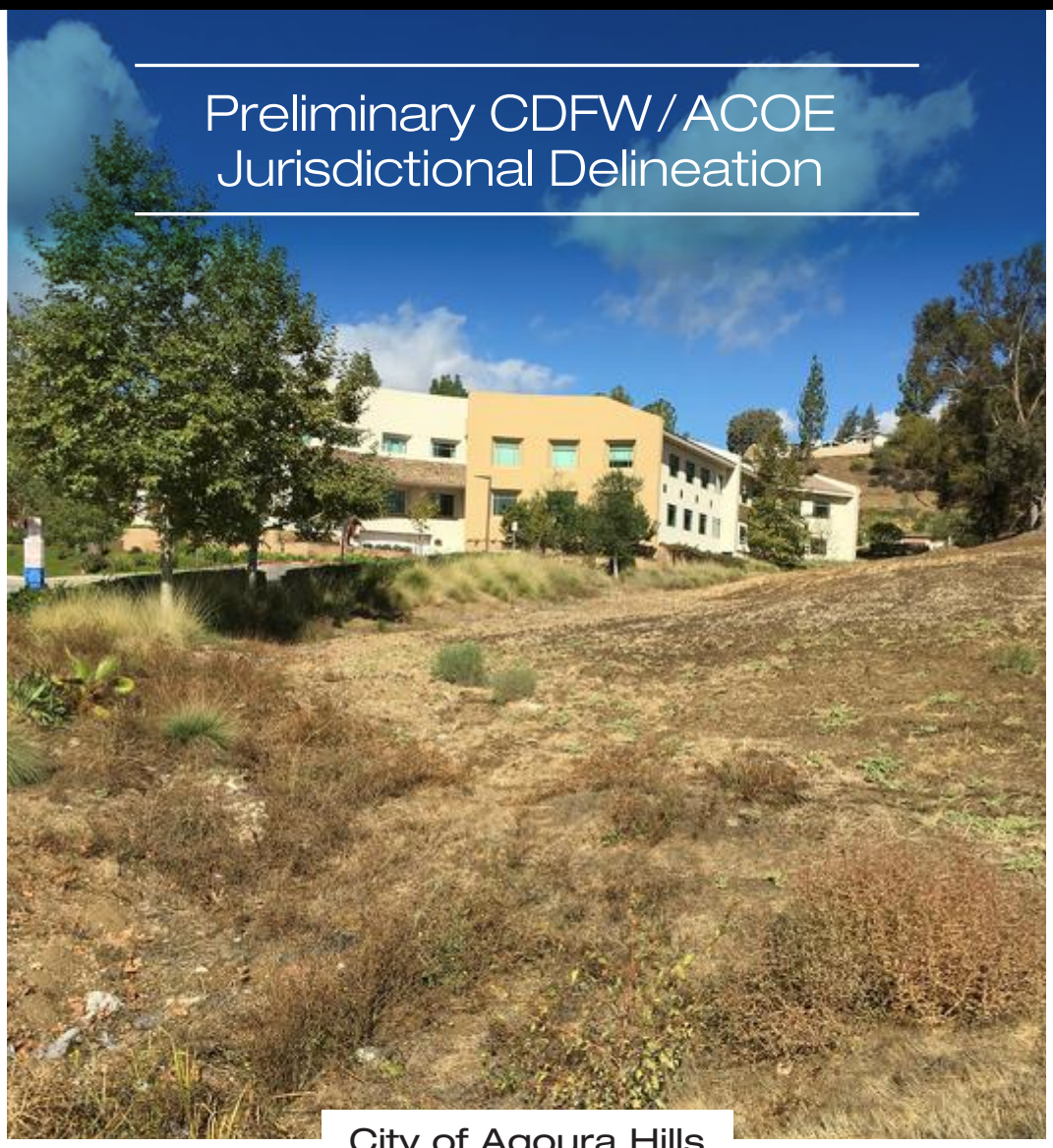
Preliminary CDFW and ACOE Jurisdictional Delineation

APPENDIX D1

Oakmont of Agoura Hills

Preliminary CDFW/ACOE Jurisdictional Delineation



City of Agoura Hills

PREPARED FOR:

City of Agoura Hills

3000 Ladyface Court
Agoura Hills, CA 91301
Attn: Ms. Allison Cook
(818) 597-7310

PREPARED BY:

ENVICOM CORPORATION

4165 E. Thousand Oaks Blvd., Suite 290
Westlake Village, California 91362
Attn: Mr. Tyler Barns, Project Manager
(818) 879-4700

August 18, 2017

PRELIMINARY CDFW/ACOE JURISDICTIONAL DELINEATION

Oakmont of Agoura Hills Project

City of Agoura Hills
Santa Monica Mountains,
County of Los Angeles, California

Prepared for:

CITY OF AGOURA HILLS
3000 Ladyface Court
Agoura Hills, CA 91301
Attn: Ms. Allison Cook
(818) 597-7310

Prepared by:

ENVICOM CORPORATION
4165 E. Thousand Oaks Boulevard, Suite 290
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(818) 879-4700

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1.0 INTRODUCTION

1.1 Purpose of the Study

The City of Agoura Hills (City) engaged Envicom Corporation (Envicom) to complete a jurisdictional delineation for the proposed Oakmont Of Agoura Hills Project (project) to satisfy the requirements of the California Department of Fish and Wildlife (CDFW) under California Fish and Game Code section 1600 et seq., Regional Water Quality Control Board (RWQCB) Water Quality Certification under Section 401 of the Clean Water Act (CWA), and U.S. Army Corps of Engineers (ACOE) under Section 404 of the CWA.

This report provides a delineation of aquatic features that meet the physical criteria and regulatory definitions of "Waters of the United States" (WOUS) and "Waters of the State of California" (WOS), and associated riparian habitat.

1.2 Site Location and Project Description

The project site is a semi-developed lot (APN 2053-001-005) located at 29353 Canwood Street (APN 2053-001-005) immediately north of US Highway 101 between the Reyes Adobe Road and Kanan Road off ramps between the SW 1/4 of Section 21 and the NW 1/4 of Section 28, T1N, R18W (USGS Thousand Oaks 7.5' quadrangle), as shown on **Figure 1**, **Regional Location Map** and **Figure 2, USGS Project Location**. The approximately 5.75-acre project site is bounded by the Center Court Medical Plaza to the west, private, single-family homes and a large grassy area sit atop a hill to the north. Canwood Street lies immediately south, and undeveloped land lies immediately to the east

Based on the information provided in the project's Application, we understand the project includes the construction of a new two-story senior center and associated infrastructure and landscaping and. A site plan prepared by Huitt-Zollars dated August 8, 2017 is provided as **Appendix 1.**

1.3 Site and Study Area Characteristics

The project site is situated in the inland foothills of the Santa Monica Mountains at elevations ranging from 880 to 1,000 feet above mean sea level. The eastern portion of the property is generally dry and exposed (south-facing), while the eastern portion of the property supports mesic vegetation associated with the creek. The study area includes the previously delineated ephemeral drainage and the extent of associated riparian canopy along the western portion of the subject parcel.

Source: ESRI Open Street Map background imagery, 2016.

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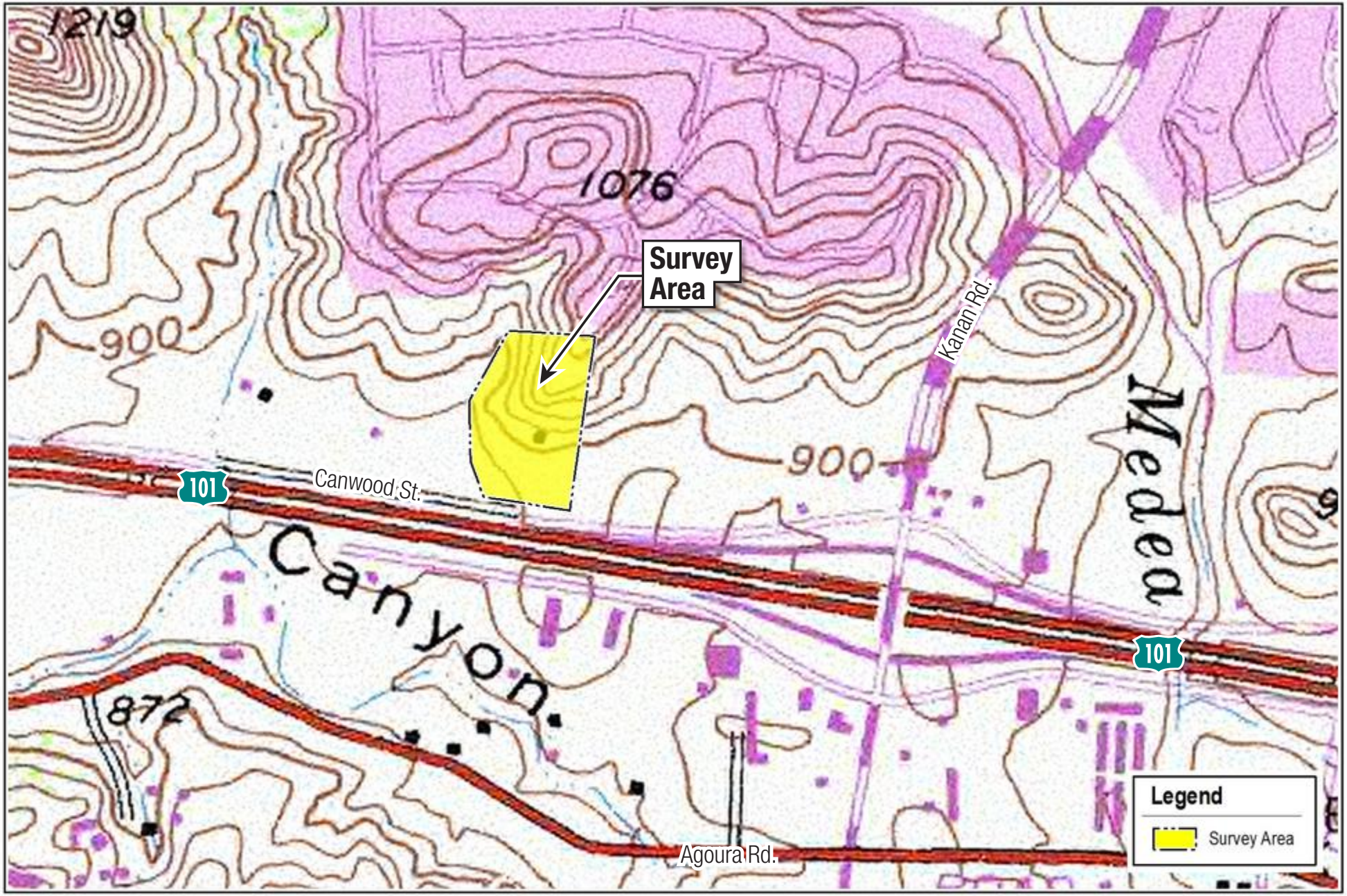
Regional Location Map

0 500 1,000 Feet

FIGURE 1



Sources: U.S.G.S. Topographic Quadrangle Map Mosaic.

U.S.G.S. Project Location

0 250 500 Feet

FIGURE 2

An un-named, non-blue line stream drainage traverses north to south through the western portion of the project site, supporting a small, well-developed riparian community. During storm events, drainage from an offsite location may contribute to this developed community via terrace drains leading to the head of the drainage. The riparian woodland consists primarily of coast live oak (*Quercus agrifolia*), valley oak (*Q. lobata*) and arroyo willow (*Salix lasiolepis*). The survey area abuts the Center Court Medical Plaza on the west (**Figure 3, Aerial of the Project Site and View Locations**). Representative photographs to depict site conditions, and those at each soil test pit and plot location are presented in **Figures 4 and 5**.

The U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) do not list the portion of the drainage within the study area as wetland feature. Nonetheless, because the drainage presumably connects via the culvert under Canwood Street with Medea Creek, a regulated water body south of project site, the portion within the subject property would likely be subject to CDFW, United States Army Corps of Engineers (ACOE), and Regional Water Quality Control Board (RWQCB) regulations.

Average annual precipitation is approximately 18.67 inches per year and runoff from upland areas discharges into the creek and flows south to the Pacific Ocean. Annual average temperature in the vicinity of the study area is 63.8 degrees Fahrenheit (°F). Average low temperature is 55.9°F and average high temperature is 71.7°F (US Climate Data 2016). Total rainfall for the Los Angeles area from January 1, 2016 to September 25, 2016 was approximately 6.57 inches.

Directions to the Project Site

Directions to the survey area are provided from the ACOE Los Angeles office located at 915 Wilshire Blvd, Los Angeles, California to 29353 Canwood Street.

1. Turn left onto Wilshire Blvd and merge onto I-405 N
2. Merge onto US-101 North toward Ventura, keep left toward Ventura
3. Take Exit 36 onto Kanan Road
4. Continue straight onto Canwood Street
5. Left on North Highland Avenue
6. Continue on Canwood Street for 0.3 miles to the site.

Contact Information

The City of Agoura Hills is the Lead Agency for permitting and compliance under the California Environmental Quality Act. Contact information for the City and the biological consultant are provided below.

Lead Agency	Biological Consultant
City of Agoura Hills Ms. Allison Cook 3000 Ladyface Court Agoura Hills, CA 91301 Office: (818) 597-7310	Envicom Corporation Tyler Barns 4165 E. Thousand Oaks Boulevard, Suite 290 Westlake Village, CA 91362 Office: (818) 879-4700

Aerial Source: USGS High Resolution Orthoimagery: http://viewer.nationalmap.gov/basic/.

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Aerial of the Project Site and View Locations

0 70 140 Feet

FIGURE 3

Photo 1 – View to the north illustrating the ephemeral drainage south of the oak-willow riparian woodland. Non-native bristly-ox tongue (*Helminthotheca echioides*), tumbleweed (*Salsola australis*), and planted deergrass (*Muhlenbergia* sp.) line the drainage.

Photo 2 – View to the south of the culvert under Canwood Street at the southern terminus of the ephemeral drainage. The drainage is supplemented by irrigation runoff from the adjacent medical plaza.

Photo 3 – View to the south illustrating the disced overland sheet flow area where the drainage is poorly defined. Facultative bristly-ox tongue dominates the western drainage limit at the toe of the manufactured slope.

Photo 4 – View to the north illustrating the poorly defined channel and the adjacent (west) medical plaza with landscape plantings.

Photo 5 – View to the southwest illustrating the southernmost portion of the Baltic rush (*Juncus balticus*) patch and the northern portion of the drainage.

Photo 6 – Photo to the north illustrating the understory of the oak-willow riparian woodland.

Photo 7 – Photo to the northwest illustrating the drought-stress remains of a previously robust rush wetland area. The area is transitioning to a drier ecotype as evidenced by the emergence of valley oak and coast live oak saplings.

Photo 2D – Photo of the wetland area associated with the medical plaza culvert outfall. This area had standing water and supported a robust collection of hydrophytic vegetation including non-native dock (*Rumex* sp.) and willow herb (*Epilobium ciliatum* ssp. *ciliatum*).

Representative Photos of the Project Site

2.0 METHODS

An onsite investigation to delineate the amount and type of jurisdictional waters and riparian habitat was conducted on October 31, 2016, in accordance with the 1987 ACOE *Wetlands Delineation Manual* (ACOE 1987), *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Version 2.0) (ACOE 2008a), *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (ACOE 2008b), and *A Field Guide to Mapping Episodic Stream Activity* [where applicable] (Brady and Vyverberg 2013). This investigation updates a previous delineation of the site completed by Envicom Corporation in 2005. Vascular plant species determinations were made using *The Jepson Manual: Vascular Plants of California, 2nd edition*. Natural community classifications were correlated with the *List of Vegetation Alliances and Associations (Natural Communities List*) (CDFW, September 2010). Vertebrate wildlife species observed at and in the vicinity of the site were identified by direct observation, sign (e.g., tracks, scat, or burrows), or vocalization. Wildlife species identification relied upon Reid (2006), Sibley (2009), and Stebbins (2003). Several photographs were taken as a record of site conditions at the time of the survey.

2.1 Federal Jurisdiction

The ACOE, under Section 404 of the CWA, regulates the filling of WOUS, including associated wetlands (ACOE 1987). The ACOE defines wetlands as:

> "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas" (40 CFR 230.3(t))".

Wetlands are considered a subset of WOUS. This broad term incorporates aquatic systems that fall under the regulatory jurisdiction of the CWA (Section 404) and the Rivers and Harbors Act (Section 10), including deep-water aquatic habitats and special aquatic sites such as wetlands and mudflats (ACOE 1987). Waters of the US include the territorial sea, coastal and inland waters, lakes, rivers, and streams.

2.2 State Jurisdiction

The California State Water Resources Control Board (SWRCB) and the RWQCB maintain regulatory responsibility for management of wetlands and waterbodies in California and may review wetland delineations in concert with the ACOE. With specific regard to wetlands, the delineation of boundaries of WOS is usually based on the ACOE's multi-parameter approach, as outlined in the 1987 Wetlands Delineation Manual and 2008 Regional Supplement. "Waters of the State" are defined in Section 13050 of the California Water Code as "any surface water or groundwater, including saline waters, within the boundaries of the state." Surface waters are non-tidal wetlands, rivers, streams, and lakes, estuarine wetlands, estuarine waters, and coastal waters, and include waters in both natural and artificial channels.

Pursuant to California Fish and Game Code Section 1600, CDFW has authority over all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state, and requires any person, state or local governmental agency, or public utility to notify the CDFW before beginning any activity that would "substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake" that supports fish or wildlife resources.

A stream is defined as a "body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation" (California Code of Regulations, Title 14 §1.72). A Lake or Streambed Alteration Agreement may be required for any proposed project that would result in an adverse impact to a river, stream, or lake. CDFW jurisdiction typically extends to the top of the bank and out to the outer edge of adjacent riparian vegetation, if present. However, CDFW can take jurisdiction over a body of flowing water and the landform that conveys it, including water sources and adjoining landscape elements that are byproducts of and affected by interactions with flowing water without regard to size, duration, or the timing of flow (Brady and Vyverberg 2013).

2.3 Pre-Field Evaluation

Prior to engaging in fieldwork, Envicom staff reviewed background reference materials to familiarize personnel with the survey area and determine potential wetland, waterbody, and drainage areas to be further evaluated. These materials included historic and current aerial photographs (Google Earth 2016, Microsoft 2016), the NRCS web soil survey (USDA 2016), the National Hydrography Dataset (NHD), and the National Wetland Inventory (NWI) (USFWS 2016). NWI and NHD datasets provide representation of wetlands and other surface water features that may be present in an area (**Figure 6, National Hydrography Dataset and National Wetlands Inventory Data**). Soils in the area are illustrated in **Figure 7, NRCS Soils**. Database records are compiled from historic and contemporary data collection efforts, and thus they are a good starting point for indications of surface hydrology and soils; however, the data must be field verified as on-the-ground conditions are usually undergoing continuous anthropogenic modifications and aquatic features can be lost or highly altered.

2.4 Field Evaluation

After preliminary identification of potential wetland areas based on the pre-field evaluation with the aid of color aerial photographs and engineering-grade topographic maps, an Envicom wetland biologist examined the project site. Jurisdictional non-wetland WOUS (ACOE and RWQCB) include areas within onsite drainages below the plane of the ordinary high water mark, while CDFW jurisdictional areas extend from bank to bank, and include the landward edge of riparian vegetation, where present.

Test plots were recorded to determine the ACOE, RWQCB, and CDFW jurisdictional areas within the survey area. The plot locations were mapped with GPS coordinates, and the Wetland Determination Data Form was used to record observations of vegetation, soils and hydrology. The completed forms are included in **Appendix 2**. The test plot locations were mapped in the field using a Trimble GPS with sub-meter accuracy.

2.5 Global Positioning System and Mapping

For this survey, Envicom used a Trimble R1 GNSS Receiver (sub-meter accuracy) Global Positioning System (GPS) unit with TerraFlex to map aquatic community boundaries. Information was exported to a database format using ArcGIS software and edited before linking with a geographic information system. All of the survey data was recorded in the WGS 1984 geographic coordinate system and then projected into the NAD-83 State Plane Zone 5 coordinate system for post-processing (e.g., GIS acreage calculations). The extent of CDFW riparian habitat was delineated based on measurements collected in the field and aerial imagery.

Aerial Source: USGS High Resolution Orthoimagery: http://viewer.nationalmap.gov/basic/.

National Wetlands Inventory Data

0 100 200 Feet

FIGURE 6

Aerial Source: USGS High Resolution Orthoimagery: http://viewer.nationalmap.gov/basic. Data Source: NRCS Soils: http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.

NRCS Soils

0 70 140 Feet

FIGURE 7

3.0 DELINEATION RESULTS

3.1 Local Watershed

The survey area is located in the Medea Creek watershed (HUC 180701040102) within the larger Santa Monica Bay watershed (HUC 18070104). The un-named drainage conveys waters from upland residential areas and traverses through the property from north to south, en route to a culvert under US-101 to Medea Creek, and the Pacific Ocean.

3.2 Local Soil Types

The survey area is characterized by two (2) soil type that primarily consist of loams and sandy/silt loams (Figure 5). A brief description of the soil type is given below:

- URBAN LAND-CROPLEY, FILL COMPLEX 0 TO 8 PERCENT SLOPES, COMMERCIAL (437) - The Cropley series consists of very deep, moderately well and well drained soils that formed in alluvium from mixed rock sources. Cropley soils are on alluvial fans, floodplains and in small basins. Slopes range from 0 to 15 percent. This soil association does not meet hydric criteria.
- URBAN LAND-SAPWI, LANDSCAPED-KAWENGA, LANDSCAPED COMPLEX, 0 TO 20 PERCENT SLOPES, RESIDENTIAL (452) - The Kawenga and Sapwi series consists of moderately deep to bedrock, well drained soils that formed in residuum and colluvium derived from sandstone. Sapwi soils are on hills and mountains. Slopes are 15 to 75 percent. This soil association does not meet hydric criteria.

3.3 Vegetation Communities

Habitats for plants and animals consist primarily of riparian woodland in the northern portion supplanted by annual and herbaceous cover in the remaining areas where it has been mechanically disced, or planted with landscape ornamentals and trees along the western property boundary.

The vegetative cover in the riparian area is virtually complete. This vegetation community is classified as valley oak woodland, which occurs valley bottoms seasonally saturated soils that may intermittently flooded, lower slopes, summit valleys. The drainage enters near the northwestern corner of the site where a terrace drain feeds surface water directly to the head of the drainage. Historically, the drainage may have continued further north, upstream, into the hills that are now developed as a residential subdivision and a system of terrace drains. The status of the flow regime of the original stream is unknown. Wetlands were identified within the riparian woodland in 2005 and were presumed to be fed by water associated with irrigation from private residences north of the project site that had percolated into the ground and either created, or augmented sub-surface water flows, emanating as a spring at the base of the fill slope. There, it flowed onto the surface under the riparian tree canopy, and saturates. Currently, there is no surface or subsurface flow of water within the riparian canopy and no wetlands were identified. The prolonged drought and related irrigation restrictions likely reduced the available water sources. Nevertheless, potential contributions from an unknown spring plus current irrigation practices continue to support a well-developed riparian community. Still, the lack of obligate wetland species and the emergence of coast live oak, European olive (*Olea europaea*), and Peruvian peppertree (*Schinus molle*) compared to species observed in 2005 suggest a transition to drier conditions.

The drainage continues south, downstream from the oak-willow woodland and contains a large patch of Baltic rush (*Juncus balticus*) (FACW), bristly ox-tongue (*Helminthotheca echioides*) (FAC) and an emergent valley oak. This vegetation community is classified as Baltic rush marsh, which occurs in wet and mesic meadows; along stream banks, rivers, lakes, ponds, fens, and sloughs; and freshwater, brackish, and alkaline marshes were soils are poorly drained, often with a thick, organic layer.

The remaining portion of the drainage continues south (downstream) from the Baltic rush marsh community and transitions into a native and non-native annual grasses and forbs vegetation community. Dominant species observed were various annual, non-native herbaceous plants such as bristly-ox tongue, Italian thistle (*Carduus pycnocephalus*), slender wild oats (*Avena barbata*) and Mediterranean mustard (*Hirschfeldia incana*). Few hydrophytic plants were observed, but not in numbers sufficient to meet the hydrophytic dominance criterion for wetland determination.

Two (2) small wetted areas were observed within the study area just north of the culvert and adjacent to a culvert outfall from the adjacent Center Court Medical Plaza. These areas supported hydrophytic species including southern cattail (*Typha domingensis*) (OBL) and a non-native dock (*Rumex* sp.) (OBL). The presence of these species appears to be directly attributable to irrigation and landscape practices from the adjacent development.

Table 1, Dominant Plant Species Including Wetland Indicator Status at All Plot Locations, lists the plant species that were determined to be dominant at the test plots, and gives their Wetland Indicator Status (Lichvar 2016).

Table 1
Dominant Plant Species Including Wetland Indicator Status at All Plot Locations

Scientific Name	Common Name	Indicator Status*
Avena barbata	slender oat	none
Helminthotheca echioides	bristly-ox tongue	FAC
Juncus balticus	Baltic rush	FACW
Malvella leprosa	alkali mallow	FACU
Quercus agrifolia	coast live oak	none
Quercus lobata	valley oak	FACU
Salix lasiolepis	arroyo willow	FACW
Typha domingensis	southern cattail	OBL
Vitis vinifera	wine grape	none

Codes:
OBL = Obligate Wetland – Occur almost always (estimated probability>99%) under natural conditions in wetlands.
FACW = Facultative Wetland – Usually occur in wetlands (estimated probability 67%-99%), but occasionally found in non-wetlands.
FAC = Facultative – Equally likely to occur in wetlands or non-wetlands (estimated probability 34%-66%).
FACU = Facultative Upland – Usually occur in non-wetlands (estimated probability 67%-99%), but occasionally found in wetlands (estimated probability 1%-33%).
UPL = Obligate Upland – Occur in wetlands in another region, but occur almost always (estimated probability>99%) under natural conditions in non-wetlands in the region specified. If a species does not occur in wetlands in any region, it is not on the National List.
* None = Plant species not listed are considered UPL for wetland delineation purposes (Lichvar 2016).

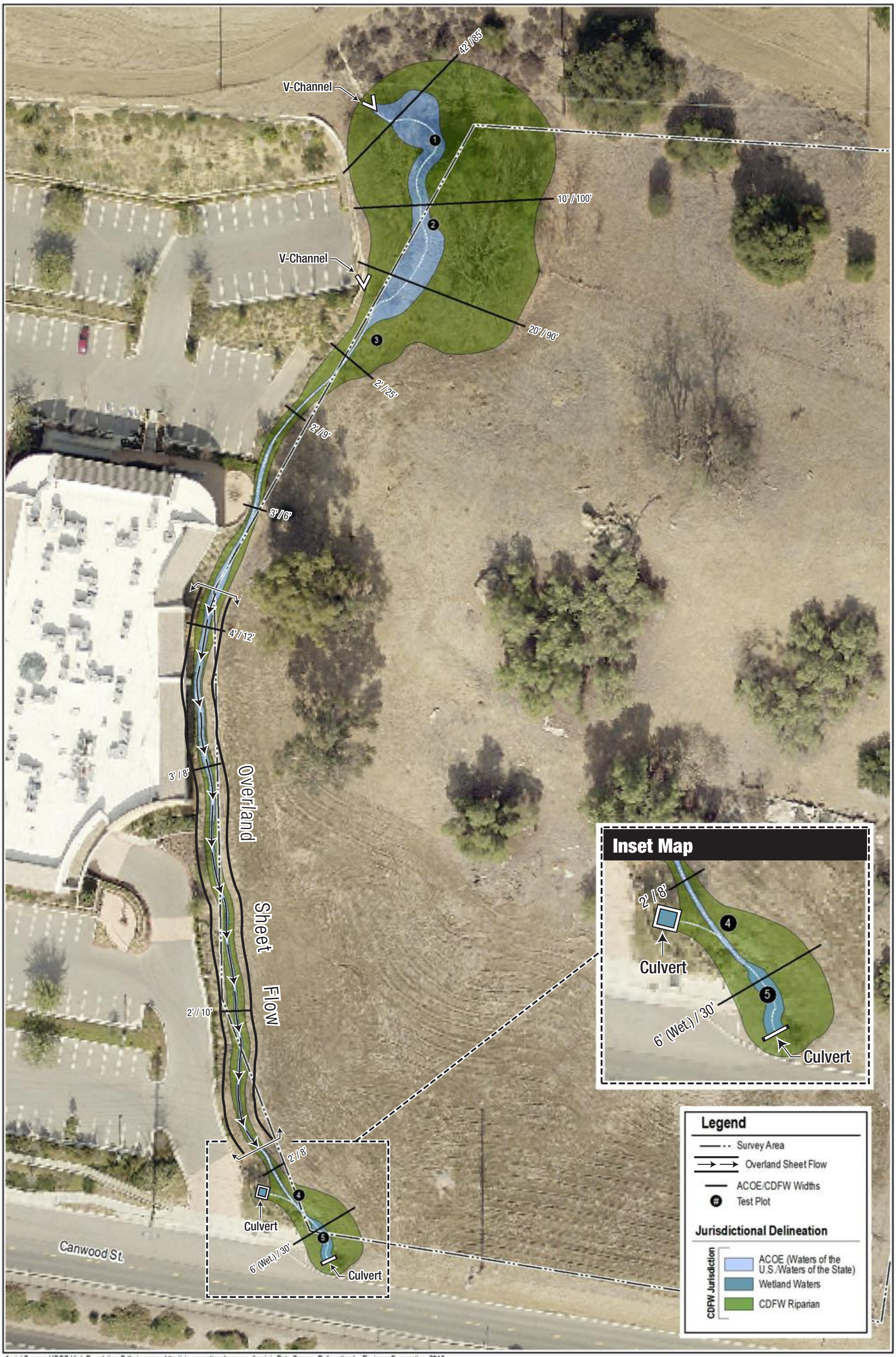
3.4 Wildlife

Wildlife species observed during the survey of the site by Envicom in 2016 were species common or relatively common to the region. In general, species observed constitute a sample of the non-special-status wildlife species that can be expected to utilize habitats at the site for cover, foraging, and reproduction. Several species (e.g., reptiles, birds, small mammals) undoubtedly reproduce at the site, and a wide range of larger or mobile species can be expected to utilize the site's resources routinely, such as foraging raptors, and medium to large-sized mammals, such as for example striped skunk, coyote, and mule deer. Bird species observed consisted primarily of year-round and summer residents, and potential migrants. Several bird species likely nest at the site in any given year.

3.5 Jurisdictional Waters/Habitat

The ephemeral drainage would be regulated as a federal and state jurisdictional feature (**Table 2, Potential Jurisdictional Feature in Survey Area** and **Figure 8**). The drainage (DR1) appears to be hydrologically connected to the Pacific Ocean, which is navigable water. Therefore, the drainage is subject to both federal and state jurisdiction. Thus, all features observed were recorded per both ACOE and CDFW guidance. Within the survey area, data for five (5) soil test points were collected using ACOE methodology described above to delineate wetlands. One (1) area within the drainage met all three (3) ACOE wetland parameters (hydrophytic vegetation, hydric soils, and hydrology) to be classified as a wetland. Based on the results of the test plots, the remainder of the drainage does not meet wetland criteria and is classified as non-wetland waters, a significant departure from the previous 2005 report.

The drainage is incised in the northern portion of the site and conveys water from upland areas to the south and off-site via a culvert under Canwood Street. Here, the drainage has a discernible bed and OHWM indicators. Upland environs were determined based on the limits of upland indicators including breaks in the bank, drainage pattern, woody debris, and the development of soil. Riparian habitat associated with drainage includes the contiguous tree canopy, which is dependent on the perennial spring and irrigation flow. As the drainage trends to the south, including areas of mechanical discing, the channel flattens out and water is conveyed across the site through a loosely defined channel along the western margins of the property, bounded by fill from the adjacent site and landscape plantings. A box culvert from the adjacent development that drains into the project site had standing water and a well-established hydrophytic plant community. This water source drains into the main channel and provides a supplemental source that supports a wetland depression area just north of the culvert under Canwood Street.



Aerial Source: USGS High Resolution Orthoimagery: http://viewer.nationalmap.gov/basic/. Data Source: Delineation by Envicom Corporation, 2016.

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Jurisdictional Delineation Map

0 25 50 Feet

FIGURE 8

Table 2
Potential Jurisdictional Feature in Survey Areas

Feature	Location (GPS Coordinates)*		Size**		
	Latitude	Longitude	ACOE Non-Wetland Waters/RWQCB (Acres/Linear Feet)	ACOE Wetland Waters/RWQCB (Acres/Linear Feet)	CDFW Riparian (Acres/Linear Feet)
DR1	34.148747	-118.766185	0.09/713	0.004/27	0.41/760

* North American Datum 1983, California State Plane Zone V. GPS coordinates are given for the upstream point of the feature as accessed during field survey.

** Linear feet calculations are based on the centerline of the feature within the extent of the surveyed areas. CDFW Riparian habitat based on aerial and field assessment. ACOE/RWQCB value based on field assessment. Values are approximate due to rounding.

4.0 IMPACTS AND MITIGATION

4.1 Impacts

Based on the information provided in the project's Application, we understand the project includes the construction of a senior living facility. A site plan prepared by Huitt-Zollars dated August 8, 2017 is provided as Appendix 1.

As described above, Envicom conducted a jurisdictional delineation within the survey area. One (1) feature was identified within the survey area and delineated in accordance with the ACOE Wetlands Delineation Manual and the Regional Supplement. The project limits of disturbance are based on the limits of disturbance overlaid on potential jurisdictional areas as illustrated in **Figure 9**, **Jurisdictional Delineation Impacts Map**. Temporary impacts associated with the construction process include a five-foot buffer from the edge of the planned retaining walls and hydraulic energy dissipators on the western edge of the development. The jurisdictional acreage within the drainage that would be impacted by the project is provided in **Table 3**.

Table 3
Impacts to ACOE and CDFW Jurisdictional Areas

	Wetland ACOE Waters of U.S. (Acres / Linear Feet)		Non-wetland ACOE Waters of U.S. (Acres / Linear Feet)		CDFW (Acres / Linear Feet)	
	Temporary	**Permanent**	**Temporary**	**Permanent**	**Temporary**	**Permanent**
DR1	0.002/87	0.001/44	0.002/87	0.004/174	0.013/566	0.034/1,481

The proposed project's impacts to potential jurisdictional areas would be subject to the review and approval of the Trustee Resource Agencies. Impacts to jurisdictional areas would be considered a significant impact. Implementation of Mitigation Measure (MM) BIO-1 would reduce potentially significant impacts to a less-than-significant level.

Source: Huitt-Zollars, Aug. 8, 2017.

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Jurisdictional Delineation Impacts Map

0 25 50 Feet

FIGURE 9

4.2 Recommended Mitigation Measures

The following mitigation measures are recommended to reduce potentially significant impacts to a less than significant level:

BIO -1(a) Agency Consultation: The applicant shall (prior to issuance of grading permits) consult with CDFW, ACOE, and the RWQCB and obtain applicable permits for the proposed impacts to jurisdictional waters. A Clean Water Act Section 404 permit would be required from the ACOE for the discharge of fill to any of the ACOE-jurisdictional wetlands or non- wetland waters of the U.S. onsite. Additionally, a Section 401 water quality certification would be required from the RWQCB. These permits typically require mitigation to reduce impacts to water quality and quantity, vegetation, and wildlife. The project applicant shall demonstrate to the City of Agoura Hills that the requirements of agencies with jurisdiction over waters and riparian habitat onsite can be met prior to obtaining grading permits. This will include, but not be limited to, consultation with those agencies, securing the appropriate permits, waivers or agreements, and arrangements with a local or regional mitigation bank including in lieu fees, as needed.

Although the ACOE and CDFW will require specific mitigation as part of their permitting processes, the following measures provide minimum mitigation requirements for impacts to the important water resources habitats under the City's jurisdiction.

BIO-1 (b) Replacement Ratio. Federal and State protected waters and riparian habitat shall be replaced at a minimum ratio of 2:1 of habitat, at the same or greater quality, for every 1.0-acre removed. Replacement shall be at an Agoura Hills Planning and Community Development Department approved location or by providing adequate funding for the replacement of suitable equivalent habitat to an organization currently conducting restoration of habitat. The organization and its activities are to be approved by an Agoura Hills Planning and Community Development Department approved biologist prior to issuance of grading permits.

BIO-1 (c) Habitat Mitigation and Monitoring Program. In the event that onsite mitigation is to be done instead of the use of in-lieu fees or offsite mitigation, the project applicant shall submit a Habitat Mitigation and Monitoring Program (HMMP) for review and approval by an Agoura Hills Planning and Community Development Department staff and, as necessary, a City approved biologist or qualified landscape specialist. The project shall implement the requirements of the final approved Habitat Mitigation and Monitoring Program, which shall mitigate for impacts to CDFW jurisdictional habitat and ACOE "non-wetland" Waters of the United States at a 2:1 ratio for permanent impacts and a 1:1 ratio for temporary impacts, or as otherwise approved by the Trustee Agencies.

The Habitat Mitigation and Monitoring Program shall mitigate for impacts to jurisdictional areas via an acceptable mitigation approach that involves one or a combination of the on-site or off-site restoration or enhancement of degraded in-kind habitats, preservation of in-kind habitats, or by a contribution to an in-lieu fee program approved by the City, ACOE, RWQCB, and the CDFW.

The final Habitat Mitigation and Monitoring Program shall be developed by a qualified biologist, restoration ecologist or resource specialist and submitted to and approved by the

City, ACOE, RWQCB, and CDFW, in compliance with Clean Water Act Sections 401 and 404 and California Fish and Game Code 1602 and supporting regulations, prior to issuance of a grading permit for the project. The Program shall be based on the ACOE Final Mitigation Guidelines and Monitoring Requirements (April 19, 2004) and the ACOE Los Angeles District's Recommended Outline for Draft and Final Compensatory Mitigation and Monitoring Plans. In broad terms, this Program shall at a minimum include:

- Description of the project/impact and mitigation sites;
- Specific objectives;
- Success criteria;
- Plant palette;
- Implementation plan;
- Maintenance activities;
- Monitoring plan; and
- Contingency measures.

Success criteria shall at a minimum be evaluated based on appropriate survival rates and percent cover of planted native species, as well as eradication and control of invasive species within the restoration area.

The target species and native plant palette, as well as the specific methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist, or resource specialist and included in the mitigation program.

The mitigation project shall be implemented over a five-year period and shall incorporate an iterative process of annual monitoring and evaluation of progress and allow for adjustments to the program, 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, ACOE, RWQCB, and the CDFW. Five years after project start, a final report shall be submitted to the City, ACOE, RWQCB, and 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 been successful based on established success criteria. The annual reports and the final report shall include as-built plans submitted as an appendix to the report. Restoration will be considered successful after the success criteria have been met for a period of at least 2 years without any maintenance or remediation activities other than invasive species control. The 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, ACOE, RWQCB, and the CDFW.

5.0 CONCLUSION

Based on the delineation, a total of approximately 0.094 acres (740 linear feet) are considered potential jurisdictional WOUS by the ACOE and WOS by the RWQCB and 0.41 acres (760 linear feet) are potential CDFW jurisdiction. Activities that affect the delineated features within the survey area would potentially be subject to requirements under Section 404 and 401 of the CWA and California Fish and Game Code section 1600 *et seq*.

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APPENDIX 1

Site Plan, Huitt-Zollars, August 8, 2017

TRACT NO 23760
M.R. 792 / 56-58

A

TRACT NO 062211
MB 1338-/49-50

APN:
2053-001-005
POR. LOT 54
RS 15-8/9
911.00 PAD
910.60FF

POR. LOT 53
RS 15-8/9

COURT YARD

CANWOOD STREET

August 8th, 2017

Oakmont of Agoura Final Plan

1 inch = 50 feet

0 45 90 180 Feet

APPENDIX 2

Wetland Determination Data Forms

Tp-2 TP1

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Oakmont Senior Living / Concord City/County: Contra Costa Sampling Date: 10/31/16

Applicant/Owner: Oakmont Senior Living State: CA Sampling Point: TP2 TP1

Investigator(s): T. Barns Section, Township, Range: Los Vinjenes Civil Land Grant

Landform (hillslope, terrace, etc.): depression Local relief (concave, convex, none): concave Slope (%): 1-2

Subregion (LRR): LRR C Lat: 37.94805092 Long: -121.966853 Datum: NAD83

Soil Map Unit Name: Urban land-Sheva, landscaped-Xerorthents, landscaped complex, 0-20% res. NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ✓ (If no, explain in Remarks.)

Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ✓

Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ____ No ✓

Hydric Soil Present? Yes ____ No ✓

Wetland Hydrology Present? Yes ____ No ✓

Is the Sampled Area within a Wetland? Yes ____ No ✓

Remarks:

TP2 located in depression area south of TP1, under riparian canopy. Previous delineation (2005) found wetland at this location (with standing water and gleyed soils). Severe drought conditions.

VEGETATION – Use scientific names of plants. No longer a wetland

Tree Stratum (Plot size: 20')	Absolute % Cover	Dominant Species?	Indicator Status
1. Quercus agrifolia	60	Y	NL
2. Quercus lobata	20	Y	FACU
3. Salix lasiolepis	20	Y	FACW
4.			
	100	= Total Cover	
Sapling/Shrub Stratum (Plot size: 10')			
1. Quercus agrifolia	20	Y	NL
2.			
3.			
4.			
5.			
	20	= Total Cover	
Herb Stratum (Plot size: 5')			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
		= Total Cover	
Woody Vine Stratum (Plot size: 5')			
1. Vitis vinifera	5	Y	NL
2.			
	5	= Total Cover	

% Bare Ground in Herb Stratum 0 % Cover of Biotic Crust ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 1/5 20% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:	
OBL species	x 1 =	
FACW species 20	x 2 =	40
FAC species	x 3 =	
FACU species 40	x 4 =	80
UPL species 85	x 5 =	425
Column Totals: 125 (A)		545 (B)

Prevalence Index = B/A = 4.36

Hydrophytic Vegetation Indicators:

__ Dominance Test is >50%

__ Prevalence Index is ≤3.0[1]

__ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

✓ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No ✓

Remarks:

ground covered 100% with leaf litter. The area is under extreme drought conditions. Previous delineation indicated larger percentage of FACW species occurring. Multiple photos taken. No hydric soils or hydrology

TP1

SOIL

Sampling Point: TP1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
(TP) 0-2-0	VEGETATION	DETRITUS	10YR 3/2					LEAF LITTER
0-6	10YR 3/2	95	5YR 3/4	5	C	PL	clay loam	roots
6-18	10YR 3/2	100				M	clay loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (LRR C)
- ___ 1 cm Muck (A9) (LRR D)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (LRR C)
- ___ 2 cm Muck (A10) (LRR B)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: ___

Depth (inches): ___

Hydric Soil Present? Yes ___ No ✓

Remarks:

Evidence of previous saturation: but no through redox in pore lining but no other indicators observed. Previously saturated w/ gleyed matrix. Dark (TP) Soil does not meet the minimum req's for stratified layers

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (Nonriverine)
- ___ Sediment Deposits (B2) (Nonriverine)
- ___ Drift Deposits (B3) (Nonriverine)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (Riverine)
- ___ Sediment Deposits (B2) (Riverine)
- ___ Drift Deposits (B3) (Riverine)
- ✓ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ✓ Depth (inches): ___

Water Table Present? Yes ___ No ✓ Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No ✓ Depth (inches): ___

Wetland Hydrology Present? Yes ___ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Low depressional area that collects water but appears not to retain water as previously observed. Concentration in pore lining to faint or not in living roots.

TP2

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Oakmont Senior / Canwood City/County: Agoura Hills Sampling Date: 10/31/16

Applicant/Owner: Oakmont Senior Living State: CA Sampling Point: TP2

Investigator(s): T. Barns Section, Township, Range: Las Virgenes Civil Land Grant

Landform (hillslope, terrace, etc.): hillslope w/ drainage Local relief (concave, convex, none): Concave Slope (%): 3

Subregion (LRR): LRR C Lat: 34.14871908 Long: -118.7660674 Datum: NAD 83

Soil Map Unit Name: Urban land-Sapwi, landscaped-Kawenga, landscaped complex, 0-30% ms NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks.)

Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ___

Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ___ No ✓	Is the Sampled Area within a Wetland? Yes ___ No ✓
Hydric Soil Present?	Yes ___ No ✓	
Wetland Hydrology Present?	Yes ___ No ✓	

Remarks:
Downstream from TP1 – under riparian canopy. Severe drought conditions

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 20')	Absolute % Cover	Dominant Species?	Indicator Status
1. Quercus lobata	40	Y	FACU
2. Quercus agrifolia	30	Y	NL
3. Fraxinus latifolia	10	N	FACW
4. Schinus molle	5	N	NL
= Total Cover	85		
Sapling/Shrub Stratum (Plot size: 15')			
1. Quercus lobata	20	Y	FACU
2. Olea europea	2	N	NL
3.			
4.			
5.			
= Total Cover	22		
Herb Stratum (Plot size: 10')			
1. N/A			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
= Total Cover			
Woody Vine Stratum (Plot size: ___)			
1.			
2.			
= Total Cover			

% Bare Ground in Herb Stratum Ø % Cover of Biotic Crust ___

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:
OBL species		x 1 =
FACW species	10	x 2 = 20
FAC species		x 3 =
FACU species	60	x 4 = 240
UPL species	37	x 5 = 185
Column Totals:	107 (A)	445 (B)

Prevalence Index = B/A = 4.15

Hydrophytic Vegetation Indicators:

- ___ Dominance Test is >50%
- ___ Prevalence Index is ≤3.0[1]
- ___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ___ No ✓

Remarks:
Ground 100% covered w/ leaf litter

TP2

SOIL

Sampling Point: TP2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type	Loc[2]	Texture	Remarks
2-0	leaf litter							leaf litter
0-3	10YR 3/2	95	5YR 3/4	5	C	M/PL	clay loam	roots
3-12	10YR 3/2	100						

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (LRR C)
- ___ 1 cm Muck (A9) (LRR D)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (LRR C)
- ___ 2 cm Muck (A10) (LRR B)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: ___

Depth (inches): ___

Hydric Soil Present? Yes ___ No ✓

Remarks:

No additional indicators of hydric soil. Oxidation in pore lining, but not on living roots.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (Nonriverine)
- ___ Sediment Deposits (B2) (Nonriverine)
- ___ Drift Deposits (B3) (Nonriverine)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (Riverine)
- ___ Sediment Deposits (B2) (Riverine)
- ___ Drift Deposits (B3) (Riverine)
- ✓ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ✓ Depth (inches): ___

Water Table Present? Yes ___ No ✓ Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No ✓ Depth (inches): ___

Wetland Hydrology Present? Yes ___ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Clearly w/in a drainage feature. Oxidation on living roots not observed. Concentrations mostly w/in matrix. Also, Oxidation does not meet criteria for C3 indicator.

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: OAKMONT SENIOR / CONVALID ___ City/County: AGOURA HILLS Sampling Date: 10/31/16
Applicant/Owner: OAKMONT SENIOR LIVING State: CA Sampling Point: TP3
Investigator(s): T. BAKENS Section, Township, Range: Las Virgenes Civil Land Grant
Landform (hillslope, terrace, etc.): depression/hillslope/toe of slope Local relief (concave, convex, none): Concave Slope (%): 2
Subregion (LRR): LRR C Lat: 34.14853744 Long: -118.7661711 Datum: NAD 83
Soil Map Unit Name: Urban land-Sapwi, Balcomb-Kawenga, landscaped complex, 0-30% ns NWI classification: N/A
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks.)
Are Vegetation N , Soil N or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes ___ No ✓
Are Vegetation N , Soil N or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓ No ___	Is the Sampled Area within a Wetland? Yes ___ No ✓
Hydric Soil Present?	Yes ___ No ✓	
Wetland Hydrology Present?	Yes ___ No ✓	

Remarks:
TP3 is located at confluence of concrete V-ditch and primary drainage. Location is at toe of slope (east) and terminus of oak woodland (north) adjacent to developed area (west). ~~Not~~ TB #Severe drought conditions

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 15')	Absolute % Cover	Dominant Species?	Indicator Status
1. Salix laevigata	10	Y	FACW
2. Quercus lobata	10	Y	FACU
3.			
4.			
	20 = Total Cover		
Sapling/Shrub Stratum (Plot size: 10')			
1. Quercus lobata	2	Y	FACU
2.			
3.			
4.			
5.			
	2 = Total Cover		
Herb Stratum (Plot size: 5')			
1. Juncus balticus	100	Y	FACW
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	100 = Total Cover		
Woody Vine Stratum (Plot size: ___)			
1.			
2.			
	___ = Total Cover		

% Bare Ground in Herb Stratum Ø % Cover of Biotic Crust ___

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 4 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 50 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:
OBL species	~~100~~	x 1 = ~~100~~ TB
FACW species	110	x 2 = 220
FAC species		x 3 =
FACU species	12	x 4 = 48
UPL species		x 5 =
Column Totals:	122 (A)	268 (B)

Prevalence Index = B/A = 2.19

Hydrophytic Vegetation Indicators:

__ Dominance Test is >50%
__ Prevalence Index is ≤3.0[1]
__ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
__ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks:
Desiccated Juncus with emergent Quercus lobata. Area appears to be transitioning from wetter area to drier uplands.

SOIL

Sampling Point: TP3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 2/1	95	7.5YR 4/6	5	C	PL	clay loam	roots
6-18	10YR 2/1	100					clay loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (LRR C)
- ___ 1 cm Muck (A9) (LRR D)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (LRR C)
- ___ 2 cm Muck (A10) (LRR B)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: ___

Depth (inches): ___

Hydric Soil Present? Yes ___ No ✓

Remarks:

Soil does not meet criteria for stratified layers; mostly uniform w/ exception of concentrations in the pore linings.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (Nonriverine)
- ___ Sediment Deposits (B2) (Nonriverine)
- ___ Drift Deposits (B3) (Nonriverine)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- (POOR) Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (Riverine)
- ___ Sediment Deposits (B2) (Riverine)
- ___ Drift Deposits (B3) (Riverine)
- ✓ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ✓ Depth (inches): ___

Water Table Present? Yes ___ No ✓ Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No ✓ Depth (inches): ___

Wetland Hydrology Present? Yes ~~✓~~ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Oxidation in pore lining but not evident on living roots. Indicator C3 not met. No concentrations or thicker of iron. Area previously met hydrology based on water regime.

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Oakmont Senior / Canwood City/County: Agoura Hills Sampling Date: 10/21/16
Applicant/Owner: Oakmont Senior Living State: CA Sampling Point: TP4
Investigator(s): T. Barnes Section, Township, Range: Las Virgenes Civil Land Grant
Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): concave Slope (%): 3
Subregion (LRR): LRR C Lat: 34.14721075 Long: -118.7663044 Datum: NAD83
Soil Map Unit Name: Urban land-Cropley, Alt complex 0-8% slopes, commercial NWI classification: N/A
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks.)
Are Vegetation Y, Soil Y, or Hydrology Y significantly disturbed? Are "Normal Circumstances" present? Yes ___ No ✓
Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ___ No ✓	Is the Sampled Area within a Wetland? Yes ___ No ✓
Hydric Soil Present?	Yes ___ No ✓	
Wetland Hydrology Present?	Yes ___ No ✓	

Remarks:
Pit located north of culvert under Canwood in area dominated by Helminthotheca echioides but adjacent to wet area. Area adjacent (?) filled portion of the site.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 15')	Absolute % Cover	Dominant Species?	Indicator Status
1. N/A			
2.			
3.			
4.			
= Total Cover			
Sapling/Shrub Stratum (Plot size: 10')			
1. N/A			
2.			
3.			
4.			
5.			
= Total Cover			
Herb Stratum (Plot size: 5')			
1. Helminthotheca echioides	40	Y	FAC
2. Malvella leprosa	20	Y	FACU
3. Bromus diandrus	15	N	NL
4. Avena barbata	20	Y	NL
5. Helianthus annuus	<1	N	FACU
6. Rumex crispus	<1	N	FAC
7.			
8.			
= Total Cover			
Woody Vine Stratum (Plot size: ___)			
1.			
2.			
= Total Cover			

% Bare Ground in Herb Stratum ___ % Cover of Biotic Crust ___

Remarks:

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:
OBL species		x 1 =
FACW species		x 2 =
FAC species	40	x 3 = 120
FACU species	20	x 4 = 80
UPL species	35	x 5 = 175
Column Totals:	95 (A)	375 (B)

Prevalence Index = B/A = 3.9

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ___ No ✓

TP9

SOIL

Sampling Point: TP4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-12	10 YR 3/3	95	10 YR 5/6	2.5	C	M	clay loam	
			10 YR 5/2	2.5	D	M		

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (LRR C)
- ___ 1 cm Muck (A9) (LRR D)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (LRR C)
- ___ 2 cm Muck (A10) (LRR B)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ____ No ✓

Remarks:

Concretions and depletions likely weathering parent material. No oxidation in pores.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (Nonriverine)
- ___ Sediment Deposits (B2) (Nonriverine)
- ___ Drift Deposits (B3) (Nonriverine)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (Riverine)
- ___ Sediment Deposits (B2) (Riverine)
- ___ Drift Deposits (B3) (Riverine)
- ✓ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ____ No ✓ Depth (inches): _____

Water Table Present? Yes ____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes ____ No ✓ Depth (inches): _____ Wetland Hydrology Present? Yes ____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Poorly defined drainage due to tilling.

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Oakmont Senior / Canwood City/County: Agoura Hills Sampling Date: 10/31/16

Applicant/Owner: Oakmont Senior Living State: CA Sampling Point: TP5

Investigator(s): T. Barns Section, Township, Range: Las Virgenes Civil Land Grant

Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): Concave Slope (%): 5

Subregion (LRR): LRR C Lat: 34.14714482 Long: -118.7662587 Datum: NAD 83

Soil Map Unit Name: Urbanland-Cropley, fill complex, 0-8% slopes, commercial NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks.)

Are Vegetation Y, Soil Y, or Hydrology Y significantly disturbed? Are "Normal Circumstances" present? Yes ___ No ✓

Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___
Hydric Soil Present?	Yes ✓	No ___
Wetland Hydrology Present?	Yes ✓	No ___
Is the Sampled Area within a Wetland?	Yes ✓	No ___

Remarks: Pit located in saturated area south of culvert from adjacent development (w/ water) and ~5' north of culvert under Canwood Street. Culvert supplements H_2O source. Area covered w/ rip rap and debris.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ___)	Absolute % Cover	Dominant Species?	Indicator Status
1. N/A			
2.			
3.			
4.			
= Total Cover			
Sapling/Shrub Stratum (Plot size: ___)			
1. N/A			
2.			
3.			
4.			
5.			
= Total Cover			
Herb Stratum (Plot size: 10')			
1. Helminthotheca echioides	40	Y	NL
2. Typha domingensis	25	Y	OBL
3. Helianthus annuus	5	N	FACU
4. Salsola tragus	5	N	FACU
5. Juncus bufonius	25	Y	FACW
6. Malvella leprosa	5	N	FACU
7. Bromus diandrus	2.5	N	NL
8. Avena barbata	2.5	N	NL
= Total Cover	110		
Woody Vine Stratum (Plot size: ___)			
1.			
2.			
= Total Cover			

% Bare Ground in Herb Stratum 0 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: .66 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:
OBL species	___	x 1 = ___
FACW species	___	x 2 = ___
FAC species	___	x 3 = ___
FACU species	___	x 4 = ___
UPL species	___	x 5 = ___
Column Totals:	___ (A)	___ (B)

Prevalence Index = B/A = ___

Hydrophytic Vegetation Indicators:

✓ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Vegetation likely attributed to irrigation / landscaping from adjacent development that has found depressional area.

SOIL

Sampling Point: TP 5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
0-6	10 YR 7/?	95	10 YR 5/6	5	C	M	clay loam	roots
6-18	10 YR 7/?	95	10 YR 5/6	2.5	C	M		
			10 Y 5/6	2.5	D	M		

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (LRR C)
- ___ 1 cm Muck (A9) (LRR D)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (LRR C)
- ___ 2 cm Muck (A10) (LRR B)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ✓ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: ______

Depth (inches): ______

Hydric Soil Present? Yes ✓ No ~~✓~~ (initialed)

Remarks:

Earthworms + fecal bodies. Given drought conditions, anaerobic conditions no longer present and the soils at this location appear displaced from adjacent construction

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1) (Nonriverine)
- ___ Sediment Deposits (B2) (Nonriverine)
- ___ Drift Deposits (B3) (Nonriverine)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (Riverine)
- ___ Sediment Deposits (B2) (Riverine)
- ___ Drift Deposits (B3) (Riverine)
- ✓ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ___	No ✓	Depth (inches): ___
Water Table Present?	Yes ___	No ✓	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ✓	No ___	Depth (inches): 2"

Wetland Hydrology Present? Yes ✓ No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Previously determined as wetland - drought conditions now

Remarks:

Saturation likely from recent rain event. Probably not hydrology in high-summer. Only water source appears to be from adjacent culvert w/ standing water. (development)

Glistening evident but not readily apparent. Investigator was not able to squeeze water from soil.

Biological Resources Assessment Report

APPENDIX D2

Biological Resources Assessment Report
Oakmont of Agoura Hills
City of Agoura Hills, Los Angeles County, California

Prepared for:
Oakmont Senior Living
8779 Soothing Court
Corona, CA 92883

Contact: Wayne Sant

Prepared by:
FirstCarbon Solutions
11755 Wilshire Blvd., Suite 1660
Los Angeles, CA 90025
888.826.5814

Contact: Jason Brandman, Project Director

Date: June 10, 2016

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Table of Contents

List of Tables

List of Exhibits

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ACRONYMS AND ABBREVIATIONS

BGEPA	Bald and Golden Eagle Protection Act
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CWA	Clean Water Act
EO	Executive Order
EPA	United States Environmental Protection Agency
FESA	Federal Endangered Species Act
FGC	Fish and Game Code
MBTA	Migratory Bird Treaty Act
RWQCB	Regional Water Quality Control Board
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

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SECTION 1: INTRODUCTION AND BACKGROUND

Oakmont of Agoura Hills submitted an application to the City of Agoura Hills to develop an assisted living and memory care community at 29353 Canwood Street in Agoura Hills.

The State of California Department of Social Services will license the two-story structure as a Residential Care Facility for the Elderly. To facilitate the environmentally sustainable and regulatory-compliant construction of the project, FCS proposes to prepare technical studies analyzing the potential impacts of the proposed assisted-living facility on air quality, noise, and biological resources on-site.

This survey and report addresses potential impacts to biological resources by the proposed development of the site. Potential impacts to special-status plant or wildlife species known from the general area are specifically discussed.

1.1 - Project Location

The project site consists of 5.7 acres located within the city limits of Agoura Hills, California. The project site is bordered by an existing single-family residential development to the north, by commercial office land use to the west, and by a vacant, undeveloped parcel to the east. U.S. Highway 101 is immediately south of Canwood Street with commercial and light industrial uses located beyond. The project site is located in an unincorporated section of the City of Agoura Hills U.S. Geological Survey (USGS) Thousand Oaks 7.5-minute Quadrangle.

The site is bounded as follows:

- North—single-family residential development
- West—commercial office land use
- South—Canwood Street and U.S. Highway 101
- East—undeveloped parcel

1.2 - Project Description

Oakmont of Agoura Hills submitted an application to the City of Agoura Hills to develop an assisted living and memory care community (project) on a 5.7-acre site at the southwest corner of Haven Avenue and Church Street (Exhibit 1, Exhibit 2, and Exhibit 3). The State of California Department of Social Services will license the two-story structure as a Residential Care Facility for the Elderly.

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Source: Census 2000 Data, The CaSIL, FCS GIS 2013.

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5 2.5 0 5 Miles

Exhibit 1
Regional Location Map

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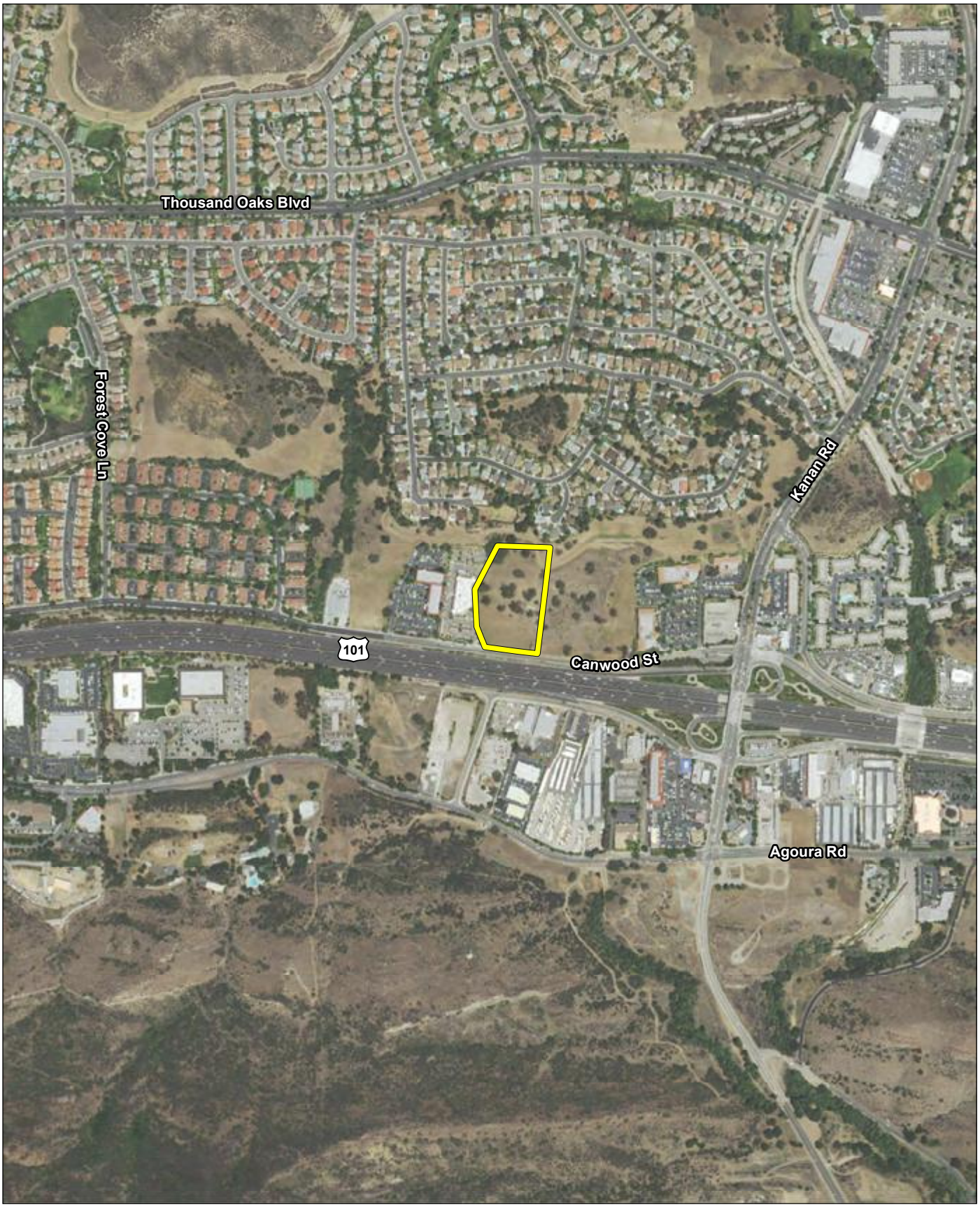

Source: ESRI Imagery, 2014

FirstCarbon SOLUTIONS

850 425 0 850
Feet

Exhibit 2
Local Vicinity Map
Aerial Base

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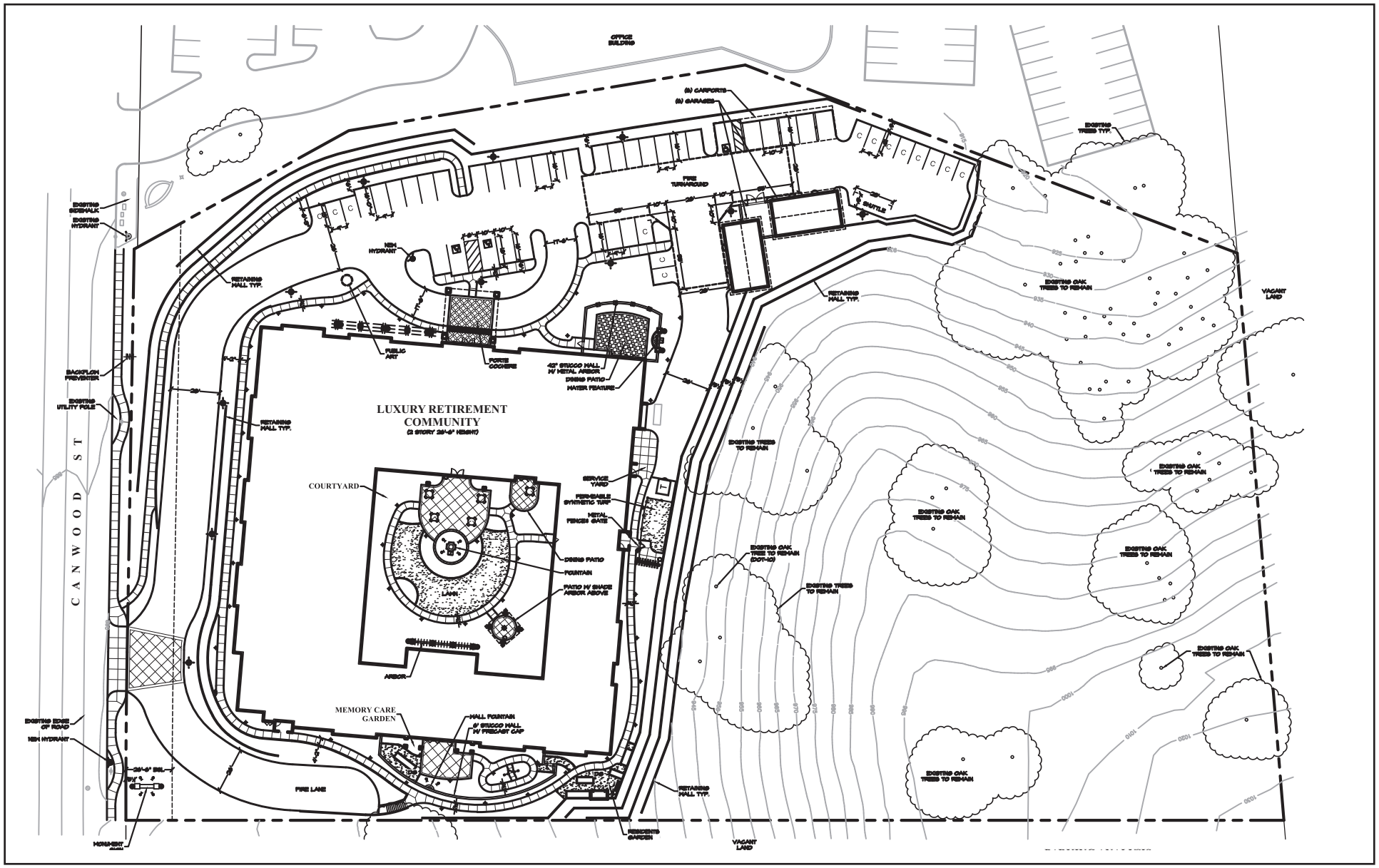

Source: Landesign Group, 2016

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Exhibit 3
Site Plan

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SECTION 2: METHODS

2.1 - Literature Search

Special-status species are commonly characterized as species that are at potential risk or actual risk to their persistence in a given area or across their native habitat (locally, regionally, or nationally) and are identified by a state and/or federal resource agency as such. These agencies include governmental agencies such as California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS) or private organizations such as the California Native Plant Society (CNPS). The degree to which a species is at risk of extinction is the limiting factor on a species status designation. Risk factors to a species' or population's persistence include habitat loss, increased mortality factors (take, electrocution, roadway hazards, etc.), invasive species, and environmental toxins.

In the context of environmental review, special-status species are defined by the following codes:

- Species that are listed, proposed, or candidates for listing under the Federal Endangered Species Act (FESA) (50 CFR 17.11—listed; 61 FR 7591);
- Species that are listed or proposed for listing under the California Endangered Species Act (CESA) (Fish and Game Code [FCG] 1992 Section 2050, et seq.; 14 California Code of Regulations [CCR] Section 670.1, et seq.);
- Species that are designated as Species of Special Concern by CDFW;
- Species that are designated as Fully Protected by CDFW (FCG Section 3511, Section 4700, Section 5050, Section 5515); and
- Species that meet the definition of rare or endangered under California Environmental Quality Act (CEQA) (14 CCR Section 15380).

Special-status species also include:

- Species designated as sensitive by city, county, or other regional planning documents; and
- Species given a status of 1A, 1B, or 2 by CNPS.

The designated sensitive species listed by CNPS have no direct legal protection, but require an analysis of the significance of potential impacts under CEQA guidelines.

Special-status plant and wildlife species were determined from a nine-USGS quadrangle search of the California Natural Diversity Database (CNDDB; CDFW 2016) and CNPS electronic inventory (CNPS 2016). The results of the database searches are included in Appendix A. Each special-status species identified within 1 mile of the project site during the database search has been addressed individually in Table 1 and

Table 2. Some additional species identified during the nine-USGS quadrangle search are included in Table 1 and

Table 2. The potential for each special-status species to occur within the project site was assessed by known occurrences of the species from the nine-USGS quadrangle search, suitability of habitat within the project site, and professional expertise.

When the USFWS lists a species as threatened or endangered under FESA, areas of habitat considered essential to its conservation and survival may be designated as critical habitat. These areas may require special consideration and/or protection because of their ecological importance. Potential critical habitat designations within the general vicinity of the project site were checked using the USFWS Critical Habitat Portal (USFWS 2016).

2.2 - Field Survey

The site was surveyed on March 7, 2016 by Adam Schroeder and Brian Zitt of ECORP Consulting, Inc. Meandering transects were walked throughout the project site (Exhibit 3) to document vegetation, physiographic features, vertebrate, and invertebrate species. Photographs were taken throughout the site and of representative features.

Starting weather conditions at 1100 included a temperature of 56 degrees Fahrenheit (°F), winds 8 to 12 miles per hour from the east, and 30 percent cloud coverage. Ending weather conditions at 1245 included a temperature of 58°F, winds 8 to 12 miles per hour from the east, and 30 percent cloud coverage.

Legend

- Project Site
- 5-mile Buffer
- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terrestrial Comm. (specific)
- Terrestrial Comm. (circular)
- Multiple (specific)
- Multiple (non-specific)
- Multiple (circular)
- Sensitive EO's (Commercial only)

Source: CNDDB, June, 2016

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1 0.5 0 1 Miles

Exhibit 4
CNDDB Occurrence of Special-status Species

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Table 1: Special-status Plant Species Potentially Occurring within the Project Site

Scientific Name Common Name	Status			Habitat Description[4]	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS[1]	CDFW[2]	CNPS[3]			
Dudleya cymosa ssp. agourensis Agoura Hills dudleya	FT	—	1B.2	Dicot perennial herb native to California. Found in chaparral and cismontane woodland at elevations from 660 to 1640 feet above mean sea level. Bloom period is from May to June.	**Unlikely to Occur:** No suitable habitat is present within the project site. There is one recorded occurrence within 1 mile of the project site.	No
Orcuttia californica California Orcutt grass	FE	SE	1B.1	Monocot annual grass native to California. Found in valley grassland, freshwater wetlands, and wetland-riparian vernal pools at elevations from 50 to 2,170 feet above mean sea level. Bloom period is from April to August.	**Unlikely to Occur**: No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No
Pentachaeta lyonii Lyon's pentachaeta	FE	SE	1B.1	Dicot annual herb native to California. Found in chaparral, valley and foothill grassland, and coastal scrub at elevations from 100 to 2,070 feet above mean sea level. Bloom period is from March to August.	**Unlikely to Occur**: No suitable habitat is present due to lack of volcanic soils on-site. There is one recorded occurrence within 1 mile of the project site.	No
Navarretia ojaiensis Ojai navarretia	—	—	1B.1	Dicot annual herb that is native to California. Found in Chaparral, coastal scrub, valley and foothill grassland.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No
Calochortus clavatus var. *gracilis* Slender mariposa-lily	—	—	1B.2	Monocot perennial herb (bulb) that is native to California and is endemic (limited) to California. Found in Chaparral, coastal scrub, valley and foothill grassland.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No

Table 1: Special-status Plant Species Potentially Occurring within the Project Site

Scientific Name Common Name	Status			Habitat Description[4]	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS[1]	CDFW[2]	CNPS[3]			
Code Designations						
[1]Federal Status: 2015 USFWS Listing		**[2]State Status: 2015 CDFW Listing**		**[3]CNPS: 2015 CNPS Listing**		
FE = Listed as endangered under the Endangered Species Act **FT** = Listed as threatened under the Endangered Species Act **FC** = Candidate for listing (threatened or endangered) under Endangered Species Act **FD** = Delisted in accordance with the Endangered Species Act — = Not federally listed		**SE** = Listed as endangered under the California Endangered Species Act **ST** = Listed as threatened under the California Endangered Species Act **SSC** = Species of Special Concern as identified by CDFW **CFP** = Listed as fully protected under FGC **CR** = Species identified as rare by CDFW — = Not state listed		**1A** = Plants species that presumed extinct in California. **1B** = Plant species that are rare, threatened, or endangered in California and elsewhere. **List 2** = Plant species that are rare, threatened, or endangered in California, but more common elsewhere. **Blooming period:** Months in parentheses are uncommon.		
[4]Habitat description: Habitat description adapted from CNDDB (CDFW 2015) and CNPS online inventory (CNPS 2015)						

Table 2: Special-status Wildlife Species Potentially Occurring within the Project Site

Scientific Name Common Name	Status		Habitat Description[3]	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS[1]	CDFW[2]			
Reptiles					
Anniella pulchra pulchra Silvery legless lizard	—	SSC	Found in sandy or loose loamy soils under sparse vegetation. Soil moisture is essential. Prefers soils with high moisture content.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No

Table 2 (cont.): Special-status Wildlife Species Potentially Occurring within the Project Site

Scientific Name Common Name	Status		Habitat Description[3]	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS[1]	CDFW[2]			
Emys marmorata Western pond turtle	—	—	Prefers ponds, marshes, streams, and irrigation ditches usually with aquatic vegetation.	**Unlikely to Occur:** No suitable habitat is present within the project site. There is one recorded occurrence within 1 mile of the project site.	No
Phrynosoma blainvillii Coast horned lizard	—	SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Requires open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No
Birds					
Aquila chrysaetos Golden eagle	FP	—	Prefers rolling foothills and mountain areas with cliff-walled canyons for nesting habitat.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No
Athene cunicularia Burrowing owl	MBTA	SSC	Found in open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. A subterranean nester, dependent upon burrowing mammals, most notably the California ground squirrel.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No

Table 2 (cont.): Special-status Wildlife Species Potentially Occurring within the Project Site

Scientific Name Common Name	Status		Habitat Description[3]	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS[1]	CDFW[2]			
Empidonax traillii extimus Southwestern willow flycatcher	FE	SE	Prefers riparian and wetland thickets consisting of willow trees and other riparian veg from sea level to 8,500 feet above mean sea level. Migrating willow flycatchers will use a variety of riparian habitats including those dominated by non-native vegetation.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No
Polioptila californica californica California gnatcatcher	FT	SSC	An obligate, permanent resident of coastal sage scrub below 2500 ft. in southern California. Requires low, coastal sage scrub in arid washes, on mesas, and slopes. Not all areas classified as coastal sage scrub are occupied.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No
Riparia riparia Bank swallow	—	ST	Prefers vertical banks/cliffs with fine textured soils near streams, rivers, lakes, and ocean.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No
Vireo bellii pusillus Least Bell's vireo	FE	SE	Prefers low riparian in the vicinity of water or in dry river bottoms below 2,000 ft above mean sea level.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No

Table 2 (cont.): Special-status Wildlife Species Potentially Occurring within the Project Site

Scientific Name Common Name	Status		Habitat Description[3]	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS[1]	CDFW[2]			
Mammals					
Antrozous pallidus Pallid bat	—	SSC	Prefers deserts, grasslands, shrublands, woodlands, and forests with rocky areas for roosting.	**Unlikely to Occur:** Although rock outcrops are present within the project site. No recorded occurrences are within 1 mile of the project site and these areas are not of sufficient habitat to support this species	No
Neotoma lepida intermedia San Diego desert woodrat	—	SSC	Prefers moderate to dense canopies in native coastal scrub communities with rocky outcrops and rocky cliffs and slopes.	**Unlikely to Occur:** No suitable habitat is present within the project site. No recorded occurrences are within 1 mile of the project site.	No

Code Designations

[1]Federal Status: 2016 USFWS Listing	[2]State Status: 2016 CDFW Listing
ESU = Evolutionary Significant Unit is a distinctive population. FE = Listed as endangered under the FESA. FT = Listed as threatened under the FESA. FC = Candidate for listing (threatened or endangered) under FESA. FD = Delisted in accordance with the FESA. FPD = Federally Proposed to be Delisted. MBTA= Protected by the Migratory Bird Treaty Act — = Not federally listed	SE = Listed as endangered under the CESA. ST = Listed as threatened under the CESA. SSC = Species of Special Concern as identified by the CDFW. CFP = Listed as fully protected under FGC. CR = Rare in California. FGC= Protected by FGC 3503.5 — = Not state listed

[3]Habitat description: Habitat description adapted from CNDDB (CDFW 2015a).

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SECTION 3: REGULATORY CONSIDERATIONS

This section provides an overview of the laws and regulations that influence biological resources. Many of these regulations will not apply to the project if sensitive biological resources are avoided.

As of January 1, 2013, the agency formerly known as the California Department of Fish and Game (CDFG) changed its name to the California Department of Fish and Wildlife (CDFW). Some publications written prior to the change refer to the CDFG; therefore, this document refers to CDFG and the CDFW, as appropriate, referring to the same state agency.

3.1 - Federal Endangered Species Act

The USFWS has jurisdiction over species listed as threatened or endangered under the FESA. Section 9 of FESA protects listed species from "take," which is broadly defined as actions taken to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." FESA protects threatened and endangered plants and animals and their critical habitat. Candidate species are those proposed for listing; these species are usually treated by resource agencies as if they were actually listed during the environmental review process. Procedures for addressing impacts to federally listed species follow two principal pathways, both of which require consultation with the USFWS, which administers the FESA for all terrestrial species. The first pathway, Section 10(a) incidental take permit, applies to situations where a non-federal government entity must resolve potential adverse impacts to species protected under the FESA. The second pathway, Section 7 consultation, applies to projects directly undertaken by a federal agency or private projects requiring a federal permit or approval.

3.2 - Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) implements international treaties between the U.S. and other nations devised to protect migratory birds, their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the Fish and Game Code (FGC).

All raptors and their nests are protected from take or disturbance under the MBTA (16 United States Code [USC], Section 703, et seq.) and California statute (FGC Section 3503.5). The golden eagle (*Aquila chrysaetos*) and bald eagle (*Haliaeetus leucocephalus*) are also afforded additional protection under the Eagle Protection Act, amended in 1973 (16 USC, Section 669, et seq.).

3.3 - Bald and Golden Eagle Protection Act

With few exceptions, this act (16 USC 668–668d) prohibits take of bald eagles and golden eagles. Unlike the MBTA, which defines "take" to mean only direct killing or taking of birds or their body parts, eggs, and nests, the Bald and Golden Eagle Protection Act (BGEPA) defines take in a manner similar to FESA as including "pursuing, shooting, shooting at, poisoning, wounding, killing, capturing,

trapping, collecting, molesting, and disturbing," with "disturb" further defined (50 CFR 22.3) as ''to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.'' Therefore, the requirements for guarding against impacts to eagles generally are far more stringent than those required by the MBTA alone.

3.4 - Executive Order 13112—Invasive Species

Executive Order (EO) 13112 directs all federal agencies to refrain from authorizing, funding, or carrying out actions or projects that may spread invasive species. The order further directs federal agencies to prevent the introduction of invasive species, control and monitor existing invasive species populations, restore native species to invaded ecosystems, research and develop prevention and control methods for invasive species, and promote public education on invasive species. As part of the proposed action, the USFWS and United States Army Corps of Engineers (USACE) would issue permits, and therefore would be responsible for ensuring that the proposed action complies with EO 13112 and does not contribute to the spread of invasive species.

3.5 - Clean Water Act Section 404

The USACE and the United States Environmental Protection Agency (EPA) regulate the discharge of dredged or fill material into waters of the U.S., including wetlands, under Section 404 of the Clean Water Act (CWA). Waters of the U.S. include wetlands, lakes, and rivers, streams, and their tributaries. Wetlands that fall under the jurisdiction of the USACE (referred to as jurisdictional wetlands) are defined as areas "inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." Areas not considered jurisdictional waters include, for example, non-tidal drainage and irrigation ditches excavated on dry land; artificially irrigated or created bodies such as small ponds, lakes or swimming pools; and water-filled depressions (33 CFR 328.3; 40 CFR 230.3).

Project proponents must obtain a permit from USACE for all discharges of fill material into waters of the U.S., including jurisdictional wetlands, before proceeding with a proposed action. If wetlands are jurisdictional and could be filled as part of the project, USACE may issue either an individual permit or a general permit. Individual permits are prepared on a project-specific basis for projects that are expected to have adverse effects on the aquatic environment. General permits are pre-authorized permits issued to cover similar activities that are expected to cause only minimal individual and cumulative adverse environmental effects.

A Section 404 permit may not be required if the project avoids the discharge of any fill material into waters of the U.S., including wetlands. If the project cannot be designed to avoid the discharge of fill or excavating in waters of the U.S., including wetlands, a Section 404 permit must be obtained.

3.6 - Clean Water Act Section 401

The CWA requires any applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into waters of the U.S. to obtain a certification that the discharge will comply with the applicable effluent limitations and water quality standards. The appropriate Regional Water Quality Control Board (RWQCB) regulates Section 401 requirements.

3.7 - California Fish and Game Code

Under the CESA, the CDFW has the responsibility for maintaining a list of endangered and threatened species (FGC Section 2070). Sections 2050 through 2098 of the FGC outline the protection provided to California's rare, endangered, and threatened species. Section 2080 of the FGC prohibits the taking of plants and animals listed under the CESA. Section 2081 established an incidental take permit program for state-listed species. CDFW maintains a list of "candidate species," which it formally notices as being under review for addition to the list of endangered or threatened species.

In addition, the Native Plant Protection Act of 1977 (FGC Section 1900, et seq.) prohibits the taking, possessing, or sale within the State of any plants with a state designation of rare, threatened, or endangered (as defined by CDFW). An exception to this prohibition in the Native Plant Protection Act allows landowners, under specified circumstances, to take listed plant species, provided that the owners first notify CDFW and give that state agency at least 10 days to come and retrieve (and presumably replant) the plants before they are plowed under or otherwise destroyed. (FGC Section 1913 exempts from "take" prohibition "the removal of endangered or rare native plants from a canal, lateral ditch, building site, or road, or other right of way.") Project impacts to these species are not considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with construction of the proposed project.

CDFW also maintains lists of "Species of Special Concern" that serve as species "watch lists." The CDFW has identified many Species of Special Concern. Species with this status have limited distribution or the extent of their habitats has been reduced substantially, such that their populations may be threatened. Thus, their populations are monitored, and they may receive special attention during environmental review. While they do not have statutory protection, they may be considered rare under CEQA and thereby warrant specific protection measures.

Sensitive species that would qualify for listing but are not currently listed are afforded protection under CEQA. CEQA Guidelines Section 15065 (Mandatory Findings of Significance) requires that a substantial reduction in numbers of a rare or endangered species be considered a significant effect. CEQA Guidelines Section 15380 (Rare or Endangered Species) provides for assessment of unlisted species as rare or endangered under CEQA if the species can be shown to meet the criteria for listing. Unlisted plant species on the CNPS's Lists 1A, 1B, and 2 would typically be considered under CEQA.

Sections 3500 to 5500 of the FGC outline protection for fully protected species of mammals, birds, reptiles, amphibians, and fish. Species that are fully protected by these sections may not be taken or

possessed at any time. The CDFW cannot issue permits or licenses that authorize the take of any fully protected species, except under certain circumstances such as scientific research and live capture and relocation of such species pursuant to a permit for the protection of livestock.

Under Section 3503.5 of the FGC, it is unlawful to take, possess, or destroy any birds in the orders of *Falconiformes* or *Strigiformes* (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto. To comply with the requirements of CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any state-listed endangered or threatened species may be present in the project study area and determine whether the proposed project will have a potentially significant impact on such species. In addition, CDFW encourages informal consultation on any proposed project that may impact a candidate species.

Project-related impacts to species on the CESA endangered or threatened list would be considered significant. State-listed species are fully protected under the mandates of the CESA. "Take" of protected species incidental to otherwise lawful management activities may be authorized under FGC Section 206.591. Authorization from CDFW would be in the form of an Incidental Take Permit.

3.8 - California Porter-Cologne Water Quality Control Act

The RWQCB has regulatory authority over wetlands and waterways under both the CWA and the State of California's Porter-Cologne Water Quality Control Act (California Water Code, Division 7). Under the CWA, the RWQCB has regulatory authority over actions in waters of the U.S., through the issuance of water quality certifications under Section 401 of the CWA in conjunction with permits issued by the USACE under Section 404 of the CWA. When the RWQCB issues Section 401 certifications, it simultaneously issues general Waste Discharge Requirements for the project under the Porter-Cologne Water Quality Control Act. Activities in areas that are outside of the jurisdiction of the USACE (e.g., isolated wetlands, vernal pools, seasonal streams, intermittent streams, channels that lack a nexus to navigable waters, or stream banks above the ordinary high water mark) are regulated by the RWQCB under the authority of the Porter-Cologne Water Quality Control Act. Activities that lie outside of USACE jurisdiction may require the issuance of either individual or general waste discharge requirements.

SECTION 4: ENVIRONMENTAL SETTING

4.1 - Vegetation Communities and Land Cover Types

A search of the USFWS Critical Habitat Portal revealed that the project site does not contain mapped critical habitat for any federally listed species (USFWS 2016).

The site is a highly disturbed vacant lot consisting mostly of disturbed nonnative grassland. The site is located on a hillside adjacent to Canwood Street near U.S. Highway 101. One drainage feature was observed at the west end of the site running from north to south. A few large rocky outcroppings were also observed at the site. Vegetative cover is dominated by ruderal vegetation consisting of mustards and grasses and is relatively dense with an overall cover estimate of 70 to 80 percent. Arroyo willow trees (*Salix lasiolepis*) are present in low densities near the northwest corner of the drainage on-site. Black willow trees (*Salix nigra*) are also present in low densities on the hillside. An old housing foundation with the remnants of a structure consisting mostly of brick is also located at the site.

4.2 - Potential Jurisdictional Waters of the U.S.

The project site was visually assessed for the presence or absence of waters of the U.S. or State; however, no formal jurisdictional delineation of wetlands or other waters of the U.S. was conducted. One potential jurisdictional drainage feature was observed at the west end of the project site and may be connected to potential waters of the U.S. offsite. Although willows occur in this area, it is not considered a contiguous riparian habitat system.

4.3 - Special-status Species

Special-status plant and wildlife species were determined as described in Section 3. Each special-status species identified within 1 mile of the project site during the database search has been addressed individually in Table 1 and

Table 2 of this report. Assessment of the potential for each special-status species to occur within the project site was based on known occurrences of the species from the nine-USGS quadrangle search (CNDDB; CDFW 2016), suitability of habitat within the project site, and professional expertise; thus, some additional species outside of the initial 1 mile radius identified during the search are included in Table 1 and

Table 2 as well. The project site is highly disturbed and is unlikely to support a majority of the special-status species discussed in Table 1 and

Table 2. Habitat removal during construction activities has the potential to impact nesting birds protected by the MBTA and at least one bat species.

4.3.1 - Special-status Plants

No sensitive plant species were observed during the survey. Based on a California Natural Diversity Database (CNDDB) records search, several special-status plant species are historically known to occur within Agoura Hills and the general vicinity of the site. These include Agoura Hills dudleya (*Dudleya cymosa* ssp. *agourensis*), California Orcutt grass (*Orcuttia californica*), and Lyon's pentachaeta (*Pentachaeta lyonii*). Based on a lack of natural habitat and the survey results, suitable habitat to support Agoura Hills dudleya, California Orcutt grass, and Lyon's pentachaeta does not appear to be present. No additional focused surveys are recommended for these species.

4.3.2 - Special-status Wildlife

No sensitive wildlife species were observed during the survey. Based on a CNDDB records search, several special-status wildlife species are historically known to occur within Agoura Hills and the general vicinity of the site. These include coast horned lizard (*Phrynosoma blainvillii*), silvery legless lizard (*Anniella pulchra pulchra*), western pond turtle (*Emys marmorata*), golden eagle (*Aquila chrysaetos*), bank swallow (*Hirundo rustica*), burrowing owl (*Athene cunicularia*), and pallid bat (*Antrozous pallidus*). Based on a lack of natural habitat and the survey results, suitable habitat to support the above-referenced sensitive species does not appear to be present.

Nesting Raptors and Migratory Birds

No active raptor or migratory songbird nest sites were observed on the property. The site is partially bounded by a city road, a major U.S. highway, and by residential and commercial developments.

SECTION 5: POTENTIAL CONSTRAINTS TO FUTURE SITE DEVELOPMENT AND RECOMMENDATIONS

Complete avoidance of special-status plant and animal species and the potential habitats that may support them is the ecologically preferred method for preservation of these resources. However, to meet project goals, avoidance is not always possible. Therefore, to reduce the potential for direct or indirect impacts to natural resources, minimization and compensation measures should be employed. The following discussion looks at the potential constraints and offers recommendations on avoidance, minimization, and compensation measures, all of which are in compliance with the various laws that regulate natural resources and land use. This information is offered to help the applicant design a development that meets both financial and ecological objectives to the extent possible.

5.1 - Potential Constraints to Development from the Presence (or Possible Presence) of Special-status Species

As noted in the discussion above, the project site is unlikely to support any special-status species. Survey results indicate that these species are not expected to occur; no further mitigation is recommend. However, the site has the potential to support nesting birds and raptors protected under the MBTA and BGEPA.

5.1.1 - Special-status Wildlife

The discussions below detail the extent of suitable habitat within the project site, potential impacts to these species from the development of the proposed project, and recommended measures to avoid, minimize, and mitigate for project-related impacts.

Nesting Raptors and other Birds

Suitable habitat for raptors and other birds protected by the MBTA occurs within and adjacent to the project site. Most native, breeding birds are protected under Section 3503 of the FGC, and raptors specifically are protected under Section 3503.5 of the FGC. Additionally, both Section 3513 of the FGC and the federal MBTA prohibit the killing, possession, or trading of migratory birds. Section 3800 of the FGC prohibits the taking of nongame birds and fully protected species.

Most raptors nest in mature, large coniferous or deciduous trees and use twigs and branches as nesting material. Smaller raptors may nest in cavities in anthropogenic structures and trees. The nesting period for raptors generally occurs between February 15 and August 31.

Potential impacts could occur to resident and migratory species during project construction, which would render the project site temporarily unsuitable for birds because of the noise, vibrations, and increased activity levels associated with construction. These activities could potentially subject birds to risk of death or injury, and they are likely to avoid using the area until such construction activities have dissipated or ceased. Relocation, in turn, could cause hunger or stress among individual birds by displacing them into adjacent territories belonging to other individuals.

Construction activities that occur during the nesting season (generally March 1 to August 31) would disturb nesting sites for birds protected by the MBTA and FGC. No action is necessary if no active nests are found, or if construction will occur during the non-breeding season (generally September 1 through February 14).

Implementation of the following avoidance and minimization measures would reduce the potential for impacts to raptors and other nesting birds.

- To prevent impacts to MBTA-protected birds and their nests, removal of trees will be limited to only those necessary to construct the proposed project.
- If any tree removal is necessary, then it will occur outside the nesting season between September 1 and February 14, if feasible. If trees cannot be removed outside the nesting season, pre-construction surveys will be conducted a maximum of 7 days prior to tree removal to verify the absence of active nests.
- If an active nest is located during pre-construction surveys, USFWS and/or CDFW (as appropriate) shall be notified regarding the status of the nest. Construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or the agencies deem disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet around an active raptor nest and a 50-foot radius around an active migratory bird nest) or alteration of the construction schedule.
- A qualified biologist will delineate the buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The buffer zone will be maintained around the active nest site(s) until the young have fledged and are foraging independently.

SECTION 6: REFERENCES

California Department of Fish and Wildlife (CDFW). 2016. CNDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: https://map.dfg.ca.gov /rarefind/view/RareFind.aspx. Accessed March 2016.

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Appendix A:
CNDDB and CNPS Inventory Results

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Soil Map—Santa Monica Mountains National Recreation Area

Map Scale: 1:1,710 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 25 50 100 150

Feet: 0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Survey Areas
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Santa Monica Mountains National Recreation Area
Survey Area Data: Version 14, Sep 22, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2014—Dec 23, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Santa Monica Mountains National Recreation Area (CA692)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
437	Urban land-Cropley, fill complex 0 to 8 percent slopes, commercial	7.2	58.1%
452	Urban land-Sapwi, landscaped-Kawenga, landscaped complex, 0 to 20 percent slopes, residential	5.2	41.9%
Totals for Area of Interest		**12.4**	**100.0%**

CNDDB Occurrences of Special Status Species

Distance From Project

1 mile

Project Location

CNDDB Occurrences [2]

CNDDB Polygon Extent

Amphibian

Western Pond Turtle

Plants

Agoura Hills Dudleya

Lyon's Pentachaeta

Critical Habitat

Lyon's Pentachaeta

This map may include multiple species' occurrences at each location, some of which may not be visible on this graphic. The CNDDB occurrences shown may not reflect the actual location of the occurrence.

[1]Project Location: 29353 Canwood Street Agoura Hills, CA
[2]CDFW California Natural Diversity Database (CNDDB), Feb 2016 (GIS Shapefile)
[3]USFWS
CNDDB Occurrences Located on USGS 7.5' Quadrangles: Thousand Oaks (1978)

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

Location: N:\2015\2015-109 Agoura Hills\MAPS\SSS_Survey_and_Mapping\CNDDB\AH_CNDDB.mxd (MAG)-mguidry 3/9/2016

2015-109 Oakmont Senior Living

Miles
0 0.25 0.5

Map Date: 3/9/2016

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad is (Thousand Oaks (3411827)) and Accuracy is (Circular feature with a 1600 meter radius (1 mile))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Aquila chrysaetos golden eagle	ABNKC22010	None	None	G5	S3	FP
Orcuttia californica California Orcutt grass	PMPOA4G010	Endangered	Endangered	G1	S1	1B.1
Riparia riparia bank swallow	ABPAU08010	None	Threatened	G5	S2	

Record Count: 3

Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank	CESA	FESA	Elevation High (meters)	Elevation Low (meters)	CA Endemic
Astragalus brauntonii	Braunton's milk-vetch	Fabaceae	perennial herb	1B.1	S2	G2	None	FE	640	4	T
Atriplex coulteri	Coulter's saltbush	Chenopodiaceae	perennial herb	1B.2	S2	G3	None	None	460	3	F
Atriplex serenana var. davidsonii	Davidson's saltscale	Chenopodiaceae	annual herb	1B.2	S1	G5T1	None	None	200	10	F
Baccharis malibuensis	Malibu baccharis	Asteraceae	perennial deciduous shrub	1B.1	S1	G1	None	None	305	150	T
California macrophylla	round-leaved filaree	Geraniaceae	annual herb	1B.2	S3?	G3?	None	None	1200	15	F
Calochortus clavatus var. gracilis	slender mariposa lily	Liliaceae	perennial bulbiferous herb	1B.2	S2S3	G4T2T3	None	None	1000	320	T
Calochortus fimbriatus	late-flowered mariposa lily	Liliaceae	perennial bulbiferous herb	1B.3	S3	G3	None	None	1905	275	T
Centromadia parryi ssp. australis	southern tarplant	Asteraceae	annual herb	1B.1	S2	G3T2	None	None	480	0	F
Chaenactis glabriuscula var. orcuttiana	Orcutt's pincushion	Asteraceae	annual herb	1B.1	S1	G5T1T2	None	None	100	0	F
Chorizanthe parryi var. fernandina	San Fernando Valley spineflower	Polygonaceae	annual herb	1B.1	S1	G2T1	CE	FC	1220	150	T
Chorizanthe parryi var. parryi	Parry's spineflower	Polygonaceae	annual herb	1B.1	S3	G3T3	None	None	1220	275	T
Deinandra minthornii	Santa Susana tarplant	Asteraceae	perennial deciduous shrub	1B.2	S2	G2	CR	None	760	280	T
Delphinium parryi ssp. blochmaniae	dune larkspur	Ranunculaceae	perennial herb	1B.2	S2	G4T2	None	None	200	0	T
Dudleya blochmaniae ssp. blochmaniae	Blochman's dudleya	Crassulaceae	perennial herb	1B.1	S2	G3T2	None	None	450	5	F
Dudleya cymosa ssp. agourensis	Agoura Hills dudleya	Crassulaceae	perennial herb	1B.2	S2	G5T1	None	FT	500	200	T
Dudleya cymosa ssp. marcescens	marcescent dudleya	Crassulaceae	perennial herb	1B.2	S2	G5T2	CR	FT	520	150	T
Dudleya cymosa ssp. ovatifolia	Santa Monica dudleya	Crassulaceae	perennial herb	1B.1	S1	G5T1	None	FT	1675	150	T
Dudleya multicaulis	many-stemmed dudleya	Crassulaceae	perennial herb	1B.2	S2	G2	None	None	790	15	T
Dudleya parva	Conejo dudleya	Crassulaceae	perennial herb	1B.2	S1	G1	None	FT	450	60	T
Dudleya verityi	Verity's dudleya	Crassulaceae	perennial herb	1B.1	S1	G1	None	FT	120	60	T
Eriogonum crocatum	conejo buckwheat	Polygonaceae	perennial herb	1B.2	S1	G1	CR	None	580	50	T
Horkelia cuneata var. puberula	mesa horkelia	Rosaceae	perennial herb	1B.1	S1	G4T1	None	None	810	70	T
Isocoma menziesii var. decumbens	decumbent goldenbush	Asteraceae	perennial shrub	1B.2	S2	G3G5T2T3	None	None	135	10	F
Lasthenia glabrata ssp. coulteri	Coulter's goldfields	Asteraceae	annual herb	1B.1	S2	G4T2	None	None	1220	1	F
Monardella hypoleuca ssp. hypoleuca	white-veined monardella	Lamiaceae	perennial herb	1B.3	S2S3	G4T2T3	None	None	1525	50	T
Monardella sinuata ssp. gerryi	Gerry?s curly-leaved monardella	Lamiaceae	annual herb	1B.1	S1	G1	None	None	245	150	T
Monardella sinuata ssp. sinuata	southern curly-leaved monardella	Lamiaceae	annual herb	1B.2	S2	G3T2	None	None	300	0	T
Navarretia ojaiensis	Ojai navarretia	Polemoniaceae	annual herb	1B.1	S1	G1	None	None	620	275	T
Nolina cismontana	chaparral nolina	Ruscaceae	perennial evergreen shrub	1B.2	S3	G3	None	None	1275	140	T
Orcuttia californica	California Orcutt grass	Poaceae	annual herb	1B.1	S1	G1	CE	FE	660	15	F
Pentachaeta lyonii	Lyon's pentachaeta	Asteraceae	annual herb	1B.1	S1	G1	CE	FE	690	30	T
Senecio aphanactis	chaparral ragwort	Asteraceae	annual herb	2B.2	S2	G3?	None	None	800	15	F
Thelypteris puberula var. sonorensis	Sonoran maiden fern	Thelypteridaceae	perennial rhizomatous herb	2B.2	S2	G5T3	None	None	610	50	F
Tortula californica	California screw-moss	Pottiaceae	moss	1B.2	S2S3	G2G3	None	None	1460	10	T

Critical Habitat for Threatened & Endangered Species [USFWS]

A specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

U.S. Fish and Wildlife Service | USDA FSA, Microsoft | Esri, HERE, DeLorme, iPC, NGA, USGS

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad is (Calabasas (3411826) or Malibu Beach (3411816) or Moorpark (3411838) or Newbury Park (3411828) or Point Dume (3411817) or Santa Susana (3411836) or Simi (3411837) or Thousand Oaks (3411827) or Triunfo Pass (3411818))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Accipiter cooperii Cooper's hawk	ABNKC12040	None	None	G5	S4	WL
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	None	G2G3	S1S2	SSC
Aimophila ruficeps canescens southern California rufous-crowned sparrow	ABPBX91091	None	None	G5T3	S2S3	WL
Anaxyrus californicus arroyo toad	AAABB01230	Endangered	None	G2G3	S2S3	SSC
Anniella pulchra pulchra silvery legless lizard	ARACC01012	None	None	G3G4T3T4Q	S3	SSC
Antrozous pallidus pallid bat	AMACC10010	None	None	G5	S3	SSC
Aquila chrysaetos golden eagle	ABNKC22010	None	None	G5	S3	FP
Aspidoscelis tigris stejnegeri coastal whiptail	ARACJ02143	None	None	G5T3T4	S2S3	
Astragalus brauntonii Braunton's milk-vetch	PDFAB0F1G0	Endangered	None	G2	S2	1B.1
Athene cunicularia burrowing owl	ABNSB10010	None	None	G4	S3	SSC
Atriplex coulteri Coulter's saltbush	PDCHE040E0	None	None	G3	S2	1B.2
Atriplex serenana var. davidsonii Davidson's saltscale	PDCHE041T1	None	None	G5T1	S1	1B.2
Baccharis malibuensis Malibu baccharis	PDAST0W0W0	None	None	G1	S1	1B.1
Bombus crotchii Crotch bumble bee	IIHYM24480	None	None	G3G4	S1S2	
California macrophylla round-leaved filaree	PDGER01070	None	None	G3?	S3?	1B.2
California Walnut Woodland California Walnut Woodland	CTT71210CA	None	None	G2	S2.1	
Calochortus clavatus var. gracilis slender mariposa-lily	PMLIL0D096	None	None	G4T2T3	S2S3	1B.2
Calochortus fimbriatus late-flowered mariposa-lily	PMLIL0D1J2	None	None	G3	S3	1B.2
Calochortus plummerae Plummer's mariposa-lily	PMLIL0D150	None	None	G4	S4	4.2

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Catostomus santaanae Santa Ana sucker	AFCJC02190	Threatened	None	G1	S1	
Centromadia parryi ssp. australis southern tarplant	PDAST4R0P4	None	None	G3T2	S2	1B.1
Chaenactis glabriuscula var. orcuttiana Orcutt's pincushion	PDAST20095	None	None	G5T1T2	S1	1B.1
Chorizanthe parryi var. fernandina San Fernando Valley spineflower	PDPGN040J1	Candidate	Endangered	G2T1	S1	1B.1
Chorizanthe parryi var. parryi Parry's spineflower	PDPGN040J2	None	None	G3T3	S3	1B.1
Cismontane Alkali Marsh Cismontane Alkali Marsh	CTT52310CA	None	None	G1	S1.1	
Coelus globosus globose dune beetle	IICOL4A010	None	None	G1G2	S1S2	
Danaus plexippus pop. 1 monarch - California overwintering population	IILEPP2012	None	None	G4T2T3	S2S3	
Deinandra minthornii Santa Susana tarplant	PDAST4R0J0	None	Rare	G2	S2	1B.2
Delphinium parryi ssp. blochmaniae dune larkspur	PDRAN0B1B1	None	None	G4T2	S2	1B.2
Diadophis punctatus modestus San Bernardino ringneck snake	ARADB10015	None	None	G5T2T3Q	S2?	
Dodecahema leptoceras slender-horned spineflower	PDPGN0V010	Endangered	Endangered	G1	S1	1B.1
Dudleya blochmaniae ssp. blochmaniae Blochman's dudleya	PDCRA04051	None	None	G3T2	S2	1B.1
Dudleya cymosa ssp. agourensis Agoura Hills dudleya	PDCRA040A7	Threatened	None	G5T1	S2	1B.2
Dudleya cymosa ssp. marcescens marcescent dudleya	PDCRA040A3	Threatened	Rare	G5T2	S2	1B.2
Dudleya cymosa ssp. ovatifolia Santa Monica dudleya	PDCRA040A5	Threatened	None	G5T1	S1	1B.1
Dudleya multicaulis many-stemmed dudleya	PDCRA040H0	None	None	G2	S2	1B.2
Dudleya parva Conejo dudleya	PDCRA04016	Threatened	None	G1	S1	1B.2
Dudleya verityi Verity's dudleya	PDCRA040U0	Threatened	None	G1	S1	1B.1
Elanus leucurus white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
Empidonax traillii extimus southwestern willow flycatcher	ABPAE33043	Endangered	Endangered	G5T2	S1	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Emys marmorata western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
Eriogonum crocatum conejo buckwheat	PDPGN081G0	None	Rare	G1	S1	1B.2
Eucyclogobius newberryi tidewater goby	AFCQN04010	Endangered	None	G3	S3	SSC
Euderma maculatum spotted bat	AMACC07010	None	None	G4	S3	SSC
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G5T4	S3S4	SSC
Falco peregrinus anatum American peregrine falcon	ABNKD06071	Delisted	Delisted	G4T4	S3S4	FP
Gasterosteus aculeatus williamsoni unarmored threespine stickleback	AFCPA03011	Endangered	Endangered	G5T1	S1	FP
Gila orcuttii arroyo chub	AFCJB13120	None	None	G2	S2	SSC
Harpagonella palmeri Palmer's grapplinghook	PDBOR0H010	None	None	G4	S3	4.2
Horkelia cuneata var. puberula mesa horkelia	PDROS0W045	None	None	G4T1	S1	1B.1
Isocoma menziesii var. decumbens decumbent goldenbush	PDAST57091	None	None	G3G5T2T3	S2	1B.2
Lampropeltis zonata (pulchra) California mountain kingsnake (San Diego population)	ARADB19063	None	None	G4G5	S1S2	SSC
Lasiurus blossevillii western red bat	AMACC05060	None	None	G5	S3	SSC
Lasiurus cinereus hoary bat	AMACC05030	None	None	G5	S4	
Lasthenia glabrata ssp. coulteri Coulter's goldfields	PDAST5L0A1	None	None	G4T2	S2	1B.1
Macrotus californicus California leaf-nosed bat	AMACB01010	None	None	G4	S3	SSC
Monardella hypoleuca ssp. hypoleuca white-veined monardella	PDLAM180A3	None	None	G4T2T3	S2S3	1B.3
Monardella sinuata ssp. gerryi Gerry's curly-leaved monardella	PDLAM18163	None	None	G3T1	S1	1B.1
Myotis ciliolabrum western small-footed myotis	AMACC01140	None	None	G5	S3	
Myotis yumanensis Yuma myotis	AMACC01020	None	None	G5	S4	
Navarretia ojaiensis Ojai navarretia	PDPLM0C130	None	None	G1	S1	1B.1

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Neotoma lepida intermedia San Diego desert woodrat	AMAFF08041	None	None	G5T3T4	S3S4	SSC
Nolina cismontana chaparral nolina	PMAGA080E0	None	None	G3	S3	1B.2
Oncorhynchus mykiss irideus steelhead - southern California DPS	AFCHA0209J	Endangered	None	G5T1Q	S1	
Orcuttia californica California Orcutt grass	PMPOA4G010	Endangered	Endangered	G1	S1	1B.1
Pentachaeta lyonii Lyon's pentachaeta	PDAST6X060	Endangered	Endangered	G1	S1	1B.1
Phrynosoma blainvillii coast horned lizard	ARACF12100	None	None	G3G4	S3S4	SSC
Polioptila californica californica coastal California gnatcatcher	ABPBJ08081	Threatened	None	G3T2	S2	SSC
Rana draytonii California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
Riparia riparia bank swallow	ABPAU08010	None	Threatened	G5	S2	
Senecio aphanactis chaparral ragwort	PDAST8H060	None	None	G3	S2	2B.2
Socalchemmis gertschi Gertsch's socalchemmis spider	ILARAU7010	None	None	G1	S1	
Southern California Coastal Lagoon Southern California Coastal Lagoon	CALE1220CA	None	None	GNR	SNR	
Southern California Steelhead Stream Southern California Steelhead Stream	CARE2310CA	None	None	GNR	SNR	
Southern Coast Live Oak Riparian Forest Southern Coast Live Oak Riparian Forest	CTT61310CA	None	None	G4	S4	
Southern Coastal Salt Marsh Southern Coastal Salt Marsh	CTT52120CA	None	None	G2	S2.1	
Southern Mixed Riparian Forest Southern Mixed Riparian Forest	CTT61340CA	None	None	G2	S2.1	
Southern Riparian Forest Southern Riparian Forest	CTT61300CA	None	None	G4	S4	
Southern Riparian Scrub Southern Riparian Scrub	CTT63300CA	None	None	G3	S3.2	
Southern Sycamore Alder Riparian Woodland Southern Sycamore Alder Riparian Woodland	CTT62400CA	None	None	G4	S4	
Southern Willow Scrub Southern Willow Scrub	CTT63320CA	None	None	G3	S2.1	
Spea hammondii western spadefoot	AAABF02020	None	None	G3	S3	SSC

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Streptocephalus woottoni Riverside fairy shrimp	ICBRA07010	Endangered	None	G1G2	S1S2	
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Thamnophis hammondii two-striped garter snake	ARADB36160	None	None	G4	S3S4	SSC
Thelypteris puberula var. sonorensis Sonoran maiden fern	PPTHE05192	None	None	G5T3	S2	2B.2
Tortula californica California screw moss	NBMUS7L090	None	None	G2G3	S2S3	1B.2
Trimerotropis occidentiloides Santa Monica grasshopper	IIORT36300	None	None	G1G2	S1S2	
Valley Needlegrass Grassland Valley Needlegrass Grassland	CTT42110CA	None	None	G3	S3.1	
Valley Oak Woodland Valley Oak Woodland	CTT71130CA	None	None	G3	S2.1	
Vireo bellii pusillus least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S2	

Record Count: 91

Appendix B:
Site Photographs

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Photograph 1: Structure

Photograph 2: Drainage

Photograph 3: Rock area potential pallid bat habitat

Photograph 4: Overview 1

Photograph 5: Overview 2

Photograph 6: Overview 3

Photograph 7: Woodrat midden

Photograph 8: Oak Tree