

View from Agoura Road





Cornerstone

Upper Level Fountain Area

Cornerstone Presentation 2



Cornerstone Presentation 2



Cornerstone Presentation 2



Cornerstone Presentation 2



Cornerstone Presentation 2

Appendix H

MMRP



MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires adoption of a reporting or monitoring program for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The Mitigation Monitoring and Reporting Program (MMRP) is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Initial Study-Mitigated Negative Declaration (IS-MND), specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the MMRP.

The IS-MND included 56 mitigation measures to address potential impacts related to aesthetics, air quality, biological resources, cultural resources, geology/soils, greenhouse gases, water and hydrology, noise, public services and transportation/traffic. The following table will be used as the checklist to determine compliance with this measure.



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Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification		
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AESTHETICS							
<p>AES-1 Retaining Wall Design. In the event any proposed retaining walls are visible from designated scenic roadways, the City's Architectural Review Board shall determine whether they are consistent with the City's Architectural Design Standard and Guidelines (1992). If any wall is found to be inconsistent with the Guidelines, the Architectural Review Board shall recommend additional design features to bring the wall(s) into compliance. Possible design features may include the use of textured retaining walls with more natural features, such as those that simulate rocks or boulders. Additionally, design features may include the planting of landscape vegetation along the wall facing south toward the freeway. This landscape vegetation should include plants that provide vertical wall coverage, in order to enhance the visual character of the wall and break up the area of the wall that is visible from scenic corridors. Such retaining wall, landscaping and other related design features shall be shown on the project plans and verified by City Planning and Community Development Department Staff prior to issuance of a Grading or Building Permit.</p>	<p>Review site plan and related photos (could include visual simulations) showing whether retaining walls are visible from scenic roadways. If visible, send to Architectural Review Board for review and approval of design.</p>	<p>Prior to issuance of grading or building permit.</p>	<p>Once</p>	<p>City of Agoura Hills</p>			
<p>AES-3 Avoidance of Knolls. The applicant shall avoid development, removal, or reduction (to include grading or blasting) of that knoll located south and east of the intersection of Agoura and Kanan Road. Although development of the knoll is unlikely, given that the Specific Plan would</p>	<p>Review grading plan to ensure that grading of the knoll is avoided or minimized.</p>	<p>Prior to issuance of grading permits</p>	<p>Once</p>	<p>City of Agoura Hills</p>			



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<p>identify this area as Zone "G," the applicant shall minimize earthwork in this area in order to avoid substantially modifying a scenic resource. Additionally, the applicant shall minimize grading (subject to approval of City Community Planning and Development Department)¹ of the knoll located south and east of the intersection of Agoura and Cornell Road. Although development and minor modifications would be allowed on the knoll, the majority of the knoll shall be preserved.</p>							
<p>AES-4 Glare Reduction. Project design and architectural treatments shall incorporate additional techniques to reduce glare, such as:</p> <ul style="list-style-type: none"> • <i>Use of low reflectivity glass</i> • <i>Use of plant material along the perimeter of structures to soften views</i> • <i>Brush-polishing metal surfaces and/or use of metal surfaces that are not highly reflective</i> <p>Plans for new development shall indicate the architectural treatments and/or landscaping to be implemented to reduce glare that could be generated by new development. Plans shall be reviewed by City staff and the Architectural Review Panel, for compliance with this standard prior to issuance of a Grading Permit or Building Permit.</p>	<p>Architectural plans must be reviewed and approved by City Staff and Architectural Review Panel.</p>	<p>Prior to issuance of building permit.</p>	<p>Once</p>	<p>City of Agoura Hills</p>			

¹ Note: This department is currently called the Planning Department



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AIR QUALITY							
AQ-1(a) Fugitive Dust Control Measures: <ul style="list-style-type: none"> Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph. The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less. If importation, exportation and stockpiling of fill material is involved, earth with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with earth binders to prevent dust generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard. After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed. 	Review plans to ensure the measures are included as notes on all building or grading permits issued for the project.	During grading and construction.	Continuous	City of Agoura Hills			



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<ul style="list-style-type: none"> All material transported offsite shall be securely covered to prevent excessive amounts of dust. 							
AQ-1(b) NOx Control Measures: <ul style="list-style-type: none"> When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators; When feasible, on site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment) Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel fueled vehicles when methanol or natural gas alternatives are not available. 	Review plans to ensure the measures are included as notes on all building or grading permits issued for the project.	During construction.	Continuous	City of Agoura Hills			
AQ-1(c) VOC Control Measure: <ul style="list-style-type: none"> Low VOC architectural and asphalt coatings shall be used on site and shall comply with AQMD Rule 1113-Architectural Coatings. 	Plans showing the type of coatings must be submitted and approved before construction.	Prior to issuance of building permit.	Once	City of Agoura Hills			
AQ-2 Decrease Emissions of diesel particulate matter during site grading by implementing one of the following approaches. <ul style="list-style-type: none"> Construction contractors shall not operate more than two pieces of heavy-duty diesel-powered equipment within 	Review plans to ensure the measures are included as notes on all building or	Prior to issuance of grading or building permit.	Once	City of Agoura Hills			



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<p>600 feet of any residence at any time.</p> <ul style="list-style-type: none"> • Construction contractors shall use biodiesel fuel in all on-site diesel-powered equipment. Biodiesel that is blended with low sulfur diesel fuel shall be used if available. • Construction contractors shall use only Tier 2 diesel-powered earth moving equipment. • At least 80% of the diesel-fueled construction equipment in terms of brake-horsepower shall have DPFs installed, or all equipment shall be equipped with diesel oxidation catalysts. • Construction contractors shall limit the movement of large trucks to off-peak commute hours. 	grading permits issued for the project.						
<p>AQ-3(a) Energy Consumption. Onsite structures shall reduce energy consumption by at least 20% below current Federal guidelines as specified in Title 24 of the Code of Federal Regulations. Potential energy consumption reduction measures include, but are not limited to, the use of photovoltaic roof tiles, installation of energy efficient windows, and the use of R-45 insulation in the roof/attic space of all onsite structures.</p>	Review and approve report and calculations showing that the proposed plans would meet threshold.	Prior to issuance of a building permit.	Once	City of Agoura Hills			
<p>AQ-3(b) Landscape Equipment. Multi-family residential developments shall be encouraged to utilize electrical powered landscape maintenance equipment, and exterior outlets shall be installed at the front and rear of residences.</p>	Architectural plans must be reviewed and approved showing installments of	Prior to issuance of a building permit.	Once	City of Agoura Hills			



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	exterior outlets.						
AQ-3(c) Shade Trees. Shade trees shall be planted to shade onsite structures to the greatest extent possible in summer, reducing indoor temperatures, and reducing energy demand for air conditioning. The City’s ARB shall review project landscaping plans for consistency with this mitigation measure.	ARB must review and approve landscaping plans.	Prior to issuance of building permit.	Once	City of Agoura Hills			
AQ-3(d) Bus Stops. Applicants shall provide bus stops within the Specific Plan Area. The number to be constructed will be determined in consultation with the City Traffic Engineer and the local transit agencies. Bus stops shall meet the requirements of the transit agency providing service to the City and shall include street furniture that provides shelter for passengers.	Site plans must be submitted and approved showing installation of bus stops within the plan area and proof of consultation with the transit agency.	Prior to issuance of a building or grading permit.	Once	City of Agoura Hills			
AQ-4 Equestrian Center and Trail Maintenance Plan. The feasibility study for an equestrian center within the Specific Plan area, shall include provisions for a maintenance plan of both the equestrian center and related trails. The maintenance plan shall include the following measures, at a minimum: <ul style="list-style-type: none"> Organic debris/waste shall be properly disposed of or sold offsite on a regular basis, BMPs shall be instituted to prevent dust from moving offsite, BMPs (to include necessary bioswales or 	A maintenance plan must be submitted and approved.	Prior to issuance of a grading permit.	Once	City of Agoura Hills			



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erosion control measures) shall be instituted to prevent organic waste, or associated nutrients from organic waste, from entering nearby water bodies.							
BIOLOGICAL RESOURCES							
<p>CS-BIO-1 Listed Plant Survey and Protection Plan. To avoid or minimize potentially adverse impacts on rare plants, the applicant shall offset the loss of individual Lyon's pentachaeta and Agoura Hills dudleya plants through onsite restoration (salvage and replanting), offsite preservation, offsite enhancement, or another method approved by the City of Agoura Hills Planning Director, in consultation with CDFW and USFWS. Prior to issuance of a grading permit surveys for listed plant specifically Agoura Hills dudleya, and Lyon's pentachaeta, shall be performed by a qualified plant ecologist. These surveys shall be performed during the blooming period (April - June), and shall be valid for not more than two years. If a species is found, avoidance shall be required unless the applicant provides substantial documentation that avoidance would not be feasible or would compromise the objectives of the Specific Plan. For Lyon's pentachaeta and Agoura Hills dudleya, avoidance is defined as a minimum 200-foot setback unless an active maintenance plan is implemented for the known occurrence. With implementation of an active maintenance and management program, the buffer width may be reduced further based on review by USFWS and/or CDFW. If avoidance is not</p>	Surveys and plans showing avoidance and minimized impact must be submitted and approved.	Prior to issuance of a grading permit.	Once	City of Agoura Hills			



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<p>feasible, onsite mitigation is preferred if suitable habitat is present that can be isolated from human disturbance.</p> <p>If avoidance is not feasible, a restoration plan shall be prepared by a qualified plant ecologist that identifies the number of plants to be replanted and the methods that will be used to preserve this species in this location. The plan shall also include a monitoring program so that the success of the effort can be measured. If offsite mitigation is proposed, the Ladyface Mountain Specific Plan area may contain appropriate habitat and may be a preferred location. Restoration efforts shall be coordinated with applicable federal, state, and local agencies. The required level of success for Agoura Hills dudleya and Lyon’s pentachaeta shall be defined at a minimum as a demonstration of three consecutive years of growth of a population equal to or greater than that which would be lost due to the project. The success criteria may be adjusted based on the recommendations of qualified plant ecologist, as approved by the Planning Director in consultation with USFWS and/or CDFW for state and federally listed plants. This level of success shall be determined prior to removal of the impacted population. The restoration plan shall be implemented prior to completion of the project.</p> <p>Salvage and relocation activities shall include seed and/or topsoil collection, germination of</p>							



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<p>seed by a qualified horticulturist in a nursery setting, transplanting seedlings, and hand broadcasting seed into the appropriate habitats. Seed salvage shall only be used as a last resort and shall only be used as a means to protect the genetic record in a herbarium for the onsite population that would be directly removed.</p> <p>The restoration plan shall be submitted to the City of Agoura Hills for approval prior to issuance of a grading permit. If a restoration plan is approved, annual monitoring and reporting for at least five years shall also be required to ensure no-net-loss of acres of habitat for these species. [Adapted from mitigation measure BIO-1(a) of the AVSP FEIR.]</p>							
<p>CS-BIO-2 Fuel Modification Zone. Prior to fuel modification activities in habitat known to contain the State and federally Endangered Lyon’s pentachaeta, the federally-listed, Threatened Agoura Hills dudleya, or the Sensitive Ojai Navarretia, a qualified biologist shall locate and flag Agoura Hills dudleya Lyon’s pentachaeta, and Ojai Navarretia within the fuel modification zone, and shall demarcate an appropriate buffer(s) of at least 10 feet and develop/implement protocols in consultation with the Los Angeles County Fire Department that would protect the species from direct or inadvertent harm during fuel modification activities, while meeting fire protection requirements. The qualified biologist shall monitor all fuel modification activities in these</p>	<p>A qualified biologist must monitor the activities within the fuel modification zone.</p>	<p>Prior to issuance of building or grading permit, as well as throughout construction and grading.</p>	<p>Continuous</p>	<p>City of Agoura Hills</p>			



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areas. Upon completion of each fuel modification effort, the biological monitor shall remove flagging used to demarcate the locations of the plants.							
<p>CS-BIO-3 Ojai Navarretia Mitigation/Restoration Plan. The applicant shall offset the loss of individual Ojai navarretia plants (approximately 74 within the limits of grading, seven within the limits of landscaping, and 163 within the limits of fuel modification) at a 2:1 ratio by onsite restoration (salvage and replanting), offsite preservation, offsite enhancement, or another method approved by the City of Agoura Hills Planning Director. A Mitigation/Restoration Plan (Plan) shall be submitted to the City of Agoura Hills and CDFW that identifies the location and methodology for satisfying the required offset ratio. Onsite restoration is preferred, with offsite preservation permitted only if the applicant demonstrates that onsite preservation is either not feasible or not as likely to be successful.</p> <p><i>Onsite Restoration (Salvage and Replanting).</i> Onsite restoration would involve the collection of seed from inside the development footprint (grading enveloped and fuel modification zone) and replanting the seed in a suitable area outside the development footprint. If the applicant proposes to undertake onsite restoration, the Plan, prepared by a qualified plant ecologist, shall detail the approach and timing associated with seed salvage, propagation, planting, irrigation,</p>	Surveys and plans showing avoidance and minimized impact must be submitted and approved.	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			



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<p>maintenance, coverage requirements, monitoring requirements, and contingency planning to achieve the performance standard of a 2:1 replacement. The Plan shall identify several on-site locations for replanting (in the event that one area doesn't achieve specified success criteria work). The applicant shall maintain and monitor the plants for a minimum of five years. Prior to issuance of the grading permit, the applicant shall obtain approval for the Plan from the City of Agoura Hills, and secure a bond for an amount equal to the cost of the restoration effort. The bond shall be released by the City upon satisfaction of the approved performance criteria.</p> <p><i>Offsite Preservation.</i> Offsite preservation would consist of locating a population of Ojai Navarretia containing at least two times the number of individuals and a seed bank by the project and preserving the population in perpetuity via placement of a conservation easement or purchase of the land and dedication to the City or an approved conservation organization. The preserved population should be located on an area of sufficient size to create a preserve core and be located at least 350 feet away from existing or proposed development, paved roads, v-ditches, and irrigated areas. Additionally, the preserve population should exhibit connectivity to other protected open space or hillside areas (preferably, a minimum of 25 percent of the preserved habitat should</p>							



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<p>connect directly to natural habitat areas). If the applicant proposes to mitigate via offsite preservation of the species, the Plan shall include a Preservation Plan that identifies the number of individual preserved, ownership of the land, parties involved, and the preservation methodology (e.g., conservation easement or dedication to an approved conservation organization). The applicant shall implement the approved offsite preservation and monitor the population for a minimum of five years. Under the preservation approach, the applicant shall obtain approval for the Preservation Plan from the City of Agoura Hills and shall complete the transaction, prior to issuance of the grading permit.</p> <p><i>Offsite Enhancement.</i> Offsite enhancement would consist of locating disturbed poor quality population of Ojai navarretia containing at least two times the number of individuals and occupied habitat impacted by the project and enhancing the conditions of the habitat to prevent further disturbance and/or promote the long-term viability of the population. The applicant shall submit an Enhancement Plan, prepared by a qualified ecologist, which identifies the location of the population and the need for enhancement, as well as the enhancement methodology that details the approach and timing associated with enhancement, maintenance, monitoring requirements, and contingency planning in</p>							



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<p>order to achieve the 2:1 offset ratio performance standard. The applicant shall implement the approved enhancement plan and monitor the enhanced population for a minimum of five years. If the population proposed for enhancement were to be located on land owned by a public agency, or a conservation organization approved by the City of Agoura Hills, the applicant may enter into an in-lieu fee agreement with the conservation organization to implement and monitor the approved Enhancement Plan. Prior to issuance of the grading permit, the applicant shall obtain approval for the Enhancement Plan from the City of Agoura Hills, and secure a bond for an amount equal to the cost of the enhancement effort. The bond shall be released by the City upon satisfaction of the approved performance criteria. If the Enhancement Plan is to be accomplished via an in-lieu fee agreement, the agreement must be executed and fees conveyed prior to issuance of the grading permit. The performance bond shall not be required if the mitigation is accomplished via an in-lieu fee agreement.</p>							
<p>CS-BIO-4 Special-Status Wildlife Survey. Beginning no more than two weeks prior and ending no more than three days prior to ground disturbing construction at the project site, three pre-construction surveys for special status species, including (but not limited to) the coast horned lizard, coast patch-nosed snake, burrowing owl, San Diego dessert woodrat, San</p>	<p>Surveys and plans showing avoidance and minimized impact must be submitted and approved.</p>	<p>Prior to issuance of building or grading permit or ground disturbance.</p>	<p>Once</p>	<p>City of Agoura Hills</p>			



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Diego black-tailed hare, and roosting special-status bats shall be conducted by a qualified biologist and submitted to the City Planning and Community Development Department. The pre-construction surveys shall incorporate appropriate methods and timing to detect the special-status wildlife species that could occur at the site. If a special-status 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 in the open space areas either onsite or directly adjacent to the project site. This shall be performed only by a qualified, approved biologist. The CDFW and City Planning and Community Development Department shall be formally notified and consulted regarding the presence of any sensitive species onsite. 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 [Adapted from mitigation measure BIO-1(b) from the AVSP FEIR].							
CS-BIO-5 Bird Nesting Surveys. If vegetation clearing (including tree pruning and removal) or other project construction is to be initiated during the bird breeding season (February 1 through August 31), pre-construction/grading surveys shall be conducted by a qualified ornithologist to determine if active nests of any bird species protected by the state or federal Endangered Species Acts, Migratory Bird Treaty	Surveys and plans showing avoidance and minimized impact must be submitted and approved.	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			



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<p>Act, and/or the California Fish and Game Code Sections 3503, 3503.5, or 3511 are present in the construction zone or within 500 feet of the construction zone. Surveys shall begin 30 days prior to initial disturbance activities and shall continue weekly, with the last survey being conducted no more than three days prior to the initiation of clearance/ construction work. If active nests are found in the survey area, construction activities shall stop until consultation with the City, 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 500 feet for certain raptors). A temporary construction fence barrier shall be erected around the buffer and clearing and construction inside 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 recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds.</p> <p>Limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing. Construction personnel</p>							



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should be instructed on the sensitivity of the area. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds [Adapted from mitigation measure BIO-1(c) from the AVSP FEIR].							
CS-BIO-6 Native Grassland Restoration Plan. If avoidance of sensitive communities is not feasible, onsite mitigation is preferred if suitable habitat is present that can be isolated from human disturbance. In this event, a restoration plan shall be prepared by a qualified plant ecologist that identifies the location and acreage to be replanted and the methods that will be used to preserve this community in that location. The plan shall also include a monitoring program so that the success of the effort can be measured. The required level of success, at a minimum, shall be defined as a demonstration of three consecutive years of at least 50 percent native grass dominance within the mitigation area. If off-site mitigation is proposed, the Ladyface Mountain Specific Plan area may contain appropriate habitat and may be a preferred location. Restoration efforts shall be coordinated with applicable federal, state, and local agencies. The restoration plan shall be submitted for review as part of the application process with the City Planning Department. In addition, final plans shall be subject to review and approval by the City Planning Director. The	Plans showing avoidance and minimized impact must be submitted and approved.	Prior to issuance of grading or building permit.	Once	City of Agoura Hills			



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<p>Grassland Restoration Plan shall include, but not be limited to, the following components:</p> <p>The applicant shall submit a Native Grassland Restoration Plan for review and approval by the City Planning and Community Development Department, the Los Angeles County Fire Department, and as necessary, a qualified biologist or landscape specialist. Native Grassland habitat shall be replaced at a minimum ratio of three to one for native grassland lost and shall utilize native species from onsite habitats. Target sites for mitigation plots shall be sampled for soil type and habitat criteria sufficient for the establishment and growth of the native grassland lost. No species identified as invasive (e.g., CNPS, Channel Islands Chapter Invasive Plants List, IPC lists) shall be utilized in the landscape plans. The plan shall include, but not be limited to, the following components:</p> <ul style="list-style-type: none"> • Performance criteria (i.e., what is an acceptable success level of revegetation to mitigate past impacts) • Monitoring effort (i.e., who is to check on the success of the revegetation 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 is needed, where, and for 							



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<p>how long)</p> <ul style="list-style-type: none"> Plant species, seed mixes, weed suppression and planting methodology [Adapted from mitigation measure BIO-2(b) of the AVSP FEIR] <p>From preliminary observations, it appears that potential target areas to perform mitigation for the loss of native grassland exist on the northern slopes of Ladyface Mountain, in the open space of Zone G in the southwest corner of the AVSP boundary. These areas need testing to confirm that they meet the soil and habitat requirements for native grassland species. If sufficient mitigation area does not exist onsite, offsite mitigation or in lieu fees to an offsite local or regional mitigation bank shall be done.</p>							
<p>CS-BIO-7 Bushy Spikemoss- California Buckwheat Scrub/High-Value Coastal Sage Scrub Restoration Plan. The acreage of Bushy Spikemoss- California Buckwheat Association that is disturbed by fuel modification shall be enhanced at a 2:1 ratio in area(s) to be preserved as permanent open space. To the extent possible, this shall be accomplished by onsite enhancement of disturbed in-kind habitat. If onsite enhancement is not possible, compensation for disturbance to the high-value Bushy Spikemoss - California Buckwheat Association may be accomplished by off-site enhancement of in-kind habitat, preservation of intact habitat equivalent at a 2:1 ratio, or by a contribution to a CDFW approved in-lieu fee program approved by the City Planning</p>	<p>Surveys and plans showing avoidance and minimized impact must be submitted and approved.</p>	<p>Prior to issuance of building or grading permit.</p>	<p>Once</p>	<p>City of Agoura Hills</p>			



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<p>Director.</p> <p>A Mitigation and Monitoring Plan shall be developed by a qualified biologist, restoration ecologist or resource specialist, and approved by the Director of Planning prior to issuance of the grading permit for the project. In broad terms, at a minimum the plan shall include:</p> <ul style="list-style-type: none"> • Description of the project/ impact and mitigation sites • Specific objectives • Success criteria • Plant palette • Implementation plan • Maintenance activities • Monitoring plan • Contingency measures <p>Success criteria shall, at a minimum, be based on appropriate survival rates and percent cover of planted native species and control of invasive plant species in the mitigation area. Monitoring shall be initiated prior to development of the project, and shall be implemented over a five-year period (or longer, if success criteria are not met). The mitigation project shall incorporate an iterative process of annual monitoring and evaluation of progress, and allow for adjustments to the mitigation project, as necessary, to achieve desired outcomes and meet success criteria. Annual reports discussing the implementation, monitoring, and management of the mitigation project shall be submitted to the City Planning Department and the CDFW.</p>							



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Five years after the project start, a final report shall be submitted to the City Planning Department and the CDFW, which shall at a minimum discuss the implementation, monitoring, and management of the mitigation project over the five-year period, and indicate whether the mitigation project has, in part, or in whole, been successful based on established success criteria. The mitigation project shall be extended if success criteria have not been met at the end of the five-year period to the satisfaction of the City Planning Director [Adapted from mitigation measure BIO-2(b) of the AVSP FEIR].							
CS-BIO-8 Lighting Requirements. The project shall incorporate lighting design features to the extent possible 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-candle at the edge of the fuel modification zone [Adapted from mitigation measure BIO-4(f) from the AVSP FEIR].	A lighting design must be submitted and approved.	Prior to issuance of a building permit.	Once	City of Agoura Hills			
CS-BIO-9 Oak Tree Replacement. Oak tree replacement mitigation for impacts to the sensitive Valley Oak Woodland Alliance shall consist of the protection of oak trees during construction and replacement of oak trees removed for development pursuant to the City	Landscape plans must be submitted and approved.	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			



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<p>of Agoura Hills’ oak tree protection ordinance. Every attempt shall be made to mitigate the loss of oak habitat on-site. Four (4) oak trees shall be planted to replace each tree that is approved for removal as follows, per the City Oak Tree Protection Ordinance:</p> <ul style="list-style-type: none"> a) two (2) 24-inch box specimens; b) one (1) 36-inch or sixty-inch-box as follows: In the case of landmark trees, (trees whose diameter exceeds 48 inches), the applicant shall obtain a nursery-grown oak tree of equivalent caliper to the tree removed or provide two (2) container grown, 60-inch box trees for each healthy landmark tree approved for removal; and, c) one (1) 15-gallon size oak tree. <p>For impacts involving 10 percent or less of oak tree removal, resulting from grading and project development, each oak tree shall be replaced with specimen oak trees of the same species as the tree that was removed at a ratio and dimension specified in the City’s Zoning Ordinance. This mitigation is to occur onsite. For impacts involving greater than 10 percent removal resulting from grading and project development, mitigation shall either be onsite with requirements as listed above, or an in-lieu fee may be paid to the City to be used to acquire land and/or install oak trees on another site, preferably in as close proximity to the area of removal as possible. The sum of the calipers of</p>							



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<p>all oak trees planted must be at least equal to that removed. The locations of the replanted trees shall be indicated on the project plans submitted to the City for review by the City's oak tree consultant. Trees shall be planted so that mature trees will have a continuous canopy. Every attempt shall be made to plan oak trees according to species-specific habitat requirements: valley oaks at lower elevations in alluvial soils; and coast live oaks in mesic north-facing slop locations. Each oak tree removed by grading and project development shall be replaced with two 36-inch box and two 24-inch box specimen oak trees of the same species as the tree that was removed. Additionally, all naturally occurring native vegetation in the areas proposed for oak tree mitigation shall be identified. This includes surveys for ephemeral plants and bulbs/Oak tree planning, shall not cause the removal or destruction of existing native vegetation without replacement in the same locations.</p> <p>The City may consider the payment of an in-lieu fee, in an amount determined by the City per ISA standards, to mitigate for the loss of oak trees if the City determines there is insufficient space available on-site for oak tree replacement. The in-lieu fee may be paid to the City to be used to acquire land and/or install oak trees on another site, preferably in as close proximity to the area of removal as possible. The locations of the replanted oak trees shall be indicated on the</p>							



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<p>project plans for review by the City Oak Tree Consultant and approval by the Planning Director. The oaks trees shall be planted in an area to be preserved as permanent open space. Trees planted for mitigation shall be clustered and planted at an appropriate site such that the trees planted will provide natural habitat and replace the oak woodland habitat removed by the project. Oak trees shall be planted according to species-specific habitat requirements: valley oaks at lower elevations in alluvial soils and cost live oaks on mesic north-facing slope locations. Additionally, all naturally occurring native vegetation in the areas proposed for oak tree mitigation shall be identified. This includes surveys for ephemeral plants and bulbs. Oak tree planting shall not cause the removal or destruction of existing native vegetation without the replacement in the same locations.</p> <p>To mitigate the removal of 21,271 square feet of scrub oak habitat, the land plan shall include at least 213 five-gallon scrub oak trees planted at ten feet on-center. Should the Planning Director and the City Oak Tree Consultant determine that the required number of oak trees cannot be planted on the subject site in a practical fashion, equivalent alternative mitigation shall be established through the establishment of an equivalent in-lieu fee which the applicant shall pay into the City Oak Tree Mitigation Fund for the deficit. The amount of the in-lieu fee for the scrub oaks shall be based on the cost of the</p>							



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purchase, installation and maintenance for a period of three years of one (1) 24-inch box size coast live oak tree for every five remaining scrub oaks to the planted.”[Adapted from mitigation measures BIO-3(c) and BIO-3(d) of the AVSP FEIR].							
<p>CS-BIO-10 Oak Tree Preservation Program. To mitigate impacts to Valley Oak Woodlands and comply with the City of Agoura Hills Oak Tree Preservation Guidelines, the applicant shall submit the results of an oak tree survey and an Oak Tree Report, including an Oak Tree Preservation Program, for review and approval by the City Planning and Community Development Department oak tree consultant prior to issuance of a grading permit. The project shall be developed and operated in compliance with the approved Oak Tree Preservation Program and any other conditions determined to be necessary by the City oak tree consultant. The program shall include but not be limited to the following components:</p> <ul style="list-style-type: none"> No grading or development shall occur within five feet from the driplines of oak trees that occur in the construction area. All specimen oak trees within 25 feet of proposed ground disturbances shall be temporarily fenced with chain-link or other material satisfactory to the City for the duration of all grading and construction activities. The fencing shall be installed six feet outside the dripline of each specimen oak tree, and shall be 	An oak tree survey and oak tree report must be submitted and approved.	Prior to issuance of a grading permit.	Once	City of Agoura Hills			



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<p>staked every six feet.</p> <ul style="list-style-type: none"> • No construction equipment shall be parked, stored or operated within six feet of any specimen oak tree dripline. • No fill soil, rocks, or construction materials shall be stored or placed within six feet of the dripline of a specimen oak tree. Pervious paving and other materials are allowed, as approved by the City. • No artificial surface, pervious or impervious, shall be placed within six feet of the dripline of any specimen oak tree, except for project access roads. • Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a City approved arborist/oak tree consultant. • Any trenching required within the dripline or sensitive root zone of any specimen tree shall be done by hand. In addition, trenching the protected zone needs to preserve roots over one inch in diameter by tunneling. • No permanent irrigation shall occur within the dripline of any existing oak tree. • Any construction activity required within three feet of a specimen oak tree's dripline shall be done with hand tools. • A certified arborist shall perform all pruning cuts according to the 							



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<p>international Society of Arborists' <i>Best Management Practices: Tree Pruning</i> and according to American National Standards Institute (ANSI) A300 pruning standard. Work shall be performed in accordance with the ANZI ZI33.1 safety standard.</p> <ul style="list-style-type: none"> Watering should not occur during the months of June, July, and August unless the root system has been compromised by damage to some of the roots. If recommended by an arborist, water should be applied no more than once or twice a week and allowed to drain thoroughly before more water is applied. Fertilization of these native oak trees is not ordinarily recommended and should not be done unless approved by the City Oak Tree Consultant and Planning Director. Prior to construction, the vigor of the saved trees shall be assessed. Any trees in a weakened condition shall be treated to invigorate them, as deemed necessary by the City arborist. During all phases of construction, the health of the trees shall be monitored for signs of disease. If determined to exist, problems shall be addressed to remedy them. Exploratory trenching shall be done by hand or with great care by digging 							



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<p>equipment under the observation of the consulting arborist for all trees proposed to be encroached by this project. This shall be done in order to minimize the damage to the root system by digging and to allow the proper pruning of the roots that are found. If any roots two inches or larger are encountered, they shall be saved (except in a grading cut situation) and covered with a layer of plastic cloth until backfilled.</p> <ul style="list-style-type: none"> • Grade stakes should not be nailed to trees. Nothing that causes damages to the tree shall be attached to the trees. • No planting, irrigation, or utilities should be installed within 15 feet of any native oak tree unless approved by the Planning Director. • Chemicals or herbicides should not be applied within 100 feet of the dripline of any native oak tree. • Dust accumulation onto the tree's foliage from construction shall be hosed off periodically during construction, under the recommendation of the consulting arborist. • Copies of the oak tree report, oak trees permit, and City-approved site plan and irrigation plan shall be kept onsite for reference during construction. • A certification letter should be submitted to the City Planning Department within five working days of 							



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project completion. [Adapted from mitigation measures BIO-3(a) and BIO-3(b) of the AVSP FEIR].							
CULTURAL RESOURCES							
<p>CS-CR-1 Mitigation Monitoring for Archaeological and Paleontological Resources. Monitoring of all project related ground disturbing activities of sediments that appear to be in a primary context shall be conducted by a qualified archaeologist and/or paleontologist [and Native American monitor qualified to identify Chumash and Gabrieleno resources]² approved by the City Planning Department. Archaeological monitoring shall be performed under the direction of an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (NPS 1983). Paleontological monitoring shall be performed by a paleontologist meeting the Society of Vertebrate Paleontology’s Paleontological Resource Monitor (SVP 2010). A cross-trained monitor meeting both of these requirements may also be used. Archaeological monitoring is required until excavation is complete or until a soil change to a culturally sterile formation is achieved, to be determined by the archaeologist. The archaeologist and/or paleontologist may reduce or stop monitoring depending on observed conditions. Paleontological monitoring is required until</p>	Proof of archaeological and paleontological monitoring must be submitted.	During grading, paving, and construction.	Continuous	City of Agoura Hills			

² If Native American monitor is required, per a Cultural Resources Report.



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excavation is complete or until ground disturbance is no longer occurring in the Topanga or Monterey Formations, to be determined by the paleontologist. If archaeological/paleontological resources are encountered during ground-disturbing activities, the City Planning Department shall be notified immediately, and work shall stop within a 100-foot radius until the archaeologist has assessed the nature, extent, and potential significance of any remains pursuant to the California Environmental Quality Act (CEQA). In the event such resources are determined to be significant, appropriate actions are to be determined by the archaeologist consistent with CEQA (PRC Section 21083.2) and the City General Plan, in consultation with the City Planning Department.							
CS-CR-2 Discovery of Human Remains. In accordance with Health and Safety Code Section 7050.5, PRC Section 5097.98, and the City's General Plan Policy HR-3.3, in the event of discovery of human remains, the City's Environmental Analyst and County Coroner shall be notified immediately by the developer, and no further disturbance shall occur until the County Coroner has determined the origin and disposition of the remains, and that no investigation of the cause of death is required. If the human remains are determined to be prehistoric, the County Coroner shall notify the Native American Heritage Commission, which will determine and then notify the Most Likely	In the event human remains are unearthed, a proper professional must be contacted and proof of plans must be submitted and reviewed.	During construction, paving and grading.	Continuous	City of Agoura Hills			



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Descendent (MLD). The MLD shall complete an inspection and make a recommendation within 48 hours of the notification. If no recommendation is received, the remains shall be interred with appropriate dignity on the property in a location not subject to future development.							
CS-CR-3 Phase III Data Recovery. If avoidance of CA-LAN-1352 is not possible, the project applicant shall complete a Phase III data recovery excavation program prior to project-related ground disturbance. The Phase III data recovery program should be completed by a professional archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards for prehistoric archaeology (qualified archaeologist) and include the preparation of a work plan/research design, fieldwork, laboratory analysis of recovered artifacts and ecofacts, special studies if appropriate, the preparation of a technical report, and curation of recovered materials. The technical report shall include a mitigation monitoring and reporting plan. The Phase III fieldwork shall be conducted by a Native American monitor qualified to identify Chumash and Gabrieleno resources.	Show proof of avoidance of CA-LAN-1352. If avoidance of CA-LAN-1352 is not possible, the project applicant shall complete a Phase III data recovery excavation program and technical report that is reviewed and approved.	Prior to ground disturbance.	Once	City of Agoura Hills			
GEOLOGY/SOILS							
GEO-1(a) Building Design. All buildings shall be engineered to withstand the expected design basis ground acceleration that may occur at the project site. All critical facilities shall be designed	Building design must comply with CBC, and plans must be	Prior to issuance of building or grading	Once	City of Agoura Hills			



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to withstand the upper bound earthquake ground motion. The design shall take into consideration the most current and applicable seismic attenuation methods that are available. All onsite structures shall comply with applicable provisions of the California Building Code and Chapter 1 of Article 8 of the Agoura Hills Municipal Code. Compliance with these requirements shall be verified by the City Building Official prior to issuance of a Building Permit or Grading Permit.	submitted and approved by ARB.	permit.					
GEO-1(b) Geotechnical Recommendations. Future development shall require, and comply with, all recommendations contained in site-specific geologic, geotechnical, and structural design studies prepared for subsequent development activities. Subsequent subsurface investigations shall determine the possible presence of seismically induced hazards and appropriate means of mitigating such hazards. Recommendations contained in these site-specific studies shall be reviewed and approved by the City Building Official and incorporated into final grading and structural design plans, as deemed appropriate by the City Building Official. At a minimum, any buildings considered essential facilities, as defined in the Uniform or California building codes, shall be designed to withstand upper bound earthquake ground motion. All onsite structures shall comply with applicable provisions of the California Building Code. The calculated design base ground motion for the site shall take into	A site specific study must be reviewed and approved. Building design plans must be reviewed and approved.	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			



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consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available.							
GEO-3(a) Geotechnical Evaluation. Individual developments shall provide site-specific geotechnical evaluations and geological reports that address onsite soils and slope stability hazards as part of the initial application process. Prior to approval of a specific development plan, these studies shall be submitted to the City Planning Department and/or consultants hired by the City for review and approval as part of the initial application process. These evaluations shall determine the potential for adverse soil stability impacts and shall identify appropriate mitigation techniques. All mitigation recommendations identified in site-specific studies shall be implemented as a condition of future development. Such measures may include avoidance of development in areas found to have unmitigable soil or geologic hazards, soil or grading modifications to ensure acceptable slope stability on manufactured slopes, structural measures to ensure slope stability, drainage control facilities to collect and direct water off of slopes, removal of loose cobbles and boulders from adjacent slopes, and/or other measures deemed appropriate to ensure proper slope stability. If site-specific geologic mitigation measures are found to cause secondary environmental effects not addressed herein (excessive import or export of soil material, retaining walls, blasting, etc.), subsequent	A geotechnical evaluation must be submitted and approved.	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			



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environmental analysis may be required.							
GEO-3(b) Erosion Control Plan. A site-specific erosion control plan that incorporates best management practices shall be prepared by individual applicants and approved by the City prior to the granting of any grading permits for an individual development in the project area. Measures identified in such plans shall be implemented. Such measures may include slope protection measures, netting and sandbagging, landscaping and possibly hydroseeding, temporary drainage control facilities such as retention areas, etc. Landscaping shall be designed by a licensed landscape architect with final landscaping plans to be reviewed and approved by the City Building Official prior to project approval.	A site specific erosion control plan and landscaping plan must be submitted and approved.	Prior to project approval.	Once	City of Agoura Hills			
GEO-3(c) City Oversight and Approval. The City Engineer or equivalent shall inspect a project after the final grading report has been filed. The project shall not be approved for construction by the City Engineer or equivalent until all hazards either caused by project grading or associated with adjoining geologic and soils conditions, such as erosion and slope instability, are mitigated to the City's specifications.	Proof of monitoring by City Engineer must be submitted.	After final grading report has been filed.	Once	City of Agoura Hills			
GEO-4(a) Test Blast/Vibration Study & Blasting Plan. Blasting shall be discouraged. However, if a site-specific geologic, geotechnical, or structural design study deems blasting necessary for grading and excavation onsite, the applicant must perform a test blast/vibration	If necessary, a test blast/vibration study must be submitted and reviewed. A	Prior to grading operations.	Once	City of Agoura Hills			



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<p>study to evaluate the variation in vibratory ground motion intensity with respect to distance from the blast site. It must be shown that the blasting can be done safely with respect to existing improvements.</p> <p>A blasting plan shall be provided as part of the vibration study, and submitted as part of the initial application submittal to the City Planning Department, City Council and Fire Marshall for approval. Blasting permit approval would be subject to the City's discretion and may be denied. If the City were to approve the blasting plan, at a minimum it should be designed to minimize ground shaking away from the blast area. Any areas having unstable slopes or rockfall hazards shall be secured to prevent injury or property damage. If approved, the permittee shall provide sufficient supervisory control as determined by the building official during the grading operation to ensure compliance with approved plans and with the municipal code. When found necessary by the City Building Official, the permittee shall employ a qualified geologist and foundation engineer to assist in supervising the grading operation. If a blasting permit is denied by the City, the applicant shall prepare an alternative application for development which excludes the need for blasting.</p>	<p>blasting plan shall be provided as part of the study.</p>						



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<p>GEO-6(a) Settlement Related Mitigation. Future development shall comply with all recommendations contained in site-specific geologic, geotechnical, and structural design studies as required to be prepared for subsequent development activities. Subsequent subsurface investigations shall determine the required degree of compaction and the proper moisture content and appropriate means of mitigating settlement related hazards. Recommendations contained in these site-specific studies shall be reviewed and approved by the City Planning Department and City Building Official and incorporated into final grading and structural design plans, as deemed appropriate by the City Building Official prior to issuance of a Grading Permit and/or Building Permit. At a minimum, suitable measures to reduce settlement impacts shall include, but not be limited to:</p> <ul style="list-style-type: none"> • Removal of organic material in the area of the proposed grading • Removal of non-engineered artificial fill in areas to receive engineered fill or in areas where structural support is required. • Placement of a keyway at the bottom of all fill slopes a minimum depth of 3 feet and down to the bedrock with the keyway a minimum of 10 feet wide (unless otherwise determined by the site-specific geological study) 	<p>Site specific studies must be reviewed and approved by the City Planning Department and City Building Official.</p>	<p>Prior to issuance of building or grading permit.</p>	<p>Once</p>	<p>City of Agoura Hills</p>			



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<ul style="list-style-type: none"> • Fill soils shall be benched into the hillside • Removal of upper soils to the bedrock <p>After excavation:</p> <ul style="list-style-type: none"> • All bottoms of the excavations and areas to receive slabs shall be scarified and compacted to 90% • All fills and backfills should be placed in horizontal layers less than 8 inches in loose thickness • Soils shall be compacted to a minimum of 90% of the maximum density rendered by the latest ASTM version • Moisture content should not vary more than 2% from the optimum moisture content, although the grading process will be more easily accomplished with the soils being 1 - 2% wetter than optimum moisture content • Any utility trenches will need to be properly backfilled as detailed above • Any import soils should be approved by a qualified geologist • Slope faces shall be compacted to at least 90% of maximum compaction 							
<p>GEO-6(b) Additional Environmental Review. If individual developers are unable to find a disposal site for construction cut within 12.5 miles of the Specific Plan area, or if processed</p>	<p>A report of disposal must be submitted and approved.</p>	<p>Prior to approval by the city.</p>	<p>Once</p>	<p>City of Agoura Hills</p>			



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soil is not suitable for fill, then individual projects may require additional environmental analysis. Individual developers must demonstrate a means for disposal of excess cut materials, within 12.5 miles of the project site, prior to approval by the City.							
GREENHOUSE GASES							
CS-GHG-1 GHG Reduction Measures. The applicant shall incorporate the following measures to reduce GHG emissions: <ul style="list-style-type: none"> • Exceed adopted Title 24 energy requirements by a minimum of 20 percent (in accordance with mitigation measure AQ-3(a)) • Install high efficiency lighting • Use built-in energy efficient appliances • Use water-efficient irrigation systems • Implement employee trip reduction program to achieve an eight percent reduction in vehicle trips 	A greenhouse gas reduction plan must be submitted and approved.	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			
WATER AND HYDROLOGY							
HYD-2 Final Drainage Plans. Individual project applicants shall be required to prepare and submit a final drainage plan, prior to issuance of a grading permit, to the City’s Planning and Community Development Department and Los Angeles County Flood Control for approval. Plans shall include detailed design and hydraulic analysis of the drainage facilities that capture and convey on- and off-site runoff. Each developer shall be required to evaluate the extent of potential flood hazards present	Final drainage plans must be submitted and approved.	Prior to issuance of grading permit.	Once	City of Agoura Hills			



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utilizing the Modified Rational Method (or the latest model approved by Los Angeles County Flood Control) and to implement mitigation measures required to reduce such impacts to a level of insignificance. The drainage plan for each project shall include post development designs for runoff detention and on site infiltration to reduce 50-year frequency storm peak discharge to the pre development level. These drainage facilities shall meet the design requirements and capacities of the <i>Master Plan of Drainage for the City of Agoura Hills, The Los Angeles County Department of Public Works Hydrology Manual and the Hydrology and Sedimentation Appendix</i> , or other revised hydraulic analyses as determined by the City Engineer, and shall not increase the base flood elevation above or below the project site. Additionally, mitigation shall meet all interim peak flow standards, or the most up to date standards, as established by the LACDPW. The plans shall be subject to review and approval by the City Engineer.							
NOISE							
N-1 Construction Hours. Onsite construction activity, including blasting, or involving the use of equipment or machinery that generates noise levels in excess of the 55 dBA standard shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Saturday pursuant to City Ordinance 9656 and City Municipal Code Section 9666.4. No construction activity shall occur between 8 p.m. and 7 a.m. that generates	Note on building or grading permit.	Continuous compliance through construction.	Continuous	City of Agoura Hills			



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noise in excess of the 50 dBA standard. No construction activity shall take place on Sundays or legal holidays.							
<p>CS-N-1 Interior Noise. At a minimum, all onsite structures shall include the following or equivalent to achieve an acceptable interior noise level of 45 CNEL:</p> <ul style="list-style-type: none"> • Party wall and floor/ceiling assemblies between separate residential units and other occupied spaces shall be acoustical laboratory-rated for a minimum of 50 STC noise reduction. • Floor/ceiling assemblies between separate residential units and other occupied spaces shall be acoustical laboratory impact noise-rated for a minimum of 50 IIC impact noise reduction. • Where any penetrations occur in sound-rated party walls or party floor/ceiling assemblies, the space between the partition and the penetrating object must be properly isolated and insulated to not compromise the sound rating of the partition. • Exterior entry doors to living areas shall meet or exceed a laboratory rating of 25 STC (including sliding glass doors and French doors that have any frontage view of Agoura and Cornell Roads). • All windows in the design shall be dual-glazed [adapted from AVSP FEIR Mitigation measure N-3(a)]. 	Note on building or grading permit.	Continuous compliance through construction.	Continuous	City of Agoura Hills			



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<p>CS-N-2 Construction Hours. Onsite construction activity, including blasting, or involving the use of equipment or machinery that generates noise levels in excess of the 55 dBA standard shall be limited to between the hours of 7 a.m. and 7 p.m., Monday through Saturday pursuant to the City Municipal Code. No construction activity shall occur between 7 p.m. and 7 a.m. that generates noise in excess of the 50 dBA standard. No construction activity shall take place on Sundays or legal holidays [adapted from AVSP FEIR mitigation measure N-1].</p>	Note on building or grading permit	Continuous compliance through construction.	Continuous	City of Agoura Hills			
<p>N-3(a) Acoustical Study. A site-specific acoustical study shall be submitted to the City Planning and Community Development Department as part of the initial application for any residential project located within the project area that is exposed to freeway or arterial traffic noise. This study shall contain specific structural and site design recommendations to be incorporated into the project design to mitigate any noise levels that exceed the City's residential exterior standard of 65 CNEL and interior standard of 45 dBA.</p>	An acoustical study must be submitted and approved by City Planning and Community Development.	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			
<p>N-3(b) Operating Hours. Loading dock and delivery truck (i.e. refrigerator trucks, trash and recycling pick-ups) and parking lot sweeping hours shall be restricted to daytime operating hours (7:00 a.m. to 7:00 p.m.). Delivery trucks entering and leaving the site shall not block driveways and shall be allowed to idle no more than 15 minutes in any half hour period.</p>	Note on building or grading permit.	Continuous compliance through construction.	Continuous	City of Agoura Hills			



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N-3(c) Loading Dock Location. To the degree feasible, loading docks and delivery areas shall be located out of line of sight and/or oriented away from nearby residences.	Note on building or grading permit.	Continuous compliance through construction.	Continuous	City of Agoura Hills			
N-3(d) Ventilation Noise. Parapets that reduce noise from rooftop ventilation systems shall be installed on all project structures.	Note on building or grading permit.	Continuous compliance through construction.	Continuous	City of Agoura Hills			
N-3(e) Parking Lot Noise. Surface-texturing materials and landscaping shrubs and trees shall be used in the parking areas to reduce parking lot related noise.	Note on building or grading permit.	Continuous compliance through construction.	Continuous	City of Agoura Hills			
N-3(f) Mechanical Equipment. All exterior mechanical equipment shall be oriented away from adjacent residential uses and shall be fitted with sound-rated parapets.	Note on building or grading permit.	Continuous compliance through construction.	Continuous	City of Agoura Hills			
N-3(g) Interior Noise. At a minimum, all onsite structures shall include the following or equivalent to achieve an acceptable interior noise level of 45 CNEL: <ul style="list-style-type: none"> • Air conditioning or a mechanical ventilation system so that windows and doors may remain closed • Double-paned windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cubic feet per minute, per ANSI specifications) • Solid core exterior doors with perimeter weather stripping and threshold seals • Roof and attic vents facing away from Highway 101 • Incorporation of these design 	Note on building or grading permit.	Continuous compliance through construction.	Continuous	City of Agoura Hills			



Cornerstone Mixed Use Project
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification		
					Initial	Date	Comments
requirements would be expected to achieve an interior noise level reduction of 25 dB or greater.							
N-2(a) Rubberized Asphalt. In potentially noise impacted areas within the Specific Plan, the City shall consider and, if feasible, use rubberized asphalt paving material for street re-paving projects. Studies have demonstrated that this type of paving materials can substantially reduce roadway noise. A 1992 noise study in the City of Thousand Oaks by Acoustical Analysis Associates, Inc. indicated that the use of an asphalt rubber overlay can achieve a noise reduction of from 2 to 5 dBA as compared to standard asphalt.	Proof of consideration of rubberized asphalt must be submitted and reviewed.	Prior to issuance of grading or building permit.	Once	City of Agoura Hills			
N-2(b) Sound Wall. If traffic-related noise problems from U.S. 101 arise within the Specific Plan area, the City shall investigate and, if feasible, implement appropriate measures to reduce noise impacts at affected receptor locations. Such measures may include, but are not limited to, the use of a sound wall along the northern boundary of the Specific Plan area, between Roadside Drive and U.S. 101. It is estimated that a 10-foot high sound wall located adjacent to the southern edge of U.S. 101 would decrease noise levels at the property boundaries on the southern side of Roadside Drive from 78.8 dBA to 69.3 dBA (refer to Appendix E for Sound Barrier Loss Estimation Spread Sheet).	Proof of consideration of a sound wall must be submitted and reviewed.	Prior to issuance of grading or building permit.	Once	City of Agoura Hills			



Cornerstone Mixed Use Project
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification		
					Initial	Date	Comments
PUBLIC SERVICES							
<p>PS-3(a) Fuel Modification Plan (FMP). Individual project applicants shall develop a Fuel Modification Plan for all development areas within or adjacent to wildland fire hazard areas. These plans shall be subject to review and approval by the Los Angeles County Fire Department Fuel Modification Unit. The FMP shall be submitted to the City Planning and Community Development Department for approval prior to issuance of a grading or building permit.</p> <p>Funding and execution of all measures required in the FMP shall be the responsibility of individual developers or land owners. Prior to approval of the FMP the City shall confirm that appropriate easements have been secured and that long-term funding mechanisms area in place to ensure successful implementation of the FMP.</p>	A Fuel Modification Plan must be submitted, reviewed and approved.	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			
<p>PS-3(b) Landscape Palette. The landscape palette for the project shall prohibit the use of highly flammable species near areas of open space.</p>	Note on building or grading permit.	Continuous compliance throughout development	Continuous	City of Agoura Hills			
<p>PS-4(a) Design Approval. Project plans shall be submitted to the Los Angeles County Sheriff's Department Lost Hills Substation for review and comment. All recommendations made by the Department, including, but not limited to, those pertaining to site access, site security, lighting, and requirements for onsite security, shall be</p>	Project plans shall be submitted, reviewed and approved.	Prior to approval of final building permits.	Once	City of Agoura Hills			



Cornerstone Mixed Use Project
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification		
					Initial	Date	Comments
incorporated into the design of the project, prior to approval of final building permits.							
PS-5(a) In Lieu Fees. Individual project applicants shall pay the statutory school fees in effect at the time of issuance of building permits to the appropriate school districts. If permissible, at the time the application is processed, these fees shall include additional District costs associated with impacts to student transportation or other measures to alleviate student transportation overcrowding (e.g. pro-rata contribution to new school transportation systems, student carpooling bulletin boards, etc.)	Proof of payment of statutory fees must be provided.	At the time of issuance of building permit.	Once	City of Agoura Hills			
PS-5(b) School District Noticing. The applicant shall notify the Las Virgenes Unified School District of the expected buildout date of the project as soon as possible to allow the District to plan in advance for new students.	Proof of notification must be provided.	Prior to issuance of building or grading permit, after project is approved.	Once	City of Agoura Hills			
TRANSPORTATION/TRAFFIC							
CS-T-1 US-101 Southbound Ramps/Roadside Drive/Kanan Road. The project applicant shall pay a pro-rata share of the costs of the improvements outlined in mitigation measure T-2(g) of the Agoura Village Specific Plan Final Environmental Impact Report (certified 2006), as determined by the City's Traffic Engineer. The project's contribution to the cumulative traffic volumes forecast for the intersection is 6.20 percent. Payment shall be received by the City prior to Certificate of Occupancy.	Proof of payment must be provided.	Prior to issuance of building permit.	Once	City of Agoura Hills			



Cornerstone Mixed Use Project
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification		
					Initial	Date	Comments
T-3(d) Pedestrian Cross Walks. Pedestrian cross-walks should utilize textured and colored surface treatments to clearly distinguish these areas for pedestrian movement. Final design must be approved by the City's Public Works Director.	Design plans must be approved by City's Public Works Director	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			
T-3(e) Individual Access. The design and control of individual access driveways will need to be determined as individual projects are analyzed. Analysis of these individual access driveways should give consideration to traffic volumes to and from each individual site within the Specific Plan and opposing traffic volumes on the adjacent roadway system.	Design plans must be submitted and approved.	Prior to issuance of building or grading permit.	Once	City of Agoura Hills			
T-3(f) Construction Impacts. Prior to individual project approval, short-term construction impacts shall be examined. Where necessary, a construction vehicle management plan shall be developed and implemented. This plan shall include measures to avoid conflicts with nearby businesses and other land uses (such as construction activity notification and timing so as to minimize conflicts) and to minimize the effects on the local street network.	Survey and plan of short term construction impacts must be submitted and approved.	Prior to project approval.	Once	City of Agoura Hills			



Appendix I

Response to Comments



RESPONSES to COMMENTS on the DRAFT IS-MND

This section includes comments received during the circulation of the Draft Initial Study and Mitigated Negative Declaration (IS-MND) prepared for the Cornerstone Mixed-Use Project (Project).

The Draft IS-MND was circulated for a 30-day public review period that began on July 5, 2016 and ended on August 3, 2016. The City of Agoura Hills received 12 comment letters on the Draft IS-MND. The commenters and the page number on which each commenter's letter appear are listed below.

<u>Letter No. and Commenter</u>	<u>Page No.</u>
1. Scott Morgan, Director, State Clearinghouse, Governor's Office of Planning & Research	2
2. Stephen P. Henry, Field Supervisor, U.S. Fish and Wildlife Service	5
3. Betty J. Courtney, Environmental Program Manager I, California Department of Fish and Wildlife	8
4. Diana Watson, IGR/CEQA Branch Chief, California Department of Transportation (Caltrans)	26
5. Kevin T. Johnson, Acting Chief, Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department	29
6. Tracy Jue, Director of Facilities Planning Bureau; Joshua Thai, Captain, Los Angeles Sheriff's Office	37
7. Clark Stevens and Rosi Dagit, Resource Conservation District of the Santa Monica Mountains	42
8. Jerome C. Daniel, Acting Chairperson, Santa Monica Mountains Conservancy	45
9. Mary Wiesbrock, Chair, Save Open Space	54
10. Mary Wiesbrock, Chair, Save Open Space	57
11. Kristi Fernandez	61
12. Joan Yocavone	63

The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).





Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

August 4, 2016

Doug Hooper
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Subject: Cornerstone Mixed-Use Project
SCH#: 2016071014

Dear Doug Hooper:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on August 3, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in cursive script that reads "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

**Document Details Report
State Clearinghouse Data Base**

SCH# 2016071014
Project Title Cornerstone Mixed-Use Project
Lead Agency Agoura Hills, City of

Type MND Mitigated Negative Declaration

Description The proposed project would involve the construction of a residential and commercial mixed-use development on 8.21 acres of vacant property located on the southeast corner of Agoura Road and Cornell Rd. The project would include 35 apartment units and 68,918 sf of commercial space (34,013 sf of retail and restaurant space, and 34,905 sf of office space). The project would require discretionary approval of an Agoura Village Development Permit, with consideration of the following requests: a CUP; a tentative parcel map; an oak tree permit to remove 29 oak trees and 21,271 sf of scrub oak, and encroach, within the protected zone of 30 oak trees; a variance for retaining wall heights in excess of 6 ft; partial street vacation of Agoura Rd and Cornell Rd; and Vacation fo Cleveland Dr within the boundary of the project.

Lead Agency Contact

Name Doug Hooper
Agency City of Agoura Hills
Phone (818) 597-7342 **Fax**
email
Address 30001 Ladyface Court
City Agoura Hills **State** CA **Zip** 91301

Project Location

County Los Angeles
City Agoura Hills
Region
Lat / Long 34° 8' 33.7" N / 118° 45' 23.8" W
Cross Streets Agoura Rd/Cornell Rd
Parcel No. 2061-029-011 (plus 23 parcels)
Township **Range** **Section** **Base**

Proximity to:

Highways US 101
Airports
Railways
Waterways Medea Creek and Chesebro Creek
Schools Agoura HS
Land Use LU: Vacant; Z: planned development; GPD: Planned development

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Toxic/Hazardous; Traffic/Circulation; Water Quality; Landuse; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Native American Heritage Commission

Date Received 07/05/2016 **Start of Review** 07/05/2016 **End of Review** 08/03/2016

Letter 1

COMMENTER: Scott Morgan, Director, State Clearinghouse, Governor's Office of Planning & Research

DATE: August 4, 2016

The commenter states that the State Clearinghouse did not receive any comment letters on the Draft IS-MND from state agencies and acknowledges that the City has complied with CEQA environmental review requirements. No response is warranted.





United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

2016 AUG -8 AM 11:13

CITY CLERK

IN REPLY REFER TO:
08EVEN00-2016-CPA-0131

August 3, 2016

Doug Hooper, Planning Director
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

Subject: Comment Letter Regarding the Cornerstone Mixed-Use Development Project in the City of Agoura Hills, Los Angeles County, California

Dear Mr. Hooper:

We have reviewed the Initial Study-Mitigated Negative Declaration for the Cornerstone Mixed-Use Development project. Agoura and Cornell Roads, LP (the Applicant) is proposing to consolidate 24 parcels into two lots and construct a mixed-use project comprising 35 residential units, 68,918 square feet of commercial space, and associated roadway improvements. The proposed project would be constructed on an 8.2 acre site at the southeast corner of Agoura Hills Road and Cornell Road in the City of Agoura Hills, Los Angeles County, California.

The mission of the U.S. Fish and Wildlife Service (Service) is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. To assist in meeting this mandate, the Service provides comments on public notices issued for projects that may have an effect on those resources, especially federally-listed plants and wildlife. The Service's responsibilities also include administering the Endangered Species Act of 1973, as amended (Act). Section 9 of the Act prohibits the taking of any federally listed endangered or threatened wildlife species. "Take" is defined at Section 3(19) of the Act to mean "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." The Act provides for civil and criminal penalties for the unlawful taking of listed wildlife species. Such taking may be authorized by the Service in two ways: through interagency consultation for projects with Federal involvement pursuant to section 7, or through the issuance of an incidental take permit under section 10(a)(1)(B) of the Act.

Our review of the proposed project indicates that both the federally-endangered Lyon's pentachaeta (*Pentachaeta lyonii*) and federally-threatened Agoura Hills dudleya (*Dudleya cymosa* ssp. *agourensis*) are on the project site. The Applicant proposes to mitigate impacts to these species by avoiding plants during construction and replanting plants if impacts are unavoidable. We encourage you to coordinate with the Service and the California Department of Fish and Wildlife to ensure that your restoration plan meets the recovery goals of these species. We can also provide guidance on additional steps that may be needed to comply with the Act.

If you have any questions, please contact Dou-Shuan Yang of my staff at (805) 644-1766 extension 313 or by electronic mail at Dou-Shuan_yang@fws.gov.



Sincerely,

A handwritten signature in blue ink, which reads "Stephen P. Henry", is written over the typed name.

Stephen P. Henry
Field Supervisor

Letter 2

COMMENTER: Stephen P. Henry, Field Supervisor, U.S. Fish and Wildlife Service

DATE: August 3, 2016

The commenter accurately summarizes the Project and states that the federally-endangered Lyon's pentachaeta and federally-threatened Agoura Hills dudleya are on the Project site. The commenter encourages coordination with USFWS and CDFW to ensure that the restoration plan meets recovery goals for the species.

Mitigation Measure CS-BIO-1 requires consultation with CDFW and USFWS during development of the restoration plan, if avoidance is not feasible.



Letter 3



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



August 8, 2016

Mr. Doug Hooper
City of Agoura Hills Planning Director
30001 Ladyface Court
Agoura Hills, CA 91301
dhooper@ci.agoura-hills.ca.us

CITY OF AGOURA HILLS
2016 AUG -8 PM 3:27
CITY CLERK

Dear Mr. Hooper:

Cornerstone Mixed Use Project (Project)
MITIGATED NEGATIVE DECLARATION (MND)
SCH# 2016071014

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from the City of Agoura Hills (City) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California's fish and wildlife resources. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's trustee agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. [Fish & Game Code, §§ 711.7, subdivision (a) & 1802; Public Resources Code, § 21070; CEQA Guidelines § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802.). Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 *et seq.*) Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by state law, of any species protected under the California Endangered Species Act (CESA) (Fish & Game Code, § 2050 *et seq.*), or state-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish and Game Code §1900 *et seq.*) authorization as provided by the applicable Fish and Game Code will be required.



1

¹ CEQA is codified in the California Public Resources Code in § 21000 *et seq.* The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with § 15000.

Mr. Doug Hooper
City of Agoura Hills Planning Director
August 8, 2016
Page 2 of 15

PROJECT DESCRIPTION SUMMARY

Two parcels in the Project site are included within the County of Los Angeles Las Virgenes Significant Ecological Area (SEA #6). The site consists of vacant hillside land mostly covered with grasses (native and non-native), scattered oak (*Quercus* spp.), and mixed chaparral; inclusions of coastal sage scrub and disturbed areas also occur on the Project site. The Project area is known to support an important population of the state- and federal- endangered, Lyon's pentachaeta (*Pentachaeta lyonii*), federal-threatened Agoura Hills dudleya (*Dudleya cymosa* ssp. *Agourensis*), and the California Native Plant Society (CNPS) ranked 1B.1 rare Ojai Navarretia (*Navarretia ojaiensis*).

Proponent: Agoura and Cornell Roads, LP

Objective: The objective of the Project is to construct seven buildings comprising 35 residential units and 68,918 square feet of commercial space. The approximately 8.11 acre Project site consists of 24 parcels, 22 of which are in the 135-acre Agoura Village Specific Plan (AVSP). The AVSP allows the Project to consolidate 24 of the parcels into two lots. Lot 1 would include the development portion of the Project within an area of approximately 6.23-acres. Lot 2 would include an area of approximately 1.98-acres and would be reserved for open space.

The AVSP was adopted by the City Council on October 22, 2008. The final program Environmental Impact Report for the AVSP was certified by the City Council on June 14, 2006, along with the Mitigation Monitoring and Reporting Program (MMRP) and Statement of Overriding Considerations. Because the area proposed for development by the proposed Project is in the AVSP area, it would be subject to the development standards and design criteria as well as the policy guidance in the Specific Plan.

Primary Project activities include six months of grading and 18-22 months of building construction. The Project would involve conversion of the site to an urban form with seven structures and associated parking and landscaping areas. Grading and excavation of the natural hillside and topography would include approximately 95,000 cubic yards (CY) of cut and 2,500 CY of fill for a net export of 92,500 CY of earth material. Retaining walls are proposed to accommodate grade changes and include six-foot-high walls in various locations and interior retaining walls (behind buildings) that extend over forty-foot-high. The Project also includes roadway improvements to both sections of Agoura Road and Cornell Road adjacent to the site including new sidewalks curb and gutter, on-street parking and bike lanes (Agoura Road only).

Location: The Project is located at the southeast corner of Agoura Road and Cornell Road in the City of Agoura Hills, Los Angeles County, within the Santa Monica Mountains. Undeveloped land is located to the southwest, south, and southeast of the Project site. Commercial retail centers are located to the west, northwest, and a single-family residence is located northeast of the Project site.

Timeframe: Construction is expected to occur over a period of 24-28 months.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on state fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the accuracy and consistency of the document.

1 Cont.

I. **Project Description and Related Impact Analyses**

COMMENT #1

Initial Study (IS) Section IV, Biological Resources, Pages 37, 41-42, and 83

Issue: Page 41-42 of the IS describes the presence or absence of jurisdictional waters of the state on the Project site and concludes, "An ephemeral drainage that flows through a steep gully is located in the southwest corner of the site. The drainage does not have incised banks and lacks hydric soils or hydrophytic vegetation. However, there is evidence of hydrology, providing transport of runoff from the adjacent slopes during storm events, but flows are minimal. A high water mark is present in portions of the drainage, but is difficult to discern as flow is typically over volcanic rock. The drainage is approximately 265 linear feet and traverses through upland vegetation with a steep gradient from the southeast to the northwest ending at Cornell Road. There is no riparian Cornerstone Mixed-Use Project vegetation at the project site. The drainage currently discharges directly onto Cornell Road and lacks a direct connection to Medea Creek or other downstream waters. For this reason as well as the lack of riparian vegetation, the ephemeral drainage appears to be non-jurisdictional. As such, no impact to wetlands would occur."

Page 83 of the IS states, "[s]tormwater collection for the proposed project would involve an onsite underground drainage system with a series of catch basins to collect runoff. The western 1/3 of the site would drain onto Cornell Road. The stormwater would be captured by street catch basins at the southwest corner of Agoura and Cornell Road and an underground storm drain system would be installed and connect to Chesebro Channel at Cornell Road just north of Agoura Road."

Page 37 of the IS describes the location of Agoura Hills dudleya and states, "[a]t the project site, this species is restricted to the rocky and exposed slopes surrounding a steep ephemeral drainage near the southwestern property boundary. There are approximately 142 Agoura Hills dudleya at the site, including 90 within the limits of the fuel modification zone, and 52 in areas that would not be impacted by the project. The dudleyas occur in steep rock gullies where vegetation removal for fuel modification is generally not feasible."

The CDFW has broad regulatory authority over jurisdictional waters of the state and is concerned that the DMND appears to conclude that because an ephemeral drainage on the Project site does not appear to characterize jurisdictional waters, that potential fuel modification within the drainage and the interception of flows from the drainage will not impact any jurisdictional waters and associated biological resources within jurisdictional waters of the state. Moreover, the DMND does not currently address the presence or absence of vernal pools on the Project site. Analyses of both vernal pools and historic drainage patterns on-site should be incorporated in the environmental document for review and comment. Such an analysis should include:

- Use of aerial photography to support the analysis should include review of a series of aerials, including the years 2005 and 2011;
- Currently and/or historically hydrological connection. If man-made or other features have resulted in isolation of features, that should be identified as part of the analysis;

1 Cont.

- Reliance on delineations performed during the dry months (especially when coupled with periods of extended drought) may need supplemental work as part of state permit processes;
- The wetland and stream delineation and related DMND analysis should incorporate dryland/episodic stream issues so that state wetland and streams are adequately captured. The following documents are provided as references to assist in the delineation of streams (*see <https://www.wildlife.ca.gov/Conservation/LSA/Resources>*):
 - *A Review of Stream Processes and Forms in Dryland Watersheds*, California Department of Fish and Game. Prepared by Kris Vyverberg, Senior Engineering Geologist Conservation Engineering, December 2010; and,
 - *MESA - Mapping Episodic Stream Activity*, California Energy Commission. Publication Number: CEC-500-2014-013, Appendix G. Prepared by Kris Vyverberg and Roland H. Brady III, 2013.

The “*Dryland Watersheds*” and “*MESA*” documents referenced above are useful tools when working with these resources. These documents are not Department guidance, but rather one of the many tools available; the City/Applicant is welcome to provide another method that addresses the concepts outlined in these resource documents.

Specific impact: The Project may result in the loss or disturbance of biological resources and hydrologic function associated with at least one identified drainage on the Project site.

Why impact would occur: The Project may result in disturbances to vegetation and the construction of flow control structures within jurisdictional waters of the state.

Evidence impact would be significant: The DMND currently does not adequately characterize Project impacts to waters of the United States, as defined by § 404 of the federal Clean Water Act or California Fish and Game Code § 1600, *et seq.* through direct removal, filling, hydrological interruption, or other means. Disturbances to drainages may also result in 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 CDFW and/or USFWS.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure: The Project as described supports CDFW jurisdictional waters of the state and should be designed to avoid impacts to this resource. If avoidance is not feasible the Project proponent must provide written notification to CDFW pursuant to § 1600 *et seq.* of the Fish and Game Code. As a Responsible Agency under CEQA Guidelines § 15381, CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow; change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream; or use or deposit material from a streambed. Based on this notification and other information, CDFW determines whether a LSA Agreement with the applicant is required prior to conducting the proposed activities. CDFW’s issuance of a LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the local jurisdiction (Lead Agency) for the Project. To minimize additional requirements by CDFW pursuant to § 1600 *et seq.* and/or under CEQA, the final CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and

1 Cont.

reporting commitments for issuance of the LSA Agreement². The final CEQA document should incorporate proposed stream minimization and mitigation, as described within the Applicant's draft LSA Agreement issued by CDFW. If the Applicant has yet to notify CDFW, it is advisable they do so prior to the final CEQA document to ensure all project impacts and mitigation measures are incorporated into the Mitigation Monitoring and Reporting Plan for the Project.



1 Cont.

COMMENT#2:

IS Section IV, Biological Resources, Page 33

Issue: The IS describes botanical survey efforts conducted on the Project site and states, "[i]n February 2014, Envicom Corporation conducted a Biological Resources Inventory and Impact Analysis, including a December 2013 project site field investigation and literature review, and in July 2014, Envicom conducted a supplemental survey for rare plant species. Other biological surveys of the site were conducted in April 2008 (Envicom Corporation) and in 2007 (Rincon Consultants, Inc.)."

The CDFW is concerned that focused botanical surveys were conducted many years ago and then followed by a summer supplemental survey during the third year of an ongoing drought during the summer which are conditions that do not maximize detection of flowering plant species. As indicated above, reliance on delineations performed during the dry months (especially when coupled with periods of extended drought) may need supplemental work as part of state permit processes. Moreover, botanical surveys within one year are typically considered representative of site conditions for determining impact analysis provided they are conducted at the appropriate time of year and proper weather conditions. Because the most recent surveys were conducted over two years ago (with the most recent being in July), CDFW recommends that additional botanical surveys be conducted at the appropriate time of year with proper weather conditions and the results incorporated into the environmental document for review and comment.

Specific impact: Project induced native plant population declines or local extirpation of special status plant species may result from immediate death or injury, habitat fragmentation, alteration of soil chemical and physical makeup, increased competition with exotic invasive weeds, and reduce photosynthesis and reproductive capacity. The effects of these impacts would be permanent or occur over several years.

Why impact would occur: Impacts to botanical resources could occur from Project construction, maintenance, mitigation and fuel modification activities that result in vegetation crushing, trimming or removal, human intrusion, and the erosion, crushing and compaction or excavation of soil. The Project may introduce exotic invasive species such as Argentine ant (*Linepithema humile*) onto habitats supporting botanical resources and their arthropod pollinators and dispersal agents. It has been documented that wildlife habitat located within 200 meters of areas infested with Argentine ants were more likely to have been invaded. Within invaded sites, native ants were largely displaced, and their median species richness declined by more than 60% compared with uninvaded sites. (Fisher, Mitrovich, Matsuda and Pease, 2010).

2



² A notification package for a LSA may be obtained by accessing the CDFW's web site at www.wildlife.ca.gov/habcon/1600.

Evidence impact would be significant: Botanical surveys that are outdated (i.e., greater than two years as determined by CDFW) and conducted during conditions that do not maximize detection may overlook the presence or actual density of some special status plant species on the Project site until optimal precipitation and timing stimulate emergence within the seed bank. Take of special status plant species including state- and federal-listed species may occur without adequate detection, avoidance and mitigation measures. Therefore, the Project may continue to result in 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 CDFW or USFWS.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure:

To reduce impacts to less than significant the CDFW recommends that botanical surveys be repeated using methods to maximize detection of special status plants on the Project site. All botanical surveys should be floristic in nature and follow the CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (Survey Protocols) see: (http://www.dfg.ca.gov/biogeodata/veccamp/natural_communities.asp). Survey efforts should pay special attention to potential seed bank areas within the proposed grading areas for the Project. If surveys are conducted under drought conditions that would hinder germination within potential seed banks, special status plants should be assumed to occur in areas of suitable habitat regardless of survey results during drought conditions. If special status plant species are detected on the Project site, CDFW avoidance and mitigation measures including compliance with CESA incidental take authorization as described below under Section III, *Mitigation Measure or Alternative and Related Impact Shortcoming*, should be followed as appropriate.

As indicated above, reliance on delineations performed during the dry months (especially when coupled with periods of extended drought) may need supplemental work as part of state permit processes. CDFW recommends that additional botanical surveys be conducted at the appropriate time of year with proper weather conditions and the results incorporated into the environmental document for review and comment.

COMMENT #3

IS Section IV, Biological Resources, Page 44

Issue: The IS states, "[e]ight coast live oak trees, 21 valley oak trees, and 21,271 square-feet of scrub oak habitat would be removed."

The CDFW is concerned that the DMND does not describe procedures for disposal of removed trees which may be infested with invasive pests and disease. For example, the environmental document should address the presence or absence of goldspotted oak borer (*Agrilus auroguttatus*) and Polyphagus shot-hole borer (*Euwallacea sp.*) in on-site trees and, if present, describe how any effected trees would be disposed of as part of the Project. CDFW acknowledges the DMND proposed mitigation measures to address this issue; however, the mitigation measure uses the term "should", which indicates it could be optional and, therefore, not suffice for mitigating impacts from the spread of tree insect pests and disease into areas not currently exposed to these stressors to "less than significant" as currently identified in the DMND.



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CDFW recommends that the analysis be included in the environmental document and/or (at a minimum) the mitigation be revised to clearly demonstrate it would not be optional.

Specific impact: The Project may result in the spread of tree insect pests and disease into areas not currently exposed to these stressors. This could result in expediting the loss of oaks and other trees in California which support a high biological diversity including special status species.

Why impact would occur: Oak trees will be removed and presumably hauled to off-site locations for disposal thereby potentially exposing off-site oak and other tree species to infestation and disease.

Evidence impact would be significant: The Project may have a substantial adverse effect on any sensitive natural communities (e.g. riparian habitat, oak woodlands) identified in local or regional plans, policies, and regulations or by the CDFW or USFWS. These communities include Significant Ecological Areas (SEAs) acknowledged in the City's General Plan. The Project may result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS that are dependent on oak woodlands and other woodland habitats susceptible to insect and disease pathogens.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure: To reduce impacts to less than significant the final DMND should describe an infectious tree disease management plan and how it will be implemented in order to avoid significant impacts under CEQA. All trees identified for removal resulting from the Project should be inspected for contagious tree diseases including but not limited to: thousand canker fungus (*Geosmithia morbida*), see <http://www.thousandcankers.com/>; Polyphagous Shot Hole Borer (*Euwallacea spp.*), see <http://eskalenlab.ucr.edu/avocado.html>); and goldspotted oak borer (*Agrilus auroguttatus*), see <http://ipm.ucanr.edu/PMG/PESTNOTES/pn74163.html>. To avoid the spread of infectious tree diseases, diseased trees should not be transported from the Project site without first being treated using best available management practices relevant for each tree disease observed.

3 Cont.

II. Mitigation Measure or Alternative and Related Impact Shortcoming

COMMENT #1:

IS Section IV, Biological Resources, Page 44-45

Issue: CS-BIO-1 describes a *Listed Plant Survey and Protection Plan* to "avoid or minimize potentially adverse impacts to offset the loss of individual Lyon's pentachaeta and Agoura Hills dudleya plants through onsite restoration (salvage and replanting), offsite preservation, offsite enhancement, or another method. For Lyon's pentachaeta and Agoura Hills dudleya, avoidance is defined as a minimum 200-foot setback unless an active maintenance plan is implemented for the known occurrence. With implementation of an active maintenance and management program, the buffer width may be reduced further based on review by USFWS and/or CDFW. If avoidance is not feasible, onsite mitigation is preferred if suitable habitat is present that can be isolated from human disturbance. If avoidance is not feasible, a restoration plan shall be prepared by a qualified plant ecologist that identifies the number of plants to be replanted and

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the methods that will be used to preserve this species in this location. The plan shall also include a monitoring program so that the success of the effort can be measured. If offsite mitigation is proposed, the Ladyface Mountain Specific Plan area may contain appropriate habitat and may be a preferred location. Restoration efforts shall be coordinated with applicable federal, state, and local agencies. The required level of success for Agoura Hills dudleya and Lyon's pentachaeta shall be defined at a minimum as a demonstration of three consecutive years of growth of a population equal to or greater than that which would be lost due to the project. The success criteria may be adjusted based on the recommendations of qualified plant ecologist, as approved by the Planning Director in consultation with USFWS and/or CDFW for state and federally listed plants. This level of success shall be determined prior to removal of the impacted population. The restoration plan shall be implemented prior to completion of the project. Salvage and relocation activities shall include seed and/or topsoil collection, germination of seed by a qualified horticulturist in a nursery setting, transplanting seedlings, and hand broadcasting seed into the appropriate habitats. Seed salvage shall only be used as a last resort and shall only be used as a means to protect the genetic record in a herbarium for the onsite population that would be directly removed."

CDFW is concerned that Mitigation Measure CS-BIO-1 (CS-BIO-1) may not adequately mitigate direct and indirect impacts to Agoura Hills dudleya to a level of less than significant under CEQA and/or fully mitigate effects to Lyon's pentachaeta under CESA. As indicated in the DMND, both of these listed plant species occur on the Project site and federal and state incidental take authorization is proposed by the Project. Moreover, if the environmental document does not adequately address impacts to and mitigation for state-listed species, it may not be sufficient for the CDFW issue any required take authorization pursuant to CESA (2081 or 2080.1 authorization). If the current environmental document does not clearly demonstrate that impacts to state-listed species have been avoided to the maximum extent practicable and that all unavoidable impacts would be fully mitigated, CDFW recommends that alternatives be included in the environmental review process that would avoid all Project-related and cumulative impacts to state-listed species from the Proposed Project.

CDFW considers adverse impacts to a species protected by CESA including incidental take resulting from seed collection, transplanting and disturbance to soil containing the seed bank, for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, candidate species, or state-listed rare plant species that results from the Project is prohibited, except as authorized by state law (Fish and Game Code, §§ 2080, 2085; Cal. Code Regs., Title 14, §786.9). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from the CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 2081, subdivision. (b),(c)). Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that the CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP.

Specific impact: Project induced population declines or local extirpation of Lyon's pentachaeta and Agoura Hills dudleya may result from immediate death or injury, habitat fragmentation, increased competition with exotic invasive weeds, altered soil chemistry and physical structure

4 Cont.

and reduce photosynthesis and reproductive capacity. The effects of these impacts would be permanent or occur over several years.

Why impact would occur: Impacts to Agoura Hills dudleya and Lyon's pentachaeta could occur from Project construction, maintenance, mitigation and fuel modification activities that result in vegetation crushing, trimming or removal, human intrusion, and the erosion, crushing and compaction or excavation of soil. The Project may introduce exotic invasive species such as Argentine ant (*Linepithema humile*) onto habitats occupied by Agoura Hills dudleya and Lyon's pentachaeta and their arthropod pollinators and dispersal agents. It has been documented that wildlife habitat located within 200-meters of areas infested with Argentine ants were more likely to have been invaded. Within invaded sites, native ants were largely displaced, and their median species richness declined by more than 60% compared with uninvaded sites (Fisher, Mitrovich, Matsuda and Pease. 2010).

These impacts would continue to be significant because CS-BIO-1 will not result in adequate avoidance or successful mitigation for the unavoidable direct, indirect and temporal losses including the uncertainties and often failures of creation or restoration practices for special status plants using transplanting and topsoil collection and salvage. Creation or restoration using transplanting or topsoil collection should be considered experimental in nature and not be considered as a mitigation measure to mitigate for Agoura Hills dudleya below a significant level under CEQA or to meet the fully mitigated standard under CESA for Lyon's pentachaeta.

Evidence impact would be significant: Based upon CS-BIO-1, the Project will continue to result in 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 CDFW or USFWS. Following implementation of the proposed mitigation measures in CS-BIO-1, the ecosystem function and contribution to population genetic diversity of Lyon's pentachaeta and Agoura Hills dudleya in conjunction with their contribution to breeding, feeding and cover habitat for wildlife will continue to occur.

Recommended Potentially Feasible Mitigation Measure(s)

The proposed mitigation measure identified in the DMND for impacts to Agoura Hills dudleya and Lyon's pentachaeta should be revised as follows (with these editorial revisions, it should not be concluded that it is now sufficient for state environmental review and/or permitting):

Mitigation Measure: For unavoidable Project impacts to Agoura Hills dudleya and Lyon's pentachaeta, the Project proposed creation protection and management in perpetuity of on-site and/or off-site preserves not included within any fuel modification zones, consisting of occupied habitat for these species. The preserve/preserves should be provided with a minimum 350-foot dry land Argentine ant buffer dependent upon preserve proximity to perannual water sources and topography. Project standards should be developed which exclude the potential of invasion and establishment of Argentine ant colonies which may occur due to soil disturbance, introduction of hardened surfaces (paving, cement, storm drains and structures) and unseasonal watering. Equipment should be decontaminated prior to entering the Project site to reduce introductions of invasive weed species. Preserve design, location and size shall be determined based upon results of current rare plant surveys conducted on the Project site and in consultation with the CDFW.

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COMMENT#2:

IS Section IV, Biological Resources, Page 45

Issue: CS-BIO-3 describes mitigation measure for Project impacts to Ojai navarretia and states, "The applicant shall offset the loss of individual Ojai navarretia plants (approximately 74 within the limits of grading, seven within the limits of landscaping, and 163 within the limits of fuel modification) at a 2:1 ratio by onsite restoration (salvage and replanting), offsite preservation, offsite enhancement, or another method approved by the City of Agoura Hills Planning Director."

Specific impact: Project induced population declines or local extirpation of Ojai Navarretia may result from immediate death or injury, habitat fragmentation, increased competition with exotic invasive weeds, altered soil chemistry and physical structure and reduce photosynthesis and reproductive capacity. The effects of these impacts would be permanent or occur over several years.

Why impact would occur: Impacts to Ojai Navarretia and other CNPS special status plants could occur from Project construction, maintenance, mitigation and fuel modification activities that result in vegetation crushing, trimming or removal, human intrusion, and the erosion, crushing and compaction or excavation of soil. The Project may introduce exotic invasive species such as invasive weeds and Argentine ant (*Linepithema humile*) onto habitats occupied by Ojai Navarretia and their arthropod pollinators and dispersal agents.

These impacts would continue to be significant because CS-BIO-3 will not result in adequate avoidance or successful mitigation for the unavoidable direct, indirect and temporal losses including the uncertainties and often failures of creation or restoration practices for special status plants using transplanting of species. Creation or restoration using the transplanting of plant species should be considered experimental in nature and not be viewed as a mitigation measure to mitigate for Ojai Navarretia and other CNPS special status plants below a significant level under CEQA.

Evidence impact would be significant: Based upon CS-BIO-3, the Project would continue to result in 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 CDFW or USFWS. Absent adequate mitigation, the ecosystem function and contribution to genetic biological diversity of Ojai Navarretia and other CNPS special status plants in conjunction with their contribution to breeding, feeding and cover habitat for wildlife will be compromised.

Recommended Potentially Feasible Mitigation Measure(s)

The proposed mitigation measure identified in the DMND for impacts to Ojai navarretia should be revised as follows (with these editorial revisions, it should not be concluded that it is now sufficient for state environmental review):

Mitigation Measure: For unavoidable Project impacts to Ojai navarretia and other CNPS special status plants, the Project proposes creation protection and management in perpetuity of on- site and/or off-site preserves not included within any fuel modification zones consisting of occupied habitat by this species. The preserve/preserves should be provided with a minimum 350-foot dry land Argentine ant buffer dependent upon preserve proximity to perannual water sources and topography. Project standards should be developed which exclude the potential of invasion and

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establishment of Argentine ant colonies which may occur due to soil disturbance, introduction of hardened surfaces (paving, cement, storm drains and structures) and unseasonal watering. Equipment should be decontaminated prior to entering the Project site to reduce introductions of invasive weed species. Preserve design, location and size shall be determined based upon results of current rare plant surveys conducted on the Project site and in consultation with the CDFW.

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COMMENT#3:

IS Appendix B, Biological Resources Section 4.2, Local Interest Plant Species, Page 14

Issue: The IS states, "The locally rare linear-leaf goldenbush (*Ericameria linearifolia*) also occurs in fuel modification Zone C. The linear-leaf goldenbush isn't designated as special-status by state or federal agencies, but its presence in the Agoura Hills area appears to have factored significantly in the designation of the Las Virgenes Significant Ecological Area (SEA #6). A total of twenty-two individuals of this species would also be potentially impacted by fuel modification in Zone C, the Native Brush Thinning Zone. Although it does not receive special consideration or protection outside of Significant Ecological Area boundaries, it is strongly recommended that this species be preserved on-site, as feasible. This could be accomplished by including measures to protect linear-leaf goldenbush in the active maintenance plan and management program to be prepared for the special-status species at the site."

Appendix B, Section 4.2 page 14 also states, "[i]n 1976, the County of Los Angeles designated the present site and surrounding area as the Las Virgenes Significant Ecological Area (SEA #6). Figure 4.3-6 of the AVSP-FEIR and Figure NR-2 of the City of Agoura Hills General Plan (March 2010) show the extent of SEA #6 within the City limits.' As shown on Figure 4.3-6 of the AVSP-EIR, two parcels in the eastern portion of the project: Site that are outside of the AVSP area are within SEA #6. Although the SEA boundary on Figure NR-2 is more coarsely mapped, Figure NR-2 also appears to include these parcels within the SEA. Although Los Angeles County regulations regarding SEAs are only applicable to unincorporated county area and not to land within the City's jurisdiction, the City's General Plan and Zoning Ordinance protect Los Angeles County SEAs located within the City's boundaries from incompatible development."

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CDFW is concerned that linear-leaf goldenbush or other plants of similar limited distribution (i.e., narrow endemic plant species) were not considered as special status plant species and given higher avoidance and mitigation consideration in the Mitigation/Restoration Plan referenced in CS-BIO-3 for Ojai navarretia. Linear-leaf goldenbush and any other narrow endemic plant species found on the Project site should be considered as a local and regional rare, unique and/or uncommon plant species, and, therefore, meet the CEQA definition of a rare species (CEQA § 15380). CEQA directs that a special emphasis be placed on "environmental resources" that are rare or unique to the region and would be affected by a proposed project (CEQA §15125 (c)) or is so designated in local or regional plans, policies, or ordinances (CEQA Guidelines, Appendix G). Public agencies have a duty under the CEQA to avoid or minimize environmental damage and to give major consideration to preventing environmental damage (CEQA § 15021). Examples include a species at the outer limits of its known range or a species occurring on an uncommon soil type such as the linear-leaf goldenbush that occurs on-site. The CDFW would consider loss of on-site populations of linear-leaf goldenbush to be potentially significant from a project and cumulative perspective under the CEQA.

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Specific impact: Project induced population declines or local extirpation of linear-leaf goldenbush and other species of limited distribution based upon updated botanical surveys of the Project site may result from immediate mortality or injury, habitat fragmentation, increased competition with exotic invasive weeds, altered soil chemistry and physical structure and reduce photosynthesis and reproductive capacity. The effects of these impacts would be permanent or occur over several years.

Why impact would occur: Impacts to linear-leaf goldenbush could occur as a result of vegetation crushing, trimming or removal from construction, maintenance, increased wildfire occurrence, fuel modification, human intrusion, erosion, crushing and compaction or excavation of growing substrates. The Project may introduce exotic species such as Argentine ant and weedy species onto habitats occupied by Ojai navarretia and other CNPS special status plants and their arthropod pollinators and dispersal agents.

These impacts would continue to be significant because mitigation measure in the DMND do not include avoidance and mitigation measures for significant impacts to linear-leaf goldenbush and other species of limited distribution and CS-BIO-3 does not include will not result in adequate avoidance or successful mitigation for the unavoidable direct, indirect and temporal losses including the uncertainties and often failures of creation or restoration practices for special status plants using seed collection. Creation or restoration using seed collection or other efforts to transplant plant species should be considered experimental in nature and not be viewed as a mitigation measure.

Evidence impact would be significant: Based upon CS-BIO-3, the Project would continue to result in 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 CDFW or USFWS. Absent adequate mitigation, the ecosystem function and contribution to genetic biological diversity of plants in conjunction with their contribution to breeding, feeding and cover habitat for wildlife will be compromised. Linear-leaf goldenbush and any other plant species found on the Project site of similar limited distribution are considered locally significant for which unavaoided or unmitigated Project impacts are considered significant impact under CEQA.

Recommended Potentially Feasible Mitigation Measure(s)

The proposed mitigation measure identified in the DMND for impacts to linear-leaf goldenbush and any other narrow endemic species should be revised as follows (with these editorial revisions, it should not be concluded that it is now sufficient for state environmental review):

Mitigation Measure: For unavoidable Project impacts to linear-leaf goldenbush and any other plant species found on the Project site of similar limited distribution the Project proposes creation protection and management in perpetuity of on-site and/or off-site preserves not included within any fuel modification zones consisting of occupied habitat for these species. The preserve/preserves should be provided with a minimum 350 foot dry land Argentine ant buffer dependent upon preserve proximity to perannual water sources and topography. Project standards should be developed which exclude the potential of invasion and establishment of Argentine ant colonies which may occur due to soil disturbance, introduction of hardened surfaces (paving, cement, storm drains and structures) and unseasonal watering. Equipment should be decontaminated prior to entering the Project site to reduce introductions of invasive weed species. Preserve design, location and size shall be determined based upon results of current rare plant surveys conducted on the Project site and in consultation with the CDFW."



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COMMENT#4:

IS, Biological Resources, Page 45

Issue: CS-BIO-2 states, “[p]rior to fuel modification activities in habitat known to contain the State and federally Endangered Lyon’s pentachaeta, the federally-listed, Threatened Agoura Hills dudleya, or the Sensitive Ojai Navarretia, a qualified biologist shall locate and flag Agoura Hills dudleya Lyon’s pentachaeta, and Ojai Navarretia within the fuel modification zone, and shall demarcate an appropriate buffer(s) of at least 10-feet and develop/implement protocols in consultation with the Los Angeles County Fire CDFW that would protect the species from direct or inadvertent harm during fuel modification activities, while meeting fire protection requirements. The qualified biologist shall monitor all fuel modification activities in these areas. Upon completion of each fuel modification effort, the biological monitor shall remove flagging used to demarcate the locations of the plants.”

The effects of entering into vegetative communities supporting sensitive plant species for the purposes of clearing wildfire fuel is by its nature a disruptive activity with a high probability of resulting in incidental take of special status plant species including state and federal listed species. Fuel modification also alters the ecosystem of the community and may result in indirect adverse effects to special status plant species. Therefore, CDFW is concerned that Mitigation Measure CS-BIO-2 (CS-BIO-1) will not adequately avoid direct and/or indirect impacts (Project and cumulative), and result in an impact of less than significant, to on-site populations of Lyon’s pentachaeta, Agoura Hills dudleya, or the Ojai navarretia (or their suitable habitats) within the proposed fuel modification zone.

Specific impact: Project induced population declines or local extirpation of Lyon’s pentachaeta, Agoura Hills dudleya, or the Ojai navarretia may result from immediate mortality or injury, habitat fragmentation, altered soil chemistry and physical structure and reduced reproductive capacity.

Why impact would occur: Impacts to Lyon’s pentachaeta, Agoura Hills dudleya, or the Ojai navarretia could occur as a result of direct and inadvertent vegetation crushing, trimming or removal from fuel modification and associated erosion, crushing and compaction or excavation of growing substrates. This would occur by entities whose primary goal is to protect public safety from wildfire and not sensitive botanical resources. Irrigated zones within the fuel modification may introduce exotic Argentine ant (see Comment #1 above) and invasive weeds onto habitats occupied by Lyon’s pentachaeta, Agoura Hills dudleya, or the Ojai navarretia and their arthropod pollinators and dispersal agents.

Evidence impact would be significant: Based upon CS-BIO-1, the Project would likely result in incidental take of special status plant species and continue to result in 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 CDFW or USFWS. Absent adequate mitigation, the ecosystem function and contribution to genetic biological diversity of Lyon’s pentachaeta, Agoura Hills dudleya and Ojai Navarretia in conjunction with their contribution to breeding, feeding and cover habitat for wildlife will be compromised.

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Recommended Potentially Feasible Mitigation Measure(s)

The proposed mitigation measure identified in the DMND for impacts, including probable incidental take, of Agoura Hills dudleya, Lyon's pentachaeta or the Ojai navarretia should be revised as follows (with these editorial revisions, it should not be concluded that it is now sufficient for state environmental review and/or permitting):

Mitigation Measure 1: For unavoidable Project impacts, including probable incidental take of Agoura Hills dudleya, Lyon's pentachaeta or the Ojai Navarretia, the Project proposes the creation protection and management in perpetuity of on-site and/or off-site preserves consisting of occupied habitat for these specie, not included within any fuel modification zones. The preserve/preserves should be provided with a 350 foot dry land Argentine ant buffer. Project standards should be developed which exclude the potential of invasion and establishment of Argentine ant colonies which may occur due to soil disturbance, introduction of hardened surfaces (paving, cement, storm drains and structures) and unseasonal watering. Preserve design, location and size shall be determined based upon results of current rare plant surveys conducted on the Project site and in consultation with the CDFW. Further authorization may be required with the Department for Project related impacts to state listed plants under CESA.



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III. Editorial Comments and/or Suggestions

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. [Public Resources Code, § 21003, subdivision. (e)]. Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link:
http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link:
http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

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FILING FEES

The Project, as proposed, would have an impact on state fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (California Code Regulations, Title. 14, § 753.5; Fish & Game Code, § 711.4; Public Resources Code, § 21089.)



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Mr. Doug Hooper
City of Agoura Hills Planning Director
August 8, 2016
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CDFW appreciates the opportunity to comment on the DMND to assist the City in adequately identifying and mitigating Project-related impacts on biological resources. For any questions regarding this letter or further coordination, please contact Scott Harris, Environmental Scientist, at (805) 644 -6305 or scott.p.harris@wildlife.ca.gov.

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9 Cont.

Sincerely,



Betty J. Courtney
Environmental Program Manager I

ec: Ms. Betty Courtney, CDFW, Santa Clarita
Ms. Erinn Wilson, CDFW, Los Alamitos
Mr. Scott Harris, CDFW, Ventura
Ms. Mary Meyer, CDFW Ojai
Ms. Kelly Schmoker, CDFW, Mission Viejo
Mr. Brock Warmuth, CDFW, Ventura

cc: Office of Planning and Research, State Clearinghouse, Sacramento

REFERENCES

Fisher, R.N., Matsuda, T., Mitrovich, M.J. and K.H. Pease. 2010. Ants as a Measure of Effectiveness of Habitat Conservation Planning in Southern California. *Conservation Biology* 24:1239–1248.

Letter 3

COMMENTER: Betty J. Courtney, Environmental Program Manager I, California Department of Fish and Wildlife

DATE: August 8, 2016

Response 3.1

The commenter states that analyses of both vernal pools and historic drainage patterns on-site should be incorporated in the environmental document for review and comment. They further state that the Project, as described, supports CDFW jurisdictional waters of the state and may result in disturbances to vegetation and the construction of flow control structures within jurisdictional waters of the state, and as such, a Lake and Streambed Alteration Agreement is required.

The biological resources inventory and impact analysis prepared for the site by Envicom was based on numerous site visits by qualified biologists, including a visit conducted in December 2013. No vernal pools or jurisdictional waters were identified by that survey, which was conducted during an optimal detection period. If through further coordination with CDFW it is determined that the gullies within the southwest portion of the Project site which are proposed to be modified by fuel modification, are indeed jurisdictional, a Lake and Streambed Alteration Agreement would be pursued at that time.

Response 3.2

The commenter recommends additional botanical surveys be conducted, stating the studies that were completed are outdated. The commenter also states that the studies were completed during conditions that do not maximize detection or were not completed during the appropriate time of year to detect many rare plant species. The commenter suggests that botanical surveys be repeated at an appropriate time of year, with proper weather conditions.

Mitigation Measure CS-BIO-1 requires surveys for listed plants, specifically Agoura Hills dudleya and Lyon's pentachaeta, to be performed during the blooming period prior to issuance of a grading permit for the site. These surveys are required to be completed in consultation with USFWS and CDFW. Additionally, while the date of the supplemental botanical report is July 2014, four surveys were conducted in support of the report. The dates of those surveys are April 24, May 1, May 30, and June 2 of 2014, which includes the optimal detection period for all rare plants with the potential to occur on the site.

Response 3.3

The commenter recommends revising mitigation measure CS-BIO-10 in regards to oak trees infected with disease or pests to clearly indicate it would not be optional.

The referenced mitigation measure requires that "during all phases of construction, the health of the trees shall be monitored for signs of disease. If determined to exist, problems shall be addressed to remedy them." This measure is not optional. No revision is required.

Response 3.4

The commenter expresses concern that Mitigation Measure CS-BIO-1 may not adequately mitigate direct and indirect impacts to Agoura Hills dudleya and Lyon's pentachaeta to a level



that is less than significant. The MND states on page 38 that the observed Agoura Hills dudleyas and Lyon's pentachaeta are in the boundary of the Agoura Village Specific Plan (AVSP), and impacts on these species were considered significant but mitigable, as evaluated under the 2008 AVSP FEIR. Mitigation Measure CS-BIO-1 requires a listed plant survey and protection plan for the Lyon's pentachaeta and the Agoura Hills dudleya. Mitigation measure CS-BIO-1 also requires avoidance and setbacks from plants unless that is not feasible. If avoidance is not feasible, then a restoration plan is required. The success criteria included in the plan would be finalized in consultation with USFWS and/or CDFW. This mitigation is sufficient to reduce impacts to a less than significant level.

The commenter also recommends that the Project proponent seek appropriate take authorization under the California Endangered Species Act (CESA) prior to implementing the Project. As discussed in CS-BIO-1, if avoidance of federal or state-listed plants is not feasible, restoration efforts will be coordinated with the respective agencies. This coordination will take place prior to the removal of the impacted plant population(s).

The commenter recommends revision of Mitigation Measure CS-BIO-1 as follows: "For unavoidable impacts to Agoura Hills dudleya and Lyon's pentachaeta, the Project proposed creation protection and management in perpetuity of on-site and/or off-site preserves not included within any fuel modification zones, consisting of occupied habitat for these species. The preserve/preserves should be provided with a minimum 350-foot dry land Argentine ant buffer dependent upon preserve proximity to perennial water sources and topography. Project standards should be developed which exclude the potential of invasion and establishment of Argentine ant colonies which may occur due to soil disturbance, introduction of hardened surfaces (paving, cement, storm drains and structures) and unseasonal watering. Equipment should be decontaminated prior to entering the Project site to reduce introductions of invasive weed species. Preserve design, location and size shall be determined based upon results of current rare plant surveys conducted on the Project site and in consultation with the CDFW."

The commenter's editorial revision is noted. However, a 350-foot dry land buffer between preserved populations of rare plants and the Project site is not feasible due to the limited size of the Project site. Additionally, the City's Architectural Guidelines (§§ K.3.c and K.4.B) encourage native and drought tolerant plantings and water saving irrigation systems, which would limit the area of irrigated landscaping that would attract Argentine ants.

Response 3.5

The commenter asserts that mitigation measure CS-BIO-3 does not adequately reduce Project impacts to Ojai navarretia to less than significant levels. The commenter advises the adoption of a revised mitigation measure identical to that proposed in comment 3.4 for impacts to Agoura Hills dudleya and Lyon's pentacheta.

The observed Ojai navarretia are in the boundary of the AVSP, and impacts on this species were considered significant but mitigable, as evaluated under the 2008 AVSP FEIR. This analysis remains valid. Please refer to Response 3.4 for responses regarding Argentine ants.

Response 3.6

The commenter asserts that linear leaf goldenbush and any other narrow endemic plant species found on the Project site should be considered as a local and regional rare, unique, and/or uncommon species, and therefore, meet the CEQA definition of a rare species.



Only RPR 1 and 2 plants are “special status” and required to be evaluated and mitigated pursuant to CEQA § 15380. Therefore, since the linear leaf goldenbush and other narrow endemic plant species are not RPR 1 and 2 plants, they do not need to be evaluated and mitigated.

Response 3.7

The commenter states that impacts to Lyon’s pentachaeta, Agoura Hills dudleya, and Ojai navarretia could occur as a result of fuel modification, despite the implementation of Mitigation Measure CS-BIO-2.

Many of the special status plant populations within the fuel modification zone occur within Zone C, where vegetation thinning is required as opposed to complete vegetation removal. Thorough botanical surveys to delineate the special status plant populations and install appropriate buffers to prevent impacts from fuel modification activities will avoid these impacts. Additionally, as described in CS-BIO-2, a biological monitor would be present for all fuel modification activities and will assist the work crew with maintaining avoidance. All Agoura Hills dudleya individuals occur in the steep gully to the southwest of the Project area, with fuel modification Zone C.

Response 3.8

The commenter states that California Natural Diversity Database (CNDDDB) forms for any special status species and natural communities detected during Project surveys be submitted to the CNDDDB. The CNDDDB forms for the observed special-status species have been submitted to the CNDDDB by Envicom.

Response 3.9

The commenter asserts that the Project, as proposed, would have an impact on state fish and/or wildlife, and assessment of filing fees is necessary.

Payment of appropriate fees will occur at the time the Notice of Determination is filed.



DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-0219
FAX: (213) 897-1337



*Serious drought
Help save water!*

Letter 4

August 9, 2016

Mr. Doug Hooper
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Re: Cornerstone Mixed-Use Project
Vic: LA-101
SCH# 2016071014
GTS# LA-2016-00017ME-MND

Dear Mr. Hooper:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the proposed Cornerstone Mixed-Use Project, located in the City of Agoura Hills, near the US-101 freeway.

The project proposes the construction of a residential and commercial mixed- use development on 8.21 acres of vacant property. It would include 35 apartment units and 68,918 sq. ft. of commercial space. The project would also require discretionary approval of an Agoura Village Development Permit.

It is noted that the northbound off-ramp to Palo Comado Canyon was not included in the traffic study. To assist in adequately evaluating the impacts of this project on State transportation facilities, Caltrans is requesting that a queuing analysis of the northbound off-ramp to Palo Comado is conducted. Caltrans is concerned that vehicles that are exiting the US-101 freeway at the Palo Comado off-ramp to access the project may potentially back up onto the mainline.

1

An encroachment permit will be required for any project work proposed on or in the vicinity of the Caltrans Right of Way (US-101), and all environmental concerns must be adequately addressed.

In addition, any transporting of heavy construction equipment and/or materials, which require the use of oversized-transport vehicles on State highways, will require a Caltrans transportation permit. Caltrans recommends that large size truck trips be limited to off-peak commute periods.

2

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Mr. Hooper
August 9, 2016
Page 2 of 2

In the Spirit of mutual cooperation, Caltrans staff is available to work with your planners and traffic engineers for this project, if needed. If you have any questions regarding these comments, please contact project coordinator Ms. Miya Edmonson, at (213) 897-6536 and refer to GTS# LA-2016-00017ME-MND.

↑ 2 Cont.

Sincerely,



DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Letter 4

COMMENTER: Diana Watson, IGR/CEQA Branch Chief, California Department of Transportation (Caltrans)

DATE: August 9, 2016

Response 4.1

The commenter notes that the northbound off-ramp to Palo Comado Canyon was not included in the traffic study and requests that a queuing analysis of the northbound off-ramp to Palo Comado is conducted.

As noted in ATE's traffic analysis dated September 28, 2016 (Appendix F), the City of Agoura Hills and Caltrans have completed a Project Approval-Environmental Document (PA-ED) for the improvements planned for the Palo Comado Canyon Road interchange. The unsignalized US Highway 101 Northbound Ramps/Palo Comado Canyon Road intersection would be signalized as part of the interchange improvement. The PA-ED traffic impact analysis was prepared by Kimley Horn and Associates Inc. in May 2011. The Project is in Final Design and the first phase of the improvement is planned to begin construction soon.

Existing level of service (LOS) information contained in the traffic impact study for the PA-ED shows that the US Highway 101 Northbound Ramps/Palo Comado Canyon Road intersections operate at LOS D/E during the AM peak hour and LOS E during the PM peak hour period. These service levels exceed the City of Agoura Hills and Caltrans LOS C standard. The maximum existing vehicle queue reported was 691 feet during the PM peak hour.

The data presented in the traffic impact analysis for the PA-ED also indicate that with the planned interchange improvements the US Highway 101 Northbound Ramps/Palo Comado Canyon Road intersection would operate in the LOS A/B range with the addition of cumulative Project-generated traffic. With the planned improvements, the maximum vehicle queue reported was 236 feet during the PM peak hour. The Cornerstone Mixed-Use Project would not have a significant impact on the northbound ramp intersection based on the City of Agoura Hills and Caltrans impact thresholds during the AM or the PM peak hour periods, with the completion of the programmed improvements.

Project traffic impacts related to the Cornerstone Mixed-Use Project have been addressed as part of the cumulative development in the PA-ED.

Response 4.2

The commenter states that an encroachment permit would be required for any work proposed on or in the vicinity of the Caltrans right-of-way and that any use of oversized-transport vehicles on State highways would require a Caltrans transportation permit.

The Project applicant would acquire all required permits, including, if applicable, an encroachment permit for any work on or in the vicinity of the Caltrans right-of-way and/or a transportation permit from Caltrans for the use of oversized transport vehicles on state highways.





COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

CITY OF AGOURA HILLS

2016 AUG -4 PM 3:52

CITY CLERK

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

Letter 5

August 1, 2016

Doug Hooper, Planning Director
City of Agoura Hills
Planning Department
30001 Ladyface Court
Agoura Hills, CA 91301

Dear Mr. Hooper:

NOTICE OF AVAILABILITY AND NOTICE OF INTENT TO ADOPT AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION, "CORNERSTONE MIXED-USE PROJECT," CASES NOS: 07-AVDP-002 AND TPM 70559, THE PROPOSE TO CONSTRUCT A MIXED-USE COMMERCIAL AND RESIDENTIAL PROJECT ON 8.2 ACRES OF UNDEVELOPED VACANT LAND, AND CONSOLIDATE 24 PARCELS INTO TWO PARCELS, SOUTHEAST CORNER OF AGOURA & CORNELL ROAD, AGOURA HILLS, FFER 201600114

The Notice of Availability and Notice of Intent to Adopt an Initial Study and Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

1. Under Section XIV, Public Services, Discussion a (i), paragraph 3, the fourth sentence should be deleted. The LACFD no longer has a development fee program in effect with the City of Agoura Hills.



SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY

DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLEN DORA
HAWAIIAN GARDENS
HAWTHORNE

HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRWINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

LAND DEVELOPMENT UNIT:

1. The proposed development may necessitate multiple ingress/egress access for the circulation of traffic and emergency response issues.
2. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.
3. Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.
4. Every building constructed shall be accessible to Fire Department apparatus by way of access roadways with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.
5. The maximum allowable grade shall not exceed 15% except where topography makes it impractical to keep within such grade. In such cases, an absolute maximum of 20% will be allowed for up to 150 feet in distance. The average maximum allowed grade, including topographical difficulties, shall be no more than 17%. Grade breaks shall not exceed 10% in 10 feet.
6. When involved with subdivision in a city contracting fire protection with the County of Los Angeles Fire Department, Fire Department requirements for access, fire flows, and hydrants are addressed during the subdivision tentative map stage.
7. Fire Department requirements for access, fire flows, and hydrants are addressed during the building permit stage.
8. Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is strongly suggested that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use.
9. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:

1 Cont.

- a. No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.
 - b. No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant.
 - c. Additional hydrants will be required if hydrant spacing exceeds specified distances.
 - d. When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and midblock.
 - e. A cul-de-sac shall not be more than 500 feet in length when serving land zoned for commercial use.
10. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
11. All on-site driveways/roadways shall provide a minimum unobstructed width of 28 feet clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building. The centerline of the access driveway shall be located parallel to and within 30 feet of an exterior wall on one side of the proposed structure.
12. Driveway width for non-residential developments shall be increased when any of the following conditions will exist:
- a. Provide 34 feet in-width, when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure.
 - b. Provide 42 feet in-width when parallel parking is allowed on each side of the access roadway/driveway.
 - c. Any access way less than 34 feet in-width shall be labeled "Fire Lane" on the final recording map and final building plans.
 - d. For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be

1 Cont.

posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.

13. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
14. All on-site driveways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The 28 foot width does not allow for parking and shall be designated as a "Fire Lane" and have appropriate signage. The centerline of the on-site driveway shall be located parallel to and within 30 feet of an exterior wall on one side of the proposed structure. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building.
15. The 28 feet in width shall be increased to:
 - a. Thirty-four feet in width when parallel parking is allowed on one side of the access way.
 - b. Thirty-six feet in width when parallel parking is allowed on both sides of the access way.
 - c. Any access way less than 34 feet in width shall be labeled "Fire Lane" on the final recording map and final building plans.
 - d. For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.
16. When serving land zoned for residential uses having a density of more than four units per net acre:
 - a. A cul-de-sac shall be a minimum of 34 feet in width and shall not be more than 700 feet in length.
 - b. The length of the cul-de-sac may be increased to 1000 feet if a minimum of 36 feet in width is provided.

1 Cont.

- c. A Fire Department approved turning area shall be provided at the end of a cul-de-sac.
17. Fire hydrant spacing shall be 600 feet and shall meet the following requirements:
- a. No portion of lot frontage shall be more than 450 feet via vehicular access from a public fire hydrant.
 - b. No portion of a structure should be placed on a lot where it exceeds 750 feet via vehicular access from a properly spaced public fire hydrant.
 - c. When cul-de-sac depth exceeds 450 feet on a residential street, hydrants shall be required at the corner and mid-block.
 - d. Additional hydrants will be required if hydrant spacing exceeds specified distances.
18. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
19. Fire Department access shall provide a minimum unobstructed width of 28 feet, clear-to-sky and be within 150 feet of all portions of the exterior walls of the first story of any single unit. If exceeding 150 feet, provide 20 feet minimum paved width "Private Driveway/Fire Lane" clear-to-sky to within 150 feet of all portions of the exterior walls of the unit. Fire Lanes serving three or more units shall be increased to 26 feet.
20. Streets or driveways within the development shall be provided with the following:
- a. Provide 36 feet in width on all streets where parking is allowed on both sides.
 - b. Provide 34 feet in width on cul-de-sacs up to 700 feet in length. This allows parking on both sides of the street.
 - c. Provide 36 feet in width on cul-de-sacs from 701 to 1,000 feet in length. This allows parking on both sides of the street.
 - d. For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be

1 Cont.

posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road.

21. All access devices and gates shall comply with California Code of Regulations, Title 19, Articles 3.05 and 3.16.
22. All access devices and gates shall meet the following requirements:
 - a. Any single gated opening used for ingress and egress shall be a minimum of 26 feet in-width, clear-to-sky.
 - b. Any divided gate opening (when each gate is used for a single direction of travel i.e., ingress or egress) shall be a minimum width of 20 feet clear-to-sky.
 - c. Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device.
 - d. All limited access devices shall be of a type approved by the Fire Department.
 - e. Gate plans shall be submitted to the Fire Department, prior to installation. These plans shall show all locations, widths and details of the proposed gates.
23. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review, prior to implementation.
24. Provide three sets of alternate route (detour) plans with a tentative schedule of planned closures prior to the beginning of construction. Complete architectural/structural plans are not necessary.
25. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions.

1 Cont.

Doug Hooper, Planning Director
August 1, 2016
Page 7

The County of Los Angeles Fire Department, Land Development Unit's comments are only general requirements. Specific fire and life safety requirements will be addressed at the building and fire plan check phase. There may be additional requirements during this time.

The County of Los Angeles Fire Department's Land Development Unit appreciates the opportunity to comment on this project.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

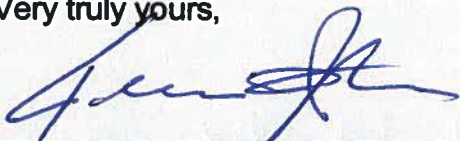
The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division of the Los Angeles County Fire Department has no comment regarding the project at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



KEVIN T. JOHNSON, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

KTJ:cc

↑
1 Cont.

Letter 5

COMMENTER: Kevin T. Johnson, Acting Chief, Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department

DATE: August 1, 2016

The commenter requests review and deletion of the fourth sentence in paragraph three, Discussion a(i), under IS/MND Section XIV, *Public Services*. In addition, the commenter states that the project would have to comply with applicable fire code and ordinance requirements. The commenter describes requirements related to construction, including access, water mains, fire hydrants, fire flow, fire sprinklers, disruption of water service, brush clearance, and fuel modification.

The project would comply with applicable fire code and ordinance requirements as outlined in this letter. In addition, the project would comply with all requirements related to construction, access, water mains, fire hydrants, fire flow, fire sprinklers, disruption of water service, brush clearance, and fuel modification. In response to this comment, the fourth sentence in paragraph three, Discussion a(i), under Section XIV, *Public Services* of the Final IS-MND has been deleted, as shown below:

Development of the proposed project would increase demand for fire protection services. However, the project site is in the existing service area for the LACFD. The proposed project would not require substantial new or expanded fire protection facilities the construction of which would result in adverse environmental impacts (Bagwell, 2014). ~~Although the proposed project may increase the need for personnel or equipment, it would be required to pay standard development impact mitigation fees to the LACFD in accordance with AHMC §8600 et. seq.~~ In addition, the proposed project would be required to comply with Fire Code and LACFD standards, including specific construction specifications, access design, location of fire hydrants, and other design requirements that would reduce fire hazards. Impacts would be **less than significant** with implementation of mitigation measures PS-3(a) and PS-3(b) from the AVSP FEIR.

This text change does not alter the findings or conclusions of the Draft IS-MND.





OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF



August 18, 2016

Mr. Doug Hooper, Director
Planning Department
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

CITY OF AGOURA HILLS
2016 AUG 26 PM 12: 54
CITY CLERK

Dear Mr. Hooper:

**REVIEW COMMENTS
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
CORNERSTONE MIXED-USE PROJECT
(CASE NUMBER 07-AVDP-002)**

Thank you for inviting the Los Angeles County Sheriff's Department (Department) to review and comment on the June 2016, Initial Study and Mitigated Negative Declaration (IS/MND) for the Cornerstone Mixed-Use Project (Project). The proposed Project location is at the intersection of Agoura Road and Cornell Road in the City of Agoura Hills. The proposal is to construct 35 multi-family residential units, approximately 69,000 square feet of retail/restaurant/office space, a 250-space surface parking area, and various infrastructure improvements to adjacent roadways.

The proposed Project is located within the service area of the Malibu/Lost Hills Sheriff's Station (Station). Accordingly, the Station reviewed the IS/MND for potential operational impacts of the Project, and authored the attached review comments (see correspondence dated July 21, 2016, from Acting Captain Joshua W. Thai).

Also, when distributing planning materials, including requests for project review and comment, the Department provides the following updated contact information:

Tracey Jue, Director
Los Angeles County Sheriff's Department
Facilities Planning Bureau
4700 Ramona Boulevard, Fourth Floor
Monterey Park, California 91754
Attention: Lester Miyoshi, LHMIyosh@lasd.org

1

Mr. Hooper

-2-

August 18, 2016

Should you have any questions regarding this matter, please contact me at (323) 526-5657, or your staff may contact Mr. Miyoshi, of my staff, at (323) 526-5664.

↑ 1 Cont

Sincerely,

JIM McDONNELL, SHERIFF



Tracey Jue, Director
Facilities Planning Bureau



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF



July 21, 2016

CITY OF AGOURA HILLS
CITY CLERK
2016 AUG 26 PM 12:54

SUBJECT: REVIEW COMMENTS ON THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE CORNERSTONE MIXED-USE PROJECT

The Traffic Bureau of the Malibu/Lost Hills Sheriff's Station (Station) reviewed the Initial Study and Mitigated Negative Declaration (IS/MND), dated June 2016, for the Cornerstone Mixed-Use Project (Project). The proposed Project is located on 8.2 acres of undeveloped land at the intersection of Agoura Road and Cornell Road in the City of Agoura Hills. The proposed Project will construct 35 multi-family residential units, approximately 69,000 square feet of retail/restaurant/office space, a 250-space surface parking area, and various infrastructure improvements to adjacent roadways. The proposed Project is expected to generate a resident population of approximately one hundred. The proposed Project is located within the Station's service area.

According to the Public Services section of the IS/MND (see Section XIV, beginning on page 104), the proposed Project will incrementally increase demand for law enforcement services provided by LASD and the Station. However, implementation of Mitigation Measure PS-4(a) (review of project plans by LASD and the Station, and incorporation of recommended design features and amenities) will reduce such impacts to a less than significant level. The Station does not dispute this conclusion.

However, although the Station is not overly concerned with the proposed Project itself, we remain concerned that continued growth and intensification of land uses within our service area will ultimately contribute to significant cumulative impacts on our resources and operations. It is reasonable to expect that continued development will lead to a significant increase in the demand for law enforcement services. Meeting such increased demand will require additional resources, including patrol deputies, other sworn deputies, support personnel, and attendant assets (patrol vehicles, support vehicles, communications equipment, weaponry, office furniture/equipment, etc.). In order to accommodate such additional staff and assets, the Station itself will require substantial modernization and/or expansion.

1



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF



Thank you for including the Station in the environmental review process for the proposed Project. Should you have any questions regarding this matter, please feel free to contact Detective Michael Ranes in the Lost Hills Traffic Office (mlranes@lasd.org), (818) 878-5559.



1 Cont

Sincerely,

JIM McDONNELL, SHERIFF

Joshua W. Thai, A/Captain
Malibu/Lost Hills Station

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

Letter 6

COMMENTER: Tracy Jue, Director of Facilities Planning Bureau; Joshua Thai, Captain,
Los Angeles Sheriff's Office

DATE: August 18, 2016

The commenter states that although the Sheriff's Office is not concerned about the proposed project, they remain concerned that continued growth and development within the area could lead to cumulative impacts that might affect the Department. The commenter also acknowledges the implementation of mitigation measure PS-4(a)(review of project plans by LASD and the Station, and incorporation of recommended design features and amenities) will reduce such impacts to a less than significant level.

Additional projects that are proposed in the City of Agoura Hills and the surrounding area will be required to go through environmental review under CEQA. Therefore, impacts from currently unforeseeable future projects would be analyzed and mitigated on a project by project basis. The Sheriff's office will continue to receive notifications regarding this proposed project and others in the city.





BOARD OF DIRECTORS

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EXECUTIVE OFFICER
 Clark Stevens

7 September 2016

Letter 7

Agoura Hills Planning Commission

RE: Removal of Oak Woodlands at Cornerstone Mixed Use Project

Dear Doug Hooper,

The Resource Conservation District of the Santa Monica Mountains appreciates the opportunity to comment on the Cornerstone Mixed use Project located at the southeast corner of Agoura and Cornell Roads (APN 2061-029-(008-017), 2061-029-029, and 2061-030-(001-013)).

In total this development is requesting permission to remove 29 protected oak trees, encroach upon a total of 30 existing protected oak trees, and to remove 21,271 square feet, just under 1/2-acre of scrub oak habitat.

This is one of several projects located along the north-facing hillside adjacent to Agoura Road, and the trees in this proposed project area are functionally part of the extensive remnant oak woodland that is fragmented between other existing developments. In 2004, CEQA was amended to require that the impacts and mitigation of land development in oak woodlands, as well as the evaluation of impacts on greenhouse gas emissions by removing the carbon sequestration of woodlands, be addressed in CEQA documents. An oak woodland is defined by the California Department of Fish and Game (Section 1361) as an oak stand with greater than 10 percent canopy cover, or that may have historically supported greater than 10% canopy cover, and applies to all oaks greater than 5 inch diameter at 4.5 feet above grade (PRC 21083.4(a)). It is important that the City recognizes and examines the cumulative impacts associated with the loss of its last remaining oak woodlands.

While these multiple projects are not contiguous in space, they are in time. We have decided to address the larger picture represented by the cumulative impacts of these 3 proposed developments.

To date, there have been no successful restorations of oak woodlands. It is relatively easy to plant oak trees, but the extensive ecological network and soils that makes a forest from those trees has been thus far impossible to recreate. Oak woodlands are the hub of the ecological wheel in the Santa Monica Mountains, with plant and animal species numbering in the thousands dependent upon oaks for their survival.

Five years of drought, unprecedented increases in hot temperatures, and invasion by new species of pests are taking a huge toll on our oak woodlands. We are in the midst of what one ecologist has called the "hundred-year die-off". Trees are dying all over the Santa Monica Mountains.

1



We ask that the very visible and laudable record of habitat conservation in the County, State and Federal lands that surround Agoura Hills, not obscure the need for the City to plan for its own lands to appropriately balance commerce, growth and ecosystem health. We note that the high ratios of developed footprint to conserved space in these projects, and the proposed elimination of protected ecosystems (oak woodland), can in itself be seen as an inducement to further habitat loss, by providing actual precedents for other landowners within the city demonstrating that such habitat loss is acceptable in their developments as well.

The RCD is chartered in part to assist private landowners to develop their resources in a conservation-based approach. We recognize that growth and conservation do not have to be mutually exclusive, but the developments before you do not in their current form represent such conservation-based development. Given the significant loss of oak woodlands that these projects cumulatively propose, we ask the council to require that they be revised and reconsidered in a less impactful form. We encourage the City to make the effort to imagine the distribution and health of oaks in the city of Agoura Hills now and in 50 years, and with that vision, make the effort to not only comply with state laws regarding conservation and mitigation, but also hold proposed developments to a higher standard of design that both protects the oak woodlands on their properties and meets their project goals.

Respectfully submitted,

Clark Stevens, Architect
Executive Officer
and
Rosi Dagit
Senior Conservation Biologist

1 Cont.

Letter 7

COMMENTER: Santa Monica Mountains Conservancy, Clark Stevens, Architect Executive Officer, and Rosi Dagit, Senior Conservation Biologist

DATE: September 7, 2016

The commenter begins by stating project details regarding the number of trees affected by the proposed project and states concerns the cumulative impacts associated with the loss of the City's last remaining oak woodlands. The commenter states that the project's ratio of developed footprint to conserved space can be seen as an inducement to further habitat loss by providing precedent for other landowners in the city. The commenter requests that the project be reconsidered in a less impactful form.

The loss of oak woodlands is discussed throughout the IS-MND, but is addressed directly in Section IV, *Biological Resources*, on pages 51 to 54 and two mitigation measures (CS-BIO-9 and CS-BIO-10) have been included. Page 45 of the IS-MND states that the proposed development would result in impacts to 35 percent of the oak tree canopy on and off the project site. Mitigation measures CS-BIO-9 and CS-BIO-10, adapted from the AVSP FEIR, would be required to reduce impacts to protected oak trees. Mitigation measure CS-BIO-9 requires the replacement of any removed oaks at a four to one ratio. Mitigation measure CS-BIO-10 requires the preparation of an oak tree preservation program for review and approval by the City. The MND determined that implementation of these mitigation measures would reduce impacts to oak woodlands to a less than significant level.

Consideration of an alternative to the proposed project is not required under CEQA since the IS-MND concluded that all project impacts could be reduced to a less than significant level with proposed mitigation measures. Nevertheless, the City has discretion, as part of their review of the project, to request to consider an alternative that would further reduce impacts to trees.



SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
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October 24, 2016

Letter 8

Doug Hooper, Planning Director
Planning Department
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91303

**Cornerstone Mixed-Use Project
Mitigated Negative Declaration Comments
Case Nos. 07-AVDP-002 and TPM 70559**

Dear Mr. Hooper:

The proposed 8.2-acre property comprises some of the most visually and botanically sensitive land in the City of Agoura Hills. There probably is no more botanically rich equivalent-sized property within the City boundary. One hundred native plant species, two Federally-listed plant species, multiple plant species of concern, rare plant communities, and scores of oak trees make up an ecologically unique site. The grading for the proposed project would eliminate a minimum of 6.25 acres of this vegetation and its substrate. The permanent future fuel modification would adversely affect all of the remaining 1.96 acres to varying degrees.

1

As stated in the Mitigated Negative Declaration (MND) the whole distinct ridgeline that includes the subject property was designated by Los Angeles County as a Significant Ecological Area because of rare plant associations and the presence of disjunct desert species. The MND is deficient for not including a clear color graphic that shows the extent of sensitive plant species and vegetation footprints and how the project would directly and permanently, indirectly adversely affect each of these resources. A numeric description of impacts cannot supplant a detailed spatial display.

2

All of the MND plant and vegetation mitigation measures are either deferred mitigation, vaguely defined, do not mitigate habitat loss, or rest on unproven sensitive species reestablishment methods on unidentified land. The proposed project--with the loss of 29 oaks and damage to the roots of many more (plus loss of 0.5 acres of scrub oak woodland) in severe drought conditions--would result in unavoidable significant adverse biological impacts. The project would totally eliminate rare botanical resource combinations that

3

∨ 4

cannot be replicated anywhere. The MND biological resources section is long because the site is a textbook example of biological constraints. The reason this property is so botanically rich is because it has unique soil and aspect conditions that would be incredibly difficult to replicate for the successful long-term growth of sensitive plant species to achieve mitigation objectives. Because the proposed project would result in unavoidable significant adverse biological impacts, the City must prepare at least a Focused Environmental Impact Report that considers reduced impact alternatives.

↑ 4 Cont.
5
6

The proposed project would eliminate this ecological resource via exporting 95,000 cubic yards of volcanic and conglomerate substrate in at least 6,000 trips of large dump trucks. It would replace the 95,000-cubic-yard area with 45-foot-tall buildings covering over 2.5 acres complemented with 250 parking spaces in the upper Malibu Creek watershed. The proposed project does not fit the land. The proposed project would place a large white and red-colored mass of buildings just below a prominent ridgeline. No other two story building pierces the foot of that ridgeline for thousands of feet eastward. The project needs to be lower in elevation. The project would result in unavoidable significant adverse visual impacts from the 101 freeway, Agoura Road, and Cornell Road, existing and proposed public trails, and from City-owned open space to the southwest.

7
8

The Rim of the Valley Trail Corridor Master Plan includes a spur from the Rim of the Valley Trail leading from Cheseboro Canyon across the 101 freeway and along the south side of Agoura Road to the project site by the Cornell Road intersection. The MND is deficient for not addressing the existence of this planned spur trail and potential adverse impacts to the unofficial City trail along Cheseboro Creek and Agoura Road.

In addition the National Park Service has a planned trail (Agoura Equestrian Center Connector) that comes from Cheseboro Canyon and then along the north side of Agoura Road (Zuma Ridge Trail), up a short stretch of Cornell Road and then up the paper street through the proposed development (Paramount Ranch Connector Trail). The MND is deficient for not addressing the existence of these planned trails. All have been part of the NPS Trails Plan since at least 2004. Any approved project should include an unpaved trail through the property to achieve the connectivity and public purposes of these planned trails.

9

Where convenient, the MND analysis states that some project impacts are already addressed in the Agoura Village Specific Plan Final EIR. The MND is deficient for not addressing how some proposed project impacts have already been analyzed and mitigated in an existing

↓

FEIR and why those direct projects impacts cannot be attributed to the proposed project in ↑ 9 Cont.
the subject MND.

The project is unmistakably significantly growth-inducing. The proposed project would provide a high quality, full service, moderate grade road to dozens of ridgeline and sub-ridgeline parcels located directly to the south and east. The MND is deficient for not analyzing how the proposed project would result in the acceleration of development on all of these small lots served by this proposed road. The MND is deficient for not addressing how the proposed project would and could provide utility services and drainage options to the undeveloped offsite lots. | 10

The required EIR alternatives analysis must consider an alternative that does not build a full-service two-lane road to the adjoining private properties leaving the boundaries of the existing road easement path. Alternatively any project on the proposed property cluster should only provide a stubbed road at the edge of primary project impact footprint wholly within the existing paper right-of-way currently on record between the small onsite parcels. The mitigation measures must include a conservation easement or fee simple dedication to ensure that no road alignment to the adjoining offsite properties leaves the boundaries of the existing paper street. Any less protection would be significantly growth-inducing in a designated Significant Ecological Area with Federally-listed plant species. | 11
| 12

The proposed conditions for any project that would eliminate CA-LAN-1352 must include a Phase IV archeological study. | 13

The Conservancy urges the City to require an EIR with at least two feasible alternatives with no more than 25,000 cubic yards of grading that work with the landform rather than trucking it away. Only with a reduced footprint project can some of the onsite botanical resources be permanently protected from direct and indirect project-related impacts. The Conservancy also urges that all proposed projects include a fee simple public open space dedication and a perpetual annual open space maintenance funding source built into the project conditions. | 14

The Conservancy will exercise its rights to any and all vacations of public land to which it has rights to under 33207 of the Public Resources Code. | 15

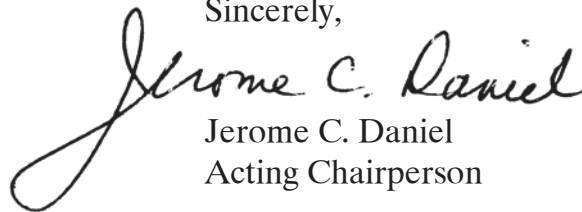
Doug Hooper
Cornerstone Mixed-Use Project MND Comments
October 24, 2016
Page 4

The proposed project belongs on the flat lands, not at the boundary of a core habitat that is integral to the Liberty Canyon inter-mountain range wildlife corridor leading into Malibu Creek State Park.

16

Please direct any questions to Paul Edelman of our staff at 310-589-3200 ext. 128 or at the above letterhead address.

Sincerely,

A handwritten signature in black ink that reads "Jerome C. Daniel". The signature is written in a cursive style with a large, looping initial "J".

Jerome C. Daniel
Acting Chairperson

Letter 8

COMMENTER: Jerome C. Daniel, Acting Chairperson, Santa Monica Mountains Conservancy

DATE: October 24, 2016

Response 8.1

The commenter states that the site contains 100 native plant species, federally-listed plant species, plant species of concern, and oak trees.

Biological impacts associated with the project are discussed on pages 33 through 54 of the IS-MND. This analysis was based on Envicom Corporation's Biological Resources Inventory and Impact Analysis (February 2014, included as Appendix B of the IS-MND), which includes a December 2013 project site field investigation and literature review, and a supplemental survey for rare plant species (July 2014). Additionally, the analysis was based on an Oak Tree Report (May 2008) and a supplementary oak tree memo (June 29, 2015). A total of 127 vascular plant species were identified during site surveys. Of these, 96 were naturally occurring native species and 31 were non-native or introduced. Three plant species considered to be rare, threatened, or endangered occur at the site. Impacts to these three species were identified as potentially significant, but proposed mitigation measures would reduce such impacts to below a level of significance.

Response 8.2

The commenter states that the ridgeline that includes the site has been designated as a Significant Ecological Area by Los Angeles County because of rare plant associations. The commenter states that the IS-MND is deficient because it does not include a clear color graphic showing the extent of sensitive plant species and vegetation footprints and how the project would affect these resources.

Page 36 of the IS-MND states that the project site is located adjacent to Las Virgenes SEA #22a, which contains a number of plants common to the interior areas of Southern California but found nowhere else in the Santa Monica Mountains region. Two project site parcels (APNs 2061-029-017 and 2061-029-029) are in SEA #22a. Land use regulations regarding SEAs apply only to unincorporated county areas and not to the proposed project, which is in the City of Agoura Hills. The two parcels that are within the boundary of the SEA are proposed to be retained as open space areas, with the exception of a portion of the on-site driveway. Except as specified in the City Zoning Ordinance and identified on the City Zoning Map, L.A. County's SEA designation no standing in the City. Additionally, the County is in the process of updating the SEA designation areas.

Response 8.3



The commenter states that the plant mitigation measures are either deferred mitigation, vaguely defined, do not mitigate habitat loss, or rest on unproven sensitive species reestablishment methods on unidentified land. The commenter states that the loss of 29 oaks and damage to the roots of more would result in unavoidable significant impacts.

Biological impacts from the project are discussed on pages 33 through 54 of the IS-MND. This analysis includes ten mitigation measures that would reduce the impacts on biological resources. These mitigation measures all include specific performance measures or requirements such as the type a size of oak trees that are required to replace the oaks that would be removed, or measures that must be included in the Oak Tree Preservation Program. All restoration of plants would be required to occur onsite unless the applicant can demonstrate that on-site mitigation would not be feasible. With these measures, the IS-MND concludes that the project's biological resource impacts can be reduced to a less than significant level. No substantial evidence to support the contention that the measures would not mitigate impacts to below a level of significance has been provided.

Response 8.4

The commenter states that the project would eliminate rare botanical resource combinations that cannot be replicated.

The commenter does not indicate which specific rare botanical resource combinations are being referenced. The analysis in the IS-MND and in the supporting Biological Resource studies conclude that the impacts from the project can be mitigated to a less than significant level and no substantial evidence supporting the presence of a rare resource combination that cannot be mitigated has been provided.

Response 8.5

The commenter states that the project site has unique soil and aspect conditions that would be difficult to replicate for the successful long-term growth of sensitive plant species.

The commenter does not indicate what specific soil conditions are being referenced. The analysis in the IS-MND and in the supporting Biological Resource studies conclude that the impacts from the project can be mitigated to a less than significant level and no substantial evidence supporting the presence of a rare resource combination that cannot be mitigated has been provided.

Response 8.6

The commenter states that because there would be a significant and unavoidable impact to biological resources, a Focused EIR must be prepared.

Please refer to Response 8.3 above for a discussion of the mitigation measures required for the proposed project. No significant impact would occur; therefore, an EIR is not required.



Response 8.7

The commenter states that the project would eliminate the ecological resource by exporting volcanic and conglomerate substrate from the site and building buildings and a parking lot.

The commenter does not indicate the specific rare ecological resource that is being referenced. The analysis in the IS-MND and in the supporting Biological Resource studies found that project impacts could be mitigated to a less than significant level.

Response 8.8

The commenter states that the project does not fit the area since there are no other two-story buildings to the east of the site. The commenter requests that the buildings be placed at a lower elevation and states that there would be a significant and unavoidable visual impact from the 101 freeway, Agoura Road, Cornell Road, existing and proposed public trails, and from City-owned open space to the southwest.

The retail center to the west is one story, and Whizin Market Square to the north has a second story component. The AVSP allows for two- and three-story buildings in the project area. The proposed buildings would not extend above the ridgeline. Page 1-11 of the AVSP states that the plan should “strongly encourage two-story development and third-story residential use and massing along Agoura Road and within the Village to bring a comfortable scale to the street and to reduce the impact of the large street right-of-way.”

The project’s potential impacts on views from the surrounding roadways are discussed on pages 13 through 15 of the IS-MND. Page 15 of the IS-MND states, “According to the AVSP EIR (pages 4.1-14 to 4.1-15) modifications to the viewshed are considered less than significant if the modification would be unnoticeable or visually subordinate to existing predominating features. While the buildings would change the viewshed and would be noticeable, due to the scale of the project they would still be visually subordinate to the existing hillside topography and ridgeline in the background and to the east and west.” Therefore, impacts to the viewsheds from the surrounding roadways would be less than significant.

Response 8.9

The commenter states that *The Rim of the Valley Trail Corridor Master Plan* (1990) includes a spur from the Rim of the Valley Trail leaving from Chesebro Canyon across U.S. 101 and along the south side of Agoura Road to the project site. The commenter states that the MND is deficient because it does not address the existence of this planned spur trail and potential adverse impacts to the unofficial City trail along Chesebro Creek and Agoura Road, as well as the NPS planned trail.

The AVSP calls for trail enhancement of the existing Zuma Ridge trail along the north side of Agoura Road westward to Medea Creek, and crossing Agoura Road further west of Cornell Road, and west of the project site, to future equestrian center located between Medea Creek and



Cornell Road southwest of the project site (see AVSP Figure 8.1 on page 8-106). This corresponds with the General Plan Trail Network (reference General Plan Figure CS-3).

The Rim of the Valley Trail Corridor Master Plan and the National Park Service planned trails are shown as future trails within private property. Private property owners are not required to allow for those trails. The project applicant is providing for driveway access to adjacent property at the southeast of the project site, allowing for future access to a possible off-site trail network (“Paramount Ranch Connector Trail”).

Response 8.10

The commenter states that the project would be growth-inducing through the introduction of a roadway and the extension of utility service and drainage into the area.

The AVSP FEIR addresses growth-inducing impacts for development of the AVSP area, including the project site. The on-site access driveway is only intended to serve as a driveway for internal circulation and to allow fire department access to the adjacent property. It would need to be wider in order to serve as full vehicular access for the area. The utility service already exists in Agoura Road. Any undeveloped property along Agoura Road already can extend utility service from the roadway. The project would not be extending utility service into the area. The proposed drainage for the site is sized to be able to serve the proposed project. It would not be able support additional development on off-site areas. Thus, the project would not induce growth in the area or remove impediments to growth for surrounding properties.

Response 8.11

The commenter states that an EIR alternatives analysis must be considered for an alternative that does not build a full-service two-lane road on the site.

The on-site driveway is not a “full-service” road for purposes of this project. As shown in the MND, all impacts can be mitigated to a less than significant level so an EIR and the associated alternatives analysis is not required for the project.

Response 8.12

The commenter states that any project on the site should only provide a stubbed road at the edge of the project footprint within the existing ROW and that any other arrangement would be growth inducing and would impact the SEA.

The driveway is designed per Los Angeles County Fire Department requirements. There is no requirement for the project to incorporate the vacated, private “paper right-of-way” into the project design as access from the street, and internal circulation, is being provided. Except as specified in the City Zoning Ordinance and identified on the City Zoning Map, L.A. County’s SEA designation has no standing in the City.



Response 8.13

The commenter states the proposed conditions for any project that would eliminate CA-LAN-1352 must include a Phase IV archeological study.

The AVSP FEIR outlines necessary mitigation measures for cultural resources. The Cultural Resources section of the IS-MND states that the project would require extensive grading that would negative impact CA-LAN-1352 retains integrity and meets the significance requirements for CRHR inclusion under Criterion 4 (it retains the potential to yield important information to the prehistory of the area). However the MND determined that through implementation of MM CS-CR-1, CS-CR-2, and CS-CR-3, impacts would be less than significant. Mitigation measure CS-CR-1 requires monitoring of all ground disturbing activities by a qualified archeologist, paleontologist and/or Native American monitor as appropriate. CS-CR-2 requires the notification of the appropriate authorities if human remains are discovered. CS-CR-3 requires that if avoidance of CA-LAN-1352 is not feasible, the project applicant shall complete a Phase III data recovery excavation program prior to project-related ground disturbance. Mitigation measure CS-CR-3 includes performance measures for the Phase III data recovery excavation program. With these measures, the project's impact can be reduced to a less than significant level.

Response 8.14

The commenter states that all projects should include a fee simple public open space dedication and perpetual annual open space maintenance funding source. The commenter requests the City require an EIR with two feasible alternatives.

Open space dedication is not a required mitigation measure for this project. Nevertheless 1.98 acres is proposed to be preserved as open space. Refer to Response 8.6 for discussion of why an EIR is not required.

Response 8.15

The commenter states that the Conservancy will exercise its rights to any and all vacations of public land to which it has rights to under 33207 of the Public Resources Codes.

Public Resources Code 33207 states that the conservancy shall have the first right of refusal on any property within the zone presently owned by a public agency and scheduled for disposal as excess lands, except where such lands are designated for acquisition as a park or recreation area by a federal, state, or local agency. The project site is not currently owned by a public entity, but the comment is noted.

Response 8.16

The commenter states that the project belongs on flat lands, not at the boundary of the Liberty Canyon wildlife corridor.

The AVSP allows for development of the project site and the AVSP FEIR addresses environmental impacts associated with development within the AVSP area. The project is not within, or adjacent to, a designated wildlife movement corridor.



Letter 9

CITY OF AGOURA HILLS

2016 AUG -8 PM 3:27

CITY CLERK



August 8, 2016

RE: Comments: Cornerstone Mixed-Use Project Environmental Document

Dear City Council and Planning Commission:

Please send this project back to the drawing boards to eliminate several of the buildings. This incompatible monstrous project-6 huge buildings obliterating Agoura's hills- doesn't belong here. Given the Figure 4 on page 15 (Simulated view of the project from the US 101), this project is way too dense, will have a significant aesthetic impact which can NOT be mitigated, does not minimize hillside alteration, and does not respect the natural topography.

1

There will be 95,000 cubic yards of cut, with a net export of 92,500 CY of earth material! Six months of grading/removing Agoura Hills "Hills" will result in with 45 round truck trips a day. This is not what our plans/residents envisioned for Agoura Hills Hillside Management.

2

Unlike the incorrectly marked Aesthetics Environmental Checklist: It will have a significant impact: a) on a scenic vista b) by substantially damage our city's hillside scenic resource and namesake c) substantially degrade the existing visual character and quality of the site and its surroundings and d) create a new source of substantial light which will adversely affect nighttime views in the area.

3

The traffic analysis/information is inadequate. Hundreds of car trips a day happen when Cornell Road residents use this road as a cut through so they can get out of their community during beach traffic days. Now this past summer, we have had "F" conditions at Kanan and Agoura Road, and Kanan and the 101 south of the freeway from beach traffic seen at brand new levels. Everyone is complaining about the situation. You can not possibly add this monstrous of a project and mitigate its traffic impact. In addition, there is no community support for adding lanes to make 4 lanes in the front of this project as it abuts Agoura Road. Also, this is not in the general plan. The project also appears to have inadequate parking. Another constant complaint of Agoura Hills residents.

4

More Environmental review is needed to show how this project will impact the Significant Ecological Area 22a of Los Angeles County. A new biological study for all the animals and plants identified in this SEA must be done. When it was previously called the Las Virgenes SEA, a study was done in the 1990s. (link to this study is found on LA County SEA page)

5

We officially request that all projects in the Agoura Village Specific Plan have a coordinated architectural theme. Please do this now so as the projects come on line, we do not get a "hodge podge" of uncoordinated architectures. This is the main entrance to our national park, the SMMNRA, and the regional route to the Malibu Zuma beaches. A coordinated theme will help make travelers want to stop and visit any retail/restaurants that we have here. Also, a quality setting will bring in quality shops and restaurants.

6

Sincerely,
Mary Wiesbrock
Mary Wiesbrock, Chair

Letter 9

COMMENTER: Mary Wiesbrock, Chair, Save Open Space

DATE: August 8, 2016

Response 9.1

The commenter states that the project is too large and would have a significant aesthetic impact that cannot be mitigated.

The project complies with the building size and density requirements of the AVSP and the Agoura Hills Municipal Code. Aesthetics impacts are discussed on pages 13 through 21 of the IS-MND. This analysis finds that there would be potentially significant impacts to scenic resources, the visual character of the area, and impacts due to light and glare. The analysis determined that these impacts would be less than significant with incorporation of mitigation measures from the AVSP EIR. These mitigation measures require the avoidance of knolls and the reduction of glare. No substantial evidence supporting the contention that aesthetic impacts cannot be reduced to below a level of significance has been provided.

Response 9.2

The commenter states that the amount of export/cut of earth material is not what plans and residents envisioned for Agoura Hills Hillside Management.

The project would comply with all requirements of the Hillside Management Ordinance and the applicant is not asking for any exceptions. Therefore, the proposed grading amounts comply with the requirements of the Ordinance.

Response 9.3

The commenter states that the project would have a significant impact on aesthetics.

See Response 9.1 for a discussion of the aesthetics impacts of the project.

Response 9.4

The commenter states that traffic congestion at Kanan and Agoura Road, on Kanan Road, and 101 south of the freeway is subject to complaints. The commenter states that the proposition of adding lanes in front of the project is not part of the general plan, and that the project does not have adequate parking.

Traffic impacts are discussed on pages 112 through 122 of the IS-MND. The analysis included in the IS-MND is based on the AVSP FEIR and the study completed by Associated Transportation Engineers (ATE) in December 2014. The study found that the project would not cause a significant increase in traffic at any of the six studied intersections during either the a.m. or p.m. peak hours under the existing or near term scenarios. The study found that the project would cause a significant impact at one intersection (US-101 southbound ramps/Roadside Drive/Kanan Road) during the p.m. peak hour under the cumulative (2035) scenario. Inclusion of mitigation measure CS-T-1 would reduce this impact to a less than significant level. This mitigation requires the applicant pay the project's fair share towards the cost of improving the



intersection as required by mitigation measure T-2(g) of the AVSP FEIR. This would reduce the traffic impacts to a less than significant level.

Response 9.5

The commenter states that more environmental review is needed to show the impact of the project on SEA 22a of Los Angeles County.

Please see Response 8.2 for a discussion of the SEA. The SEA classification is determined by Los Angeles County. These designations are not applicable to land within the boundaries of the City of Agoura Hills.

Response 9.6

The commenter requests that all projects in the Agoura Village Specific Plan have a coordinated architectural theme.

The project would be required to comply with the architectural design requirements of Chapter 5, *Design Guidelines*, of the AVSP. These guidelines include requirements for building massing, 360 degree architecture, inclusion of parapets, and defined entryways, which are also incorporated into the project design.



SOS SAVE OPEN SPACE

CITY OF AGOURA HILLS

2016 AUG 12 PM 3:00

RE: Cornerstone project
Dear City Council and Planning Commission:
Traffic

CITY CLERK

The traffic study should include an analysis of the beach traffic peak levels not just am and pm peaks. Also, Cornell Road needs reevaluating during the beach peak as hundreds of unincorporated Agoura homeowners use that cut through because beach traffic at beach traffic peak times backs up the traffic flow on Kanan. Agoura Road with its intersection with Cornell will need a traffic light. The out dated traffic analysis (2014 levels) needs 2016 levels. The cumulative level of D is not what residents of Agoura Hills want to see in our city. We envisioned levels of C. What level is allowed at Agoura Road and Kanan, and Agoura Road alone here in front of this project in our general plan? The General Plan does not show Agoura Road in front of this project as 4 lanes-how will Agoura Road here handle this new project traffic, the cut through Cornell Road traffic, and regular traffic on Agoura Road? What are the parking requirements per Agoura Hills code? Will they be asking for a variance from our requirements?

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Please add to the Biological comments:

The scrub oaks chaparral community, considered significant in the adjacent SEA, needs to be mapped and shown its location in this environmental document and the relationship of the development footprint. With the elimination of some of the buildings, site specific development protecting the endangered plants, oak trees, and this scrub oak chaparral. The development footprint needs to be protective these sensitive biological resources and federally endangered plants. Too many oaks are being taken out. Site specific development needs to happen with less buildings and the buildings which remain must be placed to protect more oaks and these biological resources.

7

This environmental document is inadequate on the endangered plants which were found. You need to map their location. Require site specific building locations which protect these endangered plants in place. Even fuel modification can not be allowed to impact any of the endangered plants.

8

Geological: You need to add the map which shows the path of the Liberty Canyon fault which runs through Agoura Hills. (attached) This map needs to be added to the Agoura Hills General Plan. There needs to be a slope map in the environmental document and evaluation on this project and compatibility with hillside regulations.

9

10

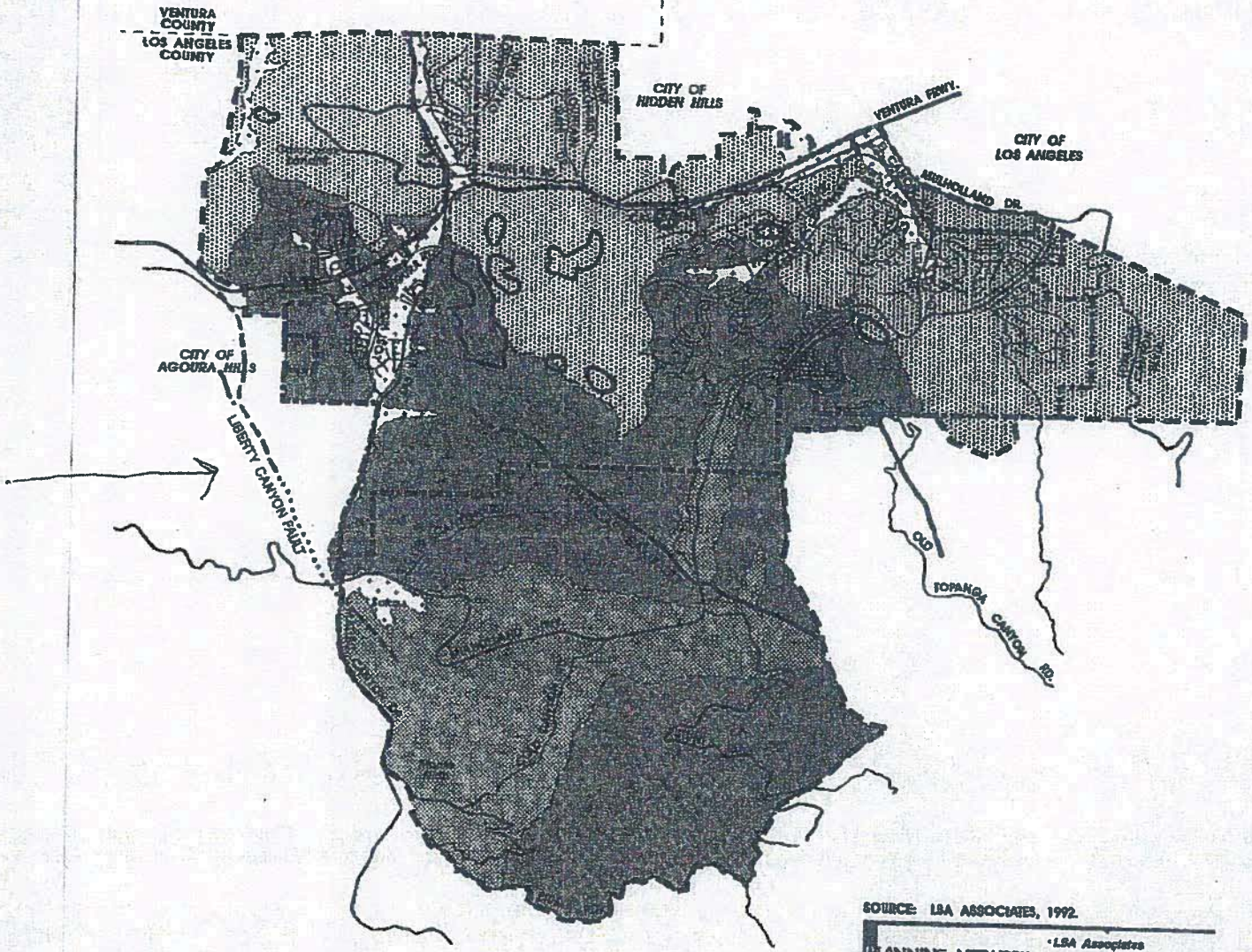
Sincerely,

Mary Wiesbrock
Mary Wiesbrock, Chair



**CITY OF CALABASAS
GENERAL PLAN**

**FIGURE V-1
GEOLOGICAL FORMATIONS**



- LEGEND**
- CITY LIMITS
 - SPHERE OF INFLUENCE
 - MODELO
 - TOPANGA
 - CONEJO AND OTHER VOLCANICS
 - YOUNGER ALLUVIUM
 - FAULT LOCATIONS
 - POTENTIAL AREAS OF MASS WASTING / LANDSLIDES

SOURCE: LIA ASSOCIATES, 1992.

PLANNING NETWORK
• LSA Associates
• Urban Research Associates
• Urban Design Studio



Letter 10

COMMENTER: Mary Wiesbrock, Chair, Save Open Space

DATE: Received August 12, 2016

Response 10.1

The commenter states that beach traffic should be evaluated, at the intersection of Agoura Road and Cornell Road. The commenter claims that the intersection of Agoura Road and Cornell Road will require a traffic light and suggests that the traffic analysis is out of date. The commenter further states that cumulative level D LOS is not what the residents of Agoura Hills would like, questioning what LOS is allowed at the site. The commenter further questions how the project will impact Agoura Road, the parking requirements, and any project variances.

Weekend beach commuter trips would not occur during weekday peak hour trips associated with this project. Furthermore, vehicular trips to the beach could occur throughout the day and commuters may take alternative routes. As stated on page 113 of the Draft IS-MND, the City of Agoura Hills considers LOS C or better acceptable for unsignalized intersection operations and a significant impact would occur if there is a change in the LOS with the addition of project traffic to LOS D or worse. A significant impact at an unsignalized intersection would also occur if there is an increase in delay by five or more seconds for intersections operating at an unacceptable LOS. All project study intersections, including the intersection of Agoura Road and Cornell Road, would continue to operate at LOS B or better under peak hour conditions in the near-term. The intersection of the US-101 northbound ramp, Canwood, and Kanan Road would operate at LOS D under cumulative and cumulative plus project conditions. However, Mitigation Measure CS-T-1 would reduce the impact to a less than significant level.

The project would include parking that exceeds the requirements of the General Code, consisting of a total of 301 parking spaces; 183 of which would be enclosed parking spaces, 67 of which would be on-site parking spaces, and 51 of which would be street parking. The project would not require any variances related to parking.

Response 10.2

The commenter suggests that the Project should be designed to protect sensitive biological resources and states that too many oak trees are proposed for removal. The commenter states that the environmental document is inadequate, and suggests that site specific building locations be required to protect the endangered plant species found on-site.

These opinions are noted. As discussed in Section IV, *Biological Resources*, of the Draft IS-MND, the Project would have potentially significant impacts to special status plant species, such as Lyon's pentachaeta, Agoura Hills dudleya, and Ojai Navarretia. Mitigation from the AVSP FEIR would require avoidance of these species or, if avoidance is infeasible, implementation of a restoration plan for the affected species. These measures would reduce Project impacts to a less than significant level.

Construction of the Project would impact eight Coast Live Oak trees, 21 Valley Oak trees, and 21,271 square feet of Scrub Oak habitat would be removed. In addition, six oak trees would



experience construction encroachment within their protected zones, but are expected to survive. Twenty-four of the existing oak trees and 40,574 square feet of scrub oak habitat would be retained with no direct construction impacts. Measure CS-BIO-9 would mitigate impacts through protection of oak trees during construction and replacement of oak trees removed for development pursuant to the City of Agoura Hills' oak tree protection ordinance. The measure requires the planting of four oak trees for each tree that is approved for removal, per the City's Oak Tree Protection Ordinance. Mitigation Measure SS-BIO-2 requires that, prior to fuel modification activities in habitat known to contain the State and federally Endangered Lyon's pentachaeta, the federally-listed, Threatened Agoura Hills dudleya, or the Sensitive Ojai Navarretia, a qualified biologist must locate and flag Agoura Hills dudleya Lyon's pentachaeta, and Ojai Navarretia within the fuel modification zone, and demarcate an appropriate buffer(s) of at least 10 feet and develop/implement protocols in consultation with the Los Angeles County Fire Department that would protect the species from direct or inadvertent harm during fuel modification activities, while meeting fire protection requirements. The qualified biologist must then monitor all fuel modification activities in these areas to ensure that the species are protected.

Response 10.4

The commenter suggests that a map showing the Liberty Canyon fault should be included in the project analysis and added to the City's General Plan. The commenter further states that the compatibility of the Project with respect to hillside regulations needs to be evaluated.

The Liberty Canyon fault is mapped as concealed by alluvium in Liberty Canyon for a distance of approximately two miles from bedrock exposures of a series of relatively short and relatively small displacement faults near the intersection of Las Virgenes Canyon Road and Mulholland Highway (Chris Sexton of Geodynamics, Inc., the City of Agoura Hills Geological and Geotechnical Consultant, personal communication, March 2015). Published studies do not show a fault through the Project area. The Liberty Canyon fault is not included in an Aliquist-Priolo Fault Zone and is not considered to be a ground rupture hazard.



Letter 11

Doug Hooper

From: robert fernandez [onthelakeside@att.net]
Sent: Monday, August 08, 2016 3:52 PM
To: Doug Hooper
Subject: doron gelfand and osier ben tov

Thank You for this opportunity.

We do not need one more anything, person, car or building clogging the already dangerously and ridiculously clogged roadways and sucking up precious resources i.e. water that we do not have. I have lived in the malibu lake area, south of the 101 off Kanan rd since the 1980's. Years ago we used to joke about having to go across the freeway, you know for everything like groceries etc. It is no joke now,

but a real dread and great sense of danger and stress. Makes me contemplate moving elsewhere. With social media, traffic is worse than ever. Thousands more cars and people are venturing out into nature causing more of a bottleneck on the southbound side of the Kanan exit off the 101. The right turn only lane heading westbound onto agoura road boggles my mind.

Maybe the city of agoura and the county of los angeles can get together and have both lanes head south, merging somewhere south of agoura rd past the mess of signals and driveways, where there appears to be room.

I fear that emergency help will be hindered reaching my family and god forbid if we have to evacuate in the event of. wildfires.

Our community can not afford the Doron Gelfand and Ossie Ben Tov project at agoura and cornell rd's or any other project for that matter.

Kristi Fernandez
1833 Seminole Dr.
Agoura, CA 91301

818-991-6122

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Letter 11

COMMENTER: Kristi Fernandez

DATE: August 8, 2016

Response 11.1

The commenter states concerns about traffic, suggesting that the roads are already dangerous and congested. The commenter further states that the project would result in a greater bottleneck on the southbound side of the Kanan Road off-ramp.

The Project's traffic impacts are discussed in Section XVI, *Transportation and Traffic*, of the Draft IS-MND. Project-specific traffic impacts would not be significant based on City thresholds, but the Project would contribute substantially to a significant cumulative impact at the US-101 Southbound/Roadside Drive/Kanan Road intersection. The applicant would be required to pay a pro-rata share toward the improvements at that intersection outlined in Mitigation Measure T-2(g) of the AVSP FEIR, and mitigation measure CS-T-1 of the IS-MND. The identified improvements include restriping the southbound approach to provide a second left-turn lane. In addition, the east leg of the intersection (Roadside Drive) would be widened to the south to provide two receiving lanes. The applicant would also be required to implement mitigation from the AVSP FEIR pertaining to crosswalks, site access, and construction impacts.

Response 11.2

The commenter states concerns about emergency access, including evacuation in the event of a wildfire.

Emergency access is also discussed in Section XVI, *Transportation and Traffic*, of the Draft IS-MND. The Project would be required to comply with all Los Angeles County Fire Department requirements regarding hazards and emergency access. The Project includes development of a fire access lane and would not result in inadequate emergency access.

Response 11.3

The commenter suggests that the community cannot afford any additional projects.

This opinion is noted. As discussed throughout the IS-MND, all project impacts would be less than significant with mitigation incorporated and no new significant and unavoidable impacts would result from the project.



CITY OF AGOURA HILLS

2016 AUG -8 AM 11: 10

CITY CLERK

Letter 12

August 8, 2016

City of Agoura Hills
Planning Department

Re: Cornerstone Mixed-Use Project
Initial Study and Mitigated Negative Declaration

Please consider revisions to the above document.

Specifically under the topic of "Aesthetics", Discussion, AES 1., Retaining Wall Design on Page 14, paragraph 4 states "Westbound motorists traveling along Agoura Road between Vejar Drive and Cornell Road have views of Ladyface Mountain to the southwest. However views across the project site towards Ladyface Mountain from Agoura Road are currently blocked by the existing topography and vegetation such as oak trees. Therefore, development of the proposed project with structures up to 45 feet in height would not significantly block views of Ladyface Mountain."

First of all, the topography and oak trees are part of the view of Ladyface Mountain or any other "scenic" area of the City. To compare the visual blight of a 45 foot structure to oak trees is incomprehensible.

The Agoura Hills General Plan places a value on the scenic views surrounding our City. They are to be preserved. I think most of us take our role as "the gateway to the Santa Monica Mountains" seriously. The Cornerstone project, with the proposed seven buildings totaling over 150,000 square feet of development (residential, commercial, and office) should be scaled back to fit the site and preserve the views that most of us moved here to enjoy.

Again, I urge revisions to this document. It should be realistic in its assessment of the proposed project.

Joan Yacovone

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Letter 12

COMMENTER: Joan Yacovone

DATE: August 8, 2016

Response 12.1

The commenter states that the project would cause a significant aesthetic impact and that the project should be scaled down and preserve the views of the area.

See Response 8.8 for a discussion of the aesthetic impact of the project.

