro Road approximately 300 feet north of the project boundary until the western edge of the project site (approximately 511 feet, or 14 seconds). Motorists travelling down Chesebro Road would view the site for a short period of time. In any case, Chesebro Road is not considered a scenic corridor by the City's General Plan. Consequently, impacts to scenic vistas during Phase 2 would be less than significant.

Mitigation Measures**.** The applicant shall implement the following mitigation measure to reduce impacts associated with scenic resources.

Significance After Mitigation. Impacts would be less than significant.

Impact AES-3 Phase 1 of the project would incrementally alter the existing visual character of the site and its surroundings, and could have substantial adverse effects on the visual character/quality of the site or its surroundings. Impacts would be Class II, *less than significant with mitigation.*

Currently, the project site is a vacant, largely undisturbed 71-acre property. It encompasses gently sloping grassland areas with dispersed oak tree-covered terrain. The site contains gentle hills adjacent to the U.S. 101 freeway. The eastern portion of the site increases in slope towards

the Santa Monica Mountains. With project implementation, the visual character of the site would include 15 single family residences, a private road, an equestrian trail, a multi-use trail, drainage improvements, and fencing.

Development in Phase 1 is limited to infrastructure, such as the proposed private road, drainage improvements, the grading of Lot 1, the construction of equestrian and multi-use trails, and fencing. These components are congregated near existing residential development in the flatter and slightly sloped northern portion of the site, which minimizes grading and development on hillsides, and Phase 1 would not result in the construction of buildings that would substantially change the visual character of the site, nor would any oak trees be removed. Outside of the subdivision, the remainder and majority of the site would remain in its natural state as open space, preserving the visual character of the area.

Consistent with the Old Agoura (OA) overlay zone, the City Architectural Design Standards and Guidelines, and the General Plan Natural Resources Element, the fencing and surface drainage system have incorporated natural materials, such as natural-colored wooden split rail fencing and earthen and rock-lined swales, to reflect the somewhat rustic character of Old Agoura. Moreover, the trails would consist of decomposed granite or similar material with a natural appearance. The congregation of development in the northern portion of the site, and minimization of grading, especially that of the hillside, is consistent with the General Plan Natural Resource Element's Visual Resources policies to maintain natural topography and ridgelines. Lot 1 is a fairly flat lot, and so grading would not substantially alter landforms.

While the grading plan shows all proposed drainage headwalls on site to be of a natural stone treatment surface, the design detail for the outlet into Chesebro Canyon Creek is not provided. Visual impacts from placement of this outlet could be potentially significant, if not aesthetically treated to complement the natural creek environment. The five debris detention basins proposed onsite, three of which would be permanent and two of which would be temporary, would be earthen and would be below the ground surface. Therefore, there would be no substantial aesthetic impact from these basins. However, as noted in the discussion of Impact AES-1, a safety fence may be necessary along the edge of the slope of the basins. The fence has not yet been designed. Fencing that is not consistent with the somewhat rustic environment onsite could be seen as a potential significant visual impact.

Mitigation Measures. For Phase 1, the applicant shall implement Mitigation Measure AES-1, listed above, regarding debris detention basin fencing, as well as the following mitigation measure to reduce impacts associated with visual quality.

AES-3 **Drainage Outlet.** The storm water drainage outlet at Chesebro Canyon Creek, including the headwall and apron, shall be designed to be compatible with the natural creek environment with regard to use of natural materials and colors. In particular, rock rip-rap shall be used on the apron. The applicant shall submit a plan and drawings with sufficient detail of the proposed outlet, along with specifications, to the City Planning and Community Development Department for review and approval prior to

issuance of a Building Permit or Grading Permit, or start of construction activities, whichever comes first.

Significance After Mitigation. Impacts would be less than significant with incorporation of mitigation.

Impact AES-4 Phase 2 of the project would incrementally alter the existing visual character of the site and its surroundings. However, Phase 2 would not have substantial adverse effects on the visual character/quality of the site or its surroundings. Impacts would be Class III, *less than significant.*

Currently, the project site is a vacant, largely undisturbed 71-acre property. It encompasses gently sloping grassland areas with dispersed oak tree-covered terrain. The site contains gentle hills adjacent to U.S. 101. The eastern portion of the site increases in slope toward the Santa Monica Mountains. With project implementation, the visual character of the site would include 15 single family residences, a private road, an equestrian trail, a multi-use trail, drainage improvements, and fencing.

The future residences would be located within areas of the site that are flat and gently sloping in the northern portion of the site. Grading on the site would be limited to the proposed residential lots, which have been clustered, with the remaining and majority of the site being preserved in its natural state as open space. It is not yet known if any oaks would be removed during Phase 2. There are a few oaks along the border of Lot 15, which may or may not be removed or encroached upon. In any case, the applicant would need to comply with the City's Oak Tree Ordinance and Preservation Guidelines and compensate for the loss of any oak trees, as discussed in Section 4.2, *Biological Resources*. The congregation of development in the northern portion of the site, and minimization of grading, especially to the hillside, is consistent with the General Plan Natural Resource Element's Visual Resources policies to maintain natural topography and ridgelines.

The buildings nearest to the project site are single family residences located adjacent to the western boundary, off of Chesebro Road. The development of single family residences would be an extension of the existing residential development to the west. The Residential Very Low Density (RV) zone proposed for the 15 homes stipulates a density of one acre minimum per dwelling unit, compared with denser existing residential neighborhood (minimum 20,000 square-foot lot per dwelling unit in the Residential Low Density zone), which provides an appropriate transition to the designated open spaces to the east and south on the property, as well as open spaces further east beyond the site.

The project would minimize potential impacts to visual character and quality by limiting the extent of the development footprint to the flatter and slightly sloped portions of the site, and by limiting hillside grading. The 15 homes would not substantially degrade the visual quality or character of the site or the area, as they would be required to be designed consistent with the rustic Old Agoura community. The Old Agoura overlay zone requires promotion of a natural environment that is country like while allowing architecturally sensitive developments that perpetuate Old Agoura's unique rural character. Residential development in Old Agoura must embrace an eclectic, rural style that preserves the equestrian nature of the area and must not

render the property untenable for horses and other farm animals. All homes built on the project site would be required to conform to the City of Agoura Hills General Plan, Zoning Ordinance (particularly the RV zone and OA and Equestrian (EQ) overlay zones), and the City of Agoura Hills Architectural Design Standards & Guidelines. These include requirements for density, building height, building and fence/wall materials, design style, landscaping, and building coverage to ensure compatibility with the surrounding neighborhood. The residential development would need to be consistent with the General Plan Natural Resource Element (Goal NR-1 and Policy NR-1.3) and Community Conservation and Development Element (Goal LU-3 and Policy LU-3.2), and City Architectural Design Standards & Guidelines (Section II.C.) provisions for contour grading of any hillsides to simulate natural landforms. Each future residential development would be subject to separate site plan review and permitting, where this consistency would be assessed. Therefore, Phase 2's visual impacts would be less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact AES-5 Phase 2 of the proposed project would introduce lighting and glare in an area that currently contains vacant land. However, new sources of lighting and glare would be required to comply with City standards, which would ensure that impacts would be Class III, *less than significant.*

No lighting is proposed as part of Phase 1, and so no adverse lighting and glare impacts are expected. Phase 2 of the project would introduce lighting associated with individual residential homes in an area where no night lighting currently exists. As these residences are not currently proposed for development, there are no lighting plans available for review. New residential building and exterior lighting placed in proximity to the neighboring residences on Chesebro Road could have the potential to create night lighting and glare effects. Any housing constructed on the project site would be blocked from view from passersby on the U.S. 101 by hills along the southern portion of the site. Users of the Santa Monica Mountains National Recreational Area would likely see lights from the project from trails in the area. However, the anticipated lighting for the residences would be similar in type and scale to the lighting of existing residences directly adjacent to the western boundary of the project site. The materials used in the construction of the future homes would be restricted by the OA overlay zone requirements and the City of Agoura Hills Architectural Design Standards & Guidelines, limiting the potential for glare from the structures. In particular, the OA overly zone prohibits bright, shiny and reflective building materials, and the Architectural Design Standards & Guidelines stipulate that lighting be focused downward and/or shielded to minimize spill and glare. Therefore, impacts related to light and glare would be less than significant.

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

c. Cumulative Impacts. The proposed project would modify the visual character of the site. The site is abutted by residential development to the west and by open space to the east. The project would extend residential development into the open space area while preserving a majority of the site as permanent open space. Of the seven planned and pending projects in the area (see Table 3-1 in Section 3.0, *Environmental Setting*), projects 6 and 7 are the closest at 0.6 miles north and 0.3 miles west, respectively. These two projects are multi-family residential projects. These projects and other potential future development in the area, in combination with the proposed project, would extend suburban development into the area and would incrementally increase development density in the area. However, these two projects are far enough from the project site as to not be visible from the project site or otherwise create any cumulative aesthetic impacts in combination with the proposed project.

Similar to the proposed project, all new projects, including those on the planned and pending project list, within the City of Agoura Hills are reviewed for consistency with adopted land use plans and policies by the City. As such, all development within the City is required to be consistent with the General Plan, Zoning Ordinance and other development standards or be subject to an allowable exception. The related projects would be subject to CEQA compliance and potential mitigation requirements.

Cumulative aesthetic impacts would be less than significant.

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4.2 BIOLOGICAL RESOURCES

This section assesses the impacts of the proposed project on local biological resources. Both temporary impacts associated with onsite construction activity and long-term impacts associated with the proposed development are discussed. This biological resource section discusses the results of analyses conducted by Rincon Consultants in 2014 and incorporates information as appropriate from the Heschel West School Final EIR (2006). This analysis is based on site specific biological surveys completed by Rincon Consultants between March 2014 and June 2014, which included a site assessment, botanical inventory, focused rare plant surveys, evaluation of jurisdictional waters and wetlands (incorporated herein by reference and included in Appendix D), an oak tree inventory survey conducted between July and October 2013 that covered the proposed limits of grading (L. Newman Design Group, July 2013, revised October 2013), the City Oak Tree Consultant memorandum dated regarding the L. Newman Oak Tree Report (both of which are incorporated herein by reference and included in Appendix C), and review of historical and current aerial photography of the site.

4.2.1 Setting

a. Regional Biological Context. Agoura Hills lies within a narrow inland valley with various hills and major ridgelines rising to the Simi Hills to the north and the Santa Monica Mountains to the south, of which Ladyface Mountain is a prominent feature. The Simi Hills are an open space buffer of natural habitat between the developed suburban community of Simi Valley and that of the cities of Agoura Hills, Calabasas, and Westlake Village. The Santa Monica Mountains National Recreation Area to the south has multiple major ridgelines, large canyons, and riparian areas, and it also provides open space and natural habitat between the inland valley cities and the City of Malibu and the Pacific Coast.

The 71.4 acre project site is located adjacent to the eastern boundary of the City of Agoura Hills and east of Chesebro Road directly north of U.S. Highway 101 (US 101). Topographically, the site is an extension eastward of the alluvial valley floor surmounted by the ridgelines of local hills on the north, east and southern borders of the site. West of the site lies the suburban development of the City with low and high density residential uses, equestrian residential use, commercial uses, and Old Agoura Park. US 101 lies to the south, with residential uses further south of the freeway. Open space and natural habitat of Chesebro Canyon lies to the north, the Calabasas Landfill is located to the northeast, and open space and natural habitat extend for about one mile to the east, after which is located residential land uses in the City of Calabasas.

b. Site Physical and Environment Setting. The southern portion of the site is a ridgeline of low hills that rise about 100-150 feet above the US 101 freeway, and then fall to the valley floor in the northwest portion of the property. A steep ridgeline rises along the northern and eastern property boundaries. Elevation ranges from a low of about 870 feet above mean sea level (MSL) near the southeastern property boundary along US 101 to about 1,150 feet above MSL at the property's highest point in the northern part of the site. The northwestern valley portion of the site lies at about 980 feet MSL at its eastern end, trending downward to the northwest to 920 feet MSL along Chesebro Canyon Creek in the northwest corner of the property. The southern and southeastern portions of the site drain toward the freeway, while the north slope of the south ridge and the northern ridgeline drain towards the valley floor via

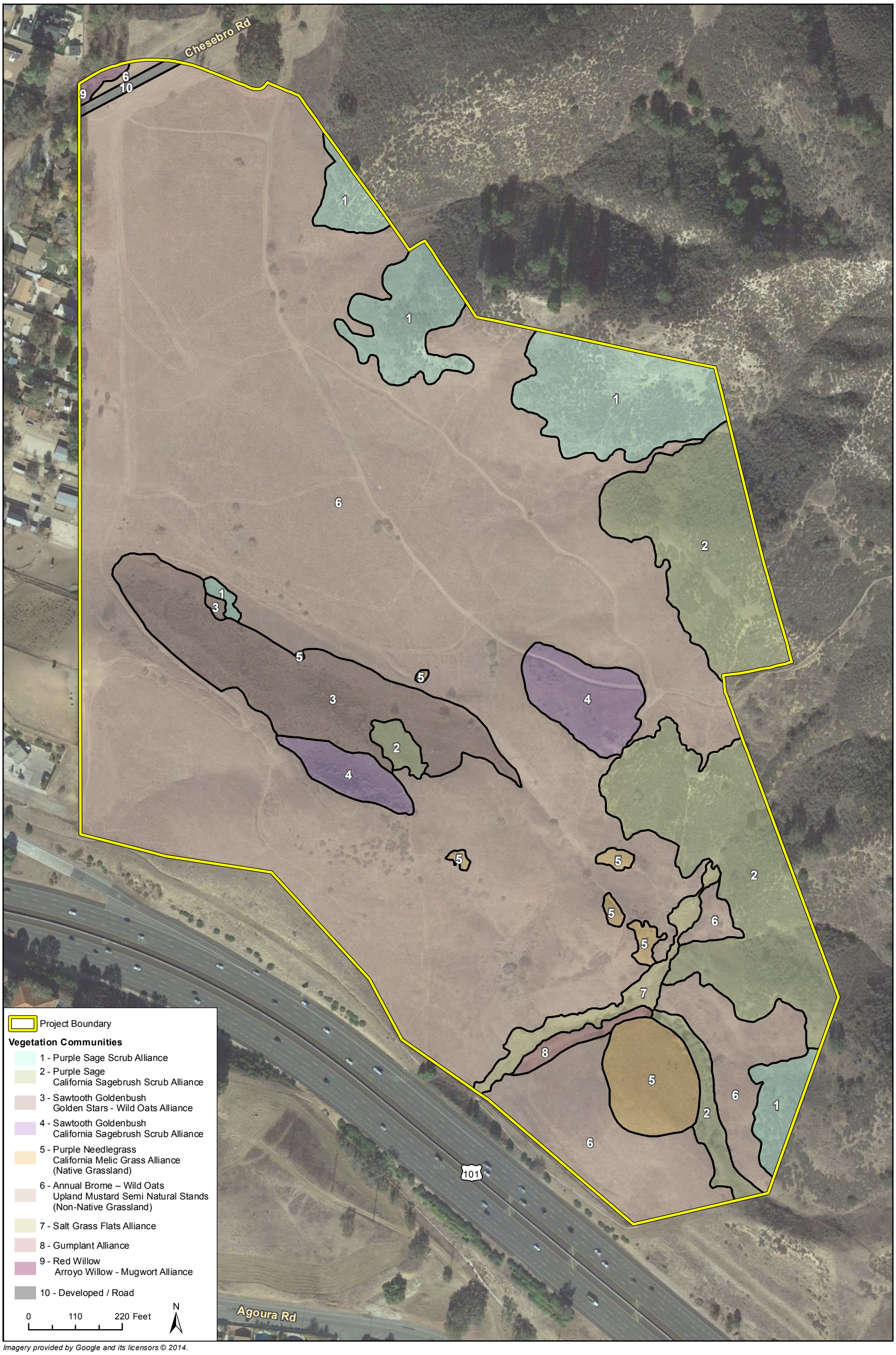
ephemeral drainages that largely sheetflow into the valley. A small portion of Chesebro Canyon Creek (about 140 linear feet) is located in the northwest corner of the project site.
Site soils are of the Linne association (NRCS Web soil survey), which belong to the Order Mollisols and are defined as rich fertile/organic soils that are typical of grassland ecosystems worldwide. More generally, the soils encountered in the northwestern valley portion of the property are alluvial (Heschel West School Final EIR, 2006), which are soils derived from the deposition of silt, clay, sand, and rock by streams along riverbeds, floodplains, and alluvial fans, including those deposits that result from flood events. Average high/low summer temperatures in the project vicinity are 95/55°F, average high/low winter temperatures are 70/40°F, and precipitation is approximately 15-17 inches per year (Western Regional Climate Center).

c. Vegetation. Vegetation on the project site is dominated by Annual Brome-Wild Oats-Upland Mustard Semi-Natural Stands (non-native grassland) and is comprised of nine different alliances.

- Annual Brome-Wild Oats-Upland Mustard Semi- Natural Stands
- Purple Needlegrass-California Melic Grass Alliance
- Purple Sage Scrub Alliance
- Purple Sage-California Sagebrush Scrub Alliance
- Sawtooth Goldenbush-California Sagebrush Alliance
- Sawtooth Goldenbush-Goldenstar- Wild Oats Alliance
- Saltgrass Flats
- Gumplant Alliance
- Red willow-Arroyo Willow-Mugwort Alliance

Vegetation mapping followed the nomenclature presented in *Manual of California Vegetation, 2nd Edition* (Sawyer et al., 2009). Vegetation communities/Alliances present were determined by dominant species/strata (vertical/horizontal structure) present, followed by co-dominant species/strata similar to the vegetation community parameters described in Sawyer at al. (2009). Vegetation communities not listed within this classification system are best described based on their general structure and dominant, co-dominant and sub-dominant species present. Figure 4.2-1 Vegetation Map depicts the locations of each vegetation series present. A complete list of plant species observed onsite during field surveys is included in a floral compendium (Appendix D).

Annual Brome-Wild Oats-Upland Mustard Semi- Natural Stands (non-native grassland). This vegetation type/community occupies a majority of the project site and is dominated by non-native annual grasses and herbs interspersed with some native grasses and forbs. This community has undergone past disturbance since the early 1900's including agricultural and equestrian use that has contributed to the conversion of natural vegetation into a non-native grassland community. Non-native/annual grasses present within this community include wild oats (*Avena barbata; Avena fatua*), foxtail brome (*Bromus madritensis* ssp. *rubens*), ripgut brome *(Bromus diandrus)* and soft chess *(Bromus hordeaceus*). Other dominant, non-native plants include dense patches of black mustard (*Brassica nigra)* along with scattered prickly lettuce (*Lactuca serriola*) and horehound (*Marrubium vulgare*). Native perennial grasses and forbs though relatively uncommon, are present in pockets and include alkali barley (*Hordeum depressum*), giant wildrye (*Elymus condensatus*), purple needlegrass (*Stipa pulchra*), small fescue *(Vulpia microstachys),* goldenstars (*Bloomeria crocea*) and common fiddleneck (*Amsinckia intermedia*).



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Vegetation Map

Figure 4.2-1

Purple Sage Scrub Alliance. Previously included within the broad California Coastal Scrub community, this alliance occurs primarily on east facing slopes within the north and west edges of the project site as scattered pockets of purple sage *(Salvia leucophylla)*. Scattered coyote brush (*Baccharis pilularis)* was also noted within this alliance. Two southern California Walnut trees (*Juglans californica*) are present in this community, but do not form a woodland.

Purple Sage -California Sagebrush Scrub Alliance. Previously also included within the broad California Coastal Scrub community, this alliance includes California sagebrush and some California buckwheat *(Eriogonum fasciculatum foliolosum)* in addition to the dominant purple sage. This alliance is located on east-facing slopes that follow the western boundary of the site. Pockets of laurel sumac, coyote brush, toyon *(Heteromeles arbutifolia)*, scrub oak *(Quercus berberidifolia),* blue elderberry *(Sambucus nigra ssp. caerulea*) and California-aster are scattered through this community. The understory is comprised of non- native grasses and non-native mustards to a more open plant cover of native grasses and wildflowers.

Sawtooth Goldenbush- California Sagebrush Alliance. A small stand of this community (previously included within the broad California Coastal Scrub community) is located on a north facing slope in the north-central extending to the north-west portion of the site. This community is dominated by saw-toothed goldenbush *(Hazardia squarrosa)* along with California sagebrush with an understory of non-native grasses, purple needlegrass and forbs.

Sawtooth Goldenbush - Golden Stars - Wild Oats Alliance. A stand of this community previously included with the broad California Coastal Scrub community is present within the west-central part of the site. The shrub layer of this community is open and sparse compared to intact coastal sage scrub. This understory of this community indicates past disturbance by a high percentage of non-native weedy species (e.g., non-native grasses, mustard, tocalote, prickly lettuce, and horehound), and does not exhibit the dense understory typical of intact coastal sage scrub . Dominant flora includes sawtooth goldenbush interspersed with golden stars, wild oats and non-native brome grasses.

Purple Needlegrass- California Melic Grass Alliance (Native Grassland). A few small areas dominated by native purple needlegrass along with some California melic grass (*Melica californica*) were observed onsite. All concentrations of native grasses occur as small pockets in the north-central and north-western sections of the project site. Other species observed but not extensive within this community include common goldenstars, saw-toothed goldenbush and California-aster (*Corethrogyne filaginifolia*).

Saltgrass Flats Alliance. A small area in the north-western portion of the property is dominated by perennial saltgrass *(Distichlis spicata)*. Small patches mulefat (*Baccharis salicifolia*), annual beard grass (*Polypogon monspeliensis*), purple needlegrass and black mustard are scattered sporadically. Saltgrass flats present onsite follow a narrow drainage and may have an associated seep.

Gumplant Alliance. This Alliance includes a small patch onsite located on the slope to the south of and generally following the saltgrass flats boundary. Though this community has not been described in a manual of California vegetation it is clearly dominated by gumplant (*Grindellia campora*). Other species present include coyotebrush, mulefat and purple needlegrass.

Non native grasses and forbs are also present. The alkaline and clay soils present at the base of a north-facing slope support this unique community.

Red Willow-Arroyo Willow-Mugwort Alliance. This Alliance includes a very small patch onsite located within Chesebro Canyon Creek to the north of Chesebro Road . Dominant species within this alliance include red willow (*Salix laevigata*), arroyo willow (*Salix lasiolepis*) and mugwort (*Artemisia douglasiana).* Some blue elderberry and mulefat shrubs are also present within this alliance.

d. Fish and Wildlife Habitat.

Common Wildlife. The non-native grasslands that constitute much of the proposed development area provides habitat primarily for various small mammals and insects. Grasslands have a high primary biological productivity, providing forage for herbivores, and supporting abundant small animal populations such as rabbits, ground squirrels, woodrats, and gophers. The small mammal populations in turn provide a food source for raptors and mammals such as the grey fox (*Urocyon cinereoargenteus*), coyote (*Canis latrans*), bobcats (*Lynx rufus*) and long-tailed weasels (*Mustela frenata*). A variety of bird species were observed onsite including the migrant western meadowlark (*Sturnella neglecta*) and Say's phoebe (*Sayornis saya*) that are typically found within grassland habitat. Please note that Appendix D contains a list of fauna that has been observed or can be reasonably anticipated to occur on the project site, including those that would only potentially occur occasionally, rarely, sporadically, seasonally, infrequently as transients, or during migration.

California Coastal Scrub habitats present onsite are the most widespread vegetative communities in the Santa Monica Mountains area. No wildlife species are restricted to these habitats, but they form an important cover type for the various small mammals and birds seen at the site.

Riparian habitats, including seeps and springs, are often the only source of water for wildlife during the summer months in the Santa Monica Mountains area, making these very valuable from a habitat standpoint. No perennial streams sufficient to support fish are present at the site, although Chesebro Canyon Creek is an intermittent feature expected to contain water during wetter portions of the year.

Amphibians and Reptiles. Vocalizations of the Pacific chorus frog (*Pseudacris regilla*) and California toad (*Bufo boreas halophilus*) were heard in the vicinity of the onsite saltgrass flats (Heschel West School Final EIR, 2006). The availability of seasonal flows within onsite drainages combined with the adjacent scrub and native and non-native grasslands provide suitable habitat for common amphibian species that potentially occur in the area. The saltgrass flats present onsite can be expected to support several amphibians, including slender ensatina salamanders (*Ensatina* sp.), black-bellied slender salamander *(Batrachoseps nigriventris)* and California chorus frog *(Pseudacris cadaverina)*. Chesebro Canyon Creek flows along the northern edge of Chesebro Canyon Road in the northwest corner of the project site and likely supports various amphibians, in particular California toad and chorus frog.

One reptile species, the non-special status western fence lizard *(Sceloporous occidentalis*), was observed during the field investigations. The variable densities of grassland and scrub habitats

on the project site also provide suitable habitat for other common reptile species potentially occurring in the area including side-blotched lizard *(Uta stansburiana*), western skink *(Eumeces skiltonianus*), alligator lizard *(Elgaria multicarinata*), gopher snake *(Pituophis melanoleucus*), common kingsnake *(Lampropeltis getulus*), California striped racer *(Masticophis lateralis lateralis*), red coachwhip *(Maticophi flagellum piceus*), and southern Pacific rattlesnake *(Crotalus viridis helleri*).

Birds. The diversity of vegetation types and structures present on the project site provide habitat for several resident bird species. Many other species are expected to occur as seasonal visitors to the area. The species described below are only a representative sample of the diversity that can occur on site at any given time during the year.

The native and non-native grassland areas present onsite provide opportunities for several seed and insect-eating bird species. Common species observed in these areas include mourning dove *(Zenaida macroura),* American crow *(Corvus brachyrhynchos),* common raven *(Corvus corax),* house finch *(Carpodacus mexicanus),* western meadowlark, western kingbird *(Tyrannus verticalis*), cliff swallow *(Hirundo pyrrhonota*) and the non-native European starling *(Sturnus vulgaris).*

The various scrub communities present on site provide habitat for a diverse array of bird species. Common species observed during the site survey include California towhee (*Pipilo crissalis*), spotted towhee (*Pipilo erythrophthalmus*), California quail (*Callipepla californica*), California thrasher (*Toxostoma redivivum*), scrub jay (*Aphelocoma californica*), lesser goldfinch (*Spinus psaltria*) and Bewick's wren (*Thryomanes bewickii*).

The varieties of habitat types present on site provide suitable nesting and/or foraging opportunities for several birds of prey (raptors). Species observed during the field survey include turkey vulture (*Cathartes aura*), white-tailed kite (*Elanus leucurus*), northern harrier (*Circus cyaneus*), red-shouldered hawk (*Buteo lineatus*), red-tailed hawk (*Buteo jamaicensis*), and American kestrel (*Falco sparverius*). White-tailed kite and northern harrier are considered special-status species and are discussed in more detail, along with other special-status bird species potentially occurring on site, under the Special-Status Biological Resources heading of this section.

Mammals. Several common mammal species are expected to occur on the proposed project site. Many were observed during the field surveys or were detected by tracks, scats, or burrows. Several more are expected to occur based on the location of the site and the habitat types present.

The mosaic of scrub and annual grassland support an assemblage of small mammals. Opossum (*Didelphis virginana*), desert cottontail (*Sylvilagus auduboni*), California ground squirrel (*Spennophilus beechyi*), Botta's pocket gopher (*Thomomys bottae*), California vole (*Microtus californicus*), and deer mouse (*Peromyscus maniculatus*) have been observed or detected in both the grassland and scrub communities (Heschel West School Final EIR, 2006). Mule deer (*Odocoileus hemionus*) pellets were observed on the site. Other common small mammal species expected to occur in these habitats include striped skunk (*Mephitis mephitis*), California mouse (*Peromyscus californicus*), brush mouse (*Peromyscus boylii*), California pocket mouse (*Chaetodipus californicus*), and big-eared woodrat (*Neotoma macrotis*).

Coyote (*Canis latrans*) and bobcat (*Lynx rufus*) were two larger carnivores detected on site during field surveys and have been tracked by the National Park Service (NPS) within the project site. The project site also occurs within the range of mountain lion (*Felis concolor*) and American badger (*Taxidea taxus*). Mountain lions have been tracked by NPS to the north, east, as well as south of the project site across the US 101 freeway (NPS, SMMNRA GIS, 2013). While neither species was detected physically or by sign during the 2014 field survey, a low potential exists for these two species to possibly utilize onsite resources..

e. Regulatory Setting. Regulatory authority over biological resources is shared by federal, state, and local authorities under a variety of statutes and guidelines. The following is a brief summary of the regulatory context under which biological resources are managed at the federal, state, and local level. Agencies with responsibility for protection of biological resources within the site include the following:

- U.S. Army Corps of Engineers (USACE) (wetlands and other waters of the United States)
- U.S. Fish and Wildlife Service (USFWS) (endangered species and migratory birds)
- Regional Water Quality Control Board (RWQCB) (wetlands and waters of the state)
- California Department Fish and Wildlife (CDFW) (stream/lake areas, endangered species, and other protected plants and wildlife)
- City of Agoura Hills (General Plan Natural Resources Element Goals and Policies)
- County of Los Angeles Fire Department (LAFD) (Fuel Modification Plan; Fuel Modification Zones)

A number of federal and state statutes provide a regulatory structure that guides the protection of biological resources. The following discussion provides a summary of those laws that are most relevant to biological resources in the vicinity of the site.

Wetland and riparian habitats are protected on a federal, state, and local level. Wetland and riparian habitats may be subject to USACE jurisdiction as waters of the U.S. pursuant to Section 404 of the Clean Water Act (CWA). Protection for wetland and riparian habitat is also afforded through the CDFW and, in this area, the Los Angeles RWQCB. Any activity that would remove or otherwise alter wetland and riparian habitats is closely scrutinized by the regulatory agencies through the CEQA review process and then later through the individual CDFW, USACE, and RWQCB permitting processes.

In response to legislative mandates, regulatory authorities have defined sensitive biological resources as those specific organisms that have regionally declining populations such that they may become extinct if declining population trends continue. Habitats are also considered sensitive biological resources if they have limited distributions, have high wildlife value, include special status species, or are particularly susceptible to disturbance. Special status species are classified in a variety of ways, both formally (e.g., state or federally Threatened and Endangered Species; California Fully Protected) and informally ("Special Animals"). Informal listings by agencies include California Species of Special Concern (SSC) (a broad database category applied to species, roost sites, or nests); Watch List; or as USFWS Candidate taxa. CDFW and local governmental agencies may also recognize special listings developed by focal

groups (i.e. Audubon Society Blue List; California Native Plant Society [CNPS] Rare and Endangered Plants; U.S. Forest Service regional lists).

U. S. Army Corps of Engineers. Under Section 404 of the CWA, the USACE has authority to regulate activities that could discharge fill or dredge material or otherwise adversely modify wetlands or other "waters of the United States." Perennial and intermittent creeks are considered waters of the United States and are within the regulatory jurisdiction of the USACE. The USACE implements the federal policy embodied in Executive Order 11990, which is intended to result in no net loss of wetlands value or acres. In achieving the goals of the CWA, USACE seeks to avoid adverse impacts and to offset unavoidable adverse impacts on existing aquatic resources. Any fill or adverse modification of wetlands may require a permit from USACE prior to the start of work. Typically, permits issued by USACE are a condition of a project as mitigation to offset unavoidable impacts on wetlands and other waters of the U.S. in a manner that achieves the goal of no net loss of wetland acres or values. USACE permits for discharges of dredged or fill material into wetlands and waters also require a CWA Section 401 water quality certification from the RWQCB.

U. S. Fish and Wildlife Service. The USFWS implements the Migratory Bird Treaty Act (16 United States Code (USC) Section 703-711), the Bald and Golden Eagle Protection Act (16 USC Section 668), and the Federal Endangered Species Act (FESA) (16 USC § 153 *et seq)*. Projects that would result in a "take" of any federally listed threatened or endangered species are required to obtain permits from the USFWS through either Section 7 (interagency consultation) or Section 10(a) (incidental take permit) of the FESA, depending on the involvement by the federal government in permitting or funding the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what mitigation measures would be required to avoid jeopardizing the species.

"Take" under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect an individual, or to attempt to engage in any such conduct. Candidate species do not have the full protection of FESA; however, the USFWS advises project applicants that they could be elevated to listed status at any time.

Regional Water Quality Control Board. The State Water Resources Control Board (SWRCB) and the local Los Angeles Regional Water Quality Control Board (RWQCB) have jurisdiction over "waters of the State," pursuant to the Porter-Cologne Water Quality Control Act, such waters being defined as any surface water or groundwater, including saline waters, within the boundaries of the state. The SWRCB has issued general Waste Discharge Requirements (WDRs) regarding discharges to "isolated" waters of the state (Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction). The Los Angeles RWQCB enforces actions under this general order for isolated waters not subject to federal jurisdiction, and is also responsible for the issuance of water quality certifications pursuant to Section 401 of the Clean Water Act for waters subject to federal jurisdiction.

California Department of Fish and Wildlife. CDFW derives its authority from the Fish and Game Code (FGC) of California. The California Endangered Species Act (CESA) (FGC Section 2050 *et, seq,)* prohibits take of listed threatened or endangered species, both animals and plants. Take under CESA is restricted to direct killing of listed animals and does not prohibit indirect harm by way of habitat modification.

FGC Sections 3503, 3503.5, and 3511 describe unlawful take, possession, or needless destruction of birds, nests, and eggs. Section 3503.5 protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit.

SSC is a category conferred by CDFW for those species that are considered to be indicators of regional habitat changes or are considered to be potential future protected species. SSC do not have any special legal status except that afforded by the FGC. The SSC category is intended by the CDFW for use as a management tool to take these species into special consideration when decisions are made concerning the development of natural lands. CDFW and local governmental agencies may also recognize special listings developed by focal groups (i.e., Audubon Society Blue List; California Native Plant Society (CNPS) Rare and Endangered Plants; U. S. Forest Service regional lists).

The CDFW also has authority to administer the Native Plant Protection Act (Fish and Wildlife Code Section 1900 *et seq*). This Act requires CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the Act, the owner of land where a rare or endangered native plant is growing is required to notify the Department at least 10 days in advance of changing the land use to allow for salvage of the plant.

Perennial and intermittent streams also fall under the jurisdiction of the CDFW. Section 1600 et. *seq*. of the FGC (Lake and Streambed Alteration Agreements) gives the CDFW regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

City of Agoura Hills. The City's General Plan provides the framework for evaluating potential biological impacts with respect to local concerns. The Natural Resources Element, as well as other elements of the General Plan, includes goals and policies to protect biological resources. These include in particular: Goal NR-4 Natural Areas, Policy NR-4.2 Conserve Natural Resources, Policy NR-4.3 Development and Economic Review, Policy NR-4.4 Cluster Development, Policy NR-4.5 Open Space Preservation, Policy NR-4.6 Connected Open Space System, and Policy NR-4.12 Wildlife Corridors.

> ***Goal NR-4 Natural Areas.*** *Protection and enhancement of open space resources, other natural areas, and significant wildlife and vegetation in the City as an integral component of a sustainable environment.*
>
> ***NR-4.2 Conserve Natural Resources.*** *Continue to enforce the ordinances for new and existing development in the City's hillside areas, such that development maintains an appropriate distance from ridgelines, creek and natural drainage beds and banks, oak trees, and other environmental*

resources, to prevent erosion, preserve viewsheds, and protect the natural contours and resources of the land.

NR-4.3 Development and Environmental Review. *Ensure that the development and environmental review process is sensitive to the preservation and protection of sensitive wildlife and plant species, wildlife corridors, significant ecological areas (SEAs), and other sensitive habitat communities.*

NR-4.4 Cluster Development. *Encourage clustered development in sensitive areas to preserve and reduce the impact to natural lands.)*

NR-4.5 Open Space Preservation. *Place a high priority on acquiring and preserving open space lands for purposes of recreation, habitat preservation and enhancement, resource conservation, flood hazard management, public safety purposes, and overall community benefits.*

NR-4.6 Connected Open Space System. *Ensure that new development does not create barriers or impede the connection of the City's open space systems.*

NR-4.12 Wildlife Corridors. *Protect and maintain wildlife corridors, particularly the Liberty Canyon wildlife corridor, and adjacent areas as appropriate, to help the continued survival of wildlife.*

The City of Agoura Hills Oak Tree Ordinance provides for protection and replacement of oak trees that are disturbed by development. Additionally, the City has an unofficial policy which protects high value (as determined by a biologist) Coastal Sage Scrub habitat and provides for replacement of habitat that is disturbed.

The Los Angeles County General Plan (1993) has classified specific geographical regions as Significant Ecological Areas (SEA) based on a variety of biological criteria, including the presence of special status plant, animals, and plant communities. A portion project site and development area is within the Palo Comado SEA #12, as shown in Figure 4.2-6. Los Angeles County is proposing to include the entire project site in a SEA. However, land use regulations regarding SEAs are applicable only to unincorporated county area, and not to the proposed project within the City's jurisdiction. If the SEA is adopted by the County, and if an amendment to adopt the new SEA is approved by the City, each future home would need to comply with Section 9652 et seq. of the Zoning Ordinance, including preparation of biological studies.

Oak Tree Preservation Guidelines, City of Agoura Hills Municipal Code, Sections 9657--9657.5, Appendix A. Oak trees are perhaps the most widely-recognized and most environmentally sensitive resource of the City of Agoura Hills. Native oaks are considered a valuable natural resource by the CDFW and are protected by the City of Agoura Hills Oak Tree Ordinance. The code requires the preservation of oak trees and scrub oaks (genus *Quercus)* in recognition of their historical, aesthetic, and environmental value to the citizens of Agoura Hills. The policy applies to the removal, cutting, pruning, or encroachment into the root protection zone of an oak species. Protected oaks are those having a trunk diameter greater than two inches at 3.5 feet above grade.

County of Los Angeles Fire Department. The County of Los Angeles Fire Department along with the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures, Weed Hazard and Pest Abatement Bureau (Weed Abatement Division) is responsible for implementing the Brush Clearance Program. This unified enforcement legally declares both improved and unimproved properties a public nuisance, and where necessary, requires the clearance of hazardous vegetation. As part of this program, the Fire Department's Forestry Division Fuel Modification Unit provides guidelines concerning fuel modification zones and reviews the landscape and irrigation plans submitted by the property owner for approval before construction or remodeling of a structure. The objective is to create the Defensible Space necessary for effective fire protection in newly constructed and/or remodeled homes within the Fire Department's Very High Fire Hazard Severity Zones (VHFHSZ). The City of Agoura Hills is entirely located in a Very High Fire Hazard Severity Zone (General Plan).

Fuel Modification is defined as the creation of defensible space around structures through the removal and thinning of vegetation on a site and or development and installation of new planting using the concepts of Firewise Landscaping (*Fuel Modification Guidelines, County of Los Angeles*, *Fire Code 317.10*). A Fuel Modification Zone is a specific area where vegetation has been removed, planted, or modified in ways that increase the likelihood that a structure will survive a wildfire; improve the defensible space around that structure needed for firefighting activities; and prevent direct flame contact with structures. Vegetation includes native and ornamentals plants, non-native naturalized annual grasses, and other invasive or naturalized species. Fuel modification activities can include removal, partial or total replacement of existing plants with adequately spaced drought-tolerant and fire-resistant species, and thinning of existing native or ornamental species.

Sites going through a plan review require a fuel modification area that is a 200 foot buffer around structures. The 200 foot buffer can be divided into various Fuel Modification Zones, the actual number and width of which depends on onsite and offsite factors. These zones identify the required vegetation removal and thinning on a property and act as a guide for any planned or future landscaping. Fuel Modification Zones are identified for each property under review unless specific written permission is provided for easements that may be in existence. Any off site vegetation that needs to be addressed is the responsibility of the Fire Department's Brush Clearance Program. Below is a discussion of the three fuel modification zones identified by the Los Angeles County (LACFD, 2011).

> *Zone A: Setback Zone*. This zone normally extends out to 20 feet, but sometimes up to 50 feet or more from the edge of any structures. Zone A is directly adjacent to all reviewed structures on the property and provides access and defensible space for fire suppression activities as well as a buffer from a fire's convective and radiant heat. This zone offers protection from intense flames through properly maintained irrigated plants with high moisture content, or through walkways, gravel, stone, paved surfaces, or water features that help create breaks in the path of fire.
>
> *Zone B: Irrigation Zone/Transition Zone.* This zone extends from edge of Zone A up to 100 feet from structures. Irrigated areas extending past 100 feet, such as manufactured slopes, will need to meet the spacing and planting requirements for

this zone. This is the zone just outside and adjacent to the Setback Zone. It may have detached structures, and may contain some native vegetation if spaced according to planting guidelines that create a transition to the Native Brush Thinning Zone. A large percentage of existing vegetation may be removed and replaced with irrigated fire resistant and drought resistant plants. In steeply sloped areas, a high priority should be assigned to maintaining plants that will help control erosion and slope failure. If planting is considered for these areas, it should be phased in during the construction and done carefully and gradually so the slope is not left bare.

Zone C: Native Brush Thinning Zone. This zone may consist mostly of native plants with proper thinning and spacing according to the guidelines and vegetation reduction requirements of the Fire Code. The objective is to thin the density of the vegetation and reduce the amount of fuel in order to slow the rate of fire spread, reduce flame lengths, and reduce the intensity of the fire before it reaches the irrigated zones or the structure.

f. Special-Status Biological Resources. Special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the Federal Endangered Species Act (FESA); those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the California Endangered Species Act (CESA); animals designated as "Species of Special Concern," "Fully Protected," and/or "Watch List," (CDFW 2010); and those species on the Special Vascular Plants, Bryophytes, and Lichens List (CDFW 2014. This latter document includes the CNPS Inventory of Rare and Endangered Vascular Plants of California, Seventh Edition (http://cnps. site. aplus. net/cgi-bin/inv/ inventory. cgi) as updated online. Those plants contained on the CNPS California Rare Plant Rank (RPR). Only Listed species and RPR Lists 1 and 2 are considered "special status" species in this EIR, per the RPR code definitions:

- **List 1A** = Plants presumed extinct in California;
- **List 1B.1** = Rare or endangered in California and elsewhere; seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat);
- **List 1B.2** = Rare or endangered in California and elsewhere; fairly endangered in California (20-80% occurrences threatened);
- **List 1B.3** = Rare or endangered in California and elsewhere, not very endangered in California (<20% of occurrences threatened or no current threats known);
- **List 2** = Rare, threatened or endangered in California, but more common elsewhere;
- **List 3** = Plants needing more information (most are species that are taxonomically unresolved; some species on this list meet the definitions of rarity under CNPS and CESA);
- **List 4.2** = Plants of limited distribution (watch list), fairly endangered in California (20-80% occurrences threatened); and
- **List 4.3** = Plants of limited distribution (watch list), not very endangered in California (<20% occurrences threatened or no current threats known).

As indicated above, the RPR also includes Lists 3 and 4. Per the CDFW (2009), these plants typically do not warrant consideration under State CEQA Guidelines §15380 unless the specific circumstances relevant to local distributions make them of potential scientific interest. Similarly,

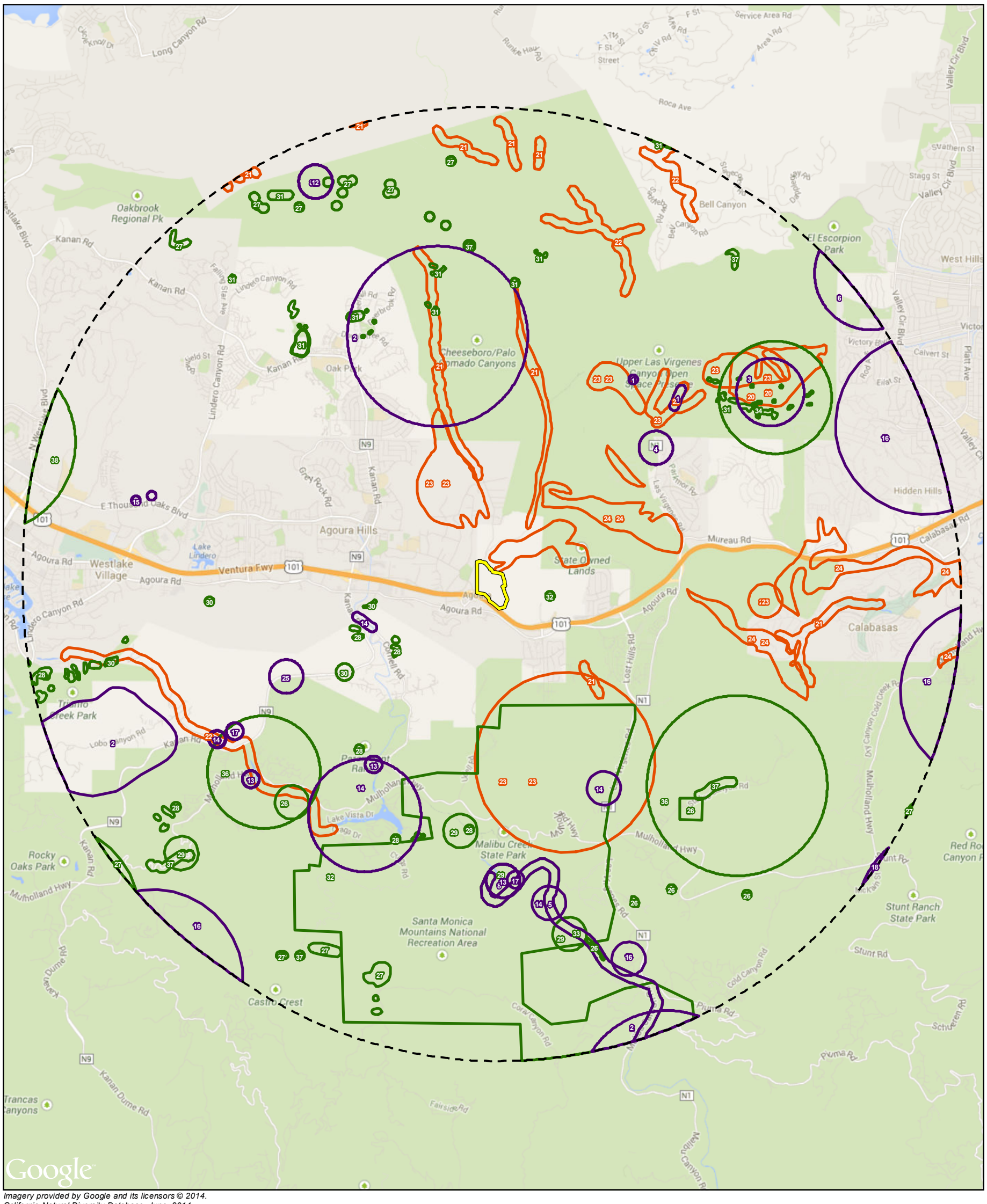
local agencies may also consider and list additional plants to be of "local concern" because of local or regional scarcity as determined by that agency (per the State CEQA Guidelines §15380). The City of Agoura Hills does not have such a list.[1]

Rincon Consultants reviewed the California Natural Diversity Database (CNDDB) to determine those special status plant and animal species known to occur within a five-mile radius of the project site (see Figure 4.2-2). Site visits were conducted by Rincon Consultants in April, May, and June 2014 to map vegetation and complete a botanical inventory, a springtime rare plant survey, wildlife observation, and a wetlands evaluation. As part of these surveys, rare flora were searched for and identified within the site, as further discussed below.

Special-Status Plants. Table 4.2-1 lists those plants with a RPR listing on 1 or 2 known to occur in the general vicinity of the site as reported by the CNDDB. The floristic surveys of the project site conducted by Rincon biologists in 2014 did not detect any special status plants. One special status plant, the leaved filaree (*California macrophylla*) has been previously documented from the site (Heschel West School Final EIR, 2006, and NPS, SMMNRRA, 2013 (Figure 4.2-6)). Please note that while Figure 4.2-2 indicates that several plants are found on the general project site, only plants considered special status under CEQA (e.g., listed or RPR List 1 or 2) that have either been detected during the floristic survey conducted by Rincon Consultants, reported in the Heschel EIR, or have a moderate to high potential for occurrence at the project site based on habitat suitability are discussed below.

Round-leaved filaree **(***California macrophylla*; RPR List 1B.1**)** is an annual herb that blooms between March and May. It typically occurs on vernally moist clay slopes in valley and foothill grassland and also in cismontane woodland. While potentially suitable habitat is present, and the species has been previously documented from the project site by the NPS (Figure 4.2-6; NPS, SMMNRRA, 2013), it was not detected during floristic surveys conducted by Rincon Consultants in 2014. It was previously documented and assumed to be present, though in low numbers (Heschel West School Final EIR, 2006,).

[1] *The Catalina Mariposa Lily (Calochortus catalinae; CNPS List 4) and small-flowered morning glory (Convolvulus simulans; CNPS List 4), documented outside the development area, are not included the EIR analysis as special status species. Other species with a RPR of 3 or 4 with the potential to occur onsite (e.g., Plummer's mariposa lily) are not included in the analysis, consistent with CEQA Guidelines §15380. Additionally, the California macrophyllo and dwarf barley (Hordeum depressum) have been documented onsite and are considered rare in the Santa Monica Mountains, as detailed in the National Park Services comment letter dated June 20, 2014 (Appendix A). The California macrophyllo and dwarf barley were not detected onsite during 2003 and 2014 surveys.*



Imagery provided by Google and its licensors © 2014.
California Natural Diversity Database, June, 2014.
Additional suppressed records reported by the CNNDB known to occur or potentially occur within this search radius include: Monarch butterfly and American peregrine falcon

5 Mile Buffer
Project Boundary

CNDDB

Animals
Plants
Natural Communities

0 3,000 6,000
Feet

N

1 - California red-legged frog
2 - golden eagle
3 - burrowing owl
4 - coastal California gnatcatcher
5 - arroyo chub
6 - California leaf-nosed bat
7 - Yuma myotis
8 - western small-footed myotis
9 - hoary bat
10 - western red bat
11 - spotted bat
12 - pallid bat
13 - western mastiff bat
14 - western pond turtle
15 - silvery legless lizard
16 - coast horned lizard
17 - coastal whiptail
18 - California mountain kingsnake (San Diego population)
19 - two-striped garter snake
20 - Valley Needlegrass Grassland
21 - Southern Coast Live Oak Riparian Forest
22 - Southern Sycamore Alder Riparian Woodland
23 - Valley Oak Woodland
24 - California Walnut Woodland
25 - Santa Monica grasshopper
26 - Malibu baccharis
27 - Santa Susana tarplant
28 - Lyon's pentachaeta
29 - marcescent dudleya
30 - Agoura Hills dudleya
31 - Braunton's milk-vetch
32 - round-leaved filaree
33 - white-veined monardella
34 - San Fernando Valley spineflower
35 - chaparral nolina
36 - slender mariposa-lily
37 - Plummer's mariposa-lily
38 - California Orcutt grass

Sensitive Elements Reported by the California Natural Diversity Database

Figure 4.2-2

Table 4.2-1
Special-Status Plant Species Known to Occur in the Vicinity of the Agoura Equestrian Estates Project Site

Scientific Name Common Name	Status Fed / State ESA CRPR G-Rank / S-Rank	Habitat Preference/Requirements	Potential for Occurrence / Basis for Determination
Astragalus brauntonii Braunton's milk-vetch	FE / -- 1B.1 G2/S2	Perennial herb. Blooms Jan-Aug. Closed-cone coniferous forest, chaparral, coast scrub, valley and foothill grassland. Recent burns or disturbed areas; in saline, somewhat alkaline soils high in Ca, Mg, with some K. Soil specialist; requires shallow soils to defeat pocket gophers and open areas, preferably on hilltops, saddles or bowls between hills. 200-650m (655-2130ft).	**Not Expected:** Soils conducive to the species are not present onsite.
Baccharis malibuensis Malibu baccharis	-- / -- 1B.1 G1/S1	Perennial deciduous shrub. Blooms Aug. In Conejo volcanic substrates, on exposed roadcuts and in grassy openings in chaparral. Sometimes occupies oak woodland habitat. 150-260m (490-855ft).	**Not Expected:** Soils conducive to the species are not present onsite.
California macrophylla Round-leaved filaree	-- / -- 1B.1 G2 / S2	Annual herb. Blooms Mar-May. Cismontane woodland, valley and foothill grassland. Clay soils. 15-1200m (50-3935ft).	**High:** Not observed during site 2014 surveys, though previously documented from the project site.
Calochortus clavatus var. gracilis Slender mariposa-lily	--/ -- 1B.2 G4T2/S2	Perennial bulbiferous herb. Blooms Mar-Jun. Chaparral, coastal scrub. Shaded foothill canyons; often on grassy slopes within other habitat. 420-760m (1380-2495ft).	**Not Expected:** This subspecies is restricted to the San Gabriel Mountains. Documented occurrences nearby were likely misidentified.
Chorizanthe parryi var. fernandina San Fernando Valley spineflower	FC/ SE 1B.1 G2T1/S1	Annual herb. Blooms Apr-Jul. Thin, highly mineralized soils developed on fine-grained bedrock within Valley and Foothill Grasslands, Coastal scrub. 3-1035m (10-3395ft).	**Low:** Soil types/bedrock formations not present within site. Nearest known location is Upper Las Virgenes Canyon Open Space Preserve approximately 3 miles to the east; species not observed onsite.
Deinandra (Hemizonia) minthornii Santa Susana tarplant	-- / SR 1B.2 G2/S2. 2	Perennial deciduous shrub. Blooms Jul-Nov. Chaparral, coastal scrub. Typically on massive sandstone outcrops and crevices (one population on volcanics), in scrublands. 280-760m (1920-2495ft).	**Not Expected:** This species is most typically found in the Simi Hills and Santa Susana Mountains. Suitable habitat (sandstone/volcanic outcrops) not present onsite.
Dudleya blochmaniae ssp. blochmaniae Blochman's dudleya	--/ -- 1B.1 G2T2/S2. 1	Perennial herb. Blooms Apr-June. Coastal scrub, coastal bluff scrub, valley and foothill grassland. Open, rocky slopes; often in shallow clays over serpentine or in rocky areas with little soil. 5-450m (15-1475ft).	**Not Expected:** The nearest occurrence is the Conejo Pass area, located approximately 12 miles west of the site. Suitable habitat (rocky slopes, serpentine soils) not present onsite.

Table 4.2-1
Special-Status Plant Species Known to Occur in the Vicinity of the Agoura Equestrian Estates Project Site

Scientific Name Common Name	Status Fed / State ESA CRPR G-Rank / S-Rank	Habitat Preference/Requirements	Potential for Occurrence / Basis for Determination
Dudleya cymosa ssp. agourensis Agoura Hills dudleya	FT / -- 1B.2 G5T1/S2	Perennial herb. Blooms May-Jun. Chaparral, cismontane woodland. Rocky, volcanic breccia. 200-500m (655-1640ft).	**Not Expected**: Suitable habitat (rocky substrate, volcanic breccia) not present onsite.
Dudleya cymosa ssp. marcescens Marcescent dudleya	FT / SR 1B.2 G5T2/S2	Perennial herb. Blooms Apr-Jul. Chaparral. On sheer rock surfaces and rocky volcanic cliffs. 150-520m (490-1705ft).	**Not Expected:** This species is known from the Santa Monica Mountains. No suitable habitat, (volcanic cliffs or canyon walls) present on site.
Dudleya cymosa ssp. ovatifolia Santa Monica dudleya	FT/ -- 1B.2 G5T1/S1	Perennial herb. Blooms Mar-Jun. Chaparral, coastal scrub. In canyons on sedimentary conglomerates; primarily north-facing slopes. 210-500m (690-1640ft).	**Not Expected:** This species is known from the Santa Monica Mountains; and occurs within 1 mile of the site; Suitable habitat (sedimentary conglomerates) not found on site.
Dudleya multicaulis Many-stemmed dudleya	--/ -- 1B.2 G2/S2	Perennial herb. Blooms Apr-Jul. Chaparral, coastal scrub, valley and foothill grassland. In heavy clayey soils, stony substrate. 0-790m (0-2590ft).	**Not Expected:** This species is only known from the south side of Chatsworth Reservoir (the westernmost known location); Suitable habitat (heavy clayey soils, stony substrate) not found on site.
Eriogonum crocatum Conejo buckwheat	-- / SR 1B.2 G2/S2. 1	Perennial herb. Blooms Apr-Jul. Chaparral, coastal scrub, valley and foothill grassland. Conejo volcanic outcrops; rocky sites. 50-580m (165-1900ft).	**Not Expected:** This species is known from the Santa Monica Mountains and the Conejo Pass; no records exist for the Simi Hills Suitable habitat (Conejo volcanic outcrops) absent onsite.
Monardella hypoleuca ssp. hypoleuca White-veined monardella	-- / -- 1B.3 G4T2T3/S2S3	Herb. Blooms Apr-Dec. Chaparral, cismontane woodland. Dry slopes. 50-1525m (165-5005ft).	**Not Expected:** Suitable habitat (chaparral, cismontane woodland) not present onsite.
Nolina cismontana Chaparral nolina	--/ -- 1B.2 G2/S2	Perennial evergreen shrub. Blooms Mar-Jul. Chaparral, coastal scrub. Primarily on sandstone and shale substrates; also known from gabbro. 140-1275m (460-4185ft).	**Not Expected:** This species is known from the southern portions of California to Baja. Suitable habitat (sandstone and shale substrate) not present onsite.
Orcuttia californica California Orcutt grass	FE/ SE 1B.1 G1/S1	Annual herb. Blooms Apr-Aug. Vernal pools. 15-660m (50-660ft).	**Not Expected:** The nearest known occurrence is in the Moorpark area located approximately 8 miles west and north of the site. Suitable habitat (vernal pools) not present onsite.

Table 4.2-1
Special-Status Plant Species Known to Occur in the Vicinity of the Agoura Equestrian Estates Project Site

Scientific Name Common Name	Status Fed / State ESA CRPR G-Rank / S-Rank	Habitat Preference/Requirements	Potential for Occurrence / Basis for Determination
Pentachaeta lyonii Lyon's pentachaeta	FE/ SE 1B.1 G2/S2	Annual herb. Blooms Mar-Aug. Clay soils of volcanic (usually Conejo volcanic) origin in chaparral, valley and foothill grassland, coastal scrub. Edges of clearing in chaparral, usually at the ecotone between grassland and chaparral or edges of firebreaks. 30-630m (100-2065ft).	**Not Expected:** Volcanic soils not present; species was not observed onsite.
Thelypteris puberula var. sonorensis Sonoran Maiden fern	-- / -- 2B.2 G5T3 / S2. 2?	Perennial rhizomatous herb. Blooms Jan-Sep. Shaded areas within meadows and seeps. Along streams, seepage areas. 50-550m (165-1805ft).	**Not Expected:** Suitable habitat (shaded moist areas) not present onsite.
Sidalcea neomexicana Salt Spring checkerbloom	-- / -- 2B.2 G4? / S2S3	Perennial herb. Blooms Mar-Jun. Alkali playas, brackish marshes and springs in chaparral, coastal scrub, lower montane coniferous forest, Mojave desert scrub. 0-1500m (0-4920ft).	**Low:** Slightly moist alkaline conditions with some disturbance are present on the site though not an alkali playa; species was not observed on the site during surveys.

Regional Vicinity refers to within a 5 mile radius of site.
FE = Federally Endangered FT = Federally Threatened
SE = State Endangered ST = State Threatened SR = State Rare
CRPR (CNPS California Rare Plant Rank):
1A=Presumed Extinct in California
1B=Rare, Threatened, or Endangered in California and elsewhere
2=Rare, Threatened, or Endangered in California, but more common elsewhere
CRPR Threat Code Extension:
. 1=Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
. 2=Fairly endangered in California (20-80% occurrences threatened)
. 3=Not very endangered in California (<20% of occurrences threatened)
G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDB RareFind 5.
G1 or S1 - Critically Imperiled Globally or Subnationally (state)
G2 or S2 - Imperiled Globally or Subnationally (state)
G3 or S3 - Vulnerable to extirpation or extinction Globally or Subnationally (state)
G4 or S4 - Apparently secure Globally or Subnationally (state)
G5 or S5 - Secure Globally or Subnationally (state)
? - Inexact Numeric Rank
T - Intraspecific Taxon (subspecies, varieties, and other designations below the level of species)
CDFW = California Dept. of Fish and Wildlife - "Special Plant"
http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/SPPlants. pdf

Bryophytes and Lichens; Bryophytes are small, herbaceous non-vascular land plants that grow closely packed together in mats or cushions on rocks, soil, or as epiphytes on the trunks and leaves of forest trees. Lichens are composite organisms consisting of a fungus (the mycobiont) and a photosynthetic partner (phycobiont) growing together in a symbiotic relationship. The symbiotic relationship occurs between a fungus and either a green algae or cyanobacteria in a variety of habitats, with those that are considered as potentially sensitive species typically found in specialized micro-habitat areas. A microhabitat is the small-scale physical requirements of a particular organism or population, for instance the underside of a

fallen log of a specific tree species or a rock that has a specific mineral composition that favors the specialized habitat requirements of lichen or bryophyte. A cluster of unidentified lichens was found on a rock in the southeastern part of the project site. However, the lichens are outside the project impact area and would not be affected by the project project. No other lichens were observed onsite during the surveys.

Protected Oak Trees and Scrub Oaks. The City of Agoura Hills requires the preservation of all species of oak (Quercus spp.), including scrub oaks. The project oak survey (Appendix C; Oak tree survey; L. Newman design group, July 2013, revised Oct 2013), evaluated a total of 39 trees, including 36 valley oaks (*Quercus lobata*) and 3 coast live oaks (*Quercus agrifolia*) within 250 feet of the project footprint.

Special-Status Plant Communities. The sensitivity rating of special status plant communities within project boundaries is summarized below. The following lists those associations that are considered "special status." Per CDFW, alliances with state ranks of S1-S3 and all associations within them are considered to be highly imperiled (S1) to vulnerable (S3).

- Saltgrass Flats Alliance (CDFW S3)
- Purple Needlegrass- California Melic Grass Alliance (Native Grassland) (CDFW S3. 1)
- Sawtooth Goldenbush-California Sagebrush Alliance (CDFW S3)
- Sawtooth Goldenbush-Goldenstar- Wild Oats Alliance. (CDFW S3)
- Red Willow-Arroyo Willow-Mugwort Alliance. (CDFW S3)

Special-Status Wildlife. Table 4.2-2 indicates those special-status species wildlife species that occur in the project vicinity. The discussion below includes wildlife species which have been documented as present, with a moderate to high potential to occur, and federal and/or state listed species with *any* potential to occur, with the following text discussing those that are either known to occur or within the project site boundaries.

Invertebrates. According to the CNDDB (2010), no sensitive invertebrates are known to occur onsite, and only those recorded in the project vicinity are included in Table 4.2-2. However, few invertebrate surveys are conducted and the range and population levels of many special status insects are unknown. Several special-status invertebrate species have been identified as being present in the Santa Monica Mountains, including Santa Monica Mountains hairstreak butterfly *(Satyrium auretorum fumosum),* Santa Monica shieldback katydid *(Aglaothorax longipennis),* Santa Monica Mountains grasshopper *(Trimerotropis occidentaloides),* and valley oak ant *(Proceratium californicum*). The hairstreak butterfly is highly localized and primarily associated with scrub oak stands (which are not present at the site); the shieldback kaydid is known only from an area immediately adjacent to the coast in iceplant, chaparral, and streamside vegetation (Rentz and Weissman, 1982); and the grasshopper is associated with chaparral habitats (Rentz and Weissman, 1982) that are also not present on the site. Past reports regarding the valley oak ant in this region are possibly erroneous as its range is restricted to the Central Valley and adjacent foothills. Therefore, no sensitive invertebrates are expected to be present at the site.

Amphibians. Based on habitat available onsite, no sensitive amphibian species have been observed or have a moderate to high potential to occur.

Reptiles. Three sensitive reptile species are reasonably expected to occur as residents, including coast horned lizard *(Phrynosoma coronatum)* (SSC), Silvery legless lizard (*Anniella pulchra pulchra*) (SSC) and coastal whiptail (*Aspidoscelis tigris stejnegeri*).

Coast "San Diego" horned lizard (*Phrynosoma coronatum "blainvillii"*) has been reported from numerous locations in the Santa Monica Mountains (Jennings and Hayes 1994), and at Point Dume. While not observed, open habitat is present though preferred friable, rocky, or shallow soils are absent. Thus, it is anticipated to have a moderate potential to occur within the project boundary, though in limited areas where friable soils and its main food source, harvester ants, are located.

Silvery legless lizard is known to occur 3.5 miles to the west of the project site and prefers loose soils with high moisture content and areas with some leaf litter. The species is anticipated to have a moderate potential to occur within the project boundar**y** since friable soils preferred by the species are absent though some moist areas with limited leaf litter were noted.

Coastal western whiptail (Special Animal) inhabits a variety of habitats including sage scrub, grasslands, washes, and oak woodlands. CNDDB records show occurrences throughout the Santa Monica Mountains south of the US Highway 101. Habitat is present within the development area to support this subspecies. However, the project site is in a zone of overlap between two subspecies and it is unknown which subspecies is actually present. This animal prefers dense vegetation and it may occur throughout the project site within the dense scrub communities. It is noted that this animal was formerly listed by CDFW as a "species of special concern," but in a publication of *Special Animals* (CDFW, October 2014), it no longer has that status, nor is it on the CDFW "Watch List."

San Bernardino ringneck snake (Special Animal) may be found in all habitats throughout the Santa Monica Mountains. It has been reported from Tapia Park, Triunfo Canyon, etc. (De Lisle et al. 1986); Malibu Canyon (CDFW 2008) and has a moderate potential of occurrence within the site. Similar to the coastal western whiptail, it is included on the "Special Animals" list, but is not a "species of special concern" nor on the CDFW "Watch List".

Table 4.2-2
Special-Status Wildlife Species Known to Occur in the Vicinity of the Agoura Equestrian Estates Project Site

Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Invertebrates			
Danaus plexippus Monarch butterfly	-- / -- -- G5 / S3	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby.	***Not Expected:*** While this common butterfly may forage onsite, the habitat of concern, winter roosting sites, are not present onsite.

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Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Trimerotropis occidentiloides Santa Monica Mountains grasshopper	-- / -- -- G1G2 / S1S2	Known only from the Santa Monica Mountains. Found on bare hillsides and along dirt trails in chaparral.	***Not Expected:*** No chaparral habitat present onsite. No documented occurrences exist for the species within the general area.
Fish			
Gila orcutti Arroyo chub	-- / -- SSC G2 / S2	Native to streams from Malibu Cr to San Luis Rey River basin. Introduced into streams in Santa Clara, Ventura, Santa Ynez, Mohave and San Diego river basins. Slow water stream sections with mud or sand bottoms. Feeds heavily on aquatic vegetation and associated invertebrates.	***Low:*** No documented occurrences exist for the species within the general area. If present, would be limited to the flowing portion of Chesebro Canyon Creek.
Amphibians			
Rana draytonii California red-legged frog	FT / -- -- G2G3 / S2S3	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.	***Not Expected:*** Site lacks suitable deep pools and perennial water. Only known location in area is on the Upper Las Virgenes Canyon Open Space Preserve more than 2.5 miles to the northeast.
Spea hammondii Western spadefoot	-- / -- SSC G3 / S3	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	***Not Expected:*** Necessary vernal pools are not present on the site.
Taricha torosa Coast Range newt	-- / -- SSC G4 / S4	Coastal drainages from Mendocino County to San Diego County. Lives in terrestrial habitats and will migrate over 1 km to breed in ponds, reservoirs and slow moving streams.	***Low:*** No suitable habitat present. No occurrence records exist for the species in the area.
Reptiles			
Anniella pulchra pulchra Silvery legless lizard	-- / -- SSC G3G4T3T4Q /S3	Sandy or loose loamy soils under sparse vegetation. Soil moisture is essential. They prefer soils with high moisture content and presence of leaf litter.	***Moderate:*** Can be found in oak duff and friable soils. Known to occur 3.5 miles to the west.
Aspidoscelis tigris stejnegeri Coastal Whiptail	-- / -- -- G5T3T4 / S2S3	Found in deserts and semiarid areas with sparse vegetation and open areas. Also found in woodland and riparian areas. Within firm, sandy or rocky substrate. Presence of leaf litter.	***Moderate:*** Suitable habitat within the open scrub portions of site outside the development area.

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Special-Status Wildlife Species Known to Occur in the Vicinity of the Agoura Equestrian Estates Project Site

Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Emys marmorata Western pond turtle	-- / -- SSC G3G4 / S3	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft. elevation. Need basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0. 5 km from water for egg-laying.	***Not Expected:*** Seasonality of water source, no pools within drainages onsite, and very limited streamside vegetation likely precludes occurrence.
Diadophis punctatus modestus San Bernardino ringneck snake	-- / -- -- G5T2T3Q / S2?	Prefers moist habitats near intermittent streams with open, relatively rocky areas. Avoids moving through open or barren areas by restricting movements to areas of surface littler or herbaceous vegetation.	***Low:*** Marginally suitable habitat present along Chesebro Canyon Creek; not observed.
Lampropeltis zonata pulchra San Diego mountain kingsnake	-- / -- SSC G4G5 / S1S2	Found in the central San Diego County peninsular ranges, the Santa Ana Mountains; and the Santa Monica Mountains. Inhabits a variety of habitats, including valley-foothill hardwood, coniferous, chaparral, riparian, and wet meadows, but typically found along rocky, shaded streams.	***Not Expected:*** Suitable habitat not present on site; not observed. Site not within known range (Nafis, 2000-2013).
Phrynosoma blainvillii Coast horned lizard (=Blainvilli's)	-- / -- SSC G3G4 / S3S4	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial and abundant supply of ants and other insects.	***Moderate:*** Marginally suitable habitat present onsite. Areas with loose sandy soils are limited onsite.
Salvadora hexalepis virgultea Coast patch-nosed snake	-- / -- SSC G5T4 / S2S3	Brushy or shrubby vegetation in coastal Southern California with loose soils for burrowing. Require small mammal burrows for refuge and overwintering sites.	***Low:*** Suitable habitat present on site; however, no known occurrence records exist for the species in the area. (Nafis, 2000-2013)
Thamnophis hammondii Two-striped garter snake	-- / -- SSC G4 / S2	Coastal California from vicinity of Salinas to northwest Baja California. From sea to about 7,000 ft. Elevation. Highly aquatic, found in or near permanent fresh water. Often along streams with rocky beds and riparian growth.	***Low:*** Suitable habitat limited to along Chesebro Canyon Creek.

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Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Birds			
Accipiter cooperii Cooper's Hawk	-- / -- WL G5 / S3	Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also live oaks.	***Moderate:*** suitable foraging habitat present onsite; only suitable nesting habitat present is within a small portion of the project site along Chesebro Canyon Creek or within the suburban area to the west of the site
Accipiter striatus Sharp-shinned hawk	-- / -- WL G5 / S3	Ponderosa pine, black oak, riparian deciduous, mixed conifer and Jeffrey pine habitats. Prefers riparian areas. North-facing slopes, with plucking perches are critical requirements. Nests usually within 275 ft. of water.	**Low:** Site provides suitable habitat for winter migrants; species does not nest in southern California.
Aimophila rucifeps canescens Southern California rufous-crowned sparrow	-- /-- WL G5T3 / S2S3	Resident in Southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep, often rocky hillsides with grass and forb patches.	***Present:*** Documented from the general area; may occur on steep hillsides outside development area.
Agelaius tricolor Tricolored blackbird	-- / -- SSC G2G3 / S2	Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.	***Not Expected:*** No suitable habitat present on site.
Aquila chrysaetos Golden eagle	-- / -- -- G5 / S3	Rolling foothills, mountain areas, sage-juniper flats, and desert. Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.	***Low:*** Species may occasionally forage on site; no suitable nest locations at or near site.
Ardea alba Great egret	-- / -- -- G5 / S4	Colonial nester in large trees. Rookery sites located near marshes, tide-flats, irrigated pastures, and margins of rivers and lakes.	***Not Expected:*** No suitable habitat present on site; potentially rare forager in field.
Ardea herodias Great blue heron	-- / -- -- G5 / S4	Colonial nester in tall trees, cliffsides, and sequesters spots on marshes. Rookery sites in close proximity to foraging areas: marshes, lake margins, tide-flats, rivers and streams, wet meadows.	***Not Expected:*** Minimal suitable habitat present on site; potentially rare forager in field.

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Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Artemisiospiza belli belli Bell's sage sparrow	-- / -- WL G5T2T4 / S2?	Nests in chaparral dominated by fairly dense stands of sage or chamise. Found in California Coastal Scrub in south of range. Nest located on the ground beneath a shrub or in a shrub 6-18 inches above ground. Territories about 50 yards apart.	***Low:*** Marginal habitat present; this species is more common further inland; no recent recorded occurrence in the area.
Asio flammeus Short-eared owl	-- / -- SSC G5 / S3	Found in marshes; grasslands, lowland meadows; irrigated alfalfa fields. Tule patches/tall grass needed for nesting/daytime seclusion. Nests on dry ground in depression concealed in vegetation.	***Low:*** Some suitable habitat present, but no recorded occurrences of this species in the general area of project.
Asio otus Long-eared owl	-- / -- SSC G5 / S3	Riparian bottomlands with tall willows and cottonwoods; also, belts of live oak paralleling stream courses. Require adjacent open land productive of mice and the presence of old nests of crows, hawks, or magpies for breeding.	***Not Expected:*** No suitable woodland habitat present on site.
Athene cunicularia Burrowing owl	-- / -- SSC G4 / S2	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	***Low:*** Suitable habitat present on the site; however, this species was not observed during site surveys and now occurs rarely in the area. May occur as a rare winter migrant. Nearest reported occurrence was late fall 2012 in Lindero Canyon about 4 miles west of site.
Buteo regalis Ferruginous hawk	-- / -- WL G4 / S3S4	Open grasslands, sagebrush flats, desert scrub, low foothills and fringes of pinyon-juniper habitats. Eats mostly lagomorphs, ground squirrels, and mice. Population trends may follow lagomorph population cycles.	***Not Expected:*** Site provides suitable habitat for winter migrants; this species does not breed in California.
Buteo swainsoni Swainson's hawk	-- / ST -- G5 / S2	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations.	***Not Expected:*** Site provides suitable habitat for winter migrants, but species not recently recorded from area and does not nest in the region.

Table 4.2-2
Special-Status Wildlife Species Known to Occur in the Vicinity of the Agoura Equestrian Estates Project Site

Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Campylorhynchus brunneicapillus sandiegensis Coastal Cactus Wren	-- / -- SSC G5T3Q / S3	Southern California coastal sage scrub. Wrens require tall *opuntia* cactus for nesting and roosting.	***Not Expected:*** No suitable cactus scrub habitat present on site.
Circus cyaneus Northern harrier	-- / -- SSC G5 / S3	Coastal salt and freshwater marsh. Nests and forages in grasslands, from salt grass in desert to mountain cienagas. Nests on ground in shrubby vegetation, usually at marsh edge; nest built of a large mound of sticks in wet areas.	***Present:*** Species observed foraging onsite; species is not known to nest in the region.
Coccyzus americanus occidentalis Western yellow-billed cuckoo	FC / SE -- G5T3Q / S1	Riparian forest nester, along the broad, lower flood-bottoms of larger river systems. Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	***Not Expected:*** No suitable habitat onsite; no recent occurrences in the area.
Dendroica petechia brewsteri Yellow warbler	-- / -- SSC G5T3? / S2	Riparian plant associations. Prefers willows, cottonwoods, aspens, sycamores, and alders for nesting and foraging. Also nests in montane shrubbery in open conifer forests. A common winter transient throughout the region.	***Low:*** It may occur at the site during migration, Marginally suitable nesting habitat present within Chesebro Canyon Creek.
Egretta thula Snowy egret	-- / -- -- G5 / S4	Colonial nester, with nest sites situated in protected beds of dense tules. Rookery sites situated close to foraging areas: marshes, tidal-flats, streams, wet meadows, and borders of lakes.	***Not Expected:*** Minimal suitable habitat present on site; potentially rare forager in field.
Elanus leucurus White-tailed kite	-- / -- FP G5 / S3	Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	***Present:*** A pair was observed foraging on the site; no nests seen on site though suitable nest sites are present in general region.
Empidonax traillii brewsteri Little willow flycatcher	-- / SE -- G5T3T4 / S1S2	Mountain meadows and riparian habitats in the Sierra Nevada and Cascades. Nests near the edges of vegetation clumps and near jackets.	***Not Expected:*** No suitable riparian woodlands or willows present on site.
Eremophila alpestris actia California horned lark	-- / -- WL G5T3Q / S3	Coastal regions, chiefly from Sonoma to San Diego counties. Also main part of San Joaquin Valley and east to foothills. Short-grass prairies, “bald” hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats.	***High:*** Suitable habitat present on the site, but not seen during field studies. Most likely occurs as a winter visitor.

Table 4.2-2
Special-Status Wildlife Species Known to Occur in the Vicinity of the Agoura Equestrian Estates Project Site

Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Falco columbarius Merlin	-- / -- WL G5 / S3	Seacoasts, tidal estuaries, open woodlands, savannahs, edges of grasslands and deserts, farms and ranches. Clumps of trees or windbreaks are required for roosting in open country.	***Low:*** Site provides marginally suitable habitat for winter migrants; species does not breed in the region.
Falco mexicanus Prairie falcon	-- / -- WL G5 / S3	Inhabits dry, open terrain, either level or hilly. Breeding sites located on cliffs. Forages far afield, even to marshlands and ocean shores.	***Low:*** Marginal suitable foraging habitat present onsite; no nesting habitat on the site.
Falco peregrinus anatum American Peregrine falcon	FD / SD FP G4T4 / S2	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape or a depression or ledge in an open site.	***Low:*** Site provides marginally suitable foraging habitat for winter migrants; however, no suitable breeding habitat in the immediate area.
Icteria virens Yellow-breasted chat	-- / -- SSC G5 / S3	Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 ft. of ground.	***Low:*** Onsite riparian habitat is of marginal quality. It may occur at the site during migration, with limited potential to breed within the portion of onsite Chesebro Canyon Creek.
Lanius ludovicianus Loggerhead shrike	-- / -- -- G4 / S4	Broken woodlands, savannah, pinyon-juniper, Joshua tree, and riparian woodlands, desert oasis, scrub and washes. Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.	***High:*** Suitable habitat present on the site, but species not seen during field visits.
Piranga rubra Summer tanager	-- / -- SSC G5 / S2	Summer resident of desert riparian along lower Colorado River, and locally elsewhere in California deserts. Requires cottonwood-willow riparian for nesting and foraging; prefers older, dense stands along streams.	***Not Expected:*** No cottonwood-willow riparian habitat present onsite.
Polioptila californica californica Coastal California gnatcatcher	FT / -- SSC G3T2 / S2	Obligate, permanent resident of coastal sage scrub below 2500 ft. in Southern California. Low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	***Low:*** Not observed onsite and limited observations in this region, though species appears to be expanding range. If present, would occur only in coastal scrub of hillsides.

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Special-Status Wildlife Species Known to Occur in the Vicinity of the Agoura Equestrian Estates Project Site

Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Progne subis Purple martin	-- / -- SSC G5 / S3	Inhabits woodlands, low elevation coniferous forest of Douglas-fir, ponderosa pine, and Monterey pine. Nests in old woodpecker cavities mostly, also in human-made structures. Nest often located in tall, isolated tree/snag.	***Not Expected*: No** suitable breeding habitat and no recent records of occurrence in the general area.
Riparia riparia Bank swallow	-- /ST -- G5 / S2S3	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig for nesting.	***Not Expected:*** No suitable breeding habitat and no recent records of occurrence in the general area.
Vireo bellii pusillus Least Bell's vireo	FE / SE -- G5T2 / S2	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, mulefat, mesquite.	***Low:*** Marginal habitat occurs within Chesebro Canyon Creek; however, habitat generally lacks density and vertical complexity preferred by species. No recent records of occurrence in the general area.
Mammals			
Antrozous pallidus Pallid bat	-- / -- SSC G5 / S3	Deserts, grasslands, shrublands, woodlands and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	***High:*** No suitable hibernaculum present, but expected to forage onsite during active periods.
Corynorhinus townsendii Townsend's big-eared bat	-- / -- SSC G3G4 / S2S3	Throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	***Moderate:*** Occasional foraging may occur on site; however, no suitable hibernaculum on site.
Euderma macaulatum Spotted bat	-- / -- SSC G4 / S2S3	Occupies a wide variety of habitats from arid deserts and grasslands through mixed conifer forests. Feeds over water and along washes. Feeds almost entirely on moths. Needs rock crevices in cliffs or caves for roosting.	***Not Expected:*** Site is on edge of range, onsite habitat marginal and no recently documented occurrences exist for the species in the area.

Table 4.2-2
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Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Eumops perotis californicus Western mastiff bat	-- / -- SSC G5T4 / S3?	Many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in crevices in cliff faces, high buildings, trees and tunnels.	***Moderate:*** No suitable hibernaculum present, but expected to forage onsite during active periods.
Lasiurus blossevillii Western red bat	-- / -- SSC G5 / S3?	Many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in crevices in cliff faces, high buildings, trees and tunnels.	***Not Expected:*** No potential roosting onsite crevices in cliff faces, high buildings, trees and tunnels.
Lasiurus cinereus Hoary bat	-- / -- -- G5 / S4?	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.	***Not Expected:*** No potential roosts onsite. No large trees present onsite.
Lepus californicus bennettii San Diego black-tailed jackrabbit	-- / -- SSC G5T3? / S3?	Intermediate canopy stages of shrub habitats and open shrub/herbaceous and tree/herbaceous edges within California coastal scrub habitats in southern California.	***Not Expected:*** While suitable habitat is present onsite, this species would have been observed during field studies if present.
Myotis ciliolabrum Western small-footed myotis	-- / -- -- G5 / S2S3	Wide range of habitats mostly arid wooded and brushy uplands near water. Seeks cover in caves, buildings, mines and crevices. Prefers open stands in forests and woodlands. Requires drinking water. Feeds on a wide variety of small flying insects.	***High:*** No suitable hibernaculum present, but expected to forage onsite during active periods.
Myotis evotis Long-eared myotis	-- / -- -- G5 / S4?	Found in all brush, woodland forest habitats from sea level to about 9000ft. Prefers coniferous woodlands and forests. Nursery colonies in buildings, crevices, spaces under bark, and snags. Caves used primarily as night roosts.	***High:*** No suitable hibernaculum present, but expected to forage onsite during active periods.

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Myotis thysanodes Fringed myotis	-- / -- -- G4 / S4	In a wide variety of habitats, optimal habitats are pinyon-juniper, valley foothill hardwood and hardwood-conifer. Uses caves, mines, buildings or crevices for maternity colonies and roosts.	***Moderate:*** No suitable hibernaculum present, but expected to forage onsite during active periods.
Myotis volans Long-legged myotis	-- / -- -- G5 / S4?	Most common in woodland and forest habitats above 4000 ft. Trees are important day roosts; caves and mines are night roosts. Nursery colonies usually under bark or in hollow trees, but occasionally in crevices or buildings.	***High:*** No suitable hibernaculum present, but expected to forage onsite during active periods.
Myotis yumanensis Yuma myotis	-- / -- -- G5 / S4?	Optimal habitats are open forests and woodlands with sources of water over which to feed. Distribution is closely tied to bodies of water. Maternity colonies in caves, mines, buildings or crevices.	***Moderate:*** No suitable hibernaculum present, but expected to forage onsite during active periods.
Lepus californicus bennettio San Diego black-tailed jackrabbit	-- / -- SSC G5T3? / S3?	Intermediate canopy stages of shrub habitats and open shrub/herbaceous and tree/herbaceous edges. Coastal sage scrub habitats in Southern California.	***Not Present:*** No documented occurrences are within a five mile radius of the site, not observed onsite. This species is highly conspicuous when present as it is active in the daylight hours. Not expected to be present at the site.
Neotoma lepida intermedia (Renamed as N. bryanti intermedia) San Diego desert woodrat	-- / -- SSC G5T3? / S3?	Arid scrub of Southern California from Baja California to San Luis Obispo County. Moderate to dense canopies preferred. They are particularly abundant in rock outcrops and rocky cliffs and slopes.	***Moderate:*** Suitable habitat present on the hillsides of site.

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Scientific Name Common Name	Status Fed / State ESA CDFW G-Rank / S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Taxidea taxus American badger	-- / -- SSC G5 / S4	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.	***Low:*** No known recent records of this species within 5 miles. . Species not observed onsite; diggings conspicuous and would have been observed during the field surveys. Documented on the south side of the Santa Monica Mountains more than 5 miles south of the site. American badgers have not been reported to use Highway 101 crossings in the area (Ng, et al, 2004).

Regional Vicinity refers to within a 5 mile radius of site.
FT = Federally Threatened *SE = State Endangered*
FC = Federally Candidate *ST = State Threatened*
FE = Federally Endangered *SR = State Rare*
FD = Federally Delisted *SD = State Delisted*
SSC = CDFW Species of Special Concern *FP = CDFW Fully Protected*
WL: CDFW Watch List
G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDB RareFind 5.
G1 or S1 - Critically Imperiled Globally or Subnationally (state)
G2 or S2 - Imperiled Globally or Subnationally (state)
G3 or S3 - Vulnerable to extirpation or extinction Globally or Subnationally (state)
G4 or S4 - Apparently secure Globally or Subnationally (state)
G5 or S5 - Secure Globally or Subnationally (state)
? - Inexact Numeric Rank
T - Intraspecific Taxon (subspecies, varieties, and other designations below the level of species)
Q – Questionable taxonomy that may reduce conservation priority
Source: CNDDB RareFind 5, Department of Fish & Wildlife, Biogeographic Data Branch, Sacramento, CA

Birds. Bird species on the CDFW Special Animals List (CDFW, 2010), which are known to occur in the Santa Monica Mountains in the vicinity of the site, and their potential to occur, are discussed below. Each species' potential for occurrence is based on its range, habitat preferences, and site conditions.

Cooper's hawk (*Accipiter cooperii*); (WL). Northern populations of the Cooper's hawk typically migrate through the area in the winter. Resident populations of this species occur in the area typically in moderately dense woodlands, and also occur within suburban areas. It nests in riparian woodlands and mountain canyons, but it is more widespread during the winter when it occurs in a variety of woodland and semi-open habitats. Cooper's hawks were not directly observed during biological surveys; however, suitable habitat for this species occurs on the site and adjacent lands. Consequently, this species has a moderate occurrence potential on the project site.

Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*); (WL). This small sparrow is commonly associated with California Coastal Scrub communities in Southern California. Optimal habitat consists of low-density shrub associations on south-facing slopes adjacent to grasslands. The Southern California rufous-crowned sparrow was observed onsite during the 2003 biological surveys (Heschel West School Final EIR, 2006).

Northern harrier (*Circus cyaneus*; CDFW, California Special Concern) overwinters in the area and prefers open habitats, such as the grassland and purple sage scrub habitats that occur on the project site. The northern harrier was observed foraging on site. This species is not known to nest in the general area of the project site, with the nearest known nesting locales in Los Angeles County located in the Mojave Desert (Shuford and Gardali, 2008).

White-tailed kite (*Elanus leucurus*; CDFW, California Fully Protected) most commonly occur near riparian habitat and open woodlands where mature trees provide suitable nesting habitat. This species is relatively common to the area, but in small numbers. Two kites were observed foraging over the site during the 2014 biological surveys. The open space on the project site provides foraging habitat, but the trees on site provide only marginal nesting habitat and no nests were observed. The possibility of this species nesting on the site is low; however, more suitable nesting habitat exists in open space to the north and east.

California horned lark (*Eremophila alpestris actia*); (WL). This species occurs in large fields, grasslands, and other open areas where it builds its nest on the ground. This species has a high potential to occur on the site primarily as a winter visitor.

Coastal California gnatcatcher (*Polioptila californica californica*) (FT; CSC) occurs in coastal scrub sage and inland sage scrub habitats at elevations below 900 feet in San Diego, Orange, and Los Angeles County, and below 1,600 feet in Riverside County. Suitable undisturbed contiguous coastal sage scrub habitat required to support the species is largely absent from the site and this species has not been documented as occurring as a breeding population within this portion of the Santa Monica Mountains. However, recent reports (ebird.org, 2014) of multiple gnatcatchers in Malibu Creek State Park (approximately 3 miles south of the site) indicate that the species may be expanding to new locations within its published range. No coastal California gnatcatchers were recorded from this site during the 1998 focused surveys (Heschel West School Final EIR, 2006).[2] Based on the low numbers of this species in the region, the marginal quality of coastal sage scrub habitat on site, and the lack of gnatcatchers observed during the 1998 Coastal California gnatcatcher focused surveys, or 2003 and 2014 general biological surveys, it was determined that this typically resident species has a low potential to occur on the project site as a nesting species. It may occur as dispersing individuals, and if present, would likely be found on the hillsides. This species has a low potential to occur, but is included in this EIR analysis because it is a federally listed species.

Loggerhead shrike **(***Lanius ludovicianus*) [SSC] occurs as an uncommon resident in open areas throughout southern California (Garrett and Dunn 1981), but coastal populations have been

[2] *As part of the 2003 surveys for the 2006 Heschel West School Final EIR, staff of the FWS (Ferris, 2003) indicated that given the known range of this special-status bird and the lack of recent sightings in the geographic area, additional focused surveys were not required.*

substantially reduced and breeding is rare along the coast. It prefers open habitats with scattered shrubs, trees, posts, fences, utility lines, or other perches. It occcurs only rarely in heavily urbanized areas, but is often found in open cropland. This species has a high potential to occur onsite. Several birds have been reported within five miles of the site within the last five years, at the Calabasas Landfill, the Upper Las Virgenes Canyon Open Space Preserve, and north of the site in Chesebro Canyon, but primarily as wintering birds (www.ebird.org).

Least Bell's vireo (*Vireo bellii pusillus*) (FE; SE) is an uncommon summer resident in dense riparian willow and mulefat scrub, preferably where flowing water is present. It may occur at the site during migration, with limited potential to breed within the portion of Chesebro Canyon Creek on the site. This species has a low potential to occur, but is included in this EIR analysis because it is a state and federally listed species.

Mammals. Several sensitive bat species, most particularly pallid bat (SSC), Townsend's big-eared bat, western mastiff bat (SSC), long eared myotis (SSC), fringed myotis, western small-footed myotis, long legged myotis,and Yuma myotis (Special Animal), have the potential to occur onsite. These species have been documented in the general area within one mile of the site. The pallid bat is usually found in dry habitats and uses rocky areas that protect bats from high temperatures. This microhabitat is generally lacking onsite though the species is expected to forage during active periods. Townsend's big-eared bat roosts in the open, hanging from walls and ceilings which are not present onsite. The western mastiff bat typically uses hibernacula in cliffs and Yuma myotis and fringed myotis use caves and occasionally use buildings, which are lacking at the site. The Yuma myotis (Pierson and Rainey, 1998) and western small-footed myotis generally forage over water which is generally lacking at the site. They would not be expected to substantially use the habitats available at the site. Western mastiff bats feed primarily on moths high above the ground over a wide variety of open habitats, including dry desert washes, floodplains, chaparral, oak woodland, open ponderosa pine forest, giant sequoia/red fir forest, and grassland. This species was found in several buildings along the northern rim of the Los Angeles Basin at the base of the San Gabriel Mountains in the 1900s – 1960s, but most of these colonies have been eliminated (Pierson and Rainey, 1998). Long-eared myotis, long-legged myotis, and fringed myotis prefer woodlands and forests and would be expected to forage only rarely at the project site.

The San Diego woodrat (SSC) has moderate potential to occur in hillside habitat, which is generally outside the development area (limits of grading and fuel modification), and is mostly proposed to be located in the area proposed for open space zoning. Woodrat nest middens have been observed onsite, although they may have been constructed by other species (e.g., dusky footed woodrat). Nest structures for the San Diego desert woodrat were not observed within the development area, and suitable habitat for this species is not expected within most of the development area. Therefore, no significant impact is expected to the San Diego desert woodrat.

Jurisdictional Waters and Wetlands. The project site contains three potentially jurisdictional drainage systems (Figure 4.2-3). The larger system occurs in the southeast portion of the site and consists of a main ephemeral stream channel with two tributaries. Each of these features contains evidence of hydrologic flows, including scouring and defined bed, bank and channel characteristics. The lateral width of the ordinary high water mark (OHWM) is generally one to two feet and corresponds with the top of bank of each feature. A band of saltgrass

extends along most of the main channel indicating the extent of potential adjacent wetlands. A stand of riparian habitat (willows) is also present within one of the tributaries. The system includes upland swales and areas of sheet flow that are not jurisdictional because they lack a consistently defined OHWM and bed, bank and channel features. The watershed generally drains in a northeast-southwest orientation and flows through a culvert beneath U.S. Highway 101 where it presumably connects through storm channels and tributary drainages to Las Virgenes Creek southeast of the site. The ephemeral streams within the watershed are likely subject to the jurisdiction of the USACE, RWQCB, and CDFW.

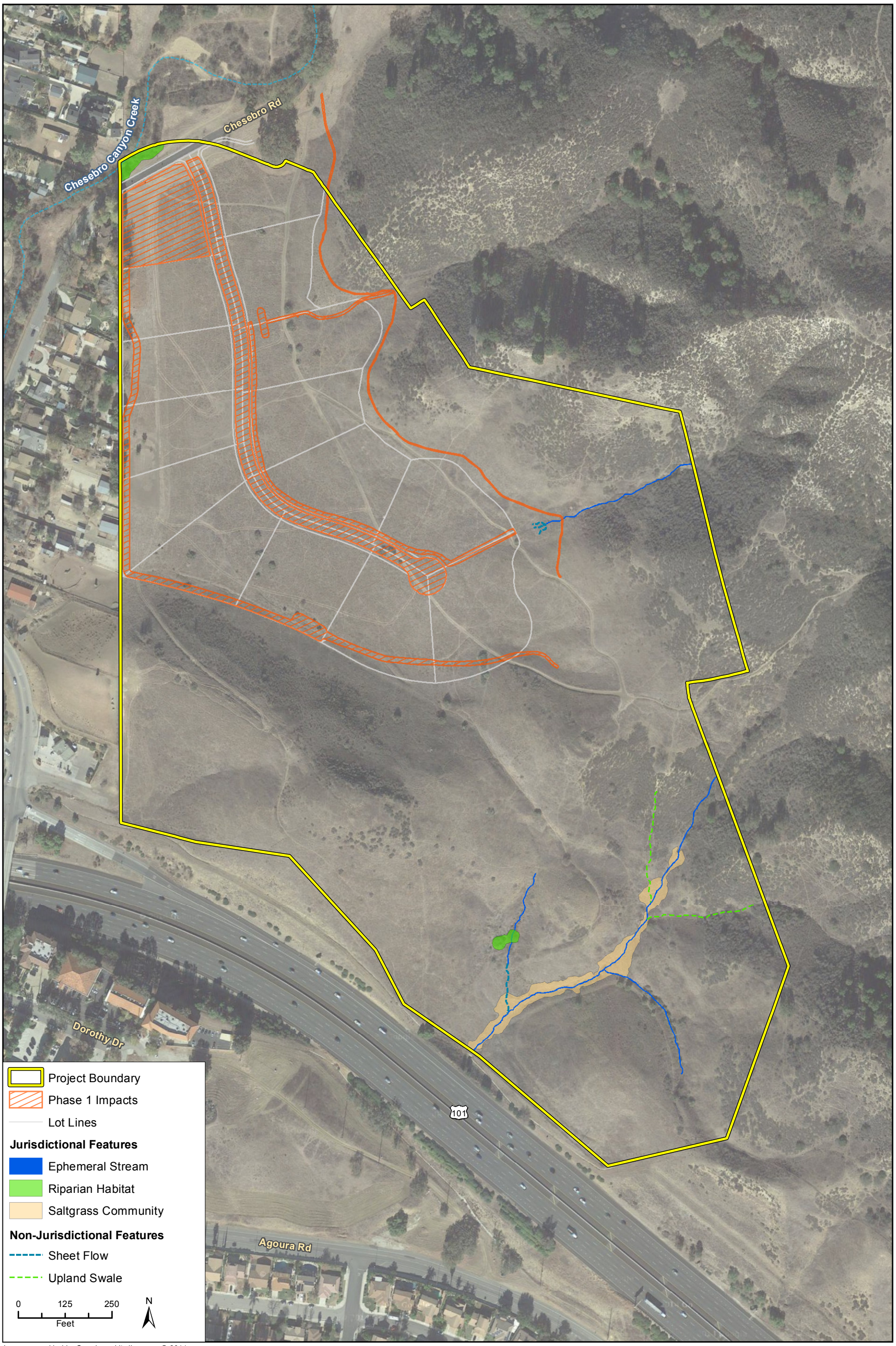
A smaller ephemeral stream occurs in the northern portion of the site. This drainage conveys flows for a short distance from the hills north of the site in a northeast-southwest direction before abating into sheet flow in the central/east portion of the site. The feature is dominated by ruderal vegetation, namely summer mustard. The drainage has weakly defined bed, bank, and channel characteristics but does not have discernible connectivity to any potentially jurisdictional features downstream. As such, it is likely to be considered jurisdictional by CDFW and RWQCB but is not expected to be subject to USACE jurisdiction. Note that the regulatory agencies make the final jurisdictional determination.

Chesebro Canyon Creek traverses a small portion of the northeastern corner of the site adjacent to Chesebro Road. It flows in a northeast to southwest direction and contains stands of riparian habitat dominated by willows and mulefat. The creek eventually connects to Medea Creek approximately 1.2 miles southwest of the site. Chesebro Canyon Creek is expected to be subject to the jurisdiction of all three regulatory agencies.

f. Wildlife Movement Corridors. Two mapped wildlife movement areas are within the project vicinity: the onsite Santa Monica-Sierra Madre Connection (Penrod et al, 2006), and the adjacent offsite Liberty Canyon Wildlife Corridor (City of Agoura Hills General Plan, 2010). The Liberty Canyon Wildlife Corridor is entirely within the Santa Monica-Sierra Madre Connection. Both mapped features, along with background on wildlife movement and discussed in more detail below.

Natural movement corridors and habitat linkages have been the focus of numerous studies intended to better understand relationships between animal populations, open space reserves, and natural movement patterns. Wildlife movement can be limited by roads, railroads, dams, canals, urban development, and agriculture. Fragmentation of large habitat areas into small, isolated segments has been shown to generally reduce biological diversity, eliminate disturbance-sensitive species, restrict genetic flow between populations of organisms, and may eventually lead to the loss of local floral or faunal assemblages. Wildlife corridors and habitat linkages are important landscape elements that reduce the potential loss in biological diversity.

Most smaller areas (that is, encompassing fewer than several hundred square miles) do not actually fully contain major wildlife movement corridors within their boundaries; however, they may lie along or within such a route, or they may contain smaller, secondary movement pathways or trail systems, with or without major corridor connections. The following discussion initiates with large scale wildlife corridors and proceeds to smaller scale movement pathways, and places the project site within the context of each.



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Jurisdictional Waters and Wetlands

Figure 4.2-3

Mapped Corridors or Linkages**.** Corridors usually connect one large habitat area with another, and while there is no pre-defined size limit for such areas, they most often are on the scale of mountain ranges, valleys, or clearly delimited ecological situations (i.e. vernal pools). The *Missing Linkages: Restoring Connectivity to California Landscape* conference study.

(Penrod et al. 2001) refers to such corridors as "landscape linkages." These are specifically defined in that report as:

> *"…large, regional connections between habitat blocks ("core areas") meant to facilitate animal movement and other essential flows between different sections of a landscape (taken from Soulé and Terborgh 1999). These linkages are not necessarily constricted, but are essential to maintain connectivity function in the ecoregion. "*

Where the through movement of animals has been substantially restricted by urban or agricultural uses, landscape linkages or wildlife corridors may also be considered "choke-points". The Missing Linkages Conference defined a choke-point as:

> *"…a narrow, impacted or otherwise tenuous habitat linkage connecting two or more habitat blocks ("core areas"). Choke-points are essential to maintain landscape level connectivity, but are particularly in danger of losing connectivity function. "*

Since the 2000 edition of the *Missing Linkages: Restoring Connectivity to the California Landscape* conference study, continued analysis has been conducted by the South Coast Wildlands to develop linkage designs for 15 major landscape linkages in the South Coast Ecoregion, including the *South Coast Missing Linkages Project: A Linkage Design for the Santa Monica-Sierra Madre Connection* (Penrod et al, 2006). The City of Agoura Hills lies at the southern end of the Santa Monica-Sierra Madre Connection, which is one of the few coastal to inland connections remaining in the South Coast Ecoregion. This connection is centered on Palo Comado Canyon and Liberty Canyon/Chesebro Canyon area, with additional linkage identified along upper Las Virgenes Creek.

The Santa Monica-Sierra Madre Connection regional landscape linkage encompasses habitats between the Santa Monica Mountains National Recreation Area (south of the 101 Freeway) through the Simi Hills, and eventually to the Los Padres National Forest. In the portion of the regional landscape linkage in the project vicinity is referred to in the City of Agoura Hills General Plan as the Liberty Canyon Wildlife Corridor. This connection is centered on Palo Comado Canyon and Liberty Canyon/Chesebro Canyon area, with additional linkage identified along upper Las Virgenes Creek. The proposed project lies within the western edge of the Santa-Monica-Sierra Madre Connection (Penrod et al, 2006), but connectivity to the south in this location is constrained by the US Highway 101. The National Park Service, Santa Monica Conservancy, and Resource Conservation District of the Santa Monica Mountains are currently working with Caltrans on options for possible enhancement of a wildlife crossing along the 101 at Liberty Canyon, beginning approximately 3500 feet southeast of the proposed development. No other "missing linkages" or other large scale connectivity features are identified in this region. The California Essential Habitat Connectivity Project (Spencer, et al, February 2010) has recently completed a similar statewide study using a slightly different methodology for Caltrans and CDFW to determine those areas that are most suitable (also known as "least cost") pathways to ensure connectivity between large blocks of natural habitat. The eastern boundary

of the project site is within the Natural Landscape Block and the entire project site is within the Essential Connectivity Area as defined by Spencer, et al (2010) in *California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California*.

Habitat linkages differ somewhat from a wildlife corridor in that they may be identified by the presence of certain resources rather than by areas of linear movement. They may serve as corridors for species, which move from site to site as individuals, but for low-mobility organisms (such as plants, flightless arthropods, amphibians, reptiles, chaparral birds) they may serve to continue long-term genetic exchange over a broad area. For species such as lizards, salamanders, and wrentits, habitat linkages physically connect separate units of similar habitat value by providing buffer zones or areas of marginal contact. Land uses that retain connectivity between moderate-sized patches of similar-value habitats across an entire property and outward beyond the boundaries provide better habitat linkage than do designs that set aside larger, but non-contiguous, areas of habitat. The above discussed connections are created by joining multiple habitat linkages into a regional scale connection that serves both individual, mobile organisms, and also the needed genetic linkage for less mobile species.

Movement pathways, in contrast to the definition of corridors, may provide routes of travel for mobile species, such as mule deer, mountain lion, coyote, or bobcat, but by themselves rarely serve to maintain individual population vigor or support the species on a broad geographic scale. Movement pathways can occur within a habitat core area, as routes into such areas, or as a network of movement pathways and habitat patches within a wildlife corridor. Pathways may become well established, but may be altered should obstructions occur and alternative routes are available.

Connectivity features and movement pathways occur at a small scale, typically in terms of a few feet wide to a few hundred feet wide, such as the width of a stream or riparian corridor. Depending on the species and the nature of the obstruction, particular pathways may be important to local species survival, especially when alternative routes are lacking. Movement pathway systems are the more common sort of linkages encountered on small to moderate-sized development sites. Pathways may become well established, but may be altered should obstructions occur and alternative routes are available. Topography (drainages and ridgetops) and vegetation that provides cover for species movement are often the location of local movement pathways. Local movement pathways may also be associated with culverts and bridges under and over major barriers.

For most species within the vicinity of the project, the U.S. 101 is the most substantial impediment to movement between core reserves in the Santa Monica and Sierra Madre Mountains. Nearly all options for north-south connections have been eliminated due to the barriers created by U.S. 101 and existing developments, however, two critically important linkages remain. The first, in the central Santa Monica Mountains, connects Malibu Creek State Park south of the freeway to Chesebro and Palo Comado Canyons to the north. The second critical north-south linkage area occurs at the western end of the Santa Monica Mountains, along the Conejo grade.

The Liberty Canyon Wildlife Corridor identified in the City's General Plan (2010), at U.S. Highway 101 and Liberty Canyon Road, begins approximately 1,000 feet east of the project site

to the east. The Palo Comado Canyon Significant Ecological Area (SEA) converges with the Liberty Canyon Wildlife Corridor and is viewed as a viable option for wildlife travel (Figure 4.2-6).

The Liberty Canyon Road overpass of US 101 has been identified as a narrow choke point to movement within the overall Liberty Canyon Wildlife Corridor, which borders the project site to the east. This point through Liberty Canyon presents the best option for a viable north-south connection in this area. Several other existing structures facilitate various levels of animal movement across U.S. 101, however they are less suitable movement pathways compared to the Liberty Canyon Road overpass.

While not a special status species for the purposes of CEQA analysis, Mountain lions have been tracked by the NPS to the north of the site within Chesebro/Palo Comado Canyon; east of the site within lower Chesebro Canyon (Figure 4.2-6) as well as south of the project site across the US 101 freeway. Though the species has not been observed onsite, given the presence of suitable habitat, connectivity with adjoining open space and presence within two miles of the site, it likely visits the project site infrequently. The Santa Monica-Sierra Madre study identifies the project site as being in a least cost corridor for mule deer, whereas American badger and mountain lion least cost corridors are identified in the City General Plan Liberty Canyon Corridor to the east of the project site (Penrod et. al, 2006).

4.2.2 Impact Analysis

a. Methodology and Significance Thresholds. Data used for this analysis included the following: aerial photographs, topographic maps, a CNDDB database query, accepted scientific texts to identify species, a review of previous biological studies, survey reports prepared for the site and the surrounding area, results of the 2014 field surveys and other available literature regarding the existing biological resources in and around the project area.

Chapter 1, Section 21001(c) of the *State CEQA Guidelines* states that it is the policy of the state of California to: "Prevent the elimination of fish and wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities." Environmental impacts relative to biological resources may be assessed using impact significance criteria encompassing checklist questions from the *CEQA Guidelines* and federal, state, and local plans, regulations, and ordinances. Project impacts to flora and fauna may be determined to be significant even if they do not directly affect rare, threatened, or endangered species. The project would have a significant impact if it were found to:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;

- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; and
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The local policies or ordinances (e.g., the City of Agoura Hills General Plan, Oak Tree Preservation Guidelines) are discussed below under each applicable impact. The following topics were determined to be less than significant or have no impact. These are discussed in the Initial Study prepared for this project (see Appendix A).

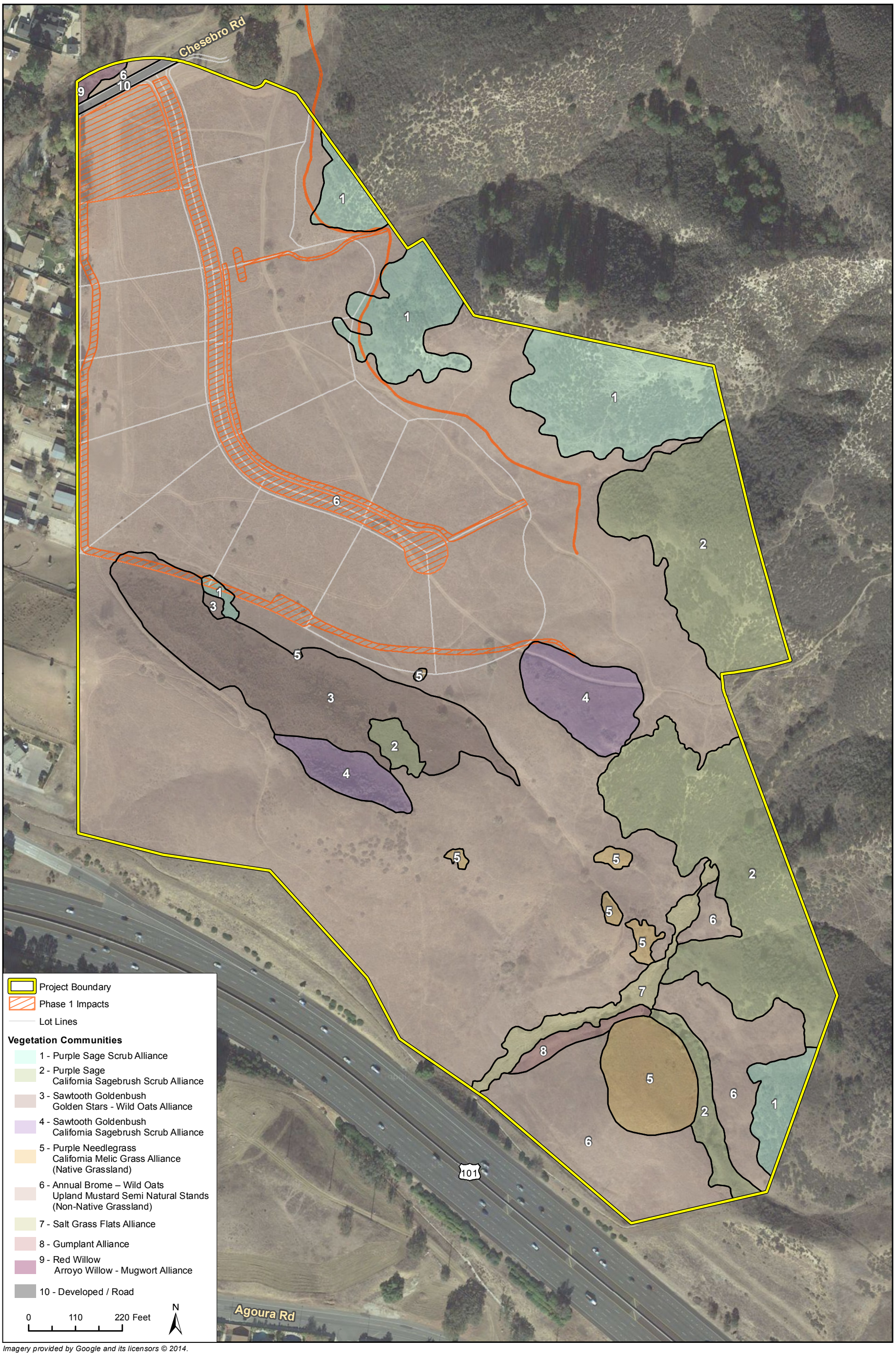
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

b. **Project Impacts and Mitigation Measures.** As discussed in detail under Section 2.0, *Project Description*, the individual lots would be developed as part of Phase 2. The calculations shown in Table 4-2.3 (below) represent a reasonable "worst case scenario" for fuel modification that assumes habitable structural build-out to the rear yard setback , and for grading that assumes vegetation removal on the entire lot.[3] Approximately 28.3 acres of disturbed non-native grassland (Annual Brome – Wild Oats-Upland Mustard Semi Natural Stands) would be affected by the long term build-out of the proposed project, including Phase 1 and 2 grading and all (Zones A–C) onsite fuel modification.

Table 4.2-3 summarizes the acreage of natural communities that would be removed during Phase 1 and Phase 2 of grading and construction, and onsite vegetation removal associated with fuel modification within Zone A and Zone B of the fuel modification buffer. As noted in these tables, most (87 percent) of the onsite disturbance would occur within non-native grassland and disturbed habitats. The minimal native habitat removal is a result of the clustered siting of the development area in the flatter valley area away from steep hillside areas, and adjacent to urban development. Most of the project site sensitive areas would be preserved as open spaces. The clustering of development is consistent with General Plan Goal NR-4 Natural Areas, Policy NR-4.2 Conserve Natural Resources, Policy NR-4.3 Development and Economic Review, Policy NR-4.4 Cluster Development, Policy NR-4.5 Open Space Preservation, and Policy NR-4.6 Connected Open Space System.

Table 4.2-4 summarizes the acreages of natural communities within fuel modification Zone C (onsite within the project boundary, beyond the limits of the residential lots) that would be thinned to less than 25 percent vegetation cover. Figures 4.2-4 and 4.2-5 illustrate how Phases 1 and 2 and fuel modification of the project would affect onsite plant communities.

[3] *Consistent with CEQA case law guidance Planning & Conservation League v Castaic Lake Water Agency (2009) 180 CA4th 210, 244, 103 CR3d 124.*



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Phase 1 and Phase 2 Effects Upon Vegetation

Figure 4.2-4